

U.S. Department of Housing and Urban Development

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## Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58

#### **Project Information**

**Project Name:** The Residence at Canopy Pointe

Project Location: 205, 209, 213 & 217 Middle Sound Loop Road, Wilmington, New Hanover County,

North Carolina 28411

Federal Agency: U.S. Department of Housing & Urban Development (HUD)

**Responsible Entity:** North Carolina Office of Recovery and Resiliency (NCORR)

Grant Recipient: Blue Ridge Atlantic Apartments, LLC

**State/Local Identifier**: B-19-DV-37-0001 and B-19-DV-37-0002

Preparer: Andrea Gievers, Environmental SME, NCORR

Certifying Officer Name and Title: Laura H. Hogshead, Director, NCORR

Consultant: Dana Lutheran, Southern Environmental Group, Inc. (SEGi)

#### **Direct Comments to:**

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#### **Project Location:**

The proposed project location consists of the parcels located at 205, 209, 213 & 217 Middle Sound Loop Road in Wilmington, New Hanover County, North Carolina 28411 (see Attachment). The subject property is located near the intersection of Market Street and Middle Sound Loop Road, near the Ogden Market Place shopping center. It is situated between Living Water Ministries Church to the west and an undeveloped lot to the east, with single family homes located to the north and across Middle Sound Loop Road to the south of the property (see Attachment).

#### **Description of the Proposed Project** [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

The proposed Residence at Canopy Pointe ("proposed project") is an affordable senior living facility, new construction project, which will consist of one building, encompassing approximately 80,920 square feet, three stories and standing 42 feet high. The single building will contain 72 dwelling units, with associated offices, dining, and recreational areas, as well as infrastructure, such as stormwater retention pond, electric, water and sewer lines, paved parking areas and landscaped areas (see Attachment).

#### **Statement of Purpose and Need for the Proposal** [40 CFR 1508.9(b)]:

The proposed project will assist the City of Wilmington and New Hanover County in providing agerestricted housing for seniors in the local community. The proposed project will help to address the shortage in affordable senior housing inventory. All of the units are affordable and range from 30% to 80% Area Median Income (AMI). New Hanover County has been a desirable location for retirees, some of whom will either need or may be in need of facilities like the proposed Residence at Canopy Pointe.

#### **Existing Conditions and Trends** [24 CFR 58.40(a)]:

The site is comprised of four separate parcels that cumulatively encompass approximately 4.82 acres of land (see Attachment). The following table provides the parcels and their acreages included with this project:

	Parcel Id	Size
1	R04410-001-007-000	0.93 AC
2	R04410-001-008-000	1.42 AC
3	R04410-001-010-000	2.30 AC
4	R04410-001-009-000	0.12 AC

The subject property fronts Middle Sound Loop Road, which is a two-lane road that provides access to residential properties in the Middle Sound Loop area. The site is mostly wooded with a regulated relatively permanent waters (RPW) i.e., manmade drainage ditch which is devoid of vegetation within its bottom, starts near the southeastern corner of the proposed project site and runs west and parallel with the eastern property boundary, approximately 400 linear feet (LF), where it terminates (see Attachment).

The proposed project site is in an area of the County that can generally be described as residential and commercial. Surrounding properties contain commercial properties, such as a church and single-family residential properties. The proposed project exemplifies the type of mixed income, apartment development that New Hanover County is encouraging in the community. The Residence at Canopy Pointe will be nestled

into the existing property fabric by preserving as much vegetation as possible, providing buffers to adjacent properties, and employing low-impact design techniques for stormwater management.

The proposed project site received rezoning approval from the New Hanover County Planning and Land Use Department. The rezoning approval changed the parcels' zoning from Residential-15 District (R-15) to Conditional Residential Multi-Family Moderate Density District (RMF-M) (see Attachment).

#### **Funding Information**

<b>Grant Number</b>	HUD Program	<b>Funding Amount</b>
B-19-DV-37-0001 and	CDBG-DR	2,500,000.00
B-19-DV-37-0002		

**Estimated Total HUD Funded Amount: \$2,500,000.00** 

Non-HUD Program: RPP Loan (HOME Match)
Non-HUD Funding Amount: \$800,000.00
Non-HUD Funding Source: Bank Loan
Non-HUD Funding Amount: \$2,811,266.00
Non-HUD Funding Source: Federal LIHTC
Non-HUD Funding Amount: \$6,467,873.00

**Estimated Total Non-HUD Funded Amount:** \$10,079,139.00

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$12,579,139.00

#### Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes,	Are formal	Compliance determinations		
Executive Orders, and	compliance			
Regulations listed at 24 CFR	steps or			
§58.5 and §58.6	mitigation			
	required?			
STATUTES, EXECUTIVE OR	STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6			
Airport Hazards  24 CFR Part 51 Subpart D	Yes No	There are no civilian, commercial service or military airports within the required evaluation distances, which are 2,500 and 15,000 linear feet respectively, of the proposed project site. The Wilmington International Airport is located more than 24,000 feet west of the proposed project site (see Attachment).		
Coastal Barrier Resources  Coastal Barrier Resources Act, as amended by the Coastal Barrier	Yes No	This proposed project site is not located in or within proximity to a Coastal Barrier Resource System (CBRS) Unit. New Hanover County does contain		

Improvement Act of 1990 [16 USC 3501]		CBRS Units. However, the closest CBRS is located approximately 2.2 miles away from the proposed project site (see Attachment). The attached U.S. Fish and Wildlife Service's (USFWS) CBRS Mapper depicts the site relative to the closest Coastal Barrier Resource System. Therefore, this proposed project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No	The proposed project site is located outside of any area identified by the Federal Emergency Management Agency (FEMA), as a Special Flood Hazard Area or FEMA-designated regulatory floodway, as per Panel 3720315900J, effective on 08/28/2018, (see Attachment). According to the FEMA Map Service Center, there are no Preliminary FIRMs available for the proposed project site. Wilmington, North Carolina is a National Flood Insurance Program (NFIP) participating community according to the FEMA Community Status Book Report.
STATUTES, EXECUTIVE OR	DERS, AND RE	GULATIONS LISTED AT 24 CFR 50.4 & 58.5
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes No	According to the U.S. Environmental Protection Agency (EPA) Greenbook, the proposed project site is not located in a county that is in either nonattainment or maintenance status for any criteria pollutants (see Attachment).
		The proposed project will consist of the development of the subject property with a senior living facility which entails the construction of one approximately 80,920-square foot building, a stormwater retention pond, paved parking areas and landscaped areas (see Attachment). Construction-related activities can cause short-term exposures such as fugitive dust and emissions. The proposed project will conform to NC Air Quality Management regulations during the construction period. The contractor will use Best Management Practices (BMPs) to reduce fugitive dust generation and diesel emissions. BMPs will include wetting the grading site during dry conditions. In addition, the stormwater retention system will be appropriately maintained to limit exposures.
		Based on the EPA's Radon Zone Map, the proposed project site is located within Zone 3 with predicted average indoor radon screening levels less than 2

		pCi/L (Low Potential) (see Attachment). Due to the low potential for elevated indoor radon levels, no additional steps are required for radon mitigation.  There will be no significant impact to air quality from the proposed project. The operation of the proposed project, following the completion of construction activities, will not increase emissions. Therefore, the proposed project is in compliance with the Clean Air Act, 40 CFR Parts 6, 51, and 93.
Coastal Zone Management Act, sections 307(c) & (d)	Yes No	Properties located within a state's coastal management zone must comply with the approved State Coastal Zone Management Program. The proposed project site is located within one of the 20 North Carolina coastal zone counties. Thus, the NC Division of Coastal Zone Management (DCM) was contacted regarding the proposed project (see Attachment). On January 19, 2022, the DCM's Policy Analyst responded that "DCM has reviewed the submitted information pursuant to the management objectives and enforceable policies of Subchapters 7H and 7M of Chapter 7 in Title 15A of the North Carolina Administrative Code and concurs that the proposed activity is consistent with North Carolina's approved coastal management program." Therefore, the proposed project is in compliance with the Coastal Zone Management Act, sections 307(c) & (d).
Contamination and Toxic Substances  24 CFR Part 50.3(i) & 58.5(i)(2)	Yes No	The proposed project site is not listed on an EPA Superfund National Priorities or Comprehensive Environmental Response Superfund National Priorities or Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) List, or equivalent State list.  According to the NC Department of Environmental Quality (DEQ) Division of Waste Management (DWM) Superfund Section in the State Environmental Clearinghouse Comments, there are two Superfund certified Dry-Cleaning Solvent Cleanup Act (DSCA) sites located within one mile of the proposed project site: Coastal Dry Cleaners - Ogden Plaza and Three Dollar Crystal Cleaners. However, the listed sites are at lower elevations than the proposed project site and, therefore, do not pose a hazard that could affect the health and safety of occupants or conflict with the intended utilization of the site. The NC DWM Site Locator Tool does not identify any toxic or solid waste landfill sites,

		including pre-regulatory landfills, within 3,000 feet of the proposed project site (see Attachment).
		A Phase I Environmental Site Assessment (ESA) was conducted on the site and issued on September 10, 2021 (see Attachment). A site inspection was performed on the proposed project site and "all appropriate inquiries" (AAI) were performed. The report does not identify on-site recognized environmental conditions (RECs), and it did not identify any off-site incidents or RECs within the required search radius.
		Based on a site visit and review of available environmental records for the proposed project site and surrounding area, the site is unlikely to contain hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property.
Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes No	Based on the results of the Information for Planning and Consultation (IPaC) report, generated at the USFWS Information for Planning and Consultation website (https://ecos.fws.gov/ipac/), there is a total of seventeen threatened, endangered, or candidate species identified for the project area. No critical habitats for any of these species are located within the proposed project area. In addition, the NC Natural Heritage Program (NC NHP) database query documented element occurrences within a one-mile radius of the project area. However, the proposed project site does not contain suitable habitat for these species and is located within a densely developed area. A query of the NC NHP database resulted in no records for important natural communities, natural areas, and/or conservation/managed areas within the proposed project boundary (see Attachment).
		The Northern Long-eared Bat (NLEB) profile shows that this species does include ranges of occupation that occur within the County. On January 7, 2022, Judith Ratcliffe with the NC NHP issued an emailed response regarding the NLEB and the proposed project site. The response stated "there are no documented Northern Long-eared Bat maternity roost trees within 150 feet of this project boundary. There are no documented Northern Long-eared Bat hibernacula within 0.25 mile of this project

boundary." The IPaC, NC NHP email, and the NC NHP Database Query Report are included in the Attachments.

For this proposed project, the USFWS Raleigh Ecological Services' online 10-step project review process was completed and "no effect" determinations for proposed/listed species and/or proposed/designated critical habitat, except for the NLEB, and a "no Eagle Act permit required" determination for eagles were made. The proposed project will have "no effect" on those identified species because there are no listed species, designated critical habitats or suitable habitat in the action area.

NCORR submitted the 10-step project review package and signed NLEB 4(d) Rule Streamlined Consultation Form to the USFWS on January 19, 2022 as notification of its determination and acknowledgement of receipt requested determination whether the proposed action may affect, but is not likely to adversely affect the NLEB (see Attachment). Under the NLEB 4(d) Rule Streamlined Consultation Form, "[i]f the USFWS does not respond within 30 days from submittal of this form, the action agency may presume that its determination is informed by the best available information and that its project responsibilities under7(a)(2) with respect to the NLEB are fulfilled through the USFWS January 5, 2016, Programmatic BO. The action agency will update determination annually for multi-year activities." According to the USFWS letter dated November 29. 2021, "[b]ased upon your IPaC submission, the Action is consistent with activities analyzed in the PBO. The Action may affect the northern long-eared bat; however, any take that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o). Unless the Service advises you within 30 days of the date of this letter that your IPaC-assisted determination was incorrect, this letter verifies that the PBO satisfies and concludes your responsibilities for this Action under ESA Section 7(a)(2) with respect to the northern long-eared bat." A response has not been received from the USFWS, however, if a response is received then it will be included in the Environmental Review Record (ERR).

		The Self-Certification Letter dated January 19, 2022 states that "we concur with the 'no effect' or 'not likely to adversely affect' determinations for proposed and listed species and proposed and designated critical habitat; the 'may affect' determination for Northern long-eared bat; and/or the 'no Eagle Act permit required' determinations for eagles. Additional coordination with this office is not needed" (see Attachment). This proposed project is in compliance with the Endangered Species Act without mitigation.
Explosive and Flammable Hazards  24 CFR Part 51 Subpart C	Yes No	The Phase I ESA does not identify explosive or flammable hazards at the proposed project site or in the vicinity of the site. Additionally, the site reconnaissance did not identify any such hazards (see Attachment). A completed Thermal and Explosives Hazards Worksheet does not indicate that such hazards are associated with the proposed project site or surrounding properties (see Attachment). Chris Johnson, on behalf of Deputy Fire Marshal Marybeth Evans, responded to our request for information regarding AST and explosive and flammable hazards at or in the vicinity of the proposed project site. Ms. Evans completed a brief search of the properties surrounding 205 Middle Sound Loop Road and did not find any AST's (see Attachment). A copy of this email response is attached. A review of the USGS 7.5 Minute Map and NHC GIS 2021 aerial photography did not reveal any ASTs, over 100 gallons, within one mile of the proposed project site (see Attachment). The proposed project is in compliance with explosive and flammable hazard requirements.
Farmlands Protection  Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes No	The proposed project includes activities that could potentially convert agricultural land to a nonagricultural use, but an exemption applies. The site contains overgrown grass land and wooded land. According to the NRCS Soil Survey, the site contains mostly Leon Sand and Murville fine sand, which are both classified as Farmland of unique importance (see Attachments).  According to the NEPAssist Map, the U.S. Census Bureau depicts the proposed project site as an Urbanized Area (UA) and, therefore, the proposed project will not affect protected farmland. The proposed project is in compliance with the Farmland Protection Policy Act.

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Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes No	The FEMA FIRMette panel 3720315900J, effective on 08/28/2018, shows the proposed project site located wholly within Zone X (see Attachment). According to the FEMA Map Service Center, there are no Preliminary FIRMs available for the proposed project site. No Special Flood Hazard Area or FEMA-designated regulatory floodway is located anywhere on the proposed project site. The proposed project is in compliance with this section.
Historic Preservation  National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes No	The North Carolina State Historic Preservation Office (NC SHPO) was consulted if the proposed project would have adverse effects on historic or archeological resources at the site. NCORR submitted the proposed project to the NC SHPO and the NC State Environmental Clearinghouse for review on December 8, 2021. On January 26, 2022, the NC SHPO responded that "[w]e have conducted a review of the project and are aware of no historic resources which would be affected by the project. Therefore, we have no comment on the project as proposed." (see Attachment).  According to the HUD Tribal Directory Assessment Tool (TDAT), the Catawba Indian Nation is the only
		tribe with interests in New Hanover County, North Carolina. On December 8, 2021, NCORR consulted with the Catawba Indian Nation for discussion of historic properties in the proposed project area that may have religious and cultural significance. On January 13, 2022, the Catawba Indian Nation's Tribal Historic Preservation Office (THPO) responded that "[t]he Catawba have no immediate concerns, with regard to traditional cultural properties, sacred sites or Native American archaeological sites within the boundaries of the proposed project areas. However, the Catawba are to be notified if Native American artifacts and / or human remains are located during the ground disturbance phase of this project." (see Attachment). The proposed project is in compliance with Section 106.
Noise Abatement and Control  Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes No	The noise level is anticipated to be acceptable, less than 65.0 dB. The proposed project site is not situated within 1,000 feet of a major roadway (over 10,000 AADT) or within 3,000 feet of a railroad. One airport was identified approximately 5 miles from the site (Wilmington International Airport) (see Attachment). The air traffic patterns, for this airport, were below thresholds deemed to allow air traffic noise to be

		contained to the airport property. The air traffic patterns for the airport air listed below with the minimum requirement in parenthesis – Air Carriers 8,626 (9,000); Air Taxis 13,912 (18,000); Military 11,430 (18,000); and General Aviation 25,855 + 9,283 = 35,138 (72,000). According to the National Transportation Noise Map, the proposed project site is not within the 65 dB zone for any of the noise sources (see Attachment).
		According to the NC Department of Transportation (NC DOT), the Wilmington MPO MTP (and CAPE FEAR MOVING FORWARD 2045 METROPOLITAN TRANSPORTATION PLAN) (https://www.wmpo.org/plans/) should be consulted for information on future and existing roadway and transit recommendations, plans and projects for the area surrounding the proposed project site. This includes U.S. 17 and Military Cutoff Road, which are located more than 1,000 feet from the project site. NCORR additionally contacted Keith Dixon at NC DOT for 10-year traffic/ road projections and his response will be appended to the ERR.
		Short-term construction work will adhere to local noise control standards/regulations. Construction noise will be limited to daytime hours. Construction equipment will be required to meet sound control requirements. The project is in compliance with HUD's Noise regulations.
Sole Source Aquifers  Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes No	Sole source aquifers are not located within the boundaries of the State of North Carolina, according to the EPA (see Attachment). The proposed project is in compliance with Sole Source Aquifer requirements.
Wetlands Protection  Executive Order 11990, particularly sections 2 and 5	Yes No	There are no USFWS National Wetlands Inventory (NWI) mapped wetlands on the proposed project site. According to the U. S. Army Corps of Engineers (USACE), there is a non-stream and non-wetland jurisdictional open water feature located on the proposed project site. During the site visit, this was identified as a RPW i.e., manmade drainage ditch which is devoid of vegetation within its bottom, starts near the southeastern corner of the proposed project site and runs west and parallel with the eastern property boundary, approximately 400 LF, where it terminates. A jurisdictional determination, confirming the RPW is a "water of the US", under

Section 404 of the Clean Water Act (CWA), has been obtained, from USACE (see Attachment). The USACE jurisdictional determination includes a General Permit Verification for Nationwide Permit 18 under CWA Section 404 allowing discharge of fill into 0.06 acre of a jurisdictional non-stream, open water ditch (see Attachment). The impact is necessary to facilitate the installation of the stormwater detention pond and fill and grading for the proposed parking areas (see Attachment). Due to the RPW being a ditch, devoid of vegetation, and merely a conveyance of water, mitigation to offset the impact was not required.

CWA Section 401 regulates discharge of fill into 4 basic types of jurisdictional waters: wetlands; other special aquatic sites; open waters; and streams and rivers. According to NC DEQ Division of Water Water Resources' (DWR) Quality General Certification 4249 (https://edocs.deq.nc.gov/WaterResources/DocView. aspx?dbid=0&id=2193804), **DWR** written concurrence is required whenever construction or operation of facilities will result in a discharge into wetlands or open waters greater than or equal to 0.10 acre, the project is not adjacent to an Outstanding Resource Water (ORW) or SA;HQW water, among other conditions, that are not relative to the proposed project. The proposed impact to the jurisdictional ditch is 0.06-acre and the project is not adjacent to an ORW or SA water. Thus, an Individual 401 Water Quality Certification from DWR is likely not necessary.

The Executive Order 11990 covers the following types of waters: wetlands; mudflats. which are considered other special aquatic sites under the CWA; and natural ponds, which are considered open water under the CWA. Because the feature in question is open water, though it is regulated under the CWA, it is not covered under Executive Order 11990 and 24 CFR 55.

According to the NC DEQ, sedimentation and erosion control must be addressed in accordance with New Hanover Local Government's approved program and 15A NCAC 2H 1000 State Stormwater Permitting

		Programs that regulate site development and post-construction stormwater runoff control.  The proposed project activities will be completed in accordance with all applicable federal, state and local laws, regulations, and permit requirements and conditions. Permits required for this proposed project shall be obtained before commencing work and appended to the environmental review record when received from the permitting agencies.
Wild and Scenic Rivers  Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No	According to the attached U. S. National Park Service Nationwide Rivers Inventory Map and National Wild and Scenic River System Map, the proposed project site is not located within 0.25 mile of a WSR or NRI river. Based on a review of the above resources, the proposed project will have no impact on Wild and Scenic Rivers.
ENVIRONMENTAL JUSTICE		
<b>Environmental Justice</b>	Yes No	According to the EPA Environmental Justice
Executive Order 12898		Screening and Mapping Tool, the proposed project site is not located in a potential Environmental Justice area. The proposed project does not facilitate development which would result in disproportionate adverse environmental impacts on low-income or minority populations. Rather, this proposed project will create an affordable senior living residential development. The proposed project will help to address the shortage in affordable senior housing inventory. All of the units are affordable and range from 30% to 80% Area Median Income (AMI). Thus, no adverse environmental impacts were identified in the project's environmental review. The proposed project is in compliance with EO 12898.

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. All conditions, attenuation or mitigation measures have been clearly identified.

**Impact Codes**: Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated

- (3) Minor Adverse Impact May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental	Impact				
Assessment Factor	Code	Impact Evaluation			
	LAND DEVELOPMENT				
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	Multiple County and City meetings have been held on rezoning and annexation for the proposed project and are listed in Public Outreach Section and included in the Attachments. The NHC Technical Review Committee approved the commercial development plan on April 14, 2022 (see Attachment). An April 14, 2022 letter from the New Hanover County Engineer indicated that the proposed project has authorization to construct.			
		The surrounding properties contain residential and commercial development. The proposed development will fit within the surrounding area. The site will be an appropriate transition between the shopping centers, located along Market Street, and the high-density housing development located just east of the proposed project site. In addition, the current site use is undeveloped and is considered underutilized (see Attachment). This development will better utilize the vacant subject property.			
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	Soil and foundation analysis was conducted by a certified geotechnical engineering firm, prior to site development. Field testing and analysis determines the appropriate site preparation and grading to be performed per generally accepted construction practices, so that the development will not adversely affect the stability of the site or adjacent properties. (see Attachment, <i>Subsurface &amp; Geotechnical Report dated 8/27/21</i> )			
		The site is located in a generally flat, level grade location. Evidence of soil slips, soil slumps, etc. have not been observed at the site or on surrounding properties. According to the NRCS Soil Survey, the proposed project site contains mostly Leon Sand and Murville fine sand.			
		BMPs will be implemented during construction activities. Additionally, a surface water control feature, such as silt fence, will be installed at the proposed project site during the initial phase of construction in order to minimize sediment loss. A Sedimentation and Erosion Control Plan and Application (see Site Plans Attachment) were submitted to the NHC Planning and Zoning Department, who is the authorizing agency on 1/18/22. According to an April 14, 2022 letter from the New Hanover County Engineer, a Sedimentation and Erosion Control Permit will be required prior to ground disturbance. A NPDES Construction Stormwater Permit (NCG010000) is required for this project. According to a June 4, 2022 letter from the New Hanover County Engineer, all new construction activities are required to complete and submit an electronic request for Certificate of Coverage (COC) under the NCG010000 Construction General Permit. The permit shall be in place prior to undertaking land disturbing activities.			

		Further the proposed project, will comply with 15A NCAC 2H 1000 State Stormwater Permitting Programs that regulate site development and post-construction stormwater runoff control. According to NC DEQ, areas subject to these permit programs include all 20 coastal counties, and various other counties and watersheds throughout the state. The proposed project has received both state (i.e., water quality) and local (water quantity) stormwater permit approvals (see Attachments). Therefore, the proposed project will be in compliance with the State of North Carolina and New Hanover County stormwater regulations.
Hazards and Nuisances including Site Safety and Noise	2	Based on a site visit and review of available environmental records for the proposed project site and surrounding area, the site is unlikely to contain hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property.  The proposed project site is located in an area that is regularly patrolled by the New Hanover Sherriff Department.
		The noise level is anticipated to be acceptable, less than 65.0 dB. The operation of the proposed project will not create a noise hazard. Short-term construction work will adhere to local noise control standards/regulations. Construction noise will be limited to daytime hours. Construction equipment will be required to meet sound control requirements.
Energy Consumption	2	This proposed project will meet the most recent energy efficiency standards as defined by the City and State. Additionally, the proposed project will incorporate several energy saving features as defined by LEED standards and NCHFA qualified allocation plan.
		The proposed project will be located in close proximity to churches, retail centers and parks. This allows for easy access (i.e., lower energy consumption), to those resources. However, since this is a senior living facility, it is not anticipated that significant travel by the tenants of the facility will take place.

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONON	IIC	
Employment and Income Patterns	1	The proposed project will provide temporary jobs during construction and jobs to those in the community to run the facility. Senior residents of the proposed Residence at Canopy Pointe will be generally past the income-earning age.
Demographic Character Changes, Displacement	2	The proposed project will not significantly impact the demographics of the local community. Local institutions (churches, community centers, elderly centers, etc.) will not be adversely impacted by the development. The facility will aid in providing housing options to the elderly. The proposed project will not deny any population within the local community potential for growth. The proposed project will not act as an isolation feature within the local area or community. The site contains vacant land. Therefore, involuntary displacement of persons/populations will not occur.

Environmental Assessment Factor	Impact Code	Lucia de Escalades a	
	I	Impact Evaluation CS AND SERVICES	
Educational and Cultural Facilities	2	Since the proposed project is a senior living facility restricted to residen age 55 and older, it will not have an adverse impact on education facilities. In addition, many residents are expected to come from within the community. Cultural facilities within the community should not adversely impacted by this 72-unit senior housing development.	
Commercial Facilities	1	The proposed project will not have an adverse effect on local commercial facilities. The proposed project site is located within proximity to local commercial, recreational, social service, health care and school facilities. These businesses include retail, services, and industrial facilities that the new residents can easily access.	
Health Care and Social Services	2	The proposed project is not likely to have an adverse effect on the local health care and social services of the area. The proposed project is located within close proximity to local health care and social service providers (see Attachment). An increase in tax base will support this and other services. In addition, many residents are expected to come from within the community.	
		The online New Hanover County Social Services ( <a href="mailto:dssinfo@nhcgov.com">dssinfo@nhcgov.com</a> ) was contacted and requested to provide a response of impacts that the proposed project will have on their local services. A response to our request has not been provided and will be included in the ERR when received.	
Solid Waste Disposal / Recycling	2	Solid waste disposal and recycling will be available to the site by a private solid waste service. An appropriate quantity of dumpsters will be provided to meet the proposed project's demands. New Hanover County Department of Environmental Management Director, Mr. Joe Suleyman, was contacted and requested to provide a response of impacts that the proposed project will have on their local services. A response from Mr. Suleyman has not yet been received and will be included in the ERR, when received.	
		The NC DEQ DWM Solid Waste Section (Section) generally notes that "for any planned or proposed projects, it is recommended that during any land clearing, demolition and construction, the responsible party and/or its contractors would make every feasible effort to minimize the generation of waste, to recycle materials for which viable markets exist, and to use recycled products and materials in the development of this project where suitable. Any waste generated by and of the projects that cannot be beneficially reused or recycled must be disposed of at a solid waste management facility permitted by the Division. The Section strongly recommends that the responsible party require all contractors to provide proof of proper disposal for all generated waste to permitted facilities." In the State Environmental Clearinghouse Comments, the NC DEQ notes that "[a]ny open burning associated with subject proposal must be in compliance with 15 A NCAC 2D.1900."	
Waste Water / Sanitary Sewers	2	Public waste water and sanitary sewer services will be provided to the site by the Cape Fear Public Utility Authority (CFPUA). The waste water treatment facilities associated with the site will be able to handle the additional waste generated. On April 14, 2022, the CFPUA reviewed and approved the proposed project site plans for compliance with applicable	

		policies and regulations. According to NC DEQ through the State Environmental Clearinghouse, a permit is required, if applicable, to construct and operate, sewer extensions involving gravity sewers, pump stations and force mains discharging into a sewer collection system.
Water Supply	2	Public water supply will be provided to the site by the CFPUA. The increased water demand due to the site development will be adequately supplied via mainline from CFPUA (see Attachment). Therefore, the community water supply will not be adversely affected. On April 14, 2022, the CFPUA reviewed and approved the proposed project site plans for compliance with applicable policies and regulations. The following comments were received from the NC DEQ through the State Environmental Clearinghouse: Plans and specifications for the construction, expansion, or alteration of a public water system must be approved by the Division of Water Resources/Public Water Supply Section prior to the award of a contract or the initiation of construction as per 15A NCAC 18C .0300 et. seq. All public water supply systems must comply with state and federal drinking water monitoring requirements. If existing water lines will be relocated during the construction, plans for the water line relocation must be submitted to the Division of Water Resources/Public Water Supply Section.
Public Safety - Police, Fire and Emergency Medical	2	The New Hanover County Ogden Fire District Station 16 meets the needs of the site development and local area. The site development is located one mile from the station. According to the Staff Summary Report, fire protection is provided by New Hanover County Fire Services, New Hanover County Northern Fire District, and New Hanover County Ogden Station. NHC Deputy Fire Marshal Ray Griswold approved the proposed project during the Technical Review Committee's evaluation (see Attachment).
		There are numerous urgent care facilities within 10 miles of the proposed site, and the site is located approximately 10-miles from the New Hanover Regional Medical Center (hospital). These facilities meet the needs of the site development and local area. New Hanover County Emergency Medical Services Director, Mr. Steven Still, was contacted and requested to provide a response of impacts the project will have on their local services, as part of the TRC review. A response to has not been provided and will be included in the ERR when received.
		The New Hanover Sheriff Department meets the needs of the site development and local area. The sheriff department provides routine patrol in the site area. New Hanover County Sheriff, Mr. Edward J. McMahon, was contacted and requested to provide a response of impacts the project will have on their local services. A response to the request has not been provided. However, based on the users of the project being elderly, public safety is not anticipated to be adversely impacted as result of the proposed project. In addition, many residents are expected to come from within the community.
Parks, Open Space and Recreation	2	There are several parks, such as Ogden Recreation Park and Pages Creek Park, within proximity to the proposed project site (see Attachment). The site development will not adversely impact any local open space or recreational facilities. The proposed project includes landscaping, raised garden beds and a gazebo. Since most of the residents are expected to come

		from within the community and given the small size of the development, it is not anticipated that the proposed senior living facility will adversely impact parks, open space and recreation areas.
Transportation and Accessibility	2	The proposed project site area is not provided with public transportation. However, the site is located within walking distance of businesses, churches, and recreational facilities, that may be used by the residents and workers. Further, there will likely be group transportation available to the residents through the facility.

Assessment Factor  NATURAL FEATURES  Unique Natural Features,	mpact Code	Impact Evaluation
NATURAL FEATURES Unique Natural Features,		-
Unique Natural Features,	3	
Water Resources		Unique features or geological features were not identified on-site or in the vicinity of the site. A query of the NC NHP database resulted in no records for important natural communities, natural areas, and/ or conservation/managed areas within the proposed project boundary (see Attachment). No Managed Areas were identified within one mile of the proposed project site. Additionally, there are no Wild and Scenic Rivers within proximity of the proposed site. Therefore, these resources will not be affected by the proposed project.  Water supply wells were not identified at the site. The site will be provided with municipal water from the CFPUA, which has approved the proposed project (see Attachment). Therefore, the proposed project will not have an effect on water resources.  The proposed project will not include the discharge of sewer to surfaces of the site or surrounding properties. The site will be provided with municipal wastewater access (see Attachment).  There are no USFWS NWI-mapped wetlands on the proposed project site. According to the USACE, there is a non-stream and non-wetland jurisdictional open water feature located on the proposed project site. During the site visit, this was identified as a RPW i.e., manmade drainage ditch which is devoid of vegetation within its bottom, starts near the southeastern corner of the proposed project site and runs west and parallel with the eastern property boundary, approximately 400 LF, where it terminates. A jurisdictional determination, confirming the RPW is a "water of the US", under CWA Section 404 has been obtained, from USACE (see Attachment). The USACE jurisdictional determination includes a General Permit Verification for Nationwide Permit 18 under CWA Section 404 allowing discharge of fill into 0.06 acre of a jurisdictional non-stream, open water ditch (see Attachment). The impact is necessary to facilitate the installation of the stormwater detention pond and fill and grading for the proposed parking areas (see Attachment). Due to the RPW being a ditch,

		According to NC DEQ, compliance with the T15A 02H .0500 certifications are required whenever construction or operation of facilities will result in a discharge into navigable water as described in 33 CFR part 323. As per Water Quality General Certification No. 4249, DWR written concurrence is required whenever construction or operation of facilities will result in a discharge into wetlands or open waters greater than or equal to 0.10 acre, the project is not adjacent to an ORW or SA;HQW water, among other conditions, that are not relative to the proposed project. The proposed impact to the jurisdictional RPW is 0.06-acre, and the project is not adjacent to an ORW or SA water. Thus, DWR's written concurrence is not required for the proposed project.
		According to the NC DWR, the subject property does not abut a named or unnamed waterbody. The nearest named waterbodies are Howe and Pages Creeks, which are classified by the NC DWR as SA;ORW and SA;HQW respectively (see Attachment). However, the proposed project site is not within 575' of Howe Creek and not within 75' of Pages Creek, which are the NC Division of Coastal Management's jurisdictional areas of environmental concern (AEC), from these two water classifications, and, therefore, are not within a Coastal Zone Management AEC.
		The proposed project activities will be completed in accordance with all applicable federal, State, and local laws, regulations, and permit requirements and conditions. Permits required for this proposed project shall be obtained before commencing work and appended to the environmental review record when received from the permitting agencies.
Vegetation, Wildlife	2	The proposed project site consists of mostly wooded land in a densely developed area. Non-significant impacts to vegetation and wildlife will occur during site development. For this proposed project, the USFWS Raleigh Ecological Services' online 10-step project review process was completed and "no effect" determinations for proposed/listed species and/or proposed/designated critical habitat, except for the NLEB, and a "no Eagle Act permit required" determination for eagles were made. The proposed project will have "no effect" on those identified species because there are no listed species, designated critical habitats or suitable habitat in the action area.
		Surface water controls will be implemented during development to minimize surface runoff from the project site. Native plants will be utilized during grass planting and landscaping activities at the site, and natural, vegetated buffers have been incorporated into the plan.
		The proposed project activities will be completed in accordance with all applicable federal, State, and local laws, regulations, and permit requirements and conditions. Permits required for this proposed project shall be obtained before commencing work and appended to the environmental review record when received from the permitting agencies.
Other Factors	1	According to NOAA, climate change is likely increasing the intensity of
Climate Change		tropical cyclones. The proposed project site is not located within a Special Flood Hazard Area. No portions of the site are located within 100- or 500-year floodplain. The proposed development will provide much needed
EO 14008		senior housing options within the community. Due to the increased

		frequency of high intensity storms and the resultant housing inventory shortage, the proposed project site was determined most suitable and necessary for providing the community with senior living housing. <a href="https://www.climate.gov/news-features/understanding-climate/climate-change-probably-increasing-intensity-tropical-cyclones">https://www.climate.gov/news-features/understanding-climate/climate-change-probably-increasing-intensity-tropical-cyclones</a>
Other Factors  Environmental Justice Impacts	2	According to the EPA Environmental Justice Screening and Mapping Tool, the proposed project site is not located in a potential Environmental Justice area. The proposed project will not subject the community to environmental conditions that may have disproportional effects on low-income or minority populations. Rather, this proposed project will provide much needed affordable senior living housing options within the community following a decrease in housing inventory after Hurricanes Matthew and Florence. All of the units are affordable and range from 30% to 80% Area Median Income (AMI). The proposed project does not site a nuisance or hazard in a potential environmental justice area, but rather provides housing to seniors. Thus, the proposed project does not contribute to or promote environmental injustice.

#### **Additional Studies Performed:**

Wetland delineation, by SEGi, and USACE Jurisdictional Determination 10/19/21 Phase I Environmental Site Assessment dated 12/7/21, by SEGi Subsurface & Geotechnical Report dated 8/27/21, by ECS East, LLP

#### Field Inspection (Date and completed by):

- Mr. David Scibetta, Senior Scientist, with SEGi, performed the Phase I Environmental Site Assessment field inspection, as well as the Threatened & Endangered Species and Critical Habitat site evaluation 10/19/21
- Ms. Dana Lutheran, Regulatory Specialist, with SEGi, performed site inspection on 12/7/21

#### List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:

USGS Topographic Map Scots Hill and Castle Hayne, NC Quadrangles

Aerial Photograph (2019) Google Earth

Site Plan, Residence at Canopy Pointe, McKim & Creed

Parcel Information – New Hanover County GIS Website

New Hanover County Zoning Letter dated 15 June 2020 and minor modification on 20 December 2021

USFWS – Coastal Barrier Resource Online System Map

FEMA Online National Flood Hazard Map

EPA Non-Attainment Air Quality Map

NC Division of Water Resources Water Classification Map

USFWS Response Letter dated 11/16/21

New Hanover County Land Use Plan

North Carolina Natural Heritage Data Explorer

North Carolina Natural Heritage NLEB Occurrence Email dated 1/7/22

Completed Thermal Explosives Worksheet

Thermal Explosives Response Email from Chris Johnson on behalf of Deputy Fire Marybeth Evans

US Census Bureau – Tiger Web Online Urban Area Map

NCSHPO Inquiry State Clearing House Request Letter dated 12/8/21

Catawba Indian Nation Response Letter dated 1/13/22

EPA – Online Sole Source Aquifer Map

US Army Corps of Engineers – Notification of Jurisdictional Determination

US Army Corps of Engineers – National and Regional Permit 18

US National Park Service – Online Wild and Scenic River Map

Emergency Medical Services Information Request Email

Fire Protection Services Information Request Email

Health Services Information Request Email and Response Letter

Law Enforcement Information Request Email

New Hanover County Assistant Superintendent Eddie Anderson Response Letter

Staff Summary Report for Conditional Rezoning Application dated March 4, 2021

CFPUA Sewer Approval dated 4/14/22

CFPUA Water Approval dated 4/14/22

#### **List of Permits to Be Obtained** (later identified permits will be added to the ERR):

All applicable federal, State and local permits will be identified and obtained prior to starting construction.

#### Obtained permits:

- USACE Nationwide Permit 18
- Original Conditional Rezoning
- Modified Conditional Rezoning
- NHC TRC Approval
- NHC Storm Approval
- NHC E&SC Approval
- NHC Tree Approval
- CFPUA Approval
- NCDEQ Stormwater Approval (Verbal only, pending formal permit issuance)
- Annexation into City of Wilmington (approved, letter not yet received)
- Zoning Assignment (approved, letter not yet received)

#### Pending permits:

- NCDOT Driveway
- NCDOT Encroachment Agreement
- NHC E&SC modification (change of ownership after closing)
- NCDEQ NPDES Construction Stormwater Permit (NCG010000) COC

#### **Public Outreach** [24 CFR 50.23 & 58.43]:

- *February 4, 2020*, Community Information Meeting During the rezoning process, Residence at Canopy Pointe was required to hold a public meeting and notices were sent to property owners within 500 linear feet of the parcel boundaries. Eighteen of the adjacent owners attended the meeting and provided comments. The plan was revised, to address their concerns.
- *March 5, 2020*, New Hanover County Planning Board "Rezoning Request (Z20-06) Request by Blue Ridge Atlantic Community Development on behalf of the property owners, BHC Properties, LLC, to rezone approximately 4.77 acres of land located at 205 and 217 Middle Sound Loop Road,

- from R-15, Residential District, to (CZD) RMF-M, Residential Multi-Family Moderate Density District, in order to develop 72 Senior Living multi-family dwelling units."
- June 15, 2020, New Hanover County Commissioners approved "Rezoning Request (Z20-06) Request by Blue Ridge Atlantic Community Development on Behalf of the Property Owners, BHC Properties, LLC, to Rezone Approximately 4. 77 Acres of Land Located at 205 and 217 Middle Sound Loop Road, from R 15, Residential District, to (CZD) RMF M, Residential Multi-Family Moderate Density District, in Order to Develop 72 Senior Living Multi-Family Dwelling Units."
- April 14, 2022, NHC Technical Review Committee approved the commercial development plan.
- May 3, 2022, Wilmington City Council approved "Resolution Certifying Sufficiency of the Annexation Petition for Property Located at 205, 209, 213 & 217 Middle Sound Loop Road."
- June 7, 2022, Wilmington City Council approved "Ordinance Amending the Official Zoning Map of the City to Initially Zone Property Containing 4.82 Acres of Land Located at 205, 209, 213 & 217 Middle Sound Loop Road to MD-17(CD), High-density Multiple-dwelling Residential District (Conditional District) for a 72-unit Multi-dwelling, Affordable, Senior Housing Development [Land Use Action]."

#### **Cumulative Impact Analysis** [24 CFR 58.32]:

The proposed project will be a senior living facility that will provide new, safe housing that is needed for this demographic in the area. The proposed project will assist New Hanover County in providing housing for seniors in the local community. The County rezoned the main parcel in part to allow for an increase in housing diversity and allow those residents to utilize existing goods and services within one mile of the proposed project site according to the Staff Summary Report. One of the goals of the New Hanover County Strategic Plan for 2018-2023 is to encourage the development of complete communities in the unincorporated county by increasing housing diversity and access to basic goods and services. This site was found to be a suitable site with minimal adverse environmental impacts for residents in an area that needs it.

#### **Alternatives** [24 CFR 58.40(e); 40 CFR 1508.9]:

No alternative sites were evaluated due to the scoring system implemented by NCHFA, to determine a qualified site location, in addition to the close proximity and availability of existing utility services to the proposed project site.

#### **No Action Alternative** [24 CFR 58.40(e)]:

With the No Action Alternative, additional housing options would not be provided for seniors in the local community. The County would need to find other options to address the shortage in senior housing inventory, which has been exacerbated by the effects of recent hurricanes.

#### **Summary of Findings and Conclusions:**

The preceding Statutory Checklist and Environmental Assessment Checklist, and the discussion below, document that the proposed project work will comply with regulations in 24 CFR part 58 and that there are no direct or cumulative adverse environmental impacts anticipated as a result of the proposed project.

#### **Mitigation Measures and Conditions [40 CFR 1505.2(c)]**

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Any change to the approved scope of work will require re-evaluation by the Certifying Officer for compliance with NEPA and other laws and Executive Orders.

This review does not address all federal, state, and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state, and local environmental permits and clearances may jeopardize federal funding. Guidelines, recommendations, and requirements identified during the State Environmental Clearinghouse inter-agency review shall be considered and required, where applicable.

Law, Authority, or Factor	Mitigation Measure
Clean Air  Clean Air Act, as amended, particularly section 176(c) & (d); 40  CFR Parts 6, 51, 93	Construction-related activities can cause short-term exposures such as fugitive dust and emissions. The proposed project will conform to NC Air Quality Management regulations during the construction period. The contractor will use BMPs to reduce fugitive dust generation and diesel emissions. BMPs will include wetting the grading site during dry conditions. In addition, the stormwater retention system will be appropriately maintained to limit exposures.
Noise Abatement and Control  Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Short-term construction work will adhere to local noise control standards/regulations. Construction noise will be limited to daytime hours. Construction equipment will be required to meet sound control requirements.
Hazards and Nuisances including Site Safety and Noise	
Unique Natural Features, Water Resources	The proposed project will result in permanently impacting approximately 0.06 acres of relatively permanent water (i.e., non-vegetated ditch). A Nationwide Permit 18 has been secured (see attached). According to NC DEQ, compliance with the T15A 02H .0500 Certifications are required whenever construction or operation of facilities will result in a discharge into navigable water as described in 33 CFR part 323. However, the proposed project does not meet the DEQ's 0.10-acre threshold for DWR written concurrence (see attached WQ General Certification No. 4249).  The proposed project activities will be completed in accordance with all applicable federal, State and local laws,
	regulations, and permit requirements and conditions. Permits required for this proposed project shall be obtained before

	commencing work and appended to the ERR when received
	from the permitting agencies.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	BMPs will be implemented during construction activities. Additionally, a surface water control feature, such as silt fence, will be installed at the proposed project site during the initial phase of construction in order to minimize sediment loss. A Sedimentation and Erosion Control Plan and Application (see Site Plans Attachment) were submitted to the NHC Planning and Zoning Department. According to an April 14, 2022 letter from the New Hanover County Engineer, a Sedimentation and Erosion Control Permit will be required prior to ground disturbance. A NPDES Construction Stormwater Permit (NCG010000) is required for this project. According to a June 4, 2022 letter from the New Hanover County Engineer, all new construction activities are required to complete and submit an electronic request for COC under the NCG010000 Construction General Permit. The permit shall be in place prior to undertaking land disturbing activities.
	Further the proposed project, will comply with 15A NCAC 2H 1000 State Stormwater Permitting Programs that regulate site development and post-construction stormwater runoff control. According to NC DEQ, areas subject to these permit programs include all 20 coastal counties, and various other counties and watersheds throughout the state. The proposed project has received both state (i.e., water quality) and local (water quantity) stormwater permit approvals (see Attachments).

#### **Determination:**

Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFF The project will not result in a significant impact on the quality of the hundred significant impact of the hundred significant impact of the significant impact impact in the significant impact is significant in the significant impact in the significant	
Finding of Significant Impact [24 CFR 58.40(g)(2); 40 CFR 15 The project may significantly affect the quality of the human environment	-
Preparer Signature: Andrea Simers	Date: <u>6/9/22</u>
Name/Title/Organization: Andrea Gievers, Environmental SME, NCC	<u>ORR</u>
Certifying Officer Signature Lawa H. Hogshead	Date: 6/13/2022

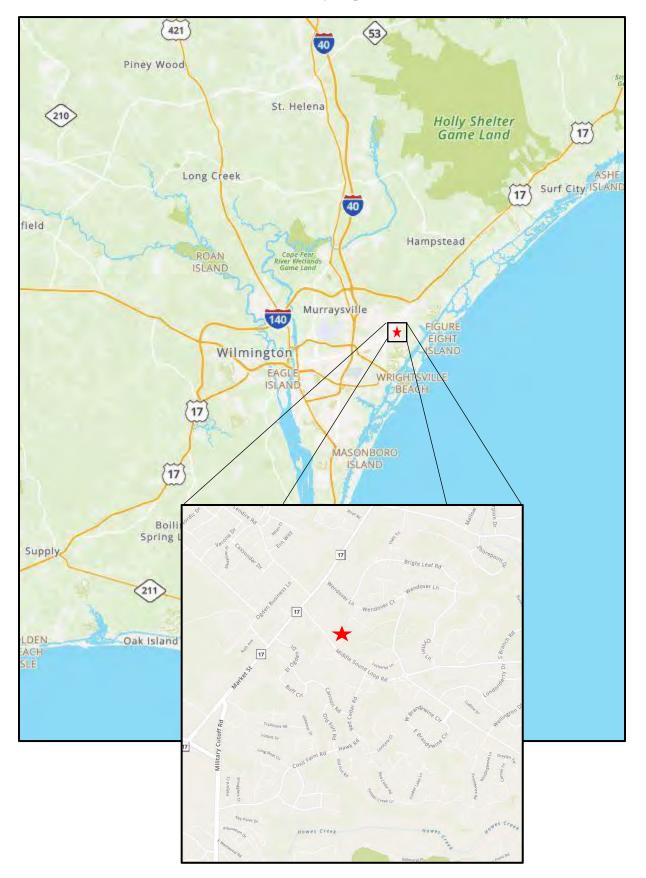
Name/Title/Organization: <u>Laura H. Hogshead, Director, NCORR</u>

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

## **ATTACHMENT 1:**

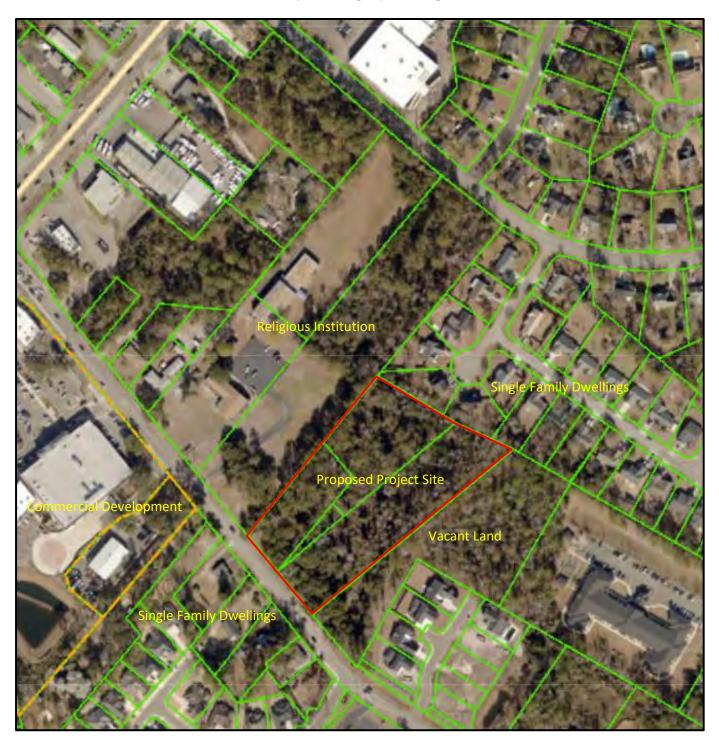
**Proposed Project Location Maps and Site Plans** 

Attachment 1
Vicinity Map



Attachment 2

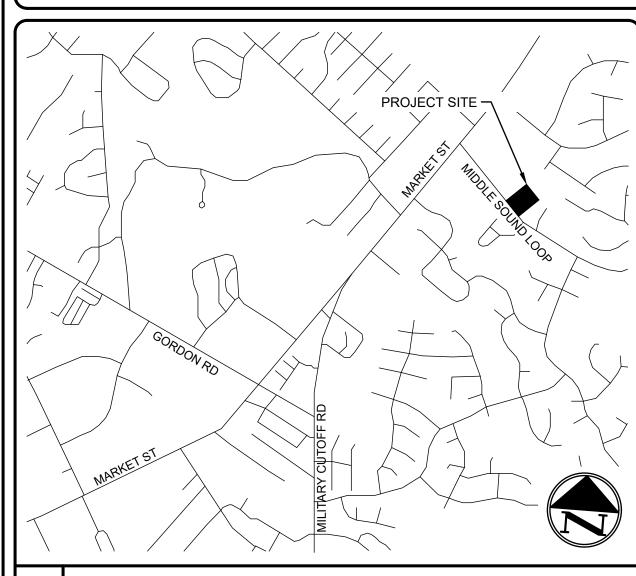
Adjacent Property Use Map



# THE RESIDENCE AT CANOPY POINTE

## TRC REVIEW DRAWINGS

205, 209, 213 & 217 MIDDLE SOUND LOOP ROAD, WILMINGTON NC 04/07/2022



VICINITY MAP

SCALE: NOT TO SCALE

## RESIDENCE AT CANOPY POINTE

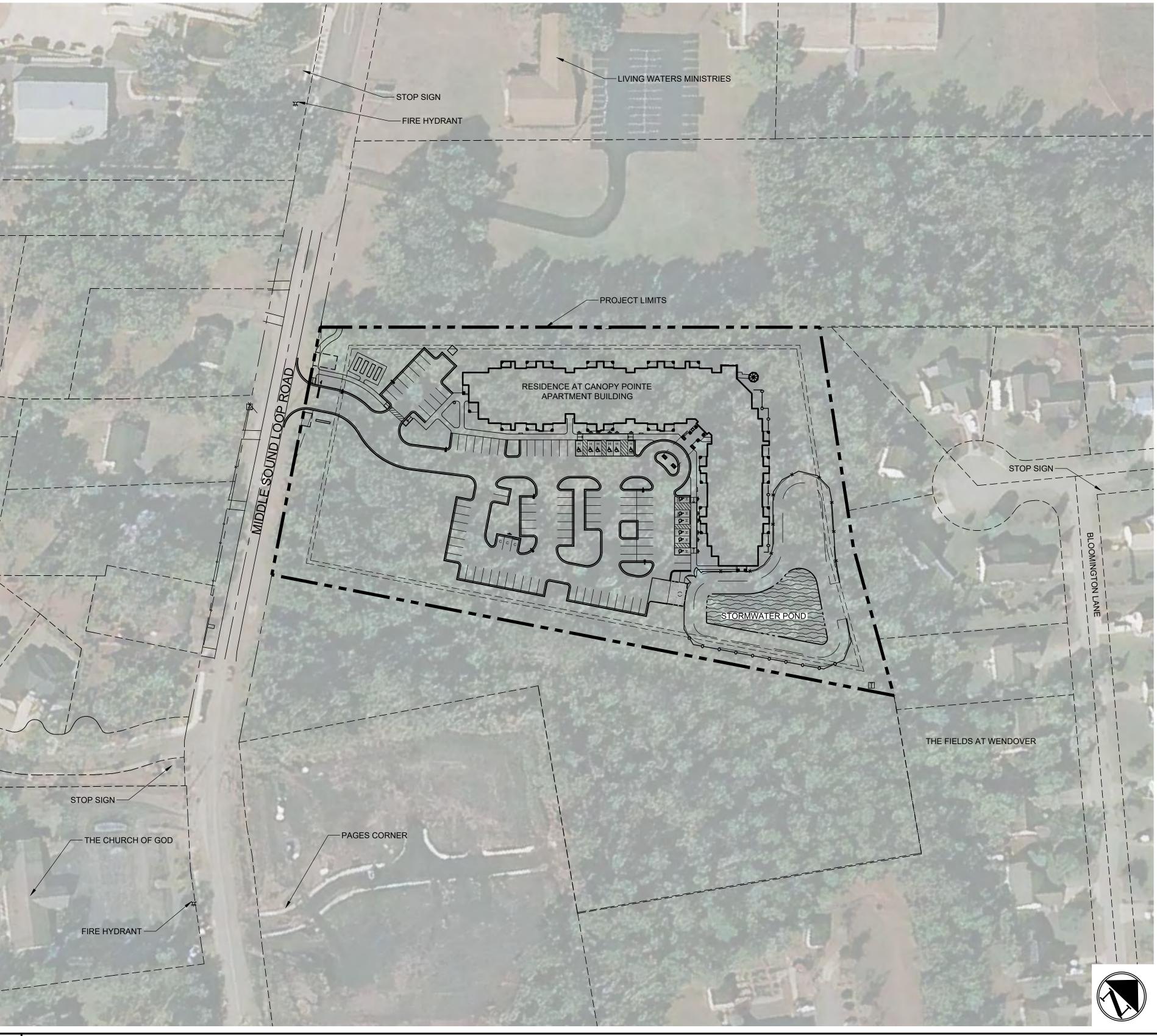
## BLUE RIDGE ATLANTIC community - development

BRAD RESIDENCE AT CANOPY POINTE 1630 MILITARY ROAD, SUITE 104 WILMINGTON, NC 28403

ENGINEER: MCKIM & CREED, INC 243 N. FRONT ST. WILMINGTON, NC 28401 PHONE: 910.343.1048 TRAE H. LIVICK, PE TLIVICK@MCKIMCREED.COM

LANDSCAPE ARCHITECT: MCKIM & CREED, INC 243 N. FRONT ST. WILMINGTON, NC 28401 PHONE: 910.343.1048 TIM R. CLARK, PLA TCLARK@MCKIMCREED.COM

SURVEYOR: MCKIM & CREED, INC 243 N. FRONT ST. WILMINGTON, NC 28401 PHONE: 910.343.1048 CHAD BURCHETTE, PLS CBURCHETTE@MCKIMCREED.COM



SHEET NUMBER	SHEET TITLE	
C1.0	COVER	
C2.0	EXISTING CONDITIONS AND TREE REMOVA	
C3.0	SITE PLAN	
C4.0	EROSION CONTROL PLAN - STAGE 1	
C5.0	EROSION CONTROL PLAN - STAGE 2	
C7.0	GRADING & DRAINAGE PLAN	
C8.0	UTILITY PLAN	
C10.0	LANDSCAPE PLAN	
C11.0	SITE DETAILS	
C11.1	SITE DETAILS	
C11.2	SITE DETAILS	
C12.0	EROSION CONTROL DETAILS	
C12.1	EROSION CONTROL DETAILS	
C12.2	EROSION CONTROL DETAILS	
C14.0	UTILITY DETAILS	
C14.1	UTILITY DETAILS	
C14.2	UTILITY DETAILS	
C16.0	STORMWATER DETAILS	
C16.1	STORMWATER POND DETAIL	
C17.0	LANDSCAPE DETAILS	
C17.1	LANDSCAPE DETAILS	





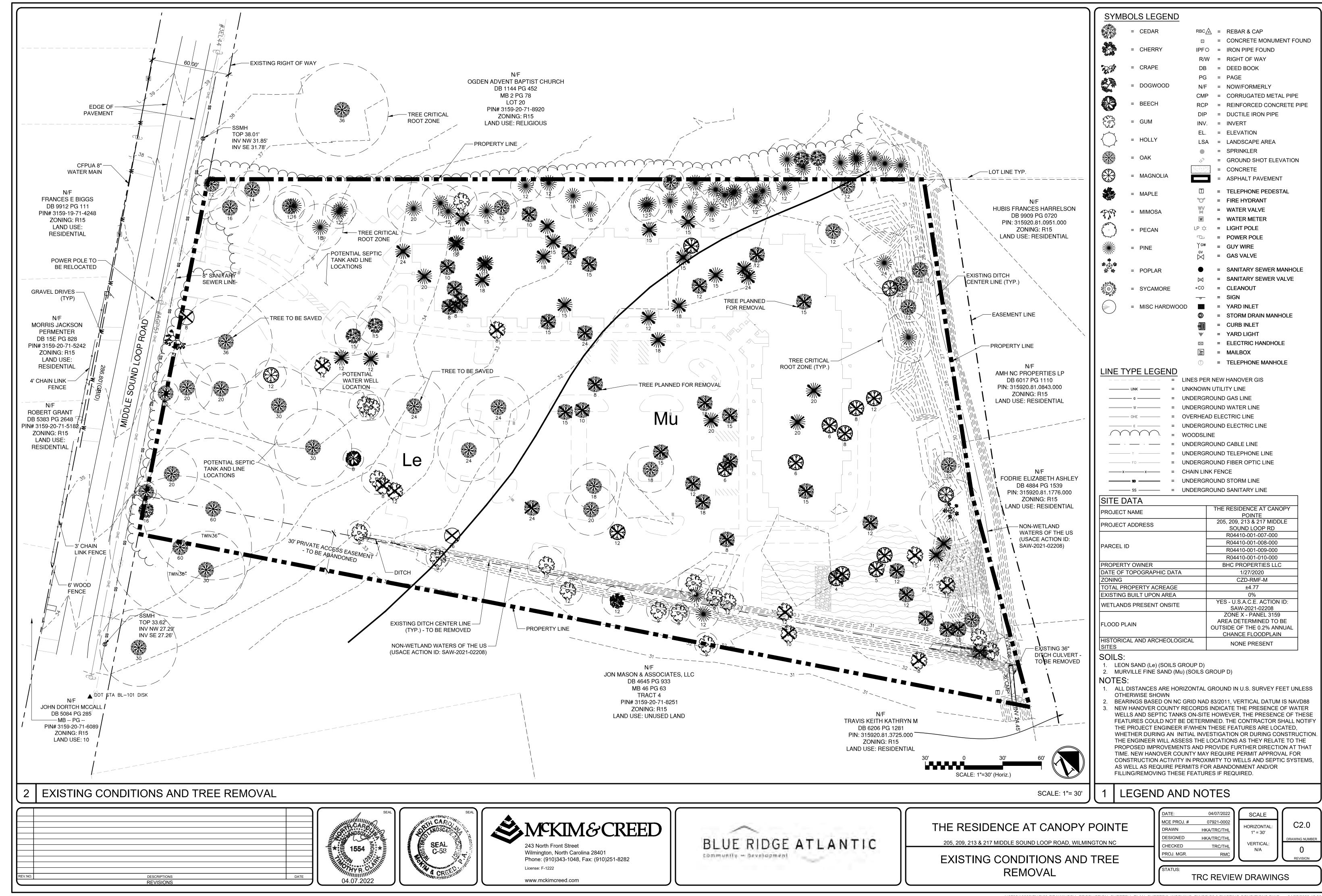


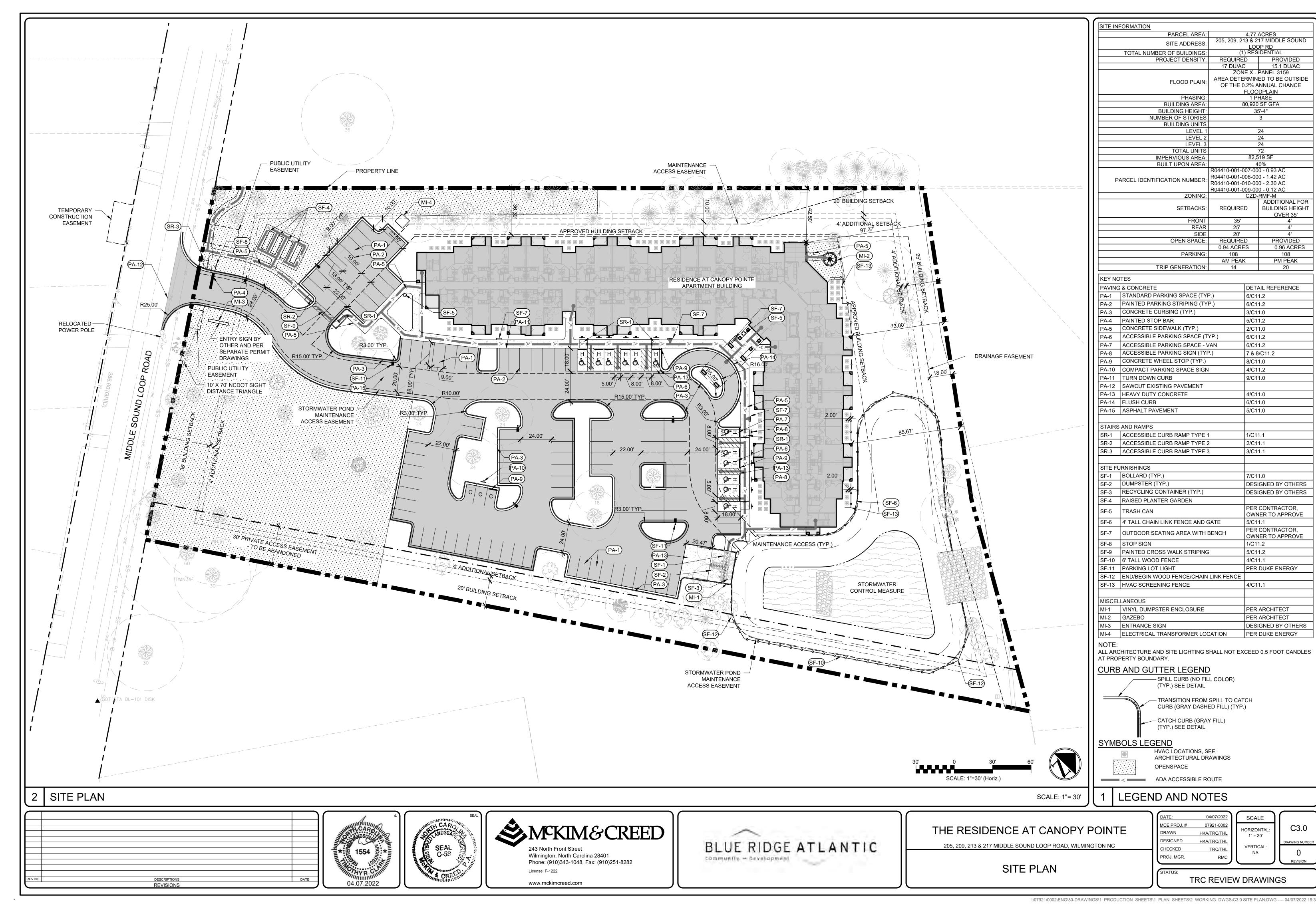
PROJECT INFORMATION

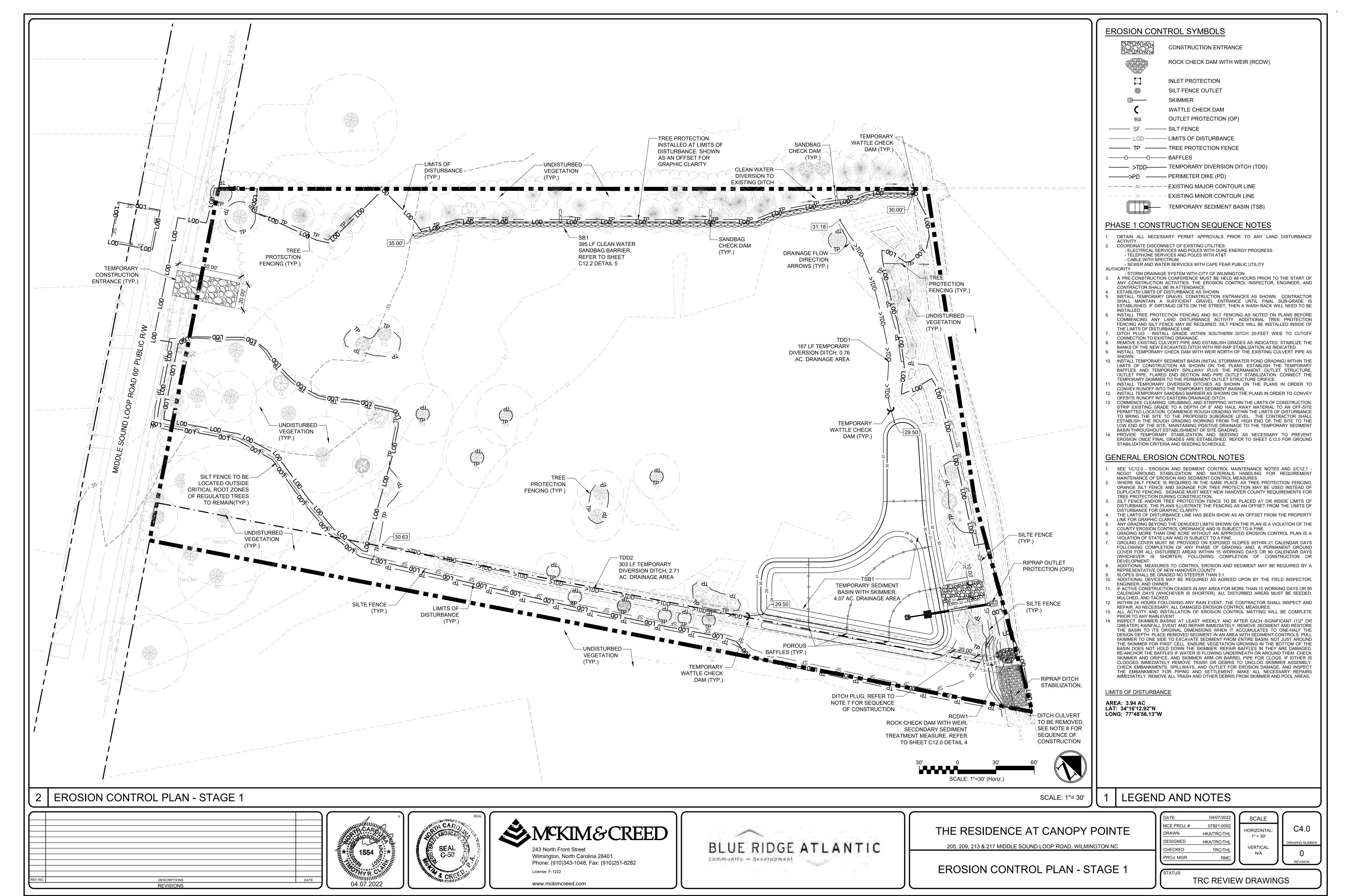
2 LOCATION MAP

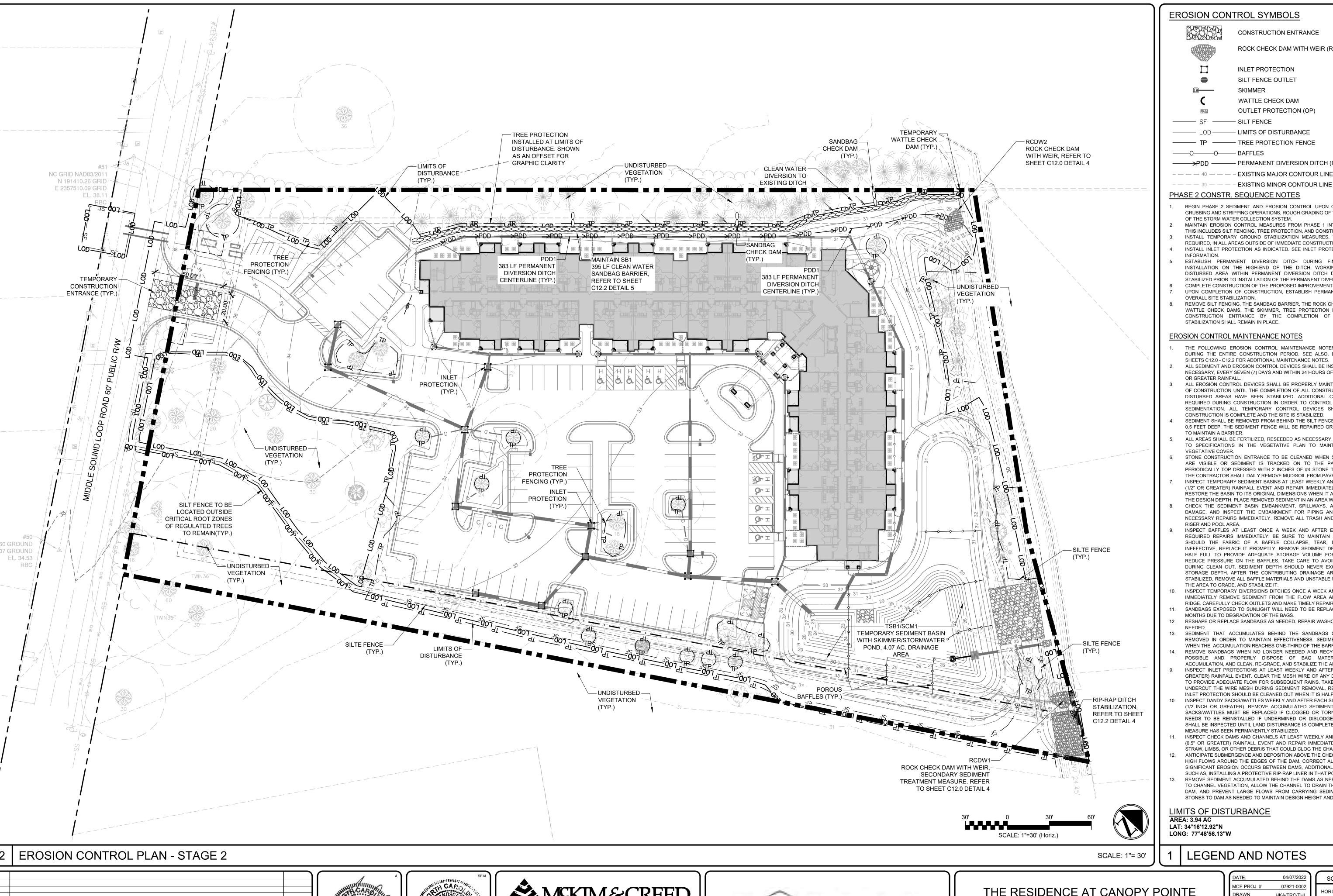
SCALE: 1" = 100'

SHEET INDEX









**EROSION CONTROL SYMBOLS** 

CONSTRUCTION ENTRANCE



ROCK CHECK DAM WITH WEIR (RCDW)

INLET PROTECTION SILT FENCE OUTLET

SKIMMER WATTLE CHECK DAM OUTLET PROTECTION (OP)

——— SF ——— SILT FENCE — LOD — LIMITS OF DISTURBANCE

TP TREE PROTECTION FENCE

PDD ——PERMANENT DIVERSION DITCH (PDD)

- - - - 40 - - - - EXISTING MAJOR CONTOUR LINE

### PHASE 2 CONSTR. SEQUENCE NOTES

- BEGIN PHASE 2 SEDIMENT AND EROSION CONTROL UPON COMPLETION OF CLEARING, GRUBBING AND STRIPPING OPERATIONS, ROUGH GRADING OF THE SITE AND INSTALLATION OF THE STORM WATER COLLECTION SYSTEM.
- MAINTAIN EROSION CONTROL MEASURES FROM PHASE 1 INTO PHASE 2 AS INDICATED. THIS INCLUDES SILT FENCING, TREE PROTECTION, AND CONSTRUCTION ENTRANCES. INSTALL TEMPORARY GROUND STABILIZATION MEASURES, WHERE POSSIBLE AND AS
- REQUIRED, IN ALL AREAS OUTSIDE OF IMMEDIATE CONSTRUCTION ZONES. INSTALL INLET PROTECTION AS INDICATED. SEE INLET PROTECTION DETAILS FOR MORE
- INFORMATION. ESTABLISH PERMANENT DIVERSION DITCH DURING FINE GRADING, BEGINNING
- INSTALLATION ON THE HIGH-END OF THE DITCH, WORKING TOWARD THE OUTLET. DISTURBED AREA WITHIN PERMANENT DIVERSION DITCH DRAINAGE AREA SHALL BE STABILIZED PRIOR TO INSTALLATION OF THE PERMANENT DIVERSION DITCH.
- UPON COMPLETION OF CONSTRUCTION, ESTABLISH PERMANENT GROUND COVER AND OVERALL SITE STABILIZATION.

COMPLETE CONSTRUCTION OF THE PROPOSED IMPROVEMENTS.

REMOVE SILT FENCING, THE SANDBAG BARRIER, THE ROCK CHECK DAM WITH WEIRS. THE WATTLE CHECK DAMS, THE SKIMMER, TREE PROTECTION FENCING AND TEMPORARY CONSTRUCTION ENTRANCE BY THE COMPLETION OF THE PROJECT. RIP-RAP STABILIZATION SHALL REMAIN IN PLACE.

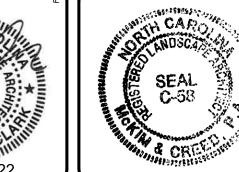
#### **EROSION CONTROL MAINTENANCE NOTES**

- THE FOLLOWING EROSION CONTROL MAINTENANCE NOTES SHALL BE ADHERED TO DURING THE ENTIRE CONSTRUCTION PERIOD. SEE ALSO, EROSION CONTROL DETAIL SHEETS C12.0 - C12.2 FOR ADDITIONAL MAINTENANCE NOTES.
- ALL SEDIMENT AND EROSION CONTROL DEVICES SHALL BE INSPECTED AND REPAIRED, AS NECESSARY, EVERY SEVEN (7) DAYS AND WITHIN 24 HOURS OF EVERY ONE-HALF (0.5) INCH ALL EROSION CONTROL DEVICES SHALL BE PROPERLY MAINTAINED DURING ALL PHASES
- OF CONSTRUCTION UNTIL THE COMPLETION OF ALL CONSTRUCTION ACTIVITIES AND ALL DISTURBED AREAS HAVE BEEN STABILIZED. ADDITIONAL CONTROL DEVICES MAY BE REQUIRED DURING CONSTRUCTION IN ORDER TO CONTROL EROSION AND/OR OFFSITE SEDIMENTATION. ALL TEMPORARY CONTROL DEVICES SHALL BE REMOVED ONCE CONSTRUCTION IS COMPLETE AND THE SITE IS STABILIZED.
- SEDIMENT SHALL BE REMOVED FROM BEHIND THE SILT FENCE WHEN IT BECOMES ABOUT 0.5 FEET DEEP. THE SEDIMENT FENCE WILL BE REPAIRED OR REPLACED AS NECESSARY TO MAINTAIN A BARRIER.
- ALL AREAS SHALL BE FERTILIZED, RESEEDED AS NECESSARY, AND MULCHED ACCORDING TO SPECIFICATIONS IN THE VEGETATIVE PLAN TO MAINTAIN A VIGOROUS, DENSE VEGETATIVE COVER.
- STONE CONSTRUCTION ENTRANCE TO BE CLEANED WHEN SEDIMENT ACCUMULATIONS ARE VISIBLE OR SEDIMENT IS TRACKED ON TO THE PAVEMENT. STONE WILL BE PERIODICALLY TOP DRESSED WITH 2 INCHES OF #4 STONE TO MAINTAIN 6 INCH DEPTH. THE CONTRACTOR SHALL DAILY REMOVE MUD/SOIL FROM PAVEMENT. AS REQUIRED.
- INSPECT TEMPORARY SEDIMENT BASINS AT LEAST WEEKLY AND AFTER EACH SIGNIFICANT (1/2" OR GREATER) RAINFALL EVENT AND REPAIR IMMEDIATELY. REMOVE SEDIMENT AND RESTORE THE BASIN TO ITS ORIGINAL DIMENSIONS WHEN IT ACCUMULATES TO ONE-HALF
- THE DESIGN DEPTH. PLACE REMOVED SEDIMENT IN AN AREA WITH SEDIMENT CONTROLS. CHECK THE SEDIMENT BASIN EMBANKMENT, SPILLWAYS, AND OUTLET FOR EROSION DAMAGE, AND INSPECT THE EMBANKMENT FOR PIPING AND SETTLEMENT. MAKE ALL
- REQUIRED REPAIRS IMMEDIATELY BE SURE TO MAINTAIN ACCESS TO THE BAFFLES 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 CLEAN OUT. SEDIMENT DEPTH SHOULD NEVER EXCEED HALF THE DESIGNED STORAGE DEPTH. AFTER THE CONTRIBUTING DRAINAGE AREAS HAS BEEN PROPERLY STABILIZED, REMOVE ALL BAFFLE MATERIALS AND UNSTABLE SEDIMENT DEPOSITS, BRING THE AREA TO GRADE, AND STABILIZE IT.
- INSPECT TEMPORARY DIVERSIONS DITCHES ONCE A WEEK AND AFTER EVERY RAINFALL IMMEDIATELY REMOVE SEDIMENT FROM THE FLOW AREA AND REPAIR THE DIVERSION RIDGE. CAREFULLY CHECK OUTLETS AND MAKE TIMELY REPAIRS AS NEEDED.
- SANDBAGS EXPOSED TO SUNLIGHT WILL NEED TO BE REPLACED EVERY TWO TO THREE MONTHS DUE TO DEGRADATION OF THE BAGS.
- RESHAPE OR REPLACE SANDBAGS AS NEEDED. REPAIR WASHOUTS OR OTHER DAMAGE AS
- REMOVED IN ORDER TO MAINTAIN EFFECTIVENESS. SEDIMENT SHOULD BE REMOVED WHEN THE ACCUMULATION REACHES ONE-THIRD OF THE BARRIER HEIGHT. REMOVE SANDBAGS WHEN NO LONGER NEEDED AND RECYCLE SAND FILL WHENEVER
- POSSIBLE AND PROPERLY DISPOSE OF BAG MATERIAL. REMOVE SEDIMENT ACCUMULATION, AND CLEAN, RE-GRADE, AND STABILIZE THE AREA. INSPECT INLET PROTECTIONS AT LEAST WEEKLY AND AFTER EACH SIGNIFICANT (1" OR GREATER) RAINFALL EVENT. CLEAR THE MESH WIRE OF ANY DEBRIS OR OTHER OBJECTS
- UNDERCUT THE WIRE MESH DURING SEDIMENT REMOVAL REPLACE STONE AS NEEDED INLET PROTECTION SHOULD BE CLEANED OUT WHEN IT IS HALF FULL INSPECT DANDY SACKS/WATTLES WEEKLY AND AFTER EACH SIGNIFICANT RAINFALL EVENT
- (1/2 INCH OR GREATER). REMOVE ACCUMULATED SEDIMENT AND ANY DEBRIS. DANDY SACKS/WATTLES MUST BE REPLACED IF CLOGGED OR TORN. DANDY SACKS/WATTLES NEEDS TO BE REINSTALLED IF UNDERMINED OR DISLODGED. DANDY SACKS/WATTLES SHALL BE INSPECTED UNTIL LAND DISTURBANCE IS COMPLETE AND THE AREA ABOVE THE MEASURE HAS BEEN PERMANENTLY STABILIZED
- INSPECT CHECK DAMS AND CHANNELS AT LEAST WEEKLY AND AFTER EACH SIGNIFICANT (0.5" OR GREATER) RAINFALL EVENT AND REPAIR IMMEDIATELY. CLEAN OUT SEDIMENT, STRAW, LIMBS, OR OTHER DEBRIS THAT COULD CLOG THE CHANNEL WHEN NEEDED.
- ANTICIPATE SUBMERGENCE AND DEPOSITION ABOVE THE CHECK DAM AND EROSION FROM HIGH FLOWS AROUND THE EDGES OF THE DAM. CORRECT ALL DAMAGE IMMEDIATELY. IF SIGNIFICANT EROSION OCCURS BETWEEN DAMS, ADDITIONAL MEASURES CAN BE TAKEN SUCH AS, INSTALLING A PROTECTIVE RIP-RAP LINER IN THAT PORTION OF THE CHANNEL.
- REMOVE SEDIMENT ACCUMULATED BEHIND THE DAMS AS NEEDED TO PREVENT DAMAGE TO CHANNEL VEGETATION, ALLOW THE CHANNEL TO DRAIN THROUGH THE STONE CHECK DAM, AND PREVENT LARGE FLOWS FROM CARRYING SEDIMENT OVER THE DAM. ADD STONES TO DAM AS NEEDED TO MAINTAIN DESIGN HEIGHT AND CROSS SECTION.

LIMITS OF DISTURBANCE AREA: 3.94 AC

RISER AND POOL AREA.

LEGEND AND NOTES





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## THE RESIDENCE AT CANOPY POINTE

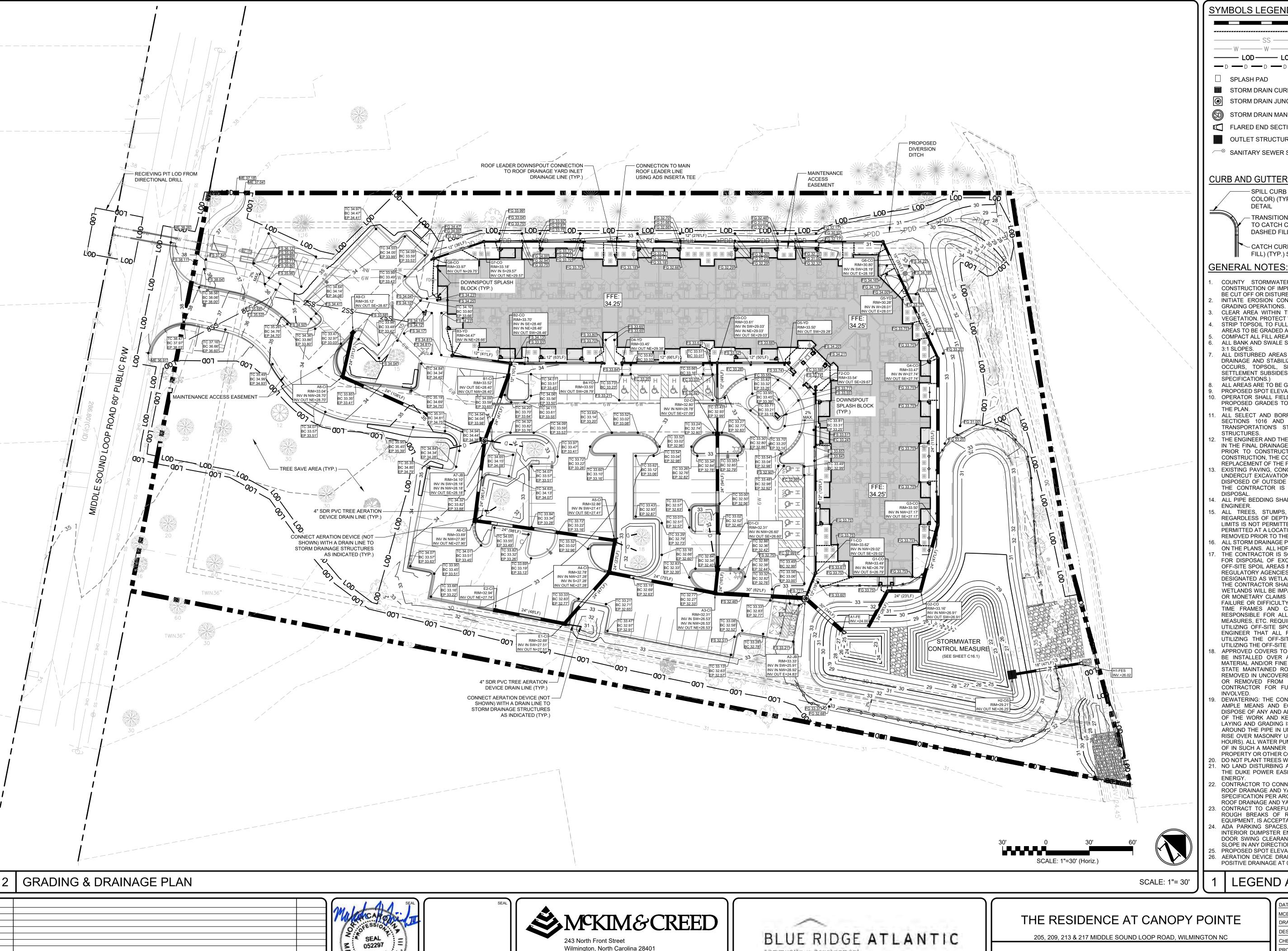
205, 209, 213 & 217 MIDDLE SOUND LOOP ROAD, WILMINGTON NC

**EROSION CONTROL PLAN - STAGE 2** 

1	DATE:	04/07/2022	1	SCALE
	MCE PROJ. #	07921-0002		
	DRAWN	HKA/TRC/THL		HORIZONTAL 1" = 30'
	DESIGNED	HKA/TRC/THL		
	CHECKED	TRC/THL		VERTICAL: N/A
	PROJ. MGR.	RMC		IN/A

TRC REVIEW DRAWINGS

C5.0



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community - bevelopment

SYMBOLS LEGEND ROOFDRAIN LINE SANITARY SEWER WATER LINE LIMITS OF DISTURBANCE TREE AERATION DRAIN LINE SANITARY SEWER MANHOLE SANITARY SEWER CLEAN OUT

☐ SPLASH PAD STORM DRAIN CURB INLET (CI) STORM DRAIN JUNCTION BOX (JB)

STORM DRAIN MANHOLE (MH) FLARED END SECTION (FES)

OUTLET STRUCTURE (OS)

✓── SANITARY SEWER SERVICE

### CURB AND GUTTER LEGEND

-SPILL CURB (NO FILL COLOR) (TYP.) SEE DETAIL

- CATCH CURB (GRAY

TO CATCH CURB (GRAY DASHED FILL) (TYP.)

FILL) (TYP.) SEE DETAIL

## TRANSITION FROM SPILL

BC BACK OF CURB ELEVATION EP EDGE OF PAVEMENT ELEVATION

FC FLUSH CURB CONDITION ELEVATION FG FINISHED GRADE ELEVATION

WATER SERVICE FIRE HYDRANT

■ WATER BLOW-OFF

WATER CROSSING

► WATER VALVE

ABBREVIATIONS

TC TOP OF CURB ELEVATION

FS FINISHED SURFACE ELEVATION FFE FINISHED FLOOR ELEVATION

ME MATCH EXISTING

COUNTY STORMWATER PERMIT MUST BE OBTAINED PRIOR TO ANY CONSTRUCTION OF IMPERVIOUS SURFACE. NO NATURAL DRAINAGE AREAS WILL BE CUT OFF OR DISTURBED BEFORE OBTAINING THE PERMITS. INITIATE EROSION CONTROL SEQUENCE BEFORE BEGINNING CLEARING AND GRADING OPERATIONS.

CLEAR AREA WITHIN THE LOD AND ESSENTIAL SITE IMPROVEMENTS OF ALL VEGETATION. PROTECT VEGETATION BEYOND GRADING LIMITS. STRIP TOPSOIL TO FULL DEPTH DESCRIBED IN THE EROSION CONTROL PLANS IN AREAS TO BE GRADED AND STOCKPILE. COMPACT ALL FILL AREAS TO 95% OF MAXIMUM DENSITY.

ALL BANK AND SWALE SIDE SLOPES SHALL BE GRADED WITH NO GREATER THAN 3:1 SLOPES. DRAINAGE AND STABILIZED WITH TOPSOIL, SEED, AND MULCH. IF SETTLEMENT OCCURS, TOPSOIL, SEEDING, AND MULCH SHALL BE REPEATED UNTIL SETTLEMENT SUBSIDES. (SEE EROSION AND SEDIMENT CONTROL DETAILS AND

ALL AREAS ARE TO BE GRADED SO THAT NO AREAS OF STANDING WATER OCCUR

PROPOSED SPOT ELEVATIONS ARE SHOWN AT FINISHED GRADE. OPERATOR SHALL FIELD VERIFY EXISTING TOPOGRAPHY IN RELATION TO THE PROPOSED GRADES TO ENSURE DRAINAGE IN THE DIRECTIONS INDICATED ON

ALL SELECT AND BORROW MATERIAL SHALL MEET CRITERIA SET FORTH BY SECTIONS 1016 AND 1018 OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION'S STANDARDS AND SPECIFICATIONS FOR ROADS AND

THE ENGINEER AND THE CONTRACTOR SHALL INSPECT ALL EXISTING PIPES USED IN THE FINAL DRAINAGE SYSTEM AND AGREE ON THE CONDITION OF THE PIPES PRIOR TO CONSTRUCTION. IF DAMAGE OCCURS TO THESE PIPES DURING CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REPAIR OR REPLACEMENT OF THE PIPE(S)

EXISTING PAVING, CONCRETÉ, AND OTHER UNSUITABLE MATERIALS INCLUDING UNDERCUT EXCAVATION SHALL NOT BE USED AS FILL MATERIAL AND SHALL BE DISPOSED OF OUTSIDE THE PROJECT LIMITS AT THE CONTRACTOR'S EXPENSE. THE CONTRACTOR IS RESPONSIBLE FOR ALL PERMITTING AND FEES FOR

14. ALL PIPE BEDDING SHALL BE CLASS "C" UNLESS OTHERWISE DIRECTED BY THE ENGINEER.

ALL TREES, STUMPS, ROOT MAT, ETC. SHALL BE ENTIRELY REMOVED REGARDLESS OF DEPTH. BURIAL OF ORGANIC MATERIAL WITHIN THE PROJECT LIMITS IS NOT PERMITTED. OPEN BURNING OF DOWNED TREES AND STUMPS IS PERMITTED AT A LOCATION APPROVED BY OWNER. CHIPPED MATERIALS MUST BE

REMOVED PRIOR TO THE PLACEMENT OF EMBANKMENT OR TOPSOIL. ALL STORM DRAINAGE PIPES SHALL BE RCP CLASS III UNLESS OTHERWISE NOTED

ON THE PLANS. ALL HDPE TO BE ADS N-12 OR ENGINEER APPROVED EQUAL. THE CONTRACTOR IS SOLELY RESPONSIBLE TO OBTAIN OFF-SITE SPOIL AREAS FOR DISPOSAL OF EXCESS AND/OR UNSUITABLE MATERIALS AS NECESSARY. OFF-SITE SPOIL AREAS MUST BE SUBMITTED TO THE ENGINEER AND APPLICABLE REGULATORY AGENCIES PRIOR TO UTILIZATION BY THE CONTRACTOR, NO AREAS DESIGNATED AS WETLANDS WILL BE PERMITTED FOR USE AS A DISPOSAL SITE. THE CONTRACTOR SHALL SUBMIT DOCUMENTATION TO THE ENGINEER THAT NO WETLANDS WILL BE IMPACTED. THE ENGINEER WILL NOT CONSIDER ANY DELAYS OR MONETARY CLAIMS OF ANY NATURE RESULTING FROM THE CONTRACTOR'S FAILURE OR DIFFICULTY IN FINDING NECESSARY DISPOSAL SITES TO MEET THE TIME FRAMES AND CAPACITIES REQUIRED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL PLANS, PERMITS, EROSION AND SEDIMENT CONTROL MEASURES, ETC. REQUIRED BY THE APPROPRIATE REGULATORY AGENCIES FOR UTILIZING OFF-SITE SPOIL AREAS. THE CONTRACTOR SHALL CERTIFY TO THE ENGINEER THAT ALL REQUIRED PERMITS HAVE BEEN OBTAINED PRIOR TO UTILIZING THE OFF-SITE SPOIL AREAS. ALL COSTS FOR PROCURING AND

UTILIZING THE OFF-SITE SPOIL AREAS ARE TO BE INCIDENTAL TO THE BASE BID. APPROVED COVERS TO PREVENT MATERIAL FROM LEAVING THE TRUCKS MUST BE INSTALLED OVER ALL LOADED TRUCKS HAULING BORROW, EXCAVATED MATERIAL AND/OR FINE AGGREGATES TO OR FROM THE PROJECT SITES OVER STATE MAINTAINED ROADS. ANY MATERIALS DELIVERED, TRANSPORTED, OR REMOVED IN UNCOVERED TRUCKS WILL BE INCORPORATED INTO THE PROJECT OR REMOVED FROM THE SITE WITH NO ADDITIONAL PAYMENT TO THE CONTRACTOR FOR FURNISHING, REMOVING, OR PLACING THE MATERIALS

DEWATERING: THE CONTRACTOR SHALL AT ALL TIMES PROVIDE AND MAINTAIN AMPLE MEANS AND EQUIPMENT WITH WHICH TO REMOVE AND PROPERLY DISPOSE OF ANY AND ALL WATER ENTERING THE EXCAVATION OR OTHER PARTS OF THE WORK AND KEEP ALL EXCAVATIONS DRY UNTIL SUCH TIME AS PIPE LAYING AND GRADING IS COMPLETED. NO WATER SHALL BE ALLOWED TO RISE AROUND THE PIPE IN UNBACKFILLED TRENCHES NOR SHALL IT BE ALLOWED TO RISE OVER MASONRY UNTIL THE CONCRETE OR MORTAR HAS SET (MINIMUM 24 HOURS). ALL WATER PUMPED OR DRAINED FROM THE WORK SHALL BE DISPOSED OF IN SUCH A MANNER AS TO PREVENT SILTATION AND EROSION TO ADJACENT PROPERTY OR OTHER CONSTRUCTION.

DO NOT PLANT TREES WITHIN UTILITY AND DRAINAGE EASEMENTS. NO LAND DISTURBING ACTIVITY IS PROPOSED, NOR SHOULD IT OCCUR WITHIN THE DUKE POWER EASEMENT WITHOUT WRITTEN AUTHORIZATION FROM DUKE

2. CONTRACTOR TO CONNECT DOWNSPOUT WITH CLEANOUT PER ARCHITECTS TO ROOF DRAINAGE AND YARD INLET DRAIN LINE PER CIVIL. DOWNSPOUT ADAPTER SPECIFICATION PER ARCHITECT. CONTRACTOR TO PROVIDE 1' MIN. COVER OVER ROOF DRAINAGE AND YARD DRAIN LINES, AND ACHIEVE MIN. 0.5% SLOPE. CONTRACT TO CAREFULLY ROOT PRUNE TREES, CREATING CLEAN CUTS. NO

ROUGH BREAKS OF ROOTS, TYPICALLY AS THE RESULT OF MECHANICAL EQUIPMENT, IS ACCEPTABLE.

ADA PARKING SPACES, ACCESS ISLES, CURB RAMP LANDINGS, THE ENTIRE INTERIOR DUMPSTER ENCLOSURE AREA AND ACCESSIBLE BUILDING ENTRANCE DOOR SWING CLEARANCES SHALL (PER ARCHITECT) ACHIEVE A MAXIMUM 2% SLOPE IN ANY DIRECTION. PROPOSED SPOT ELEVATIONS ARE SHOWN AT FINISHED GRADE.

AERATION DEVICE DRAIN LINES SHALL HAVE 2' MINIMUM COVER AND ACHIEVE POSITIVE DRAINAGE AT 0.5% SLOPE TO DRAINAGE STRUCTURES.

04/07/2022

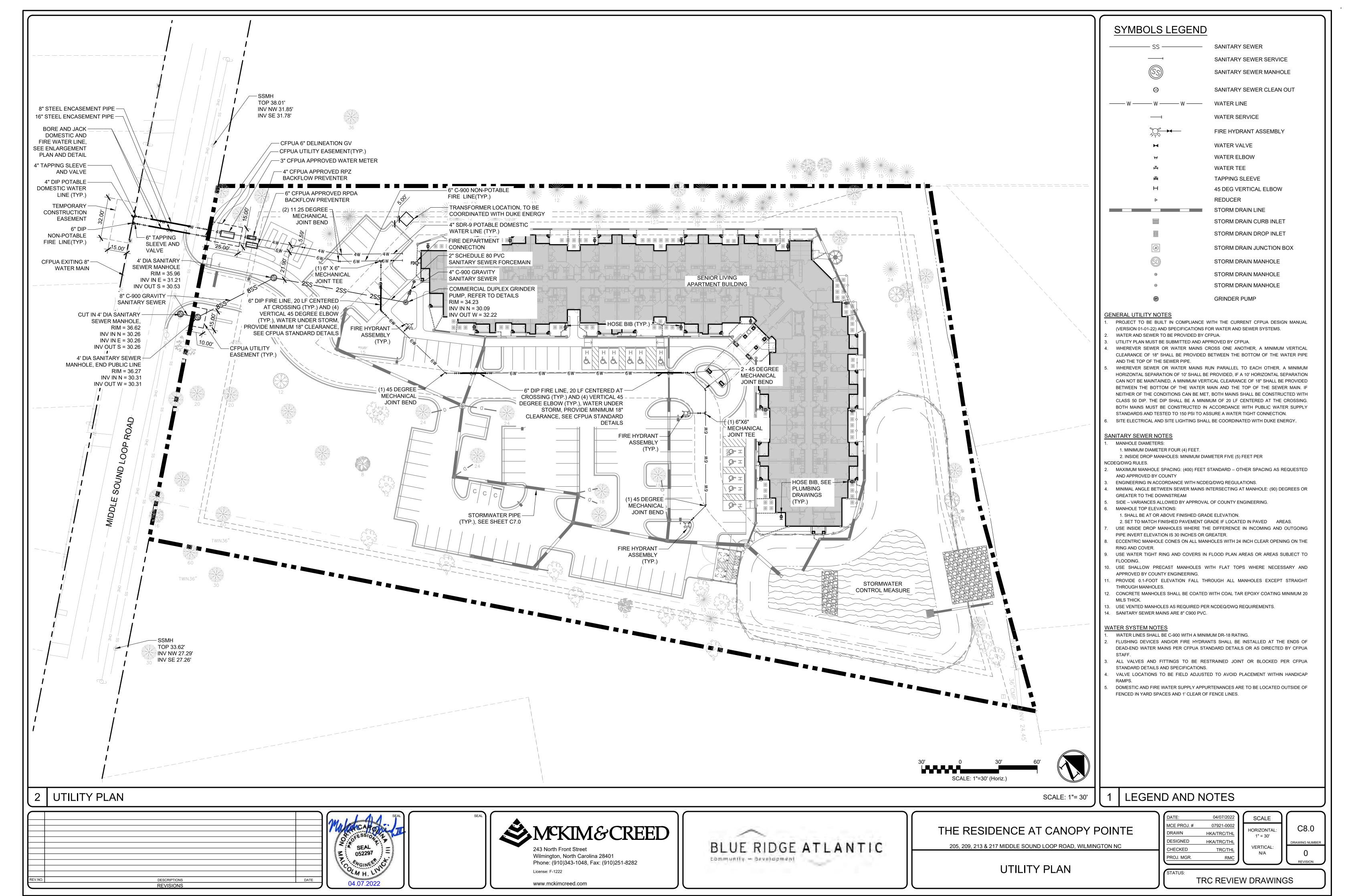
LEGEND AND NOTES

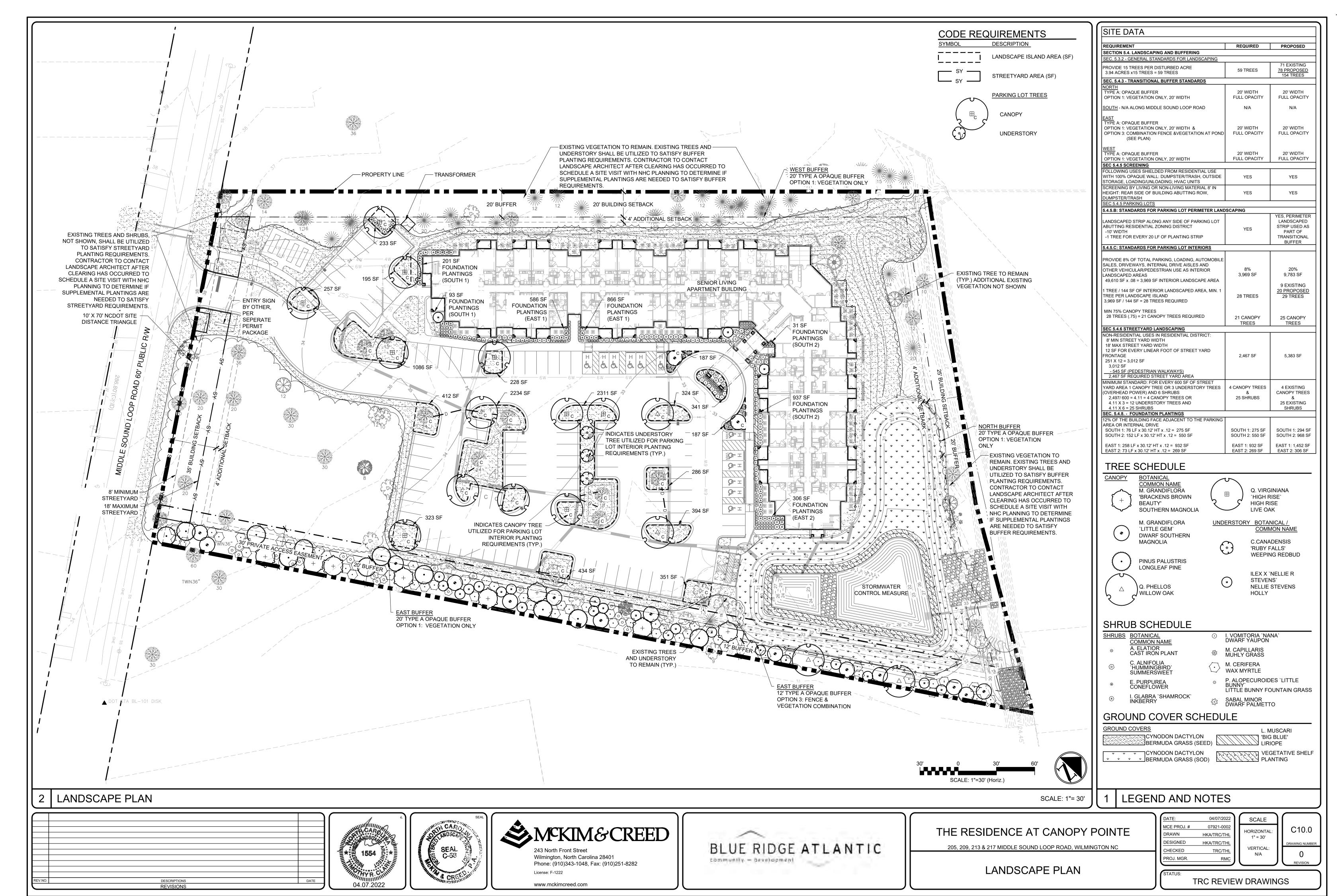


DRAWN HKA/TRC/THL DESIGNED CHECKED TRC/THL

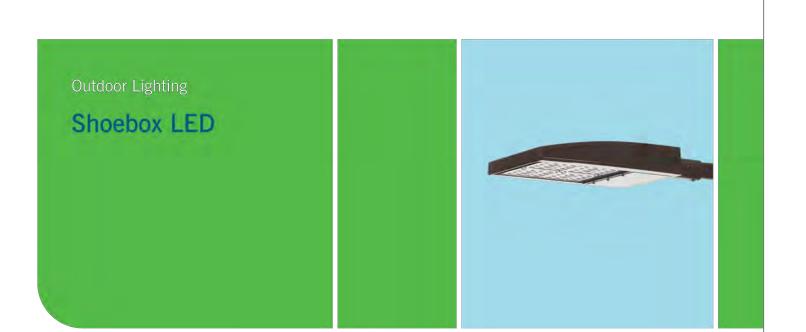
SCALE HORIZONTAL 1" = 30' VERTICAL:

TRC REVIEW DRAWINGS





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## The energy-efficient Shoebox LED

combines a decorative, contemporary style with versatility and ample lighting effect that is perfect for streets, parking lots, commercial buildings and residential communities. The Shoebox LED provides excellent color rendition along with a controlled light pattern that reduces glare and keeps the light directed only where you want it. Available in black, dark bronze, gray or white with one to four fixtures per pole.

LED 150, 220, 420, 530 watts (Light Emitting Diode) Mounting heights (25', 30', 35' Bronze Colors Gray White Fiberglass (1 or 2 fixtures per pole) Decorative tapered metal

Decorative square metal

Note: 35' pole available in black or bronze only.

For additional information, visit us at duke-energy.com/OutdoorLighting or call us toll free at 866.769.6417.

**DUKE ENERGY**®

BUILDING A **SMARTER** ENERGY FUTURE®

## Shoebox LED Light source: LED (white) Replacement for:\* LED Wattage 150 – 250-watt HPS and metal halide; LED Wattage 205 - up to 400-watt metal halide; LED Wattage 530 - 1,000-watt metal halide Warm-up and restrike time: Instant on (no warm-up or restrike time)

Wattage BUG Rating Light Pattern Lumens Color Temp LED 150 B5-U0-G3 IESNA Type V (circular) LED 150 B3-U0-G4 IESNA Type IV (forward throw) 18459 LED 150 B2-U0-G3 IESNA Type III (oval) 19006 LED 220 B5-U0-G3 IESNA Type V (circular) 25870 LED 220 B3-U0-G4 IESNA Type IV (forward throw) 24390 LED 220 B2-U0-G4 IESNA Type III (oval) LED 420 B5-U0-G5 IESNA Type V (circular) 48514 LED 420 B3-U0-G5 IESNA Type IV (forward throw) 43765

LED 530 B5-U0-G5 IESNA Type V (circular) 60296 LED 530 B3-U0-G5 IESNA Type IV (forward throw) 54395 \* These are approximate replacement suggestions; actual conditions could be different.

Poles available: Mounting height Round tapered decorative metal\* 35' Bronze

Decorative square metal\* 25' and 30' Bronze White Black (1 or 2 fixtures per pole) 30' **Fiberglass** Gray (1 or 2 fixtures per pole) **Features** Benefits Frees up capital for other projects Little or no installation cost Design services by lighting professionals included Meets industry standards and lighting ordinances Eliminates high and unexpected repair bills Maintenance included Electricity included Less expensive than metered service Warranty included Worry-free One low monthly cost on your electric bill Convenience and savings for you

\*2' raised foundation available when required on metal poles only.

Backed by over 40 years of experience

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Turnkey operation



light distribution pattern

Statistics Description Symbol Avg Max Max/Min Avg/Min 1.4 fc | 3.1 fc 0.3 fc 10.3:1 Parking 4.7:1

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Schedule						
Symbol	Label	Quantity	Description	Number Lamps	Lumens Per Lamp	Light Loss Factor
<b>X</b>	А	3	LED 150w Shoebox - Type IV - 4000K	48	385	0.85
X	В	4	LED 150w Shoebox - Type V - 4000K	48	408	0.85

B @ 25' LEGEND (OUTER to INNER): 0.10 , 0.25 , 0.50 , 1.00 , 1.25 ISOFOOTCANDLE CURVES ASSY# LFIX-SBX-LED-150-BLK-IV-MULTIV-\_\_\_-P
POLE ASSY# LPOLE-AB-STL-25FT-BLK-SQ-\_\_\_-P (BLACK)
BRACKET ASSY# LBKT-SIDE-12IN-BLK-UNV-STL-\_\_\_-P (BLACK)

PATTERN: TYPE V B5-U0-G3 (zero light at or above 90 degrees)

MOUNTING HEIGHT: 25 FT LIGHT SOURCE: LED'S, 4000K, 70 CRI

PATTERN: TYPE IV B3-U0-G4 (zero light at or above 90 degrees) NOTE: THE FOOTCANDLE READINGS BELOW ARE MAINTAINED AND HAVE BEEN DEPRECIATED FOR LED LUMEN DEPRECIATION AND

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-40 -80 -120 -80 -40 0 40 80 120 180	80					<b>√</b> □□□□□□□□□□□□□□□□□□□□□□□□□□□□□□□□□□□□
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	LEGEND	(OUTER to INNER):	0.10 , 0.25 , 0.5	0 , 1.00 , 1.25		

			/
Rev B	01/25/22	Customer Requested Locations	NJ
Rev A	01/19/22	LED 150w Shoebox	NJ
REV#	DATE	REVISION	BY

Provides hassle-free installation and service

A name you can trust today ... and tomorrow

Black Gray

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## LIGHTING DESIGN TOLERANCE



5 <sup>†</sup>0.7 <sup>†</sup>0.9 \*1.1 \*1.4 \*1.7 \*1.9 \*1.9 \*2.0 \*1.8 \*1.7 \*1.5 \*1.5 \*1.4 \*1.4 \*1.3 \*1.3 \*1.3 \*1.4 \*1.4 \*1.3 \*1.1 \*0.8 \*0.7 <sup>†</sup>0.6 <sup>†</sup>0.4

<sup>→</sup>0.3 <sup>→</sup>0.3 <sup>→</sup>0.3 <sup>→</sup>0.4 <sup>→</sup>0.9 <sup>→</sup>1.4 <sup></sup>

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3 \*1.4/ 1.8 <sup>+</sup>1.7 <sup>+</sup>1.4/ 1.4/ 0.9 <sup>+</sup>0.6 <sup>+</sup>0.5 <sup>+</sup>0.5 <sup>+</sup>0.4 <sup>+</sup>0.4, <sup>+</sup>0.5 <sup>+</sup>0.5 <sup>+</sup>0.5 <sup>+</sup>0.4 <sup>+</sup>0.3 <sup>+</sup>0.2 <sup>+</sup>0.1 <sup>+</sup>0.1 <sup>+</sup>0.1 <sup>+</sup>0.1 <sup>+</sup>0.1 <sup>+</sup>0.1 <sup>+</sup>0.2 <sup>+</sup>0.2 <sup>+</sup>0.2 <sup>+</sup>0.2 <sup>+</sup>0.2 <sup>+</sup>0.2 <sup>+</sup>0.2 <sup>+</sup>0.2 <sup>+</sup>0.2 <sup>+</sup>0.1 <sup>+</sup>0.1 <sup>+</sup>0.1 <sup>+</sup>0.1 <sup>+</sup>0.1 <sup>+</sup>0.1 <sup>+</sup>0.1

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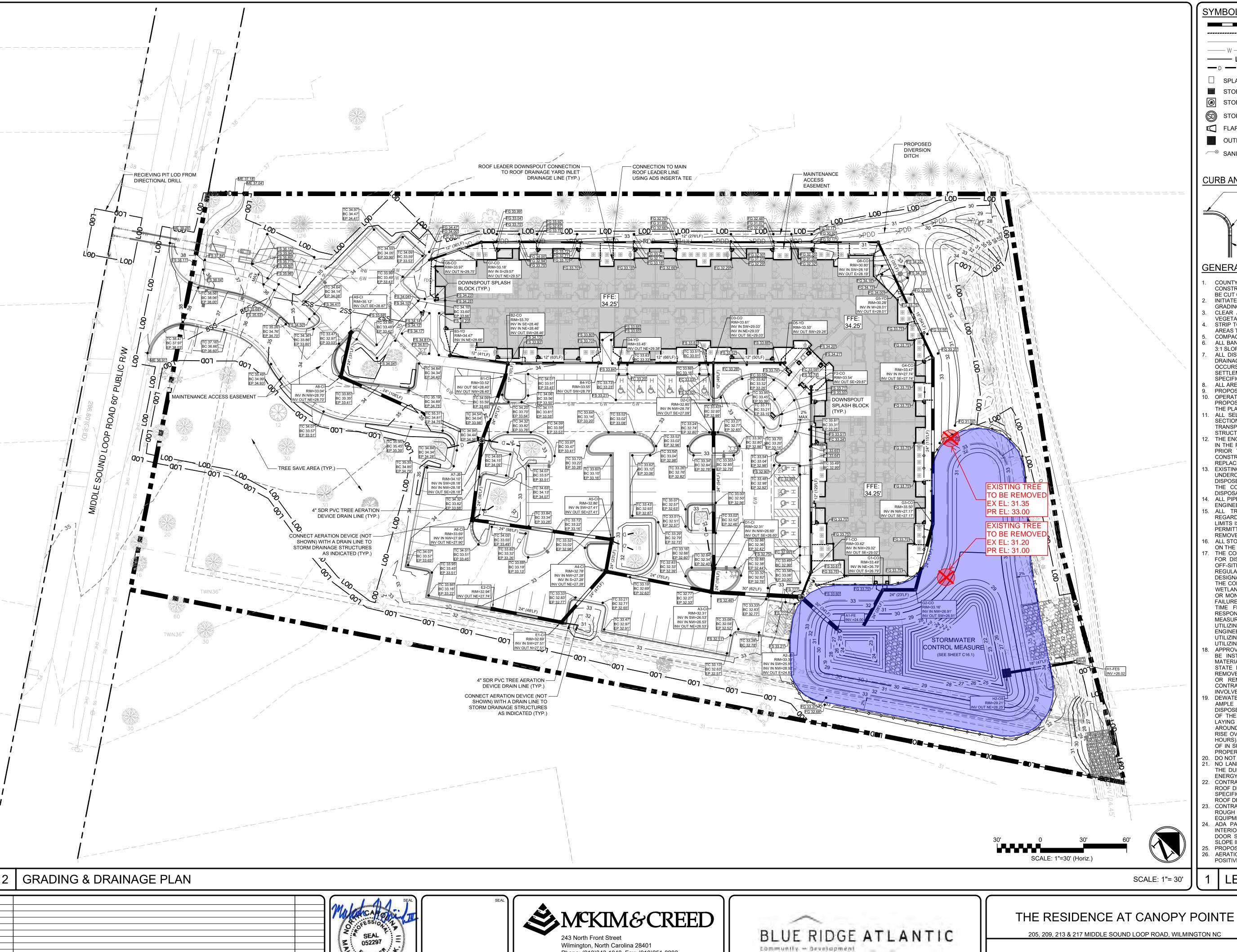
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THE RESIDENCE AT CANOPY POINTE Wilmington, NC SITE LIGHTING PLAN Designed by DEP LIGHTING SOLUTIONS Reviewed by <u>N. Johnson</u> Scale <u>1" = 30'</u> Date <u>01/25/2022</u> \_\_ Size <u>"Arch D"</u> Description LED 150w Shoebox \_\_\_\_ Sht. <u>1 OF 1</u> Drawing No. 22-0020B



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SYMBOLS LEGEND ☐ SPLASH PAD STORM DRAIN CURB INLET (CI) STORM DRAIN MANHOLE (MH) FLARED END SECTION (FES) OUTLET STRUCTURE (OS) ✓── SANITARY SEWER SERVICE DETAIL GENERAL NOTES: GRADING OPERATIONS. 3:1 SLOPES. ENGINEER.

ROOFDRAIN LINE SANITARY SEWER WATER LINE STORM DRAIN JUNCTION BOX (JB) - SPILL CURB (NO FILL COLOR) (TYP.) SEE TRANSITION FROM SPILL TO CATCH CURB (GRAY DASHED FILL) (TYP.) ME MATCH EXISTING - CATCH CURB (GRAY FILL) (TYP.) SEE DETAIL

LIMITS OF DISTURBANCE TREE AERATION DRAIN LINE WATER SERVICE FIRE HYDRANT

SANITARY SEWER MANHOLE SANITARY SEWER CLEAN OUT

■ WATER BLOW-OFF ► WATER VALVE

WATER CROSSING 

#### CURB AND GUTTER LEGEND ABBREVIATIONS

TC TOP OF CURB ELEVATION

BC BACK OF CURB ELEVATION

EP EDGE OF PAVEMENT ELEVATION

FC FLUSH CURB CONDITION ELEVATION FG FINISHED GRADE ELEVATION

FS FINISHED SURFACE ELEVATION FFE FINISHED FLOOR ELEVATION

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CLEAR AREA WITHIN THE LOD AND ESSENTIAL SITE IMPROVEMENTS OF ALL VEGETATION. PROTECT VEGETATION BEYOND GRADING LIMITS. STRIP TOPSOIL TO FULL DEPTH DESCRIBED IN THE EROSION CONTROL PLANS IN AREAS TO BE GRADED AND STOCKPILE. COMPACT ALL FILL AREAS TO 95% OF MAXIMUM DENSITY.

ALL BANK AND SWALE SIDE SLOPES SHALL BE GRADED WITH NO GREATER THAN DRAINAGE AND STABILIZED WITH TOPSOIL, SEED, AND MULCH. IF SETTLEMENT OCCURS, TOPSOIL, SEEDING, AND MULCH SHALL BE REPEATED UNTIL

SETTLEMENT SUBSIDES. (SEE EROSION AND SEDIMENT CONTROL DETAILS AND ALL AREAS ARE TO BE GRADED SO THAT NO AREAS OF STANDING WATER OCCUR

PROPOSED SPOT ELEVATIONS ARE SHOWN AT FINISHED GRADE. OPERATOR SHALL FIELD VERIFY EXISTING TOPOGRAPHY IN RELATION TO THE PROPOSED GRADES TO ENSURE DRAINAGE IN THE DIRECTIONS INDICATED ON

ALL SELECT AND BORROW MATERIAL SHALL MEET CRITERIA SET FORTH BY SECTIONS 1016 AND 1018 OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION'S STANDARDS AND SPECIFICATIONS FOR ROADS AND

THE ENGINEER AND THE CONTRACTOR SHALL INSPECT ALL EXISTING PIPES USED IN THE FINAL DRAINAGE SYSTEM AND AGREE ON THE CONDITION OF THE PIPES PRIOR TO CONSTRUCTION. IF DAMAGE OCCURS TO THESE PIPES DURING CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REPAIR OF REPLACEMENT OF THE PIPE(S)

EXISTING PAVING. CONCRETÉ. AND OTHER UNSUITABLE MATERIALS INCLUDING UNDERCUT EXCAVATION SHALL NOT BE USED AS FILL MATERIAL AND SHALL BE DISPOSED OF OUTSIDE THE PROJECT LIMITS AT THE CONTRACTOR'S EXPENSE. THE CONTRACTOR IS RESPONSIBLE FOR ALL PERMITTING AND FEES FOR

ALL PIPE BEDDING SHALL BE CLASS "C" UNLESS OTHERWISE DIRECTED BY THE

ALL TREES. STUMPS. ROOT MAT. ETC. SHALL BE ENTIRELY REMOVED REGARDLESS OF DEPTH. BURIAL OF ORGANIC MATERIAL WITHIN THE PROJECT LIMITS IS NOT PERMITTED. OPEN BURNING OF DOWNED TREES AND STUMPS IS PERMITTED AT A LOCATION APPROVED BY OWNER. CHIPPED MATERIALS MUST BE

REMOVED PRIOR TO THE PLACEMENT OF EMBANKMENT OR TOPSOIL. ALL STORM DRAINAGE PIPES SHALL BE RCP CLASS III UNLESS OTHERWISE NOTED ON THE PLANS. ALL HDPE TO BE ADS N-12 OR ENGINEER APPROVED EQUAL.

THE CONTRACTOR IS SOLELY RESPONSIBLE TO OBTAIN OFF-SITE SPOIL AREAS FOR DISPOSAL OF EXCESS AND/OR UNSUITABLE MATERIALS AS NECESSARY. OFF-SITE SPOIL AREAS MUST BE SUBMITTED TO THE ENGINEER AND APPLICABLE REGULATORY AGENCIES PRIOR TO UTILIZATION BY THE CONTRACTOR, NO AREAS DESIGNATED AS WETLANDS WILL BE PERMITTED FOR USE AS A DISPOSAL SITE. THE CONTRACTOR SHALL SUBMIT DOCUMENTATION TO THE ENGINEER THAT NO WETLANDS WILL BE IMPACTED. THE ENGINEER WILL NOT CONSIDER ANY DELAYS OR MONETARY CLAIMS OF ANY NATURE RESULTING FROM THE CONTRACTOR'S FAILURE OR DIFFICULTY IN FINDING NECESSARY DISPOSAL SITES TO MEET THE TIME FRAMES AND CAPACITIES REQUIRED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL PLANS, PERMITS, EROSION AND SEDIMENT CONTROL MEASURES, ETC. REQUIRED BY THE APPROPRIATE REGULATORY AGENCIES FOR UTILIZING OFF-SITE SPOIL AREAS. THE CONTRACTOR SHALL CERTIFY TO THE ENGINEER THAT ALL REQUIRED PERMITS HAVE BEEN OBTAINED PRIOR TO UTILIZING THE OFF-SITE SPOIL AREAS. ALL COSTS FOR PROCURING AND

UTILIZING THE OFF-SITE SPOIL AREAS ARE TO BE INCIDENTAL TO THE BASE BID. APPROVED COVERS TO PREVENT MATERIAL FROM LEAVING THE TRUCKS MUST BE INSTALLED OVER ALL LOADED TRUCKS HAULING BORROW, EXCAVATED MATERIAL AND/OR FINE AGGREGATES TO OR FROM THE PROJECT SITES OVER STATE MAINTAINED ROADS. ANY MATERIALS DELIVERED, TRANSPORTED, OR REMOVED IN UNCOVERED TRUCKS WILL BE INCORPORATED INTO THE PROJECT OR REMOVED FROM THE SITE WITH NO ADDITIONAL PAYMENT TO THE CONTRACTOR FOR FURNISHING, REMOVING, OR PLACING THE MATERIALS

DEWATERING: THE CONTRACTOR SHALL AT ALL TIMES PROVIDE AND MAINTAIN AMPLE MEANS AND EQUIPMENT WITH WHICH TO REMOVE AND PROPERLY DISPOSE OF ANY AND ALL WATER ENTERING THE EXCAVATION OR OTHER PARTS OF THE WORK AND KEEP ALL EXCAVATIONS DRY UNTIL SUCH TIME AS PIPE LAYING AND GRADING IS COMPLETED. NO WATER SHALL BE ALLOWED TO RISE AROUND THE PIPE IN UNBACKFILLED TRENCHES NOR SHALL IT BE ALLOWED TO RISE OVER MASONRY UNTIL THE CONCRETE OR MORTAR HAS SET (MINIMUM 24 HOURS). ALL WATER PUMPED OR DRAINED FROM THE WORK SHALL BE DISPOSED OF IN SUCH A MANNER AS TO PREVENT SILTATION AND EROSION TO ADJACENT PROPERTY OR OTHER CONSTRUCTION.

DO NOT PLANT TREES WITHIN UTILITY AND DRAINAGE EASEMENTS. NO LAND DISTURBING ACTIVITY IS PROPOSED, NOR SHOULD IT OCCUR WITHIN THE DUKE POWER EASEMENT WITHOUT WRITTEN AUTHORIZATION FROM DUKE

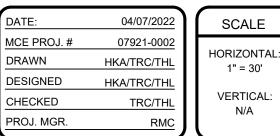
2. CONTRACTOR TO CONNECT DOWNSPOUT WITH CLEANOUT PER ARCHITECTS TO ROOF DRAINAGE AND YARD INLET DRAIN LINE PER CIVIL. DOWNSPOUT ADAPTER SPECIFICATION PER ARCHITECT. CONTRACTOR TO PROVIDE 1' MIN. COVER OVER ROOF DRAINAGE AND YARD DRAIN LINES, AND ACHIEVE MIN. 0.5% SLOPE. CONTRACT TO CAREFULLY ROOT PRUNE TREES, CREATING CLEAN CUTS. NO

ROUGH BREAKS OF ROOTS, TYPICALLY AS THE RESULT OF MECHANICAL EQUIPMENT, IS ACCEPTABLE. ADA PARKING SPACES, ACCESS ISLES, CURB RAMP LANDINGS, THE ENTIRE INTERIOR DUMPSTER ENCLOSURE AREA AND ACCESSIBLE BUILDING ENTRANCE

DOOR SWING CLEARANCES SHALL (PER ARCHITECT) ACHIEVE A MAXIMUM 2% SLOPE IN ANY DIRECTION. PROPOSED SPOT ELEVATIONS ARE SHOWN AT FINISHED GRADE.

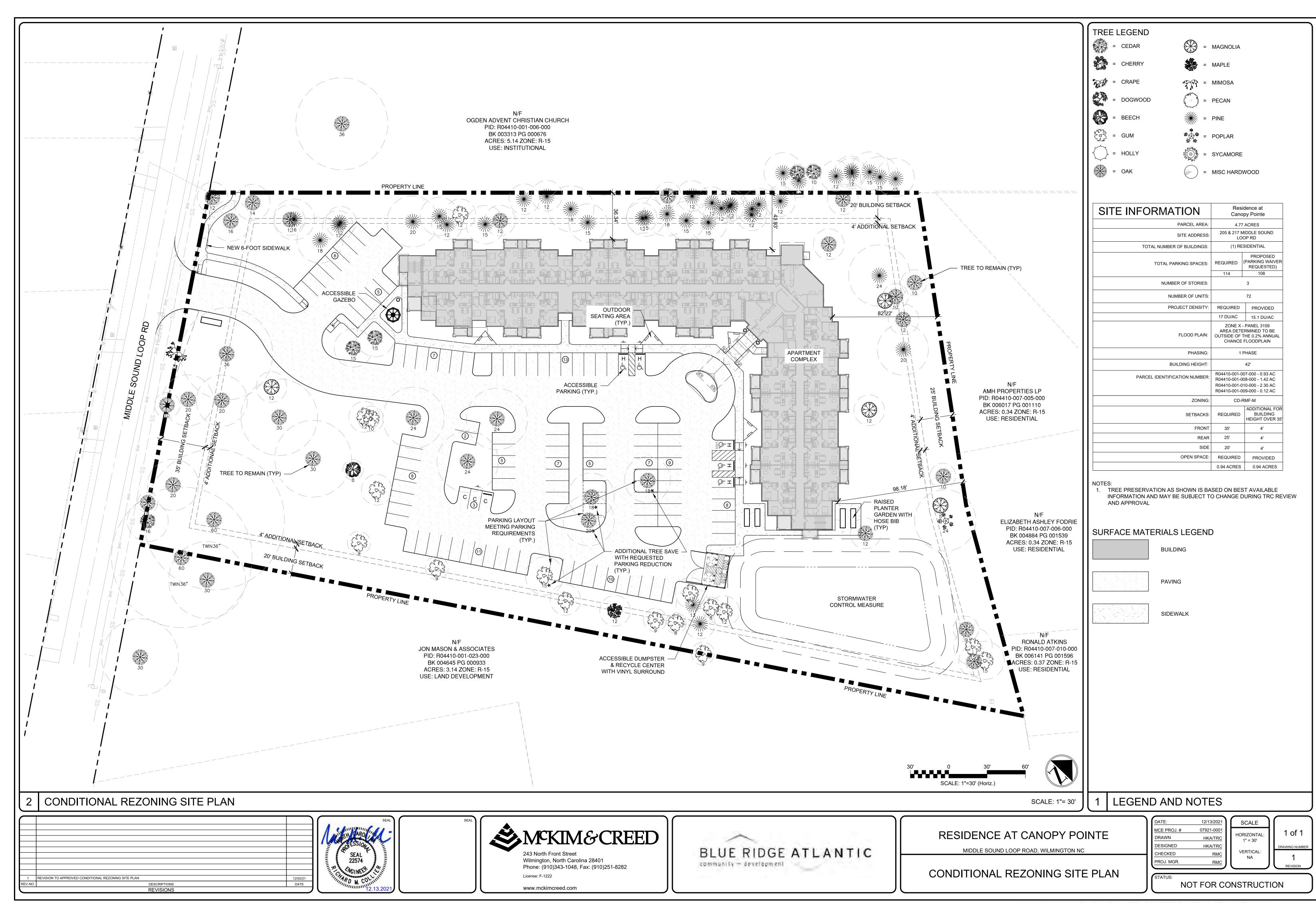
AERATION DEVICE DRAIN LINES SHALL HAVE 2' MINIMUM COVER AND ACHIEVE POSITIVE DRAINAGE AT 0.5% SLOPE TO DRAINAGE STRUCTURES.

LEGEND AND NOTES



TRC REVIEW DRAWINGS

**GRADING & DRAINAGE PLAN** 



Attachment 4

New Hanover County Parcel Information and Tract Map

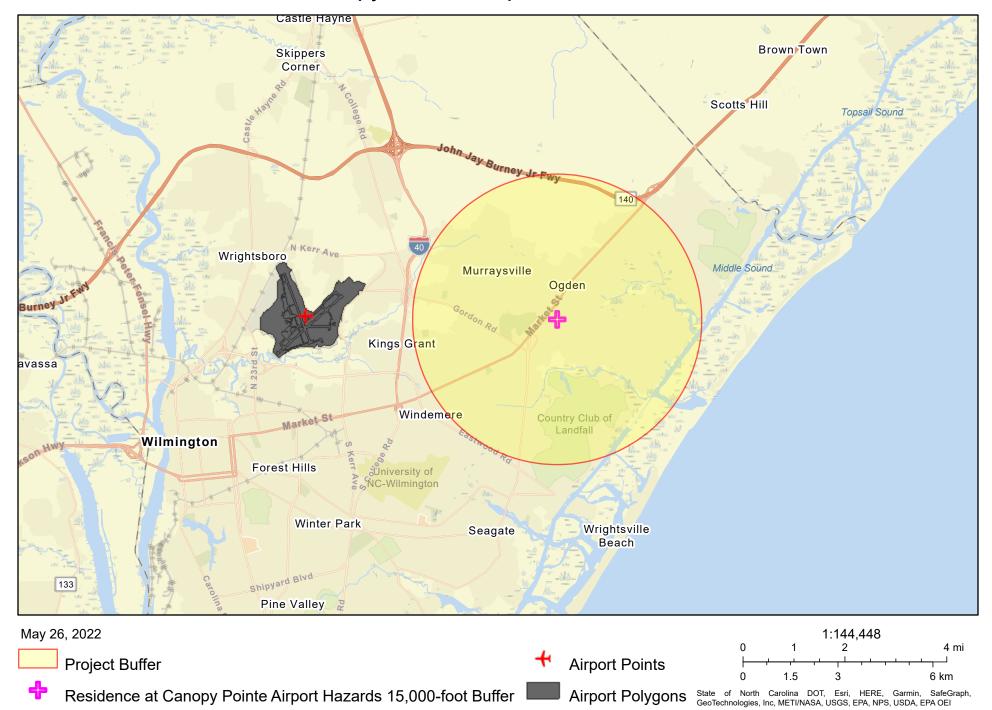
	Parcel Id	Size
1	R04410-001-007-000	0.93 AC
2	R04410-001-008-000	1.42 AC
3	R04410-001-010-000	2.30 AC
4	R04410-001-009-000	0.12 AC



## **ATTACHMENT 2:**

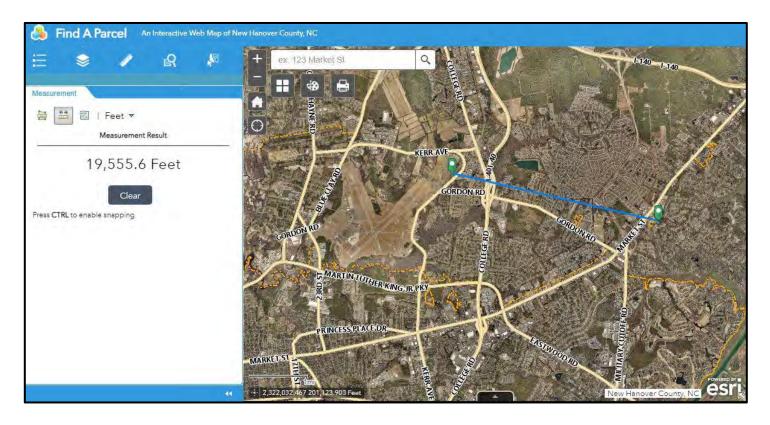
# NEPAssist Map with 15,000foot buffer

## Residence at Canopy Pointe - Airport Hazards 15,000-foot Buffer



Attachment 7

Nearest Airport Map (Source New Hanover County GIS)



# **ATTACHMENT 3:**

**USFWS CBRS Map** 

Attachment 8

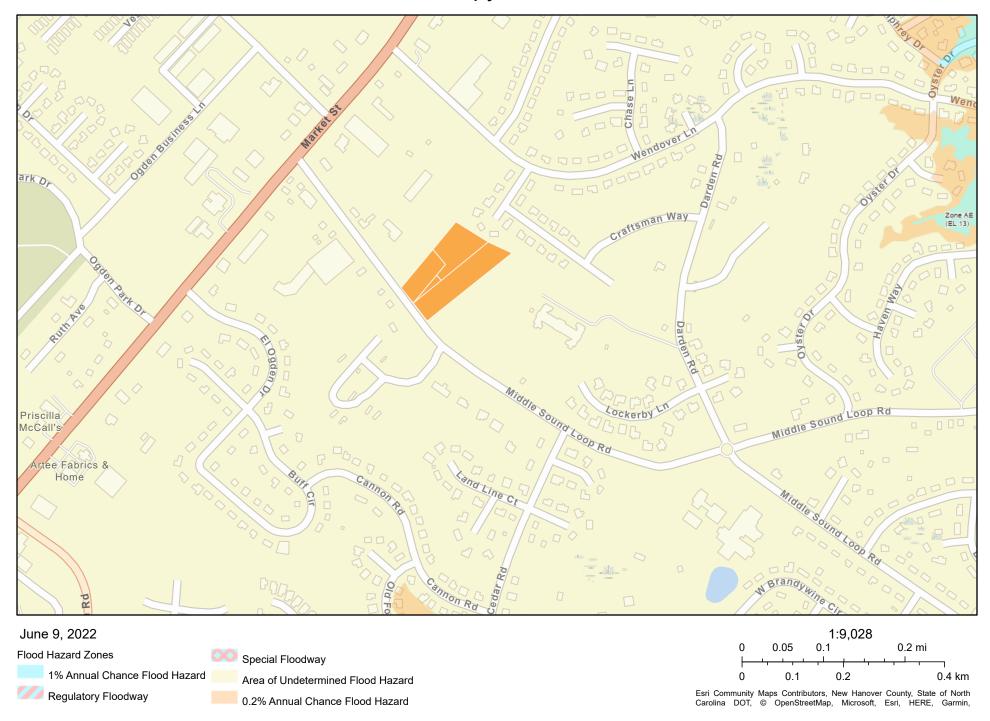
USFWS Coastal Barrier Resource Systems Map



## **ATTACHMENT 4:**

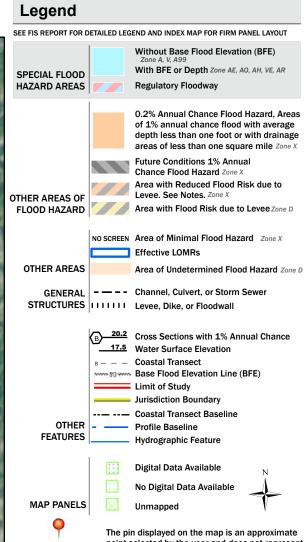
**FEMA FIRMette** 

# Residence at Canopy Pointe - FEMA FIRM



# National Flood Hazard Layer FIRMette





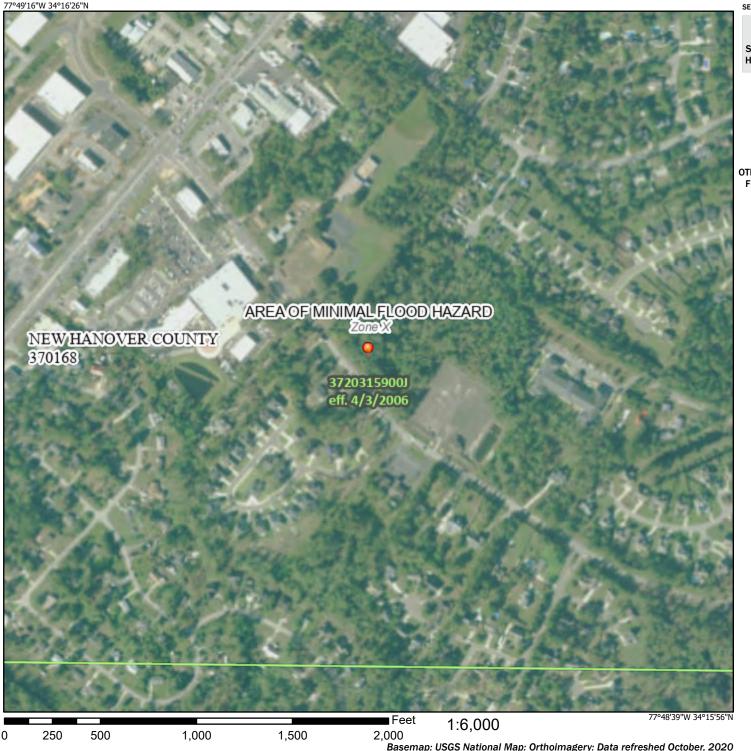
The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 12/3/2021 at 11:17 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

become superseded by new data over time.



## **ATTACHMENT 5:**

North Carolina Nonattainment/
Maintenance Status for Each County by Year for
All Criteria Pollutants and EPA NC Radon Level
Map



You are here: EPA Home > Green Book > National Area and County-Level Multi-Pollutant Information > North Carolina Nonattainment/Maintenance Status for Each County by Year for All Criteria Pollutants

## North Carolina Nonattainment/Maintenance Status for Each County by Year for All Criteria Pollutants

Data is current as of April 30, 2022

Listed by County, NAAQS, Area. The 8-hour Ozone (1997) standard was revoked on April 6, 2015 and the 1-hour Ozone (1979) standard was revoked on June 15, 2005.

\* The 1997 Primary Annual PM-2.5 NAAQS (level of 15 μg/m³) is revoked in attainment and maintenance areas for that NAAQS. For additional information see the PM-2.5 NAAQS SIP Requirements Final Rule, effective October 24, 2016. (81 FR 58009)

Change	the	State:	

NORTH CAROLINA •		GO
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Important N	Votes		Download	d National Datas	set: dbf   xls	Data	a dictionary	(PDF)
County	NAAQS	Area Name	Nonattainment in Year	Redesignation to Maintenance	Classification	Whole or/ Part County	Population (2010)	State/ County FIPS Codes
NORTH (	CAROLINA			-	-	•	-	
Cabarrus County	8-Hour Ozone (1997)- NAAQS revoked	Charlotte- Gastonia- Rock Hill, NC-SC	04050607080910111213	01/02/2014	Moderate	Whole	178,011	37/025
Cabarrus County	8-Hour Ozone (2008)	Charlotte- Rock Hill, NC-SC	12 13 14	08/27/2015	Marginal	Part	176,928	37/025
Catawba County	PM-2.5 (1997)- NAAQS revoked	Hickory- Morganton- Lenoir, NC	050607080910	12/19/2011 *	Former Subpart 1	Whole	154,358	37/035
Chatham County	8-Hour Ozone (1997)- NAAQS revoked	Raleigh- Durham- Chapel Hill, NC	040506	12/26/2007	Former Subpart 1	Part	32,372	37/037
Davidson County	1-Hour Ozone (1979)- NAAQS revoked	Greensboro- Winston- Salem-High Point, NC	92	11/08/1993	Moderate	Whole	162,878	37/057
Davidson County	PM-2.5 (1997)- NAAQS revoked	Greensboro- Winston Salem-High Point, NC	050607080910	12/19/2011 *	Former Subpart 1	Whole	162,878	37/057

County	NAAQS	Area Name		Redesignation to Maintenance	Classification	Whole or/ Part County	Population (2010)	State/n County FIPS Codes
Davie County	1-Hour Ozone (1979)- NAAQS revoked	Greensboro- Winston- Salem-High Point, NC		11/08/1993	Moderate	Part	1	37/059
Durham County	revoked	Raleigh- Durham, NC	9293	06/17/1994	Moderate	Whole	267,587	37/063
Durham County	8-Hour Ozone (1997)- NAAQS revoked	Raleigh- Durham- Chapel Hill, NC	040506	12/26/2007	Former Subpart 1	Whole	267,587	37/063
Durham County	Monoxide	Raleigh- Durham, NC	929394	09/18/1995	Moderate <= 12.7ppm	Whole	267,587	37/063
Edgecombe County	8-Hour Ozone (1997)- NAAQS revoked	Rocky Mount, NC	040506	01/05/2007	Former Subpart 1	Whole	56,552	37/065
Forsyth County	1-Hour Ozone (1979)- NAAQS revoked	Greensboro- Winston- Salem-High Point, NC		11/08/1993	Moderate	Whole	350,670	37/067
Forsyth County	Carbon	Winston- Salem, NC	9293	11/07/1994	Moderate <= 12.7ppm	Whole	350,670	37/067
Franklin County	8-Hour Ozone (1997)- NAAQS revoked	Raleigh- Durham- Chapel Hill, NC	040506	12/26/2007	Former Subpart 1	Whole	60,619	37/069
Gaston County	1-Hour Ozone (1979)- NAAQS revoked		929394	07/05/1995	Moderate	Whole	206,086	37/071
Gaston County	8-Hour Ozone (1997)- NAAQS revoked	Charlotte- Gastonia- Rock Hill, NC-SC	04050607080910111213	01/02/2014	Moderate	Whole	206,086	37/071
Gaston County	8-Hour Ozone (2008)	Charlotte- Rock Hill, NC-SC	12 13 14	08/27/2015	Marginal	Part	190,849	37/071

County	NAAQS	Area Name		Redesignation to Maintenance	Classification	Whole or/ Part County	Population (2010)	State/ County FIPS Codes
Granville County	1-Hour Ozone (1979)- NAAQS revoked	Raleigh- Durham, NC	9293	06/17/1994	Moderate	Part	17,725	37/077
Granville County	8-Hour Ozone (1997)- NAAQS revoked	Raleigh- Durham- Chapel Hill, NC	040506	12/26/2007	Former Subpart 1	Whole	59,916	37/077
Guilford County	1-Hour Ozone (1979)- NAAQS revoked	Point, NC	92	11/08/1993	Moderate	Whole	488,406	37/081
Guilford County	PM-2.5 (1997)- NAAQS revoked	Greensboro- Winston Salem-High Point, NC	050607080910	12/19/2011 *	Former Subpart 1	Whole	488,406	37/081
Haywood County	revoked	Haywood and Swain Cos (Great Smoky NP), NC	040506070809	01/06/2010	Former Subpart 1	Part	985	37/087
Iredell County	8-Hour Ozone (1997)- NAAQS revoked	Charlotte- Gastonia- Rock Hill, NC-SC	04050607080910111213	01/02/2014	Moderate	Part	68,089	37/097
Iredell County	8-Hour Ozone (2008)	Charlotte- Rock Hill, NC-SC	12 13 14	08/27/2015	Marginal	Part	65,899	37/097
Johnston County	8-Hour Ozone (1997)- NAAQS revoked	Raleigh- Durham- Chapel Hill, NC	040506	12/26/2007	Former Subpart 1	Whole	168,878	37/101
Lincoln County	8-Hour Ozone (1997)- NAAQS revoked	Charlotte- Gastonia- Rock Hill, NC-SC	04050607080910111213	01/02/2014	Moderate	Whole	78,265	37/109
Lincoln County	8-Hour Ozone (2008)	Charlotte- Rock Hill, NC-SC	12 13 14	08/27/2015	Marginal	Part	64,189	37/109

County	NAAQS	Area Name		Redesignation to Maintenance	Classification	Whole or/ Part County	Population (2010)	State/ County FIPS Codes
Mecklenburg County	(19/9)-	Charlotte- Gastonia, NC	929394	07/05/1995	Moderate	Whole	919,628	37/119
Mecklenburg County	NAAQS revoked	Charlotte- Gastonia- Rock Hill, NC-SC	04050607080910111213	01/02/2014	Moderate	Whole	919,628	37/119
Mecklenburg County	Ozone (2008)	Charlotte- Rock Hill, NC-SC	12 13 14	08/27/2015	Marginal	Whole	919,628	37/119
	(1971)	Charlotte, NC	929394	09/18/1995	Not Classified	Whole	919,628	37/119
Nash County	8-Hour Ozone (1997)- NAAQS revoked	Rocky Mount, NC	040506	01/05/2007	Former Subpart 1	Whole	95,840	37/127
Orange County	8-Hour Ozone (1997)-	Raleigh- Durham- Chapel Hill, NC	040506	12/26/2007	Former Subpart 1	Whole	133,801	37/135
Person County	8-Hour Ozone (1997)-	Raleigh- Durham- Chapel Hill, NC	040506	12/26/2007	Former Subpart 1	Whole	39,464	37/145
Rowan County	8-Hour Ozone (1997)- NAAQS revoked	Charlotte- Gastonia- Rock Hill, NC-SC	04050607080910111213	01/02/2014	Moderate	Whole	138,428	37/159
Rowan County	Ozone	Charlotte- Rock Hill, NC-SC	12 13 14	08/27/2015	Marginal	Part	130,057	37/159
Swain County	8-Hour Ozone (1997)- NAAQS revoked	Haywood and Swain Cos (Great Smoky NP), NC	040506070809	01/06/2010	Former Subpart 1	Part	3,288	37/173
Union	(1997)-	Charlotte- Gastonia- Rock Hill, NC-SC	04050607080910111213	01/02/2014	Moderate	Whole	201,292	37/179

County	NAAQS	Area Name		Redesignation to Maintenance	Classification	Whole or/ Part County	Population (2010)	State/ County FIPS Codes
Union County	8-Hour Ozone (2008)	Charlotte- Rock Hill, NC-SC	12 13 14	08/27/2015	Marginal	Part	176,055	37/179
Wake County	1-Hour Ozone (1979)- NAAQS revoked	Raleigh- Durham, NC	9293	06/17/1994	Moderate	Whole	900,993	37/183
Wake County	8-Hour Ozone (1997)- NAAQS revoked	Raleigh- Durham- Chapel Hill, NC	040506	12/26/2007	Former Subpart 1	Whole	900,993	37/183
Wake County	Carbon Monoxide (1971)	Raleigh- Durham, NC	929394	09/18/1995	Moderate <= 12.7ppm	Whole	900,993	37/183

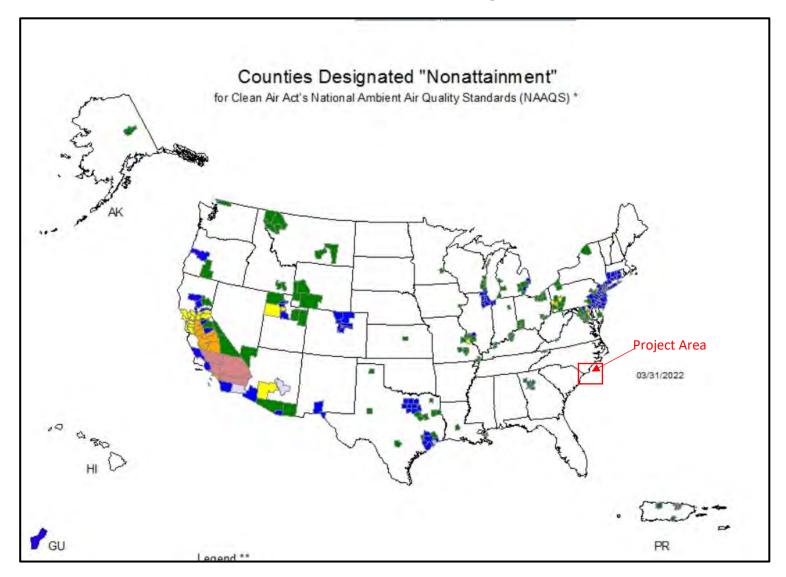
Important Notes

Discover. Connect. Ask.

Follow.

2022-04-30

Attachment 10
EPA Non-attainment Area Map



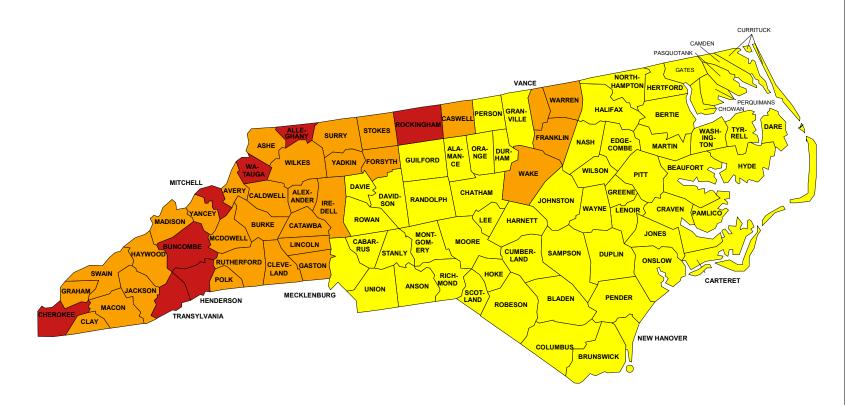
## **NORTH CAROLINA - EPA Map of Radon Zones**

http://www.epa.gov/radon/zonemap.html

The purpose of this map is to assist National, State and local organizations to target their resources and to implement radon-resistant building codes.

This map is not intended to determine if a home in a given zone should be tested for radon. Homes with elevated levels of radon have been found in all three zones.

All homes should be tested, regardless of zone designation.









IMPORTANT: Consult the publication entitled "Preliminary Geologic Radon Potential Assessment of North Carolina" (USGS Open-file Report 93-292-D) before using this map. http://energy.cr.usgs.gov/radon/grpinfo.html This document contains information on radon potential variations within counties. EPA also recommends that this map be supplemented with any available local data in order to further understand and predict the radon potential of a specific area.

## **ATTACHMENT 6:**

**Division of Coastal Zone Management** 

#### Gievers, Andrea

**From:** dlutheran@segi.us

Sent: Wednesday, January 19, 2022 8:40 AM

**To:** Gievers, Andrea

**Subject:** FW: [External] The Residence at Canopy Point CAMA Consistency Determination DCM2022003

**CAUTION:** External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to Report Spam.

#### **FYR**

Dana A. Lutheran
Southern Environmental Group, Inc.
5315 South College Road, Suite E
Wilmington, NC 28412
Office: 910.452.2711
Mobile: 910.228.1841 (preferred)

www.segi.us

From: Govoni, Daniel <daniel.govoni@ncdenr.gov> Sent: Wednesday, January 19, 2022 8:26 AM

To: dlutheran@segi.us

Subject: RE: [External] The Residence at Canopy Point CAMA Consistency Determination DCM2022003

Hello Dana,

North Carolina's coastal zone management program consists of, but is not limited to, the Coastal Area Management Act, the State's Dredge and Fill Law, Chapter 7 of Title 15A of North Carolina's Administrative Code, and the land use plan of the County and/or local municipality in which the proposed project is located. It is the objective of the Division of Coastal Management (DCM) to manage the State's coastal resources to ensure that proposed federal actions would be compatible with safeguarding and perpetuating the biological, social, economic, and aesthetic values of the State's coastal waters.

DCM has reviewed the submitted information pursuant to the management objectives and enforceable policies of Subchapters 7H and 7M of Chapter 7 in Title 15A of the North Carolina Administrative Code and concurs that the proposed activity is consistent with North Carolina's approved coastal management program.

Prior to the initiation of the activities described, the applicant should obtain any required State approvals or authorizations. Should the proposed action be modified further, a revised consistency determination could be necessary. This might take the form of either a supplemental consistency determination pursuant to 15 CFR 930.46, or a new consistency determination pursuant to 15 CFR 930.36. Likewise, if further project assessments reveal environmental effects not previously considered, a supplemental consistency certification may be required. If you have any questions, please contact me at (252) 808-2808. Thank you for your consideration of the North Carolina Coastal Management Program.

Daniel

#### Daniel M. Govoni

Policy Analyst
Federal Consistency Coordinator
NC Division of Coastal Management
Department of Environmental Quality

252 808 2808 x233 Daniel.Govoni@ncdenr.gov

Morehead City, NC 28557

Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

From: <a href="mailto:dlutheran@segi.us">dlutheran@segi.us</a> Sent: Thursday, November 18, 2021 2:29 PM
To: Govoni, Daniel <a href="mailto:daniel.govoni@ncdenr.gov">daniel.govoni@ncdenr.gov</a>

Subject: [External] The Residence at Canopy Point CAMA Consistency Determination

**CAUTION:** External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to Report Spam.

Hello, Daniel.

The above referenced project is being funded by HUD. According to HUD's guidance, we are required to seek CAMA Consistency, and pursuant to 15 CFR 930.39, the Consistency Determination Letter must contain the following items:

1. A brief statement indicating whether the proposed activity is consistent with the state coastal zone management program (i.e., Pursuant to 15 CFR Part 930, the proposed project is consistent with the requirements objectives, policies, and standards of the Coastal Area Management Act);

After a comprehensive review of available data, the proposed activity is consistent with the state's coastal zone management program, and, pursuant to 15 CFR Part 930, the proposed project is consistent with the requirements objectives, policies, and standards of the Coastal Area Management Act.

2. A description of the evaluation used to determine consistency.

This determination was made based on a review of the proposed project relative to the requirements of the 2016 Land Use Plan, for New Hanover County, on 11/17/21, Chapter 7 of Title 15A of North Carolina's Administrative Code, and the State's Dredge and Fill Law;

3. A detailed description of the proposed project and it associated facilities, and comprehensive data and information sufficient to support the consistency statement.

The Residence at Canopy Point project property is comprised of four contiguous parcels, (Tract 1 - R04410-001-007-000; Tract 2 - R04410-001-009-000; Tract 3 - R04410-001-010-000; and Tract 4 - R04410-001-008-000) that encompass approximately 4.77 acres, and are located at 217 Middle Sound Loop Road, in Wilmington, New Hanover County, North Carolina. The New Hanover County CAMA Land Use Plan has the land classified as

Transitional. While the project is located within one of North Carolina's 20 coastal counties, the project site is not located within 575 linear feet of a SA;HQW waterbody (i.e. Howe Creek). In fact, the project site is approximately 4,000 linear feet from Howe Creek. Furthermore, no part of this project is located within a FEMA Flood Zone.

The proposed project entails constructing two multi-story, residential buildings, with associated parking and stormwater infrastructure. The buildings will serve as a senior living center. Approximately 4.5 acres of the project site will be disturbed. Prior to land disturbance, a NC Division of Energy, Minerals and Land Resources NPDES NCG010000 permit will be secured. To facilitate the construction of the proposed stormwater pond, which will collect and treat stormwater runoff prior to discharging into downstream receiving waters, approximately 0.06-acre of a man made ditch, a feature that meets the US Army Corps of Engineers' (USACE) definition of a relatively permanent water (RPW) (i.e. Section 404 wetland), will be filled, with clean earthen soil. Prior to filling the RPW, a Nationwide Permit 18 will be obtained, from the USACE. Written concurrence, from the NC Division of Water Resources, is not required, for this Nationwide Permit action. The Cape Fear Public Utility Authority sewer and water lines are in place, along Middle Sound Loop Road, thus there is no need to perform work outside the proposed project location.

4. Comprehensive data and information sufficient to support the consistency statement.

A single PDF has been attached and contains the following documents:

- 1. Vicinity Map
- 2. Arial Photograph
- 3. New Hanover County CAMA Land Use Plan
- 4. USGS Topographic Map
- 5. The Residence at Canopy Point Concept Plan
- 6. Distance to Nearest SA Waterbody Map
- 7. New Hanover County FEMA Flood Map

It is my hope the information found within and attached to this email is sufficient for review and the consistency determination can be issued without delay. However, should you need anything further, please feel free to call me at 910.228.1841.

Thank you, in advance, for your assistance with this project. I look forward to hearing from you.

#### Dana

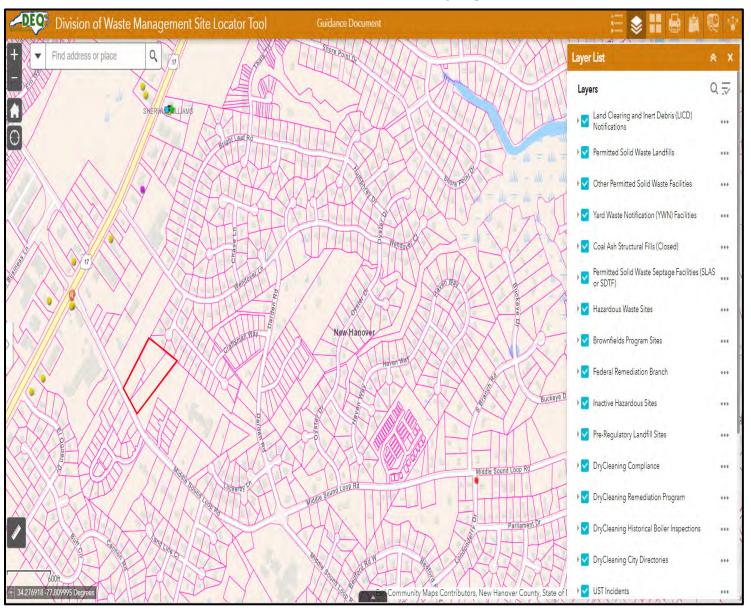
Dana A. Lutheran Southern Environmental Group, Inc. 5315 South College Road, Suite E Wilmington, NC 28412 Office: 910.452.2711 Mobile: 910.228.1841 (preferred) www.segi.us

## **ATTACHMENT 7:**

## **Contamination and Toxic Substances**

Attachment 12

NCDWM Incident Tracking Map





# Phase I Environmental Site Assessment

ASTM E1527-13

## **Residence at Canopy Pointe**

217 Middle Sound Loop Road Wilmington, New Hanover County, North Carolina

Date

September 10, 2021

Prepared For ("User"):

Blue Ridge Atlantic Development Mr. Sam Weldon 2018 Eastwood Road Wilmington, NC 28403 <a href="mailto:sweldon@blueridgeatlantic.com">sweldon@blueridgeatlantic.com</a>

#### Prepared By:

Southern Environmental Group, Inc. 5315 South College Road, Suite E Wilmington, NC 28412 910.452.2711 <a href="mailto:david.syster@segi.us">david.syster@segi.us</a>

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I declare that, to the best of my professional knowledge and belief, I meet the definition of an Environmental Professional, as defined in the American Society for Testing Materials ("ASTM") E1527-13 Standard.

I have the specific qualifications based on education, training, and experience to assess a Subject Property of the nature, history, and setting of the subject parcel. I have developed and performed all appropriate inquires in conformance with the standards and practices set for in 40 CFR Part 312.

I am under contract for this specific assignment, and I have no other side deals, agreements, or financial considerations with the User or others in connection with this transaction. This report is written to meet the ASTM E1527-13 requirements, as well as to document the non-scope conditions within the project limits.

David A. Syster

10 September 2021

Date

## SEGi

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#### 1 Executive Summary

Southern Environmental Group, Inc. (SEGi) was contracted by the **Blue Ridge Atlantic Development** (herein referred to as the "User" or "Client"), to perform an American Society for Testing Materials ("ASTM") E1527-13, Phase I Environmental Assessment (ESA) on 4.77 acres of land, comprised of 4 parcels (See Table 3.1). The property is located at 217 Middle Sound Loop Road, Ogden, New Hanover County, NC (see Appendix 10.1)

The ASTM E1527-13 identifies **Recognizable Environmental Conditions** (**RECs**) as the presence of likely presence of any hazardous substances or petroleum products in, on, or at a Subject Property: 1) due to any release to the environment, 2) under conditions indicative of a release to the environment; or 3) under conditions that pose a material threat of a future release to the environment.

De minimis conditions are not recognized environmental conditions. A De minimis condition is one that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Therefore, conditions determined to be de minimis conditions are not recognized environmental conditions or controlled recognized environmental conditions. 42 U.S.C. § 9601(22) defines a "release" as "any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment (including the abandonment or discharging of barrels, containers, and other closed receptacles containing any hazardous substances or pollutant or contaminants). The potential adverse impacts were assessed through the visual inspection of the Subject Property and of the surrounding properties, through research on available databases, and through interviews. The scope of this assessment does not include evaluation of the potential existence of lead-based paint within the existing structure.

The Phase I ESA provides an environmental review of the Subject Property to identify any existing or potential RECs that may reasonably be anticipated to be on or near the subject parcel in accordance with the guidelines set forth in the ASTM Standard E1527-13 Standard Practice for Environmental Assessment Process, as limited by the Scope of Work, the Limitations and Exceptions of Assessment, and the Qualifications and Limitations. This Phase I ESA is based on a review of existing conditions, reported pre-existing conditions, and operations at the site and adjacent properties, at the time of the investigation.

A regulatory database search report was provided by EDR. The database search involves researching a series of Federal, State, Local, and other databases for facilities and properties that are located within specified minimum search distances from the site. The EDR report did not identify the subject site on the databases researched. The EDR report identified one off-site properties within the minimum ASTM search distances. Based on our review of available public records, the distances from the site and/or groundwater flow direction inferred from surface topography, this reported facility does not represent a REC for the site.

This Executive Summary is an integral part of the Phase I ESA report. SEGi recommends that the report be read in its entirety.



#### 2 Introduction

#### 2.1. Purpose

The ASTM (2013) defines the purpose of the Phase I ESA as quoted:

"The purpose of this practice is to define good commercial and customary practice in the United States of America for conducting an environmental site assessment of a parcel of commercial real estate with respect to the range of contaminants within the scope of Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)(42 U.S.C. §9601) and petroleum products. As such, this practice is intended to permit a user to satisfy one of the requirements to qualify for the innocent landowner, contiguous Subject Property owner, or bona fide prospective purchaser limitations on CERCLA liability (hereinafter, the 'landowner liability protections,' or 'LLPs'): that is, the practice that constitutes 'all appropriate inquiry into the previous ownership and uses of the Subject Property consistent with good commercial or customary practice' as defined at 42 USC § 9601(35)(B)." (page 1, ASTM, 2013).

In 2002, the Small Business Liability Relief and Brownfields Revitalization Act was passed, and it directed the United States Environmental Protection Agency (USEPA) to promulgate a rule defining due diligence for compliance with the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). This rule, which is generally referred to as All Appropriate Inquiry (AAI), was adopted in 2002; it states that ASTM E1527-13 complies with the US EPA requirements for AAI. In some cases, the ASTM E1527-13 is more stringent than AAI.

The objective of this report is to identify the presence or likely presence of any hazardous substances or petroleum products in, on, or at a Subject Property: 1) due to any release to the environment, 2) under conditions indicative of a release to the environment; or 3) under conditions that pose a material threat of a future release to the environment. It provides an environmental review of properties to identify any existing or potential recognizable environmental conditions that may reasonably be anticipated to be on or near the subject parcel in accordance with the guidelines set forth in the American Society for Testing and Materials ("ASTM") Standard E1527-13 Standard Practice for Environmental Assessment Process as limited by the Scope of Work, the Limitations and Exceptions of Assessment, and the Qualifications and Limitations. In addition, the purpose of the Phase I ESA is to document compliance with 24 CFR 50.3(i).

#### 2.2. Detailed Scope-of-Services

SEGi will evaluate the Subject Property to determine the extent of apparent, previous site disturbances or business practices that have created a negative environmental impact on the Subject Property that might indicate past or present generation, handling, and/or storage of waste—the presence of Recognizable Environmental Conditions (RECs), Controlled Recognizable Environmental Conditions (CRECs) and Historical Recognizable Environmental Conditions (HRECs). The extent of this Phase I Environmental Assessment will include the following services:

- 2.2.1. A general site reconnaissance of the Subject Property that includes a visual inspection of the Subject Property's boundary to observe any obvious ground surface disturbances or unnatural soil and land features and an inspection of the tract to find evidence of environmental problems resulting from negligent business practices;
- 2.2.2. A review of available aerial photographs, topographic maps, Sanborn Fire Insurance maps, city and county directories, and relevant historical background data that is readily available and that may indicate previous land use(s);
- 2.2.3. Evaluate various relevant hazardous waste databases, permit databases, and Subject Property inventories from the federal, state, and/or local governmental agencies, which might identify a nearby known source of contaminant; and/or Subject Property in non-compliance with current environmental regulations;
- 2.2.4. Provide a brief survey of adjacent land uses and those on permit databases identifying potential waste generators or waste storage facilities which might impact the Subject Property;
- 2.2.5. Preparing a narrative description of the Subject Property describing its general environmental status with various maps, photos and supporting documentation being attached;
- 2.2.6. Summarizing and concluding if further environmental study is needed and if so what type of study would be involved for a thorough evaluation to complete a "Due Diligence Review" of the Subject Property; and



#### 2.2.7. An electronic copy of the report containing the information listed above.

The Phase I ESA provides an environmental review of properties to identify any existing or potential recognizable environmental conditions that may reasonably be anticipated to be on or near the subject parcel in accordance with the guidelines set forth in the American Society for Testing and Materials ("ASTM") E1527-13 Standard Practice for Environmental Assessment Process as limited by the Scope of Work, the Limitations and Exceptions of Assessment, and the Qualifications and Limitations. This Phase I ESA is based on a review of existing conditions, reported pre-existing conditions, and operations at the site and adjacent properties, at the time of the investigation.

#### 2.3. Significant Assumption, Limitations and Exceptions

The Phase I will be limited to the services listed in Section 1.2 and will not test for, look for, or review other items such as, but not limited to, radon, lead paint, asbestos, or indoor air quality unless otherwise indicated. This Phase I will not evaluate, in detail, adjacent land uses. This report will not evaluate the condition, quality, or availability of the groundwater beneath the subject parcels.

Furthermore, the report will list conditions, which may limit the scope of the review as further below:

Southern Environmental Group, Inc. and its employees performed this Phase I ESA in accordance with the American Society for Testing and Materials' Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process as documented in their E1527-13 publication but limited as stated in this document.

Southern Environmental Group, Inc. has made no independent investigation as to the accuracy or completeness of the information obtained from the secondary sources or personal interviews and assumes that such information was complete and accurate.

The findings, conclusions, recommendations, and photographs provided in this Report are based on facts and circumstances, as they existed at the time the information was obtained. A change in any fact or circumstance upon which this report is based and / or any change in federal, state, or local laws or regulations may adversely affect the findings, conclusions, and recommendations as expressed in this document. Therefore, the findings, conclusions, and recommendations provided in this Report are applicable only to the Subject Property and dates identified within this report. This Report does not warrant against any future condition, operation, or activity that may or will occur on the Subject Property subject to this Report or on Subject Property adjacent to or on other Subject Property in the vicinity.

The potential for environmental contamination was determined based on research into readily available information available from federal, state, and local agencies. However, groundwater flow can be determined only by using correctly installed groundwater wells, and contamination can be determined only by testing groundwater and soil samples in a certified laboratory using methods approved by the United States Environmental Protection Agency.

Southern Environmental Group, Inc. makes no representation regarding the value or marketability of the Subject Property being assessed or the Subject Property's suitability for any specific use, and no value, marketability, or use should be inferred from the contents of this report.

Southern Environmental Group, Inc. relied on the services of a professional title company, a licensed attorney, or officials with the local tax office for the documentation on previous ownership of the Subject Property and does not guarantee the list provided by the third party is complete or accurate.

Southern Environmental Group, Inc. is not responsible or liable for the independent conclusions, opinions, recommendations, actions, or information provided by other parties that is contained within this document. Southern Environmental Group, Inc. is not responsible or liable for the independent conclusions, opinions, recommendations, actions, or information made by others based on the information contained in this Report. Southern Environmental Group, Inc. will have no liability in excess of the cost of this report.

NO IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE SHALL APPLY. Southern Environmental Group, Inc. MAKES NO REPRESENTATION OR WARRANTY THAT THE IMPLEMENTATION OR USE OF THE FINDINGS, CONCLUSIONS, OR RECOMMENDATIONS OF THIS DOCUMENT/REPORT WILL RESULT IN COMPLIANCE WITH APPLICABLE LAWS AND/OR REGULATIONS.

#### 2.4. Special Terms and Conditions

There are no special terms or conditions with this report.

#### 2.5. Use of Report and Reserved Rights

Information reliance is defined by ASTM as:

"An environmental professional is not required to verify independently the information provided but may rely on information provided unless he or she has actual knowledge that certain information is incorrect or unless it is obvious that certain information is incorrect based on other information obtained in the Phase I Environmental Site Assessment or otherwise actually known to the environmental professional." (Page 12, ASTM, 2013).

This report is for the sole benefit and exclusive use of the User. It is possible that information exists beyond the scope of this assessment. Additional information, which was not found or available to Southern Environmental Group, Inc., at the time of report preparation, may result in a modification of the conclusions and recommendations presented herein. Any reliance on this report by third parties shall be at their own risk.



### **3** Site Description

#### 3.1. Location and Legal Description of the Subject Property

The Subject Property is comprised of 4 parcels totaling approximately 4.77 acres and is located at 217 Middle Sound Loop Road. The site is in Ogden, New Hanover County, NC (see Appendix 10.1). The New Hanover County Tax Parcel ID's are listed Table 3.1. The Subject Property is outlined in yellow, in the figure below.

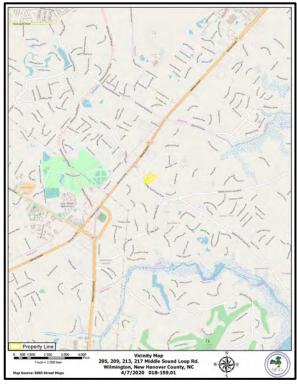


Figure 3.1: Subject Property Parcel Map (ESRI Street Maps).

#### 3.2. Site and Vicinity General Characteristics

The Subject Property is generally bordered by residential land to the north, vacant land to the east, a church to the west and residential property to the south.

#### 3.3. Current Use of the Subject Property

Currently the site is undeveloped, vacant land.

#### 3.4. Descriptions of Structures, Roads, Other Improvements on the Site

There are no habitable buildings within the Subject Property. There are ditches along the northern and eastern property lines.

#### 3.5. Current Uses of the Subject and Adjoining Properties

According to the New Hanover County GIS information, the Subject Property and adjoining properties are as follows:

MAP ID	PROPERTY ID	ACRES	Owner	Address	<b>Current Use</b>
	<b>Subject Properties</b>				
SP1	R04410-001-007-000	0.93	BHC Properties LLC	Wrightsville Beach NC	Vacant
SP2	R04410-001-008-000	1.42	BHC Properties LLC	Wrightsville Beach NC	Vacant
SP3	R04410-001-010-000	2.3	BHC Properties LLC	Wrightsville Beach NC	Vacant
SP4	R04410-001-009-000	0.12	BHC Properties LLC	Wrightsville Beach NC	Vacant

	Adjoining Properties				
1	R04410-001-006-000	5.14	Ogden Advent Christian Church	Ogden NC	Church
2	R04410-007-005-000	0.34	AMH Properties LP	Calabasas CA	Residential
3	R04410-007-006-000	0.34	Fodrie Elizabeth Ashley	Wilmington NC	Residential
4	R04410-007-010-000	0.37	Travis Keith W Kathryn M	Wilmington NC	Residential
5	R04410-001-023-000	3.14	Jon Mason & Associates LLC	Wilmington NC	Vacant

Table 3.1 Parcel Information for Subject Property and Adjacent Properties

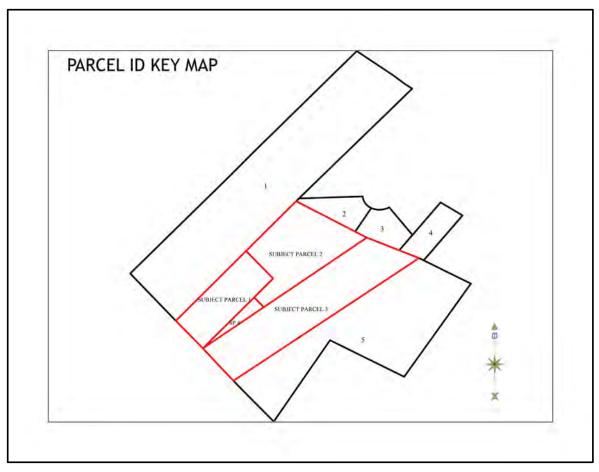


Figure 3.3: New Hanover County Subject Property and Adjacent Property Owner ID Map (Master property

#### 4 User Provided Information

#### 4.1. Title Records

A title search was not performed. However, a review of the New Hanover County Subject Property sales history did not reveal a use of the Subject Property that would have generated or used known contaminants.

#### 4.2. Environmental Liens or Activity and Use Limitations

The User has stated they are not aware of any environmental liens or other conditions that may subject the parcel to any use limitation (see Appendix 10.2).

#### 4.3. Specialized Knowledge

The User has stated that he has no knowledge of the historical use of the Subject Property (see Appendix 10.2).

#### 4.4. Commonly Known or Reasonably Ascertainable Information

The User is not aware of any physical and/or ecological conditions that would result in a reduction of the Subject



Property's value (see Appendix 10.2).

#### 4.5. Valuation Reduction for Environmental Issues

No valuation reductions, for environmental contamination issues, were made apparent to SEGi, and no valuation reductions were identified, during the evaluation process.

#### 4.6. Owner, Subject Property Manager, and Occupant Information

According to the New Hanover County Tax Information GIS site, the parcel and Subject Property are currently owned by BHC Properties, LLC. There are no occupants, on the Subject Property.

#### 4.7. Reason for Performing Phase I

The User requested the Phase I Environmental Assessment to satisfy due diligence requirements for development of the property.

#### 5 Records Review

SEGi reviewed data from the required ASTM databases and contacted Environmental Data Resources, Inc. (EDR) for their Radius Map with Geo-Check. The Geo-Check report from EDR is included in Appendix 10.3. Results from this report indicate the target parcel is not listed on any Federal or State listings for environmental concern.

#### 5.1. Standard Environmental Record Sources

The ASTM E1527-13 Standard requires the review of both federal and state databases to a specific distance from the subject parcel as illustrated in the table on the following page:

Database and Distances to Search	
Federal Sites	Distance/Parcels
National Priorities List (NPL)	1.0
Delisted NPL	0.5
CERCLIS List	0.5
CERCLIS NFRAP Site List	0.5
RCRA CORRACTS Facilities List	1.0
RCRA non-CORRACTS TSD Facilities List	0.5
RCRA Generators List	Subject Property and Adjacent Parcels
Institutional/Engineering Control Registries	Subject Property
ERNS List	Subject Property
State Sites	Distance/Parcels
State-equivalent NPL	1.0
State-equivalent CERCLIS	0.5
Landfill or Solid Waste Disposal Sites	0.5
Registered Storage Tank (UST & AST) List	Subject Property and Adjacent Parcels
Leaking Underground Storage Tank (LUST) List	0.5
Institutional/Engineering Control Registries	Subject Property
Voluntary Clean-up Sites	0.5
Brownfield Sites	0.5

#### **5.1.1.** Required Federal Database Searches

#### 5.1.1.1. NPL and Proposed NPL

No site on the NPL or Proposed NPL list was identified within the searched distances of the Subject Property.

No SEMS sites were identified within the searched distances of the Subject Property.

#### 5.1.1.3. SEMS-ARCHIVE

No SEMS-ARCHIVE sites were identified within the searched distances of the Subject Property.

5.1.1.4. Resource Conservation and Recovery Act (RCRA) Corrective Action Report CORRACTS

No site on the RCRA CORRACTS list was identified within the searched distances of the Subject Property.

5.1.1.5. RCRA non-CORRACTS Treatment, Storage and Disposal (TSD) Facilities

No site on the RCRA non-CORRACTS TSD Facilities list was identified within the searched distances of the Subject Property.

#### 5.1.1.6. RCRA Generators

#### 5.1.1.6.1 RCRA Large Quantity Generators (LQG)

No LQG sites were identified within the searched distances of the Subject Property. The site is situated at a lower elevation and, therefore, is not anticipated to be of concern.

5.1.1.6.2 RCRA Small Quantity Generators (SQG)/Conditionally Exempt Small Quantity Generators (CESQG)

There were no SQG –CESQG sites identified within the search distance of the Subject Property.

5.1.1.6.3 RCRA Very Small Quantity Generators (VSQG)/Conditionally Exempt Small Quantity Generators (CESQG)

RCRA Info is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Very small quantity generators (VSQGs) generate less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month.

No RCRA VSQG sites were identified on the searched databases within the required search distances.

5.1.1.7. Institutional/Engineering Control Registries (INST)

Three (3) INST sites were identified on the searched databases within the required search distances. Each of these are associated with sites that have been closed out and therefore should not be of concern.

#### 5.1.1.8. ERNS

No site on the ERNS list was identified within the searched distances of the Subject Property.

#### **5.1.2.** Required State Database Searches

5.1.2.1. Inactive Hazardous Sites Inventory (SHWS)

No SHWS sites were identified within the required search distance.

5.1.2.2. Landfill / Solid Waste Disposal Sites (SWRCY)

Two (2) SWRCY - DEBRIS sites were identified within the required search distance.

These sites were determined to be non-active and therefore should not be of concern.

5.1.2.3. Leaking Underground Storage Tanks (LUST)

Nine (9) LUST sites were identified within the searched distances of the Subject Property.

All nine (9) site are reported in the database files as closed out. Therefore, they are not anticipated to be of concern.

5.1.2.4. Leaking Above Ground Storage Tanks (LAST)

SEG

There are no LAST sites within the Subject Property or the required search distance of the Subject Property.

5.1.2.5. Old Landfill Inventory (OLI)

There are no OLI sites within the Subject Property or the adjacent parcels.

5.1.2.6. Underground Storage Tanks (UST) on State and Tribal Lands

One (1) UST site is listed within the required search distances of the Subject Property. However, the site is reported as closed out and therefore should not be of concern.

5.1.2.7. Responsible Party Voluntary Action Sites (VCP)

There are no VCP sites within the required search distances of the Subject Property.

#### 5.2. Additional Environmental Record Sources

# 5.2.1. Supplemental Federal Databases

In addition to the required database searches, SEGi also reviewed the databases described below:

5.2.1.1. Superfund (CERCLA) Consent Decrees (CONSENT)

There are no CONSENT sites within the search distances of the Subject Property.

5.2.1.2. Records of Decision (ROD)

There are no ROD sites within the search distances of the Subject Property.

5.2.1.3. National Priority List Deletions (Delisted NPLs)

There are no Delisted NPL sites within the searched distances of the Subject Property.

5.2.1.4. Facility Index System/Facility Registry System (FINDS)

There are no FINDS sites within the searched distances of the Subject Property.

5.2.1.5. Hazardous Materials Information Reporting System (HMIRS)

There are no HMIRS sites within the searched distances of the Subject Property.

5.2.1.6. Material Licensing Tracking System (MLTS)

There are no MLTS sites within the searched distances of the Subject Property.

5.2.1.7. US Mines Master Index File (MINES)

There are no MINES sites within the searched distances of the Subject Property.

5.2.1.8. National Priority List (NPL) Liens

There are no NPL Liens sites within the searched distances of the Subject Property.

5.2.1.9. PCB Activity Database System (PADS)

There are no PADS sites within the searched distances of the Subject Property.

5.2.1.10. Formerly Used Defense Sites (FUDS)

There are no FUDS sites within the searched distances of the Subject Property.

**5.2.1.11. INDIAN RESERV** 

There are no INDIAN RESERV sites within the searched distances of the Subject Property.

5.2.1.12. Department of Defense Sites (DOD)

There are no DOD sites within the searched distances of the Subject Property.

5.2.1.13. RCRA Administrative Action Tracking System (RAATS)

There are no RAATS sites within the searched distances of the Subject Property.

5.2.1.14. Toxic Chemical Release Inventory System (TRIS)

No site on the TRIS list was identified on the searched databases within the searched distances of the Subject Property.

5.2.1.15. Toxic Substances Control Act (TSCA)

There are no TSCA sites within the searched distances of the Subject Property.

5.2.1.16. Section 7 Tracking Systems (SSTS)

There are no SSTS sites within the searched databases of the Subject Property.

5.2.1.17. FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act) or FTTS

There are no FTTS sites within the searched databases of the Subject Property.

## **5.2.2.** Supplemental State Databases

5.2.2.1. Hazardous Substance Disposal Sites (NC HSDS)

No NC HSDS sites were identified within the searched distances of the Subject Property.

5.2.2.2. Above Ground Storage Tank (AST)

AST facilities are those with aboveground storage tanks that have a capacity greater than 21,000 gallons. There are no AST sites listed, within the searched distances of the Subject Property.

#### **5.2.2.3. LUST TRUST**

The Underground Storage Tank Fund provides reimbursement for costs incurred during the cleanup of soil and groundwater contamination resulting from a release of petroleum from a commercial underground storage tank (UST). The Commercial Trust Fund has been established to reimburse tank owners, operators and landowners for costs associated with cleanups.

Four (4) LUST TRUST sites were identified within the searched databases. These all are reported as closed out and therefore, this is not anticipated to be of concern.

#### 5.2.2.4 Drycleaners

No Drycleaners are located within the searched distance, of the Subject Property

5.2.2.5. Records of Emergency Release Records or Incident Management Database (IMD)

Nine (9) IMD sites was identified within the searched distances of the Subject Property. However, all the sites were evaluated in different sections of this report and determined as not anticipated to be of concern.

#### **5.2.3.** Additional Federal Sources

5.2.3.1. Former Manufactured Gas Sites (Coal Gas)

No site on the Coal Gas list was identified on the searched databases within the searched distances of the Subject Property.

5.2.3.2. List of US Brownfield Sites

There are no Brownfields sites within the searched distances of the Subject Property.

5.2.3.3. Brownfield Projects Inventory

There are no Brownfield Projects Inventory sites within the searched distances of the Subject Property.

5.2.3.4. No Further Action Sites with Land Restrictions Monitoring (INST CONTROL)

No INST CONTROL sites were identified within the searched distances of the Subject Property.

# 5.2.3.5. Responsible Party Voluntary Action Sites (VCP)

There are no VCP sites within the required search distances of the Subject Property.

#### 5.2.3.6. RCRA Non-Generator Sites

There are no RCRA Non-Generator sites within the searched distances of the Subject Property.

#### 5.2.4. Additional Local Data/Information

#### 5.2.4.1. Contaminated Water Wells

One (1) Contaminated Water Well site was listed within the searched distances of the Subject Property. This well is reported as closed and should not be of concern.



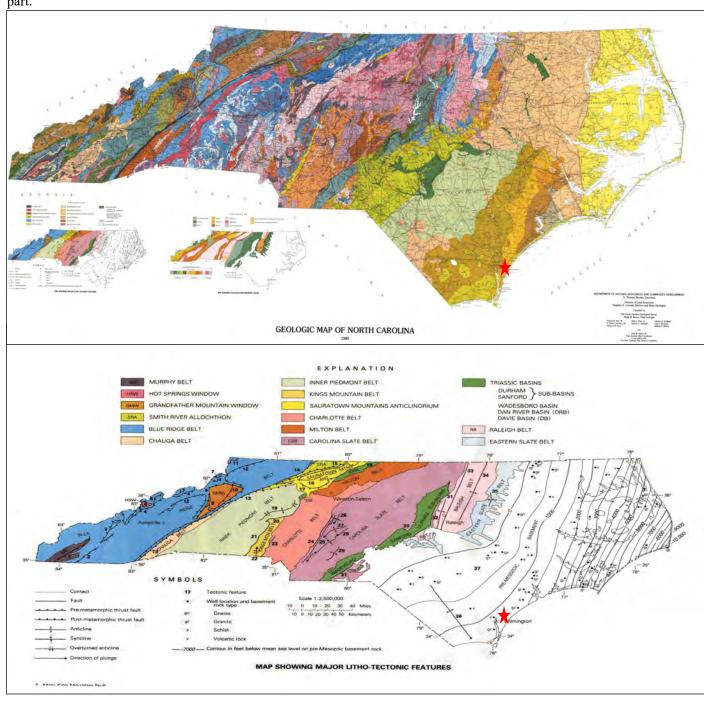
# **5.3.** Physical Setting Source(s)

As required by Section 7.2.3 of the ASTM Standard, several other physical setting sources were obtained and reviewed as part of this Phase I ESA.

#### 5.3.1 Geologic Maps

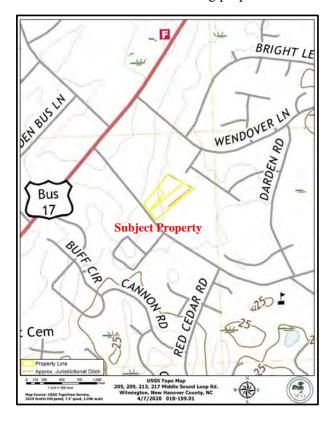
#### 5.3.1.1. The Detailed Geologic Map of North Carolina & Litho-Tectonic Map of North Carolina

A current and historic USGS 75 Minute Topographic Map, Scotts Hill 1997 and 1970 were reviewed to determine the physical setting of the property. The thickness of Coastal Plain sediments ranges from a few feet, at the western limit of deposition, to over 10,000 feet, along the North Carolina coastline. The 1985 Geologic Map of North Carolina depicts this area of Wilmington as being part of the Pee Dee Formation, which is classified as "sand, clayey sand and clay, greenish grey to olive black, massive, glauconitic, locally fossiliferous and calcareous, patches of sandy molluscan-mold limestone", in the upper part.



#### 5.3.1.2. USGS Topographic Map

The map below was obtained from the USGS Web Service. Based on the map findings, the site is relatively flat and is at or near the elevation of the surrounding properties.



# 5.3.1.2. USDA Soils Map

The map below was obtained from the USDA Natural Resources Conservation Services Web Soil Survey, for New Hanover County, and depicts the soil types within the Subject Property:



The Subject Property's soils are mapped as Murville fine sand and Leon fine sand soil series.



#### 5.4. Historical Use Information on the Subject Property

Historical information was obtained by reviewing historical aerial photos, review of the EDR Radius Report, Sanborn Report, and knowledge of the area.

#### **5.4.1.** Fire Insurance Maps

A review of the Sanborn Fire Maps revealed there are no maps for this location.

#### **5.4.2.** Tax Files

Review of data, from the New Hanover County tax office, did not turn up any information regarding RECs that was not already discovered via the searched federal, state, and local databases.

#### **5.4.3.** Historical Aerial Photography

Aerial photographs, from the 1938 through 2016, were examined (see Appendix 10.6). It appears, the Subject Property contained two homesites. These structures were built in the 1950's and removed in 2006-2009. The rear of the properties was primarily left in timber for researched period. The historical aerials did not indicate a use that would have used or produced known contaminants.

# 5.5. Historical Use Information on the Adjoining Properties

None of the adjacent properties were listed within the databases searched by EDR. Please see Section 5.0 for the data received and corresponding comments. A review of historical aerial photos did not reveal any indication that the use of the adjoining properties would elicit further investigation, as they did not appear to be used for industrial purposes, evidence of dumping was not identified.

#### **6** Site Reconnaissance

The objective of the site reconnaissance is to obtain information indicating the likelihood of identifying recognized environmental conditions in connection with the Subject Property.

#### 6.1. Methodology and Limiting Conditions

Reconnaissance of the parcel was conducted on 25 August 2021. SEGi staff walked the Subject Property. SEGi did not identify any RECs within Subject Property limits. Photographs were taken of the site, to document the conditions of the Subject Property, at the time of the evaluation (Appendix 10.4).

#### **6.2.** General Site Setting

The Subject Property is in the developed area of Ogden, New Hanover County. The site is generally clean with a few areas of tires and debris either dumped or left by the previous owners.

#### **6.3.** Site Observations

The Subject Property has grown up in timber with a moderate understory. It is possible to see where the home sites were, but no evidence of the structures remain. There is one ditch along the rear property line and one along the eastern property line. A powerline runs along Middle Sound Loop Road in front of the property. There is one transformer located on the powerline but there is no evidence of it leaking and should not be of concern.

#### **6.4.** Interior Observations

There are no structures within the Subject Property confines.

# 7 Interviews

Information is requested from those individuals—the owner, project or site managers, government officials, and others such as residents or occupants on adjacent parcels—that should, or might, have information regarding the Subject Property.

#### 7.1. Interview with Owner or Owner's Agent and Occupants

The property is not owner occupied nor do any tenants exist at this time.



#### 7.2. Interviews with Local Government Officials

Due to the lack of any habitable structures, within the Subject Property limits, knowledge of the historical use of the Subject Property and lack of incidents, within the government records report, local officials were not contacted.

#### 7.3. Interviews with State Government Officials

After a review of the EDR Radius Report and further investigation into the listed incidents, communication with State Government Officials was not necessary.

# 8 Findings

#### 8.1. Transformers and Power Lines Findings

There is one (1) powerline that runs along Middle Sound Loop Road on the front of the property. There is one (1) transformer observed on a power pole associated with this powerline. However, it did not appear to be leaking and is not anticipated to be of concern.

#### 8.2. Findings of Known or Suspect Recognizable Environmental Conditions (RECs)

The ASTM E1527-13 identifies **Recognizable Environmental Conditions** (**RECs**) as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a Subject Property: 1) due to any release to the environment, 2) under conditions indicative of a release to the environment; or 3) under conditions that pose a material threat of a future release to the environment.

There were no findings of known or suspect RECs, within or adjacent to the subject parcels.

#### 8.3. Findings of Known or Suspect Controlled Recognizable Environmental Conditions (CRECs)

According to ASTM E1527-13, an REC resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (e.g., as evidenced by the issuance of a No Further Action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (e.g., Subject Property use restrictions, institutional controls, or engineering controls).

There are no known CRECs within the Subject Property boundaries or the required search area, and there is no evidence, in the form of a No Further Action letter or listed regulatory incident, that a release has ever taken place, in the past.

#### 8.4. Findings of Historical Recognized Environmental Conditions (HRECs)

ASTM E1527-13 defines a Historical Recognized Environmental Condition as a past release of any hazardous substances or petroleum products that has occurred in connection with the Subject Property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted residential use criteria established by a regulatory authority, without subjecting the Subject Property to any required controls. For a past release to be a HREC, it must be determined whether the past release was a recognized environmental condition, at the time the Phase I ESA was conducted (e.g., if there has been a change in the regulatory criteria).

There are no known HREC, within the Subject Property.

#### 8.5. Data Gaps

There are no known data gaps.

#### 8.6. Conclusions

SEGi has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM E1527-13 Standard Practice, of the Subject Property, containing approximately 4.77-acres of land in Ogden, New Hanover County, North Carolina. There was no evidence of RECs, CRECs or HRECs on or associated with the subject parcel. Any exceptions to, or deletions from, this practice are described in Sections 1.2, 1.3, 2.2, or otherwise within the text of this Report.

# SEG

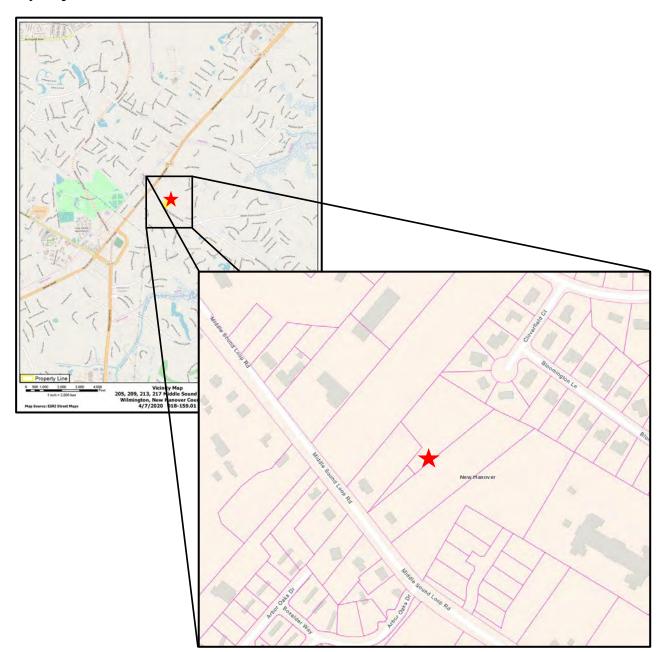
# 9.0. Recommended Action

This ESA has revealed no evidence of recognized environmental conditions in connection with the project site. There is no reason to suspect that the Subject Property or adjoining properties are of sufficient environmental concern to warrant additional investigations. Therefore, a Phase II ESA is not recommended, at this time.

SEGi

# 10 Appendices

# 10.1 Vicinity Map



SEG

10.2 ASTM E1527-13 Questionnaire

# Southern Environmental Group, Inc.

ASTM E1527-13 Environmental Site Assessment Questionnaire
Project Name: Residence at Canopy Pointe 018-159.02
Address: 205 & 217 Middle Sound Loop Road New Hanover County, Wilmington, North Carolina
The following questionnaire is required by the ASTM Standard E 1527-13, which adheres to the All Appropriate Inquiries (AAI) Rule (United States Environmental Protection Agency) (40 CFR 312).
1) Environmental cleanup liens that are filed or recorded against the subject property (40 CFR 312.25).
Did a search of recorded land title records (or judicial records where appropriate) identify any environmental liens filed or recorded against the property under federal, tribal, state, or local law? If such documentation is available, please provide. No
2) Activity and land use limitations (AULs) that are in place on the subject property or that have been filed or recorded in a registry (40 CFR 312.26).
Did a search of recorded land title records (or judicial records where appropriate,) identify any AULs, such as engineering controls, land use restrictions or institutional controls that are in place at the property and/or have been filed or recorded against the property under federal, tribal, state or local law? No
3) Specialized knowledge or experience of the person seeking to qualify for the LLP (40 CFR 312.28).
As the user of this environmental site assessment (ESA) or as the owner of the property, do you have any specialized knowledge or experience related to the subject property or nearby properties? For example, are you involved in the same line of business as the current or former occupants of the subject property or an adjoining property so that you would have specialized knowledge of the chemicals and processes used by this type of business? No
4) Relationship of the purchase price to the fair market value of the subject property if it were not contaminated (40 CFR 312.29).
Does the purchase price being paid for this subject property reasonably reflect the fair market value of the subject property? If you conclude that there is a difference, have you considered whether the lower purchase price is because contamination is known or believed to be present at the subject property? Yes
5) Commonly known or reasonably ascertainable information about the subject property (40 CFR 312.30).
Are you aware of commonly known or reasonably ascertainable information about the subject property that would help the environmental professional to identify conditions indicative of releases or threatened releases? For example, as the user:
a) Do you know the past use of the subject property? No- appears to be vacant
b) Do you know the specific chemicals that are present or once were present at the subject property? No
c) Do you know of spills or other chemical releases that have taken place at the subject property? No
d) Do you know of any environmental cleanups that have taken place at the subject property? No
If applicable, please list dates of spills, chemical releases, cleanups.
6) The degree of obviousness of the presence or likely presence of the contamination at the subject property, and the ability to detect the contamination by appropriate investigation (40 CFR 312.31).
Based on your knowledge and experience related to the property are there any obvious indicators that point to the presence or likely presence of contamination at the property? No

Signature: Sam Weldon

Association:

Blue Ridge Atlantic Development

Name (please print): Sam Weldon

8/23/2021

Date:\_\_\_\_

SEG

10.3 EDR Radius Map Report with Geo-Check

**Canopy Pointe** 

217 Middle Sound Loop Road Wilmington, NC 28467

Inquiry Number: 6622808.2s

August 17, 2021

# The EDR Radius Map™ Report with GeoCheck®



6 Armstrong Road, 4th floor Shelton, CT 06484 Toll Free: 800.352.0050 www.edrnet.com

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**Thank you for your business.**Please contact EDR at 1-800-352-0050 with any questions or comments.

#### **Disclaimer - Copyright and Trademark Notice**

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A search of available environmental records was conducted by Environmental Data Resources, Inc (EDR). The report was designed to assist parties seeking to meet the search requirements of EPA's Standards and Practices for All Appropriate Inquiries (40 CFR Part 312), the ASTM Standard Practice for Environmental Site Assessments (E 1527-13), the ASTM Standard Practice for Environmental Site Assessments for Forestland or Rural Property (E 2247-16), the ASTM Standard Practice for Limited Environmental Due Diligence: Transaction Screen Process (E 1528-14) or custom requirements developed for the evaluation of environmental risk associated with a parcel of real estate.

#### TARGET PROPERTY INFORMATION

#### **ADDRESS**

217 MIDDLE SOUND LOOP ROAD WILMINGTON, NC 28467

#### **COORDINATES**

Latitude (North): 34.2702400 - 34° 16' 12.86" Longitude (West): 77.8152620 - 77° 48' 54.94"

Universal Tranverse Mercator: Zone 18 UTM X (Meters): 240798.5 UTM Y (Meters): 3795512.5

Elevation: 31 ft. above sea level

#### USGS TOPOGRAPHIC MAP ASSOCIATED WITH TARGET PROPERTY

Target Property Map: 5945715 SCOTTS HILL, NC

Version Date: 2013

#### **AERIAL PHOTOGRAPHY IN THIS REPORT**

Portions of Photo from: 20140520, 20140524

Source: USDA

# MAPPED SITES SUMMARY

Target Property Address: 217 MIDDLE SOUND LOOP ROAD WILMINGTON, NC 28411

Click on Map ID to see full detail.

MAP	0			RELATIVE	DIST (ft. & mi.)
<u>ID</u>	SITE NAME	ADDRESS	DATABASE ACRONYMS	ELEVATION	DIRECTION
1	PAGES CORNER	301 MIDDLE SOUND LOO	DEBRIS, NPDES	Higher	427, 0.081, SSE
A2	SCOTCHMAN #3035	7162 MARKET STREET	LUST, INST CONTROL	Higher	1282, 0.243, WNW
3	NCDOT-ORPHAN UST	7148 MARKET STREET	IMD	Higher	1295, 0.245, WNW
A4	SCOTCHMAN #35 - DIES	7158 MARKET STREET	IMD	Higher	1305, 0.247, WNW
A5	SCOTCHMAN #35 - DIES	7158 MARKET STREET	LUST, INST CONTROL	Higher	1305, 0.247, WNW
A6	SCOTCHMAN 3035	7162 MARKET STREET	LUST TRUST, UST, Financial Assurance	Higher	1305, 0.247, WNW
7	NHC LENDIRE ROAD TDD	LENDIRE ROAD AND MAR	DEBRIS	Higher	1347, 0.255, NW
8	FORMER PAUL'S TIRE	7238 MARKET STREET	LUST	Higher	1425, 0.270, NNW
9	HALL PROPERTY	7155 MARKET STREET	LUST, IMD	Higher	1449, 0.274, WNW
B10	CONVEN. FOOD MART #5	7211 MARKET STREET	LUST TRUST, IMD	Higher	1466, 0.278, NW
B11	CONVENIENT FOOD MART	7211 MARKET ST	LUST, UST	Higher	1466, 0.278, NW
C12	STEWART SANDWICHES,	7120 MARKET STREET	LUST, UST, IMD	Higher	1554, 0.294, West
C13	BEASLEY STALLINGS 11	7104 MARKET ST.	IMD	Higher	1651, 0.313, West
14	BEASLEY STALLINGS 11	7100 MARKET ST.	LUST	Higher	1660, 0.314, West
15	PORT UNIT 251	7040 MARKET ST	LUST, LUST TRUST, UST, INST CONTROL, IMD	Higher	1999, 0.379, West
16	NEW HANOVER SCHOOLS-	3637 MIDDLE SOUND RO	IMD, NPDES	Lower	2289, 0.434, SE
17	OGDEN FIRE DEPT.	7375 MARKET ST.	LUST, LUST TRUST, IMD	Higher	2322, 0.440, North

#### TARGET PROPERTY SEARCH RESULTS

The target property was not listed in any of the databases searched by EDR.

#### **DATABASES WITH NO MAPPED SITES**

No mapped sites were found in EDR's search of available ("reasonably ascertainable ") government records either on the target property or within the search radius around the target property for the following databases:

#### STANDARD ENVIRONMENTAL RECORDS

Federal NPL site list	
NPL Proposed NPL NPL LIENS	Proposed National Priority List Sites

#### Federal Delisted NPL site list

# Federal CERCLIS list

FEDERAL FACILITY	Federal Facility Site Information listing
SEMS	Superfund Enterprise Management System

#### Federal CERCLIS NFRAP site list

SEMS-ARCHIVE	Superfund	Enterprise	Manage	ement S	vstem Archive

#### Federal RCRA CORRACTS facilities list

CORRACTS Corrective	Action	Report
---------------------	--------	--------

#### Federal RCRA non-CORRACTS TSD facilities list

RCRA-TSDF R	RCRA - Treat	ment, Storage	and Disposal
-------------	--------------	---------------	--------------

#### Federal RCRA generators list

RCRA-LQG	RCRA - Large Quantity Generators
RCRA-SQG	RCRA - Small Quantity Generators
RCRA-VSQG	RCRA - Very Small Quantity Generators (Formerly Conditionally Exempt Small Quantity
	Generators)

#### Federal institutional controls / engineering controls registries

LUCIS	Land Use Control Information System
111015	I and I led I ontrol intormation System

US ENG CONTROLS...... Engineering Controls Sites List US INST CONTROLS...... Institutional Controls Sites List

Federal ERNS list

ERNS..... Emergency Response Notification System

State- and tribal - equivalent NPL

NC HSDS..... Hazardous Substance Disposal Site

State- and tribal - equivalent CERCLIS

SHWS..... Inactive Hazardous Sites Inventory

State and tribal landfill and/or solid waste disposal site lists

SWF/LF.....List of Solid Waste Facilities OLI.....Old Landfill Inventory

LCID.....Land-Clearing and Inert Debris (LCID) Landfill Notifications

State and tribal leaking storage tank lists

\_AST\_\_\_\_\_Leaking Aboveground Storage Tanks

INDIAN LUST..... Leaking Underground Storage Tanks on Indian Land

State and tribal registered storage tank lists

FEMA UST..... Underground Storage Tank Listing

AST\_\_\_\_\_\_AST Database

INDIAN UST...... Underground Storage Tanks on Indian Land

State and tribal voluntary cleanup sites

INDIAN VCP...... Voluntary Cleanup Priority Listing VCP...... Responsible Party Voluntary Action Sites

State and tribal Brownfields sites

BROWNFIELDS..... Brownfields Projects Inventory

ADDITIONAL ENVIRONMENTAL RECORDS

Local Brownfield lists

US BROWNFIELDS..... A Listing of Brownfields Sites

Local Lists of Landfill / Solid Waste Disposal Sites

HIST LF...... Solid Waste Facility Listing SWRCY...... Recycling Center Listing

INDIAN ODI...... Report on the Status of Open Dumps on Indian Lands

DEBRIS REGION 9..... Torres Martinez Reservation Illegal Dump Site Locations

ODI...... Open Dump Inventory

IHS OPEN DUMPS..... Open Dumps on Indian Land

#### Local Lists of Hazardous waste / Contaminated Sites

US HIST CDL..... Delisted National Clandestine Laboratory Register US CDL...... National Clandestine Laboratory Register

Local Land Records

LIENS 2..... CERCLA Lien Information

#### Records of Emergency Release Reports

HMIRS..... Hazardous Materials Information Reporting System

SPILLS..... Spills Incident Listing

SPILLS 90...... SPILLS 90 data from FirstSearch SPILLS 80 data from FirstSearch

#### Other Ascertainable Records

RCRA NonGen / NLR RCRA - Non Generators / No Longer Regulated

FUDS..... Formerly Used Defense Sites DOD..... Department of Defense Sites

SCRD DRYCLEANERS...... State Coalition for Remediation of Drycleaners Listing

US FIN ASSUR..... Financial Assurance Information

EPA WATCH LIST..... EPA WATCH LIST

2020 COR ACTION...... 2020 Corrective Action Program List

TSCA...... Toxic Substances Control Act
TRIS....... Toxic Chemical Release Inventory System

SSTS..... Section 7 Tracking Systems ROD...... Records Of Decision RMP..... Risk Management Plans

RAATS....... RCRA Administrative Action Tracking System

PRP...... Potentially Responsible Parties PADS...... PCB Activity Database System

ICIS..... Integrated Compliance Information System

Act)/TSCA (Toxic Substances Control Act)

MLTS..... Material Licensing Tracking System COAL ASH DOE..... Steam-Electric Plant Operation Data

COAL ASH EPA..... Coal Combustion Residues Surface Impoundments List

PCB TRANSFORMER\_\_\_\_\_ PCB Transformer Registration Database

RADINFO...... Radiation Information Database

HIST FTTS..... FIFRA/TSCA Tracking System Administrative Case Listing

DOT OPS...... Incident and Accident Data

CONSENT..... Superfund (CERCLA) Consent Decrees

INDIAN RESERV..... Indian Reservations

FUSRAP..... Formerly Utilized Sites Remedial Action Program

UMTRA..... Uranium Mill Tailings Sites

LEAD SMELTERS..... Lead Smelter Sites

US AIRS...... Aerometric Information Retrieval System Facility Subsystem

US MINES..... Mines Master Index File ABANDONED MINES..... Abandoned Mines

FINDS......Facility Index System/Facility Registry System

UXO...... Unexploded Ordnance Sites

DOCKET HWC..... Hazardous Waste Compliance Docket Listing ECHO..... Enforcement & Compliance History Information

FUELS PROGRAM..... EPA Fuels Program Registered Listing

AIRS..... Air Quality Permit Listing

ASBESTOS..... ASBESTOS

COAL ASH..... Coal Ash Disposal Sites

DRYCLEANERS..... Drycleaning Sites

Financial Assurance Financial Assurance Information Listing NPDES NPDES Facility Location Listing UIC Underground Injection Wells Listing AOP Animal Operation Permits Listing CCB Coal Ash Structural Fills (CCB) Listing

PCSRP...... Petroleum-Contaminated Soil Remediation Permits

MINES MRDS...... Mineral Resources Data System SEPT HAULERS..... Permitted Septage Haulers Listing

#### **EDR HIGH RISK HISTORICAL RECORDS**

#### **EDR Exclusive Records**

EDR MGP	<b>EDR Proprietary Manufactured Gas Plants</b>
EDR Hist Auto	EDR Exclusive Historical Auto Stations
EDR Hist Cleaner	EDR Exclusive Historical Cleaners

#### **EDR RECOVERED GOVERNMENT ARCHIVES**

#### Exclusive Recovered Govt. Archives

RGA HWS	Recovered Government Archive State Hazardous Waste Facilities List
RGA LF	Recovered Government Archive Solid Waste Facilities List
RGA LUST	Recovered Government Archive Leaking Underground Storage Tank

#### **SURROUNDING SITES: SEARCH RESULTS**

Surrounding sites were identified in the following databases.

Elevations have been determined from the USGS Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified. Sites with an elevation equal to or higher than the target property have been differentiated below from sites with an elevation lower than the target property.

Page numbers and map identification numbers refer to the EDR Radius Map report where detailed data on individual sites can be reviewed.

Sites listed in **bold italics** are in multiple databases.

Unmappable (orphan) sites are not considered in the foregoing analysis.

#### STANDARD ENVIRONMENTAL RECORDS

#### State and tribal landfill and/or solid waste disposal site lists

DEBRIS: NCDEQ Division of Waste Management Solid Waste Section Temporary Disaster Debris Staging

Site (TDDSS) Locations which are available to be activated in a disaster or emergency. Disaster Debris Sites can only be used for temporary disaster debris storage if the site's responsible party activates the site for use by notifying the NCDEQ DWM Solid Waste Section staff during an emergency

A review of the DEBRIS list, as provided by EDR, and dated 01/06/2021 has revealed that there are 2 DEBRIS sites within approximately 0.5 miles of the target property.

Equal/Higher Elevation	Address	Direction / Distance	Map ID	Page	
PAGES CORNER	301 MIDDLE SOUND LOO	SSE 0 - 1/8 (0.081 mi.)	1	8	
NHC LENDIRE ROAD TDD	LENDIRE ROAD AND MAR	NW 1/4 - 1/2 (0.255 mi.)	7	19	

#### State and tribal leaking storage tank lists

LUST: The Leaking Underground Storage Tank Incidents Management Database contains an inventory of reported leaking underground storage tank incidents. The data come from the Department of Environment, & Natural Resources' Incidents by Address.

A review of the LUST list, as provided by EDR, and dated 04/30/2021 has revealed that there are 9 LUST sites within approximately 0.5 miles of the target property.

Equal/Higher Elevation	Address	Direction / Distance	Map ID	Page
SCOTCHMAN #3035 Incident Phase: Closed Out Product Type: PETROLEUM Incident Number: 43012 Current Status: File Located in House	7162 MARKET STREET	WNW 1/8 - 1/4 (0.243 mi.)	A2	9
SCOTCHMAN #35 - DIES Incident Phase: Closed Out Product Type: PETROLEUM Incident Number: 32152 Current Status: File Located in House	7158 MARKET STREET	WNW 1/8 - 1/4 (0.247 mi.)	A5	14
FORMER PAUL'S TIRE Incident Phase: Closed Out Product Type: PETROLEUM Incident Number: 43092 Current Status: File Located in House	7238 MARKET STREET	NNW 1/4 - 1/2 (0.270 mi.)	8	19
HALL PROPERTY Incident Phase: Closed Out Product Type: PETROLEUM Incident Number: 32159 Current Status: File Located in Archives	7155 MARKET STREET	WNW 1/4 - 1/2 (0.274 mi.)	9	21
CONVENIENT FOOD MART Incident Phase: Closed Out Product Type: PETROLEUM Incident Number: 8251 Current Status: File Located in Archives	7211 MARKET ST	NW 1/4 - 1/2 (0.278 mi.)	B11	26
STEWART SANDWICHES, Incident Phase: Closed Out Product Type: PETROLEUM Incident Number: 12059 Current Status: File Located in House	7120 MARKET STREET	W 1/4 - 1/2 (0.294 mi.)	C12	30
BEASLEY STALLINGS 11	7100 MARKET ST.	W 1/4 - 1/2 (0.314 mi.)	14	35

Incident Phase: Closed Out Product Type: PETROLEUM Incident Number: 5810

Current Status: File Located in House

PORT UNIT 251 7040 MARKET ST W 1/4 - 1/2 (0.379 mi.) 15 37

Incident Phase: Closed Out Product Type: PETROLEUM Incident Number: 5857

Current Status: File Located in Archives

OGDEN FIRE DEPT. 7375 MARKET ST. N 1/4 - 1/2 (0.440 mi.) 17 46

Incident Phase: Closed Out Product Type: PETROLEUM Incident Number: 12289 Incident Number: 32368

Current Status: File Located in Archives

LUST TRUST: This database contains information about claims against the State Trust Funds for reimbursements for expenses incurred while remediating Leaking USTs.

A review of the LUST TRUST list, as provided by EDR, and dated 04/02/2021 has revealed that there are 4 LUST TRUST sites within approximately 0.5 miles of the target property.

Equal/Higher Elevation Address		<b>Direction / Distance</b>	Map ID	Page
<b>SCOTCHMAN 3035</b> Facility Id: 0-020168 Site ID: 32152	7162 MARKET STREET	WNW 1/8 - 1/4 (0.247 mi.)	A6	17
CONVEN. FOOD MART #5 Facility Id: 0-022262 Site ID: 8251	7211 MARKET STREET	NW 1/4 - 1/2 (0.278 mi.)	B10	25
<b>PORT UNIT 251</b> Facility Id: 0-020640 Site ID: 5857	7040 MARKET ST	W 1/4 - 1/2 (0.379 mi.)	15	37
OGDEN FIRE DEPT. Site ID: 32368	7375 MARKET ST.	N 1/4 - 1/2 (0.440 mi.)	17	46

#### State and tribal registered storage tank lists

UST: The Underground Storage Tank database contains registered USTs. USTs are regulated under Subtitle I of the Resource Conservation and Recovery Act (RCRA). The data come from the Department of Environment & Natural Resources' Petroleum Underground Storage Tank Database.

A review of the UST list, as provided by EDR, and dated 04/30/2021 has revealed that there is 1 UST site within approximately 0.25 miles of the target property.

Equal/Higher Elevation	Address	Direction / Distance	Map ID	Page	
SCOTCHMAN 3035	7162 MARKET STREET	WNW 1/8 - 1/4 (0.247 mi.)	A6	17	
Tank Status: Current					
Tank Status: Removed					

Facility Id: 00-0-000020168

#### State and tribal institutional control / engineering control registries

INST CONTROL: No Further Action Sites With Land Use Restrictions Monitoring.

A review of the INST CONTROL list, as provided by EDR, and dated 09/04/2020 has revealed that there are 3 INST CONTROL sites within approximately 0.5 miles of the target property.

<b>Equal/Higher Elevation</b>	Address	Direction / Distance	Map ID	Page	
SCOTCHMAN #3035	7162 MARKET STREET	WNW 1/8 - 1/4 (0.243 mi.)	A2	9	
SCOTCHMAN #35 - DIES	7158 MARKET STREET	WNW 1/8 - 1/4 (0.247 mi.)	A5	14	
PORT UNIT 251	7040 MARKET ST	W 1/4 - 1/2 (0.379 mi.)	15	37	

#### ADDITIONAL ENVIRONMENTAL RECORDS

#### Records of Emergency Release Reports

IMD: Incident Management Database.

A review of the IMD list, as provided by EDR, and dated 07/30/2021 has revealed that there are 9 IMD sites within approximately 0.5 miles of the target property.

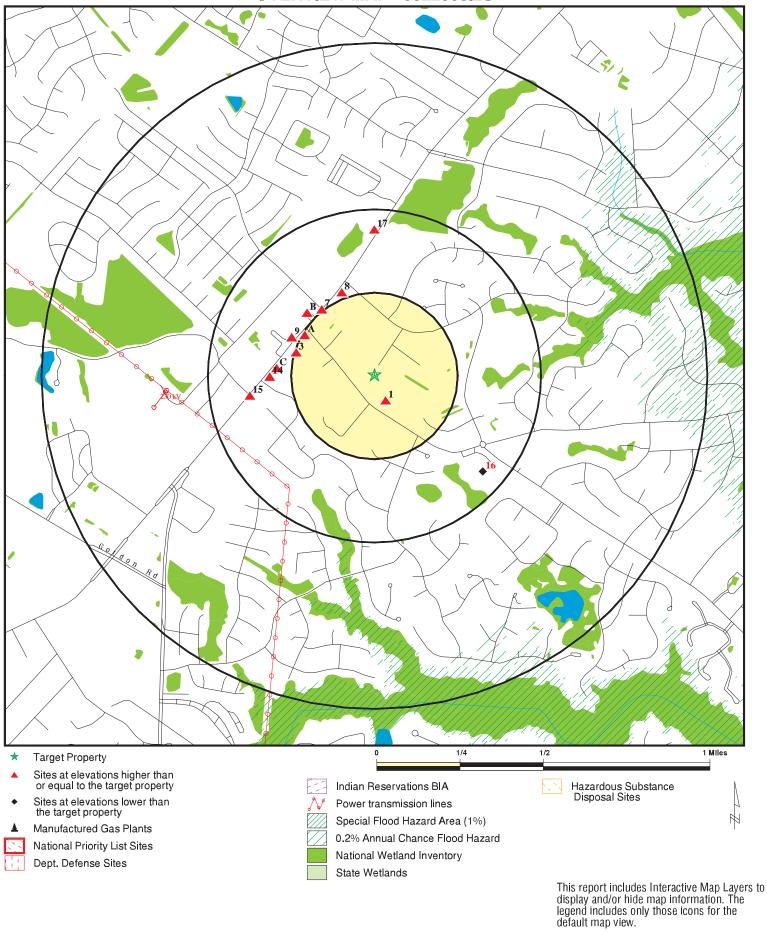
Equal/Higher Elevation	Address	Direction / Distance	Map ID	Page	
NCDOT-ORPHAN UST SCOTCHMAN #35 - DIES Facility Id: 32152	7148 MARKET STREET 7158 MARKET STREET	WNW 1/8 - 1/4 (0.245 mi.) WNW 1/8 - 1/4 (0.247 mi.)		11 12	
HALL PROPERTY Facility Id: 32159	7155 MARKET STREET	WNW 1/4 - 1/2 (0.274 mi.)	9	21	
CONVEN. FOOD MART #5 Facility Id: 8251	7211 MARKET STREET	NW 1/4 - 1/2 (0.278 mi.)	B10	25	
STEWART SANDWICHES, Facility Id: 12059	7120 MARKET STREET	W 1/4 - 1/2 (0.294 mi.)	C12	30	
BEASLEY STALLINGS 11 Facility Id: 5810	7104 MARKET ST.	W 1/4 - 1/2 (0.313 mi.)	C13	34	
PORT UNIT 251 Facility Id: 5857	7040 MARKET ST	W 1/4 - 1/2 (0.379 mi.)	15	37	
OGDEN FIRE DEPT. Facility ld: 12289	7375 MARKET ST.	N 1/4 - 1/2 (0.440 mi.)	17	46	
Lower Elevation	Address	Direction / Distance	Map ID	Page	
<b>NEW HANOVER SCHOOLS</b> -Facility Id: 0-027193	3637 MIDDLE SOUND RO	SE 1/4 - 1/2 (0.434 mi.)	16	43	

Due to poor or inadequate address information, the following sites were not mapped. Count: 2 records.

Site Name Database(s)

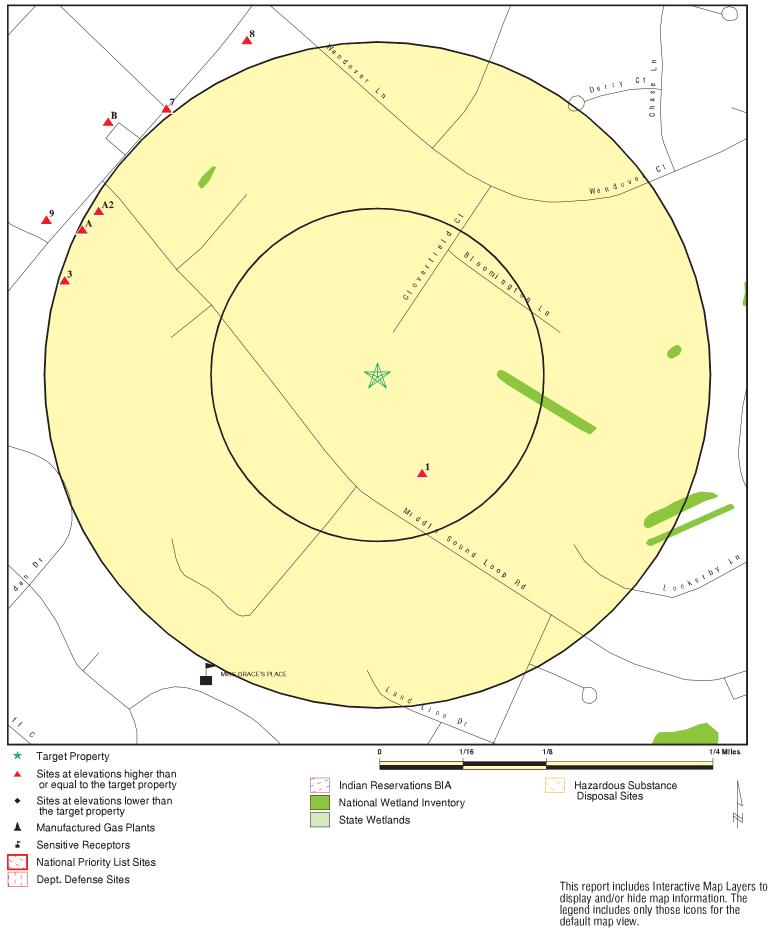
WILMINGTON GUN CLUB (FORMER) BEASLEY STALLINGS PARTNERSHIP SHWS LUST TRUST

# **OVERVIEW MAP - 6622808.2S**



Wilmington NC 28467 INQUIRY #: 6622808.2s LAT/LONG: 34.27024 / 77.815262 DATE: August 17, 2021 12:26 pm

# **DETAIL MAP - 6622808.2S**



SITE NAME: Canopy Pointe

ADDRESS: 217 Middle Sound Loop Road
Wilmington NC 28467

LAT/LONG: 34.27024 / 77.815262

CLIENT: Southern Env. Group Inc.
CONTACT: David A Syster
INQUIRY #: 6622808.2s
DATE: August 17, 2021 12:28 pm

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
STANDARD ENVIRONMENT	TAL RECORDS							
Federal NPL site list								
NPL Proposed NPL NPL LIENS	1.000 1.000 1.000		0 0 0	0 0 0	0 0 0	0 0 0	NR NR NR	0 0 0
Federal Delisted NPL site	e list							
Delisted NPL	1.000		0	0	0	0	NR	0
Federal CERCLIS list								
FEDERAL FACILITY SEMS	0.500 0.500		0 0	0 0	0 0	NR NR	NR NR	0 0
Federal CERCLIS NFRAI	P site list							
SEMS-ARCHIVE	0.500		0	0	0	NR	NR	0
Federal RCRA CORRAC	TS facilities li	st						
CORRACTS	1.000		0	0	0	0	NR	0
Federal RCRA non-COR	RACTS TSD fa	acilities list						
RCRA-TSDF	0.500		0	0	0	NR	NR	0
Federal RCRA generator	s list							
RCRA-LQG RCRA-SQG RCRA-VSQG	0.250 0.250 0.250		0 0 0	0 0 0	NR NR NR	NR NR NR	NR NR NR	0 0 0
Federal institutional con engineering controls reg								
LUCIS US ENG CONTROLS US INST CONTROLS	0.500 0.500 0.500		0 0 0	0 0 0	0 0 0	NR NR NR	NR NR NR	0 0 0
Federal ERNS list								
ERNS	TP		NR	NR	NR	NR	NR	0
State- and tribal - equiva	lent NPL							
NC HSDS	1.000		0	0	0	0	NR	0
State- and tribal - equiva	lent CERCLIS	;						
SHWS	1.000		0	0	0	0	NR	0
State and tribal landfill a solid waste disposal site								
SWF/LF DEBRIS OLI LCID	0.500 0.500 0.500 0.500		0 1 0 0	0 0 0 0	0 1 0 0	NR NR NR NR	NR NR NR NR	0 2 0 0

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
State and tribal leaking s	torage tank l	ists						
LUST LAST INDIAN LUST LUST TRUST	0.500 0.500 0.500 0.500		0 0 0 0	2 0 0 1	7 0 0 3	NR NR NR NR	NR NR NR NR	9 0 0 4
State and tribal registere	d storage tar	nk lists						
FEMA UST UST AST INDIAN UST	0.250 0.250 0.250 0.250		0 0 0 0	0 1 0 0	NR NR NR NR	NR NR NR NR	NR NR NR NR	0 1 0 0
State and tribal institutio control / engineering cor		s						
INST CONTROL	0.500		0	2	1	NR	NR	3
State and tribal voluntary	<del>-</del>	es						
INDIAN VCP VCP	0.500 0.500		0 0	0 0	0 0	NR NR	NR NR	0 0
State and tribal Brownfie	lds sites							
BROWNFIELDS	0.500		0	0	0	NR	NR	0
ADDITIONAL ENVIRONMEN	TAL RECORDS	<u>s</u>						
Local Brownfield lists								
US BROWNFIELDS	0.500		0	0	0	NR	NR	0
Local Lists of Landfill / S Waste Disposal Sites	olid							
HIST LF SWRCY INDIAN ODI DEBRIS REGION 9 ODI IHS OPEN DUMPS	0.500 0.500 0.500 0.500 0.500 0.500		0 0 0 0 0	0 0 0 0 0	0 0 0 0 0	NR NR NR NR NR	NR NR NR NR NR NR	0 0 0 0 0
Local Lists of Hazardous Contaminated Sites	waste /							
US HIST CDL US CDL	TP TP		NR NR	NR NR	NR NR	NR NR	NR NR	0 0
Local Land Records								
LIENS 2	TP		NR	NR	NR	NR	NR	0
Records of Emergency R	<del>-</del>	rts						
HMIRS SPILLS IMD	TP TP 0.500		NR NR 0	NR NR 2	NR NR 7	NR NR NR	NR NR NR	0 0 9

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
SPILLS 90 SPILLS 80	TP TP		NR NR	NR NR	NR NR	NR NR	NR NR	0 0
Other Ascertainable Rec	cords							
RCRA NonGen / NLR	0.250		0	0	NR	NR	NR	0
FUDS	1.000		0	0	0	0	NR	0
DOD SCRD DRYCLEANERS	1.000 0.500		0 0	0 0	0 0	0 NR	NR NR	0 0
US FIN ASSUR	TP		NR	NR	NR	NR	NR	0
EPA WATCH LIST	TP		NR	NR	NR	NR	NR	Ö
2020 COR ACTION	0.250		0	0	NR	NR	NR	0
TSCA	TP		NR	NR	NR	NR	NR	0
TRIS SSTS	TP TP		NR NR	NR NR	NR NR	NR NR	NR NR	0 0
ROD	1.000		0	0	0	0	NR	0
RMP	TP		NR	NR	NR	NR	NR	0
RAATS	TP		NR	NR	NR	NR	NR	0
PRP PADS	TP TP		NR NR	NR NR	NR NR	NR NR	NR NR	0 0
ICIS	TP		NR	NR NR	NR NR	NR	NR	0
FTTS	TP		NR	NR	NR	NR	NR	Ö
MLTS	TP		NR	NR	NR	NR	NR	0
COAL ASH DOE	TP		NR	NR	NR	NR	NR	0
COAL ASH EPA PCB TRANSFORMER	0.500 TP		0 NR	0 NR	0 NR	NR NR	NR NR	0 0
RADINFO	TP		NR	NR	NR	NR	NR	0
HIST FTTS	TP		NR	NR	NR	NR	NR	0
DOT OPS	TP		NR	NR	NR	NR	NR	0
CONSENT INDIAN RESERV	1.000 1.000		0 0	0	0 0	0 0	NR NR	0 0
FUSRAP	1.000		0	0 0	0	0	NR	0
UMTRA	0.500		Ö	ŏ	ŏ	NR	NR	Ö
LEAD SMELTERS	TP		NR	NR	NR	NR	NR	0
US AIRS	TP		NR	NR	NR	NR	NR	0
US MINES ABANDONED MINES	0.250 0.250		0 0	0 0	NR NR	NR NR	NR NR	0 0
FINDS	TP		NR	NR	NR	NR	NR	0
UXO	1.000		0	0	0	0	NR	0
DOCKET HWC	TP		NR	NR	NR	NR	NR	0
ECHO FUELS PROGRAM	TP 0.250		NR	NR	NR NB	NR	NR NB	0
AIRS	0.250 TP		0 NR	0 NR	NR NR	NR NR	NR NR	0 0
ASBESTOS	TP		NR	NR	NR	NR	NR	0
COAL ASH	0.500		0	0	0	NR	NR	0
DRYCLEANERS	0.250		0	0	NR	NR	NR	0
Financial Assurance NPDES	TP TP		NR NR	NR NR	NR NR	NR NR	NR NR	0 0
UIC	TP		NR	NR	NR	NR	NR	0
AOP	TP		NR	NR	NR	NR	NR	Ö
CCB	0.500		0	0	0	NR	NR	0
PCSRP	0.500		0	0	0	NR	NR	0

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
MINES MRDS SEPT HAULERS	TP TP		NR NR	NR NR	NR NR	NR NR	NR NR	0 0
EDR HIGH RISK HISTORICA	L RECORDS							
EDR Exclusive Records								
EDR MGP EDR Hist Auto EDR Hist Cleaner	1.000 0.125 0.125		0 0 0	0 NR NR	0 NR NR	0 NR NR	NR NR NR	0 0 0
EDR RECOVERED GOVERN	MENT ARCHIV	/ES						
Exclusive Recovered Go	vt. Archives							
RGA HWS RGA LF RGA LUST	TP TP TP		NR NR NR	NR NR NR	NR NR NR	NR NR NR	NR NR NR	0 0 0
- Totals		0	1	8	19	0	0	28

# NOTES:

TP = Target Property

NR = Not Requested at this Search Distance

Sites may be listed in more than one database

Map ID MAP FINDINGS

Direction Distance

Elevation Site Database(s) EPA ID Number

PAGES CORNER DEBRIS S122516270
SE 301 MIDDLE SOUND LOOP RD NPDES N/A

SSE 301 MIDDLE SOUND LOOP RD < 1/8 WILMINGTON, NC

0.081 mi. 427 ft.

Relative: DEBRIS:
Higher DS Number: DS65-050

Actual: SITE MAXX - COVIL

32 ft. Address: 301 MIDDLE SOUND LOOP ROAD

City, State, Zip: WILMINGTON, NC

Size of Site: 3 Acres Type of Debris: Not reported Contact: Ray Peele Contact Phone: 910-346-2047 Second Contact: Carroll Raynor 910-333-5961 Second Contact Phone: Confirm Year: 2014 Not Active Status: 34.2691 Latitude: Longitude: -77.81482

NPDES:

Name: PAGES CORNER

Address: 301 MIDDLE SOUND LOOP RD

City,State,Zip: WILMINGTON, NC
Permit Number: SW8180205

Permit Status: Active State Stormwater Permit Type: Issue Date: 04/09/2018 Region: Wilmington Owner Name: Not reported Not reported Class: Applied: Not reported Not reported Drafted: 04/09/2026 Expires: Subbasin: Not reported Receiving Stream: Not reported Comments: Not reported As-Built Flow (GPD): Not reported Domestic %: Not reported Industrial %: Not reported stormwtr %: Not reported

Permitted Flow (GPD): Not reported Program Category: Not reported Not reported Project Type: Is Major Permit: Not reported Date Assigned: Not reported Organization Name: Not reported Outfall: Not reported Not reported Discharge Via: Stream Classification: Not reported

Regulated Activity: State Stormwater - HD - Detention Pond

Owner Type: Not reported Effective Date: 04/09/2018 Basin Name: Cape Fear

**EDR ID Number** 

MAP FINDINGS Map ID

Direction Distance

Elevation Site Database(s) **EPA ID Number** 

**A2** SCOTCHMAN #3035 LUST S118756001 WNW **INST CONTROL** 7162 MARKET STREET N/A

WILMINGTON, NC 28405 1/8-1/4

0.243 mi.

1282 ft. Site 1 of 4 in cluster A

LUST: Relative: Higher SCOTCHMAN #3035 Name: 7162 MARKET STREET Address: Actual: WILMINGTON, NC 28405 City,State,Zip: 45 ft.

Facility ID: 0-020168 **UST Number:** WI-7964 43012 Incident Number:

Groundwater/Both Contamination Type: Source Type: Leak-underground Product Type: **PETROLEUM** Date Reported: 11/06/2015 Date Occur: 11/06/2015 Cleanup: 11/06/2015 Closure Request: Not reported Close Out: 06/08/2020 Level Of Soil Cleanup Achieved: Residential Tank Regulated Status: REGULATED # Of Supply Wells: 0

Commercial/NonCommercial UST Site: COMMERCIAL

Risk Classification:

Risk Class Based On Review:

Corrective Action Plan Type: Not reported NOV Issue Date: Not reported NORR Issue Date: Not reported Not reported Site Priority: Not reported Phase Of LSA Req: Site Risk Reason: Not reported Land Use: Not reported

MTBE: No MTBE1: No Flag: No Flag1: No LUR Filed: 02/25/2008

Release Detection:

File Located in House **Current Status:** 

Cleanups to alternate standards RBCA GW:

PETOPT: 3 RPL: False CD Num: 0 Reel Num: 0 RPOW: True RPOP: True Error Flag: 0 Error Code: Ν Valid: True

Lat/Long Decimal: 34.2720 -77.8188 Testlat: Not reported Regional Officer Project Mgr: LEP WIL Region:

Company: **GPM SOUTHEAST** PALMER WILLIAMS Contact Person:

Telephone: 9107962454

RP Address: 1410 COMMONWEALTH DR. STE. 202 **EDR ID Number** 

MAP FINDINGS Map ID Direction

Distance

**EDR ID Number** Elevation Site Database(s) **EPA ID Number** 

SCOTCHMAN #3035 (Continued)

S118756001

RP City,St,Zip: WILMINGTON, NC 28403

RP County: Not reported

Jones and Frank responded to a slow pumping call. Water was found in Comments:

the fill end of the premium tank and the tank appeared to be

significantly tilted. Tank shut down, water removed. Tank was tested and failed. Will be pumped out. Amount lost is undetermined at this time. Tank pumped out and temp closed. See also incident #32152. Sent NORR 2/18/2016 requesting monitoring report using wells from incident 32152 before NCDOT pulls tank for intersection enlargement project. Tanks removed 03/24/2016. Free product in MW-5 from new release. Free product should improve since tank pull. Site may have no receptors

after development.

5 Min Quad: Not reported

PIRF:

Facility Id: 43012 Date Occurred: 11/6/2015 Date Reported: 11/6/2015

Description Of Incident: Service provider responded to slow service call for premium tank.

Water had collected in tank at fill in. Pumped water out, Tested tank,

Failed. Pumped tank.

Owner/Operator: Not reported

Ownership: 4 Operation Type: 6 Type: 3 Location:

Site Priority: Not reported Priority Update: Not reported

Wells Affected Y/N: Ν

Not reported Samples Include:

7#5 Minute Quad: Ν

5 Minute Quad: Not reported Pirf/Min Soil: Not reported Release Code: Not reported Not reported Source Code:

Err Type: 5 7 Cause: Source: Α Р Ust Number:

6/8/2020 Last Modified: Incident Phase: **Closed Out** NOV Issued: Not reported 2/18/2016 NORR Issued: 45 Day Report: Not reported Public Meeting Held: Not reported Corrective Action Planned: Not reported SOC Signed: Not reported Reclassification Report: Not reported Not reported RS Designation: Closure Request Date: Not reported Close-out Report: Not reported

Click here to access the North Carolina DEQ records for this facility:

INST CONTROL:

Name: SCOTCHMAN #3035 Map ID MAP FINDINGS

Direction Distance

Elevation Site Database(s) EPA ID Number

SCOTCHMAN #3035 (Continued)

S118756001

S127493274

N/A

**IMD** 

**EDR ID Number** 

Address: 7162 MARKET STREET City, State, Zip: WILMINGTON, NC

Project Number: WI-7964 Object ID: 6627

DWM Contact: Wilmington Regional Office (910) 796-7215
DWM Program: Underground Storage Tank Section

Project Status: Open
COC: Multi COC
Contamination Source: UST System
Received Date: 2/24/2008
Restricted Media: Multi-Media

Allowed Use: Media Restrictions Only

Certification:
Plant Reception Date:
Instrument Status:
Deed BK:
Deed PG:
Plat BK:
Plat BK:
Not reported

Instrument: Notice and Restriction

Deed: Not reported

 Deed Date:
 Recorded 2-24-2008

 Plat:
 Not reported

 Plat Date:
 Not reported

 X Coord:
 2356863.6384

 Y Coord:
 192110.2203

\_\_\_\_

3 NCDOT-ORPHAN UST WNW 7148 MARKET STREET 1/8-1/4 WILMINGTON, NC 28411

0.245 mi. 1295 ft.

Relative: IMD:
Higher Facility ID: Not reported

 Actual:
 Name:
 NCDOT-ORPHAN UST

 42 ft.
 Address:
 7148 MARKET STREET

 City,State,Zip:
 WILMINGTON, NC 28411

Date Occurred:

Submit Date:

Not reported

Not reported

Not reported

Incident Desc: Not reported

Operator: Not reported UST ID: WI-570 Incident ID: Not reported

Initials of UST Regional Contact:

Regional Office:

Responsible Party/Company Name:

Ownership:

Not reported

Responsible Party Contact Name: MR. STEVE TAYLOR

Operation: Not reported

Responsible Party Mailing Address: 310 DIVISION DRIVE
Responsible Party City, State, Zip: WILMINGTON, NC 28401

Ownership: Not reported
Operation Type: Not reported
Responsible Party County: Not reported
Source of Contamination: Not reported
Source: Not reported
Type: Not reported

MAP FINDINGS Map ID

Direction Distance

**EDR ID Number** Elevation Site Database(s) **EPA ID Number** 

**NCDOT-ORPHAN UST (Continued)** 

S127493274

Location: Not reported PETROLEUM Petroleum Type: Date Incident Reported: Not reported Whether Tank is Commercial or Non Commercial: COMMERCIAL Site Priority: Not reported Whether Tank is Regulated: **REGULATED** Priority Update: Not reported Not reported Notice of Regulatory Requirement: Wells Affected: Not reported Notice of Violation: Not reported Phase 1 or Phase 2: Not reported Not reported Num Affected: Site Priority: Not reported Type: Not reported Location: Not reported Current Risk Condition: Not reported Not reported Sampled By: Samples Include: Not reported

Initial reported risk of incident (never changes):

Not reported 7.5 Min Quad: 5 Min Quad: Not reported Intermediate Condition Present: Not reported

Latitude:

Longitude: 0

Use of Land, Industrial: Not reported Corrective Action Plan Selected - up to 5: Not reported Not reported Date Close Review Requested From RP or Owner: Not reported

2000-10-17 00:00:00 Date Case Closed:

Extent of Contamination: None Number of Supply Wells Located on Property: MTBE in Well Y/N/U Yes, No or Unknown:

Facility Phone Number: 9102515724

MTBE in Groundwater Y/N/U Yes, No or Unknown:

Date Land Use Restriction Filed: Not reported Date Cleanup Initiated: Not reported

Record Status: ARCHIVED RECORD

**RBCA GW Codes:** Not reported **RBCA GW:** Not reported

Pollutant Type Present: GASOLINE/DIESEL/KEROSENE

Reference Number for Media Disk for Archived Record: 462 RP Owner?: False RP Operator?: False RP Landowner?: False

Α4 **SCOTCHMAN #35 - DIESEL TANK** 

WNW 7158 MARKET STREET 1/8-1/4 WILMINGTON, NC

0.247 mi.

1305 ft. Site 2 of 4 in cluster A

Relative: IMD:

Higher Facility ID: 32152

Name: SCOTCHMAN #35 - DIESEL TANK Actual:

Address: 7158 MARKET STREET 45 ft. WILMINGTON, NC City,State,Zip:

Date Occurred: 5/13/2004

Submit Date: 5/24/2004 S106406662

N/A

**IMD** 

Map ID MAP FINDINGS
Direction

Distance EDR ID Number
Elevation Site EDR ID Number
Database(s) EPA ID Number

SCOTCHMAN #35 - DIESEL TANK (Continued)

S106406662

Incident Desc: TPH soil sample confirms release from Diesel tank.

Operator: MITCH ROSE
UST ID: Not reported
Incident ID: Not reported
Initials of UST Regional Contact: Not reported
Regional Office: Not reported
Responsible Party/Company Name: Not reported

Ownership: 4

Responsible Party Contact Name: Not reported

Operation: 6

Responsible Party Mailing Address:

Responsible Party City,State,Zip:

Ownership:

Operation Type:

Responsible Party County:

Not reported

Commercial

Not reported

Not reported

Source of Contamination: GASOLINE/DIESEL/KEROSENE

 Source:
 3

 Type:
 3

 Location:
 1

Petroleum Type: Not reported
Date Incident Reported: Not reported
Whether Tank is Commercial or Non Commercial: Not reported
Site Priority: Not reported
Whether Tank is Regulated: Not reported
Priority Update: Not reported
Notice of Regulatory Requirement: Not reported

Wells Affected: n

Notice of Violation:

Phase 1 or Phase 2:

Num Affected:
Site Priority:

Type:

Not reported

Not reported

Not reported

Not reported

Softe Priority:

GASOLINE/DIESEL

Location: Facility
Current Risk Condition: Not reported

Sampled By: y

RBCA GW:

Samples Include: Not reported Not reported Initial reported risk of incident (never changes): 7.5 Min Quad: Not reported 5 Min Quad: Not reported Intermediate Condition Present: Not reported Latitude: 34.27083333 -77.81805555 Longitude: Use of Land, Industrial: Not reported Corrective Action Plan Selected - up to 5: Not reported Not reported RBCA: Date Close Review Requested From RP or Owner: Not reported Date Case Closed: Not reported Extent of Contamination: Not reported Number of Supply Wells Located on Property: Not reported MTBE in Well Y/N/U Yes, No or Unknown: Not reported Facility Phone Number: Not reported MTBE in Groundwater Y/N/U Yes, No or Unknown: Not reported Not reported Date Land Use Restriction Filed: Date Cleanup Initiated: Not reported Record Status: Not reported **RBCA GW Codes:** Not reported

Not reported

Direction Distance

**EDR ID Number** Elevation Site Database(s) **EPA ID Number** 

# SCOTCHMAN #35 - DIESEL TANK (Continued)

S106406662

S118755851

N/A

LUST

**INST CONTROL** 

Pollutant Type Present: Not reported Reference Number for Media Disk for Archived Record: Not reported RP Owner?: Not reported RP Operator?: Not reported RP Landowner?: Not reported

Status:

Facility ID: 32152

Last Modified: 2020-06-08 00:00:00

Incident Phase: CO

NOV Issued: Not reported NORR Issued: Not reported 45 Day Report: Not reported Public Meeting Held: Not reported Corrective Action Planned: Not reported SOC Sighned: Not reported Reclassification Report: Not reported Not reported **RS** Designation: Closure Request Date: Not reported Close-out Report: Not reported

SCOTCHMAN #35 - DIESEL TANK

**SCOTCHMAN #35 - DIESEL TANK** Α5 WNW

7158 MARKET STREET WILMINGTON, NC 28405

1/8-1/4 0.247 mi.

1305 ft. Site 3 of 4 in cluster A

LUST: Relative: Higher Name:

Address: 7158 MARKET STREET Actual: City, State, Zip: WILMINGTON, NC 28405 45 ft.

Facility ID: 00-0-000 UST Number: WI-2379 32152 Incident Number:

Contamination Type: Groundwater/Both Source Type: Leak-underground **PETROLEUM** Product Type: Date Reported: 05/24/2004 Date Occur: 05/13/2004 Cleanup: 05/13/2004 Closure Request: Not reported 06/08/2020 Close Out: Residential Level Of Soil Cleanup Achieved: Tank Regulated Status: **REGULATED** 

# Of Supply Wells:

Commercial/NonCommercial UST Site: COMMERCIAL

Risk Classification: Н Risk Class Based On Review: L

Corrective Action Plan Type: air sparging and soil vapor extraction

NOV Issue Date: Not reported NORR Issue Date: Not reported Site Priority: Not reported Phase Of LSA Req:

Site Risk Reason: Not reported Land Use: Residential MTBE: No MTBE1: Yes

Direction Distance

**EDR ID Number** Elevation Site Database(s) **EPA ID Number** 

# SCOTCHMAN #35 - DIESEL TANK (Continued)

S118755851

Flag:

Flag1: Not reported LUR Filed: 02/25/2008 Release Detection: Not reported

**Current Status:** File Located in House

Cleanups to alternate standards **RBCA GW:** 

PETOPT: 3 RPL: False CD Num: Not reported Reel Num: Not reported RPOW: True RPOP: True Error Flag: Not reported Error Code: Not reported Valid: True

Lat/Long Decimal: 34.2719 -77.8188 Not reported Testlat:

Regional Officer Project Mgr: LEP Region: WIL

WORSLEY COMPANIES Company: Contact Person: MAUREEN JACKSON Telephone: 9107962442

RP Address: PO BOX 3227 RP City,St,Zip: WILMINGTON, NC 28406

RP County: Not reported

Comments: UST-3 received 2/25/04 - no removal date yet; 24 hour release

notification received 5-24-04 for diesel tank. Tank Closed In-place. Gasoline constituents are present in monitoring wells. Soil assessment shows some soils above the residential msccs.

Reimbursement transferred to GPM Southeast, LLC on 11/4/13. Site visit 8/15/14 system running but only SVE. Site visit 8/24/2015 system not running. New release discovered See also new incident 43012. Free Product at .10 and .12 feet.on 03/17/2016. Tanks removed 03/24/2016. Site undergoing major redevelopement, After development the number of water supply wells will be drastically reduced. Several have changed to out of use currently but it is not know if they have

been abandoned.

5 Min Quad: Not reported

PIRF:

Facility Id: 32152 Date Occurred: 5/13/2004 Date Reported: 5/24/2004

**Description Of Incident:** TPH soil sample confirms release from Diesel tank.

Owner/Operator: Not reported

Ownership: Operation Type: 6 Type: 3 Location: 1

Site Priority: Not reported Priority Update: Not reported

Wells Affected Y/N: n

Samples Include: Not reported

7#5 Minute Quad:

5 Minute Quad: Not reported Pirf/Min Soil: Not reported Release Code: Not reported Source Code: Not reported

Direction Distance

**EDR ID Number** Elevation Site Database(s) **EPA ID Number** 

# SCOTCHMAN #35 - DIESEL TANK (Continued)

S118755851

Err Type:

Not reported Cause:

Source: С Ust Number: С

Last Modified: 6/8/2020 Incident Phase: **Closed Out** NOV Issued: Not reported NORR Issued: Not reported 45 Day Report: Not reported Not reported Public Meeting Held: Corrective Action Planned: Not reported SOC Signed: Not reported Reclassification Report: Not reported Not reported RS Designation: Closure Request Date: Not reported Close-out Report: Not reported

Click here to access the North Carolina DEQ records for this facility:

INST CONTROL:

SCOTCHMAN #35 - DIESEL TANK Name:

Address: 7158 MARKET STREET City,State,Zip: WILMINGTON, NC

WI-2379 Project Number: Object ID: 4862

**DWM Contact:** Wilmington Regional Office (910) 796-7215 DWM Program: **Underground Storage Tank Section** 

Project Status: Open COC: Multi COC Contamination Source: **UST System** Received Date: 2/24/2008 Restricted Media: Multi-Media

Allowed Use: Media Restrictions Only

Certification: None Plant Reception Date: Not reported Instrument Status: Effective Deed BK: Not reported Deed PG: Not reported Plat BK: Not reported Plat PG: Not reported

Instrument: Notice and Restriction

Deed: Not reported Deed Date: Recorded 2-24-2008 Plat: Not reported Plat Date: Not reported X Coord: 2356846.1719 Y Coord: 192105.28101

Direction Distance

Elevation Site Database(s) EPA ID Number

A6 SCOTCHMAN 3035 LUST TRUST U001199176
WNW 7162 MARKET STREET UST N/A

WILMINGTON, NC 28405 Financial Assurance

1/8-1/4 0.247 mi.

1305 ft. Site 4 of 4 in cluster A

Relative: LUST TRUST:

Higher Name: SCOTCHMAN #35 - DIESEL TANK

Actual: Address: 7158 MARKET STREET 45 ft. City,State,Zip: WILMINGTON, NC

Facility ID: 0-020168 Site ID: 32152

Site Note: Commercial; \$20,000 deductible; 100% eligible for costs that exceed

the \$20,000 deductible.[CGS 7/23/08] Transfer of eligibility to GPM Southeast, LLC for costs incurred on and after 8/6/13 though we are also going to reimburse GPM for TA 19 per LPOA [CGS 12/21/15]

Site Eligible?: True

Commercial Find: 100% Commercial Priority Rank: Not reported Deductable Amount: 20000 3rd Party Deductable Amt: 0 Sum 3rd Party Amt Applied: 0

UST:

Name: SCOTCHMAN 3035
Address: 7162 MARKET STREET
City,State,Zip: WILMINGTON, NC 28405

Facility Id: 00-0-0000020168
Contact: RI CS5 LLC

Contact Address1: 600 LA TERRAZA BLVD

Contact Address2: Not reported

Contact City/State/Zip: ESCONDIDO, CA 92025

FIPS County Desc: New Hanover Latitude: 34.27202 Longitude: -77.81901

Tank ld:

Tank Status: Current
Installed Date: 04/16/1961
Perm Close Date: Not reported
Product Name: Gasoline, Gas Mix

Tank Capacity: 6000
Root Tank Id: Not reported

Main Tank: No
Compartment Tank: No
Manifold Tank: 0
Commercial: Yes
Regulated: Yes

Other CP Tank: Not reported
Overfill Protection Name: Auto Shutoff Device
Spill Protection Name: Catchment Basin

Leak Detection Name: MLLD

Decode for TCONS\_KEY: Single Wall Steel
Decode for PCONS\_KEY: DW Flexible Piping
Decode for PSYS\_KEY: Pressurized System

Click here to access the North Carolina DEQ records for this facility:

**EDR ID Number** 

Direction Distance Elevation

tion Site Database(s) EPA ID Number

# SCOTCHMAN 3035 (Continued)

U001199176

**EDR ID Number** 

Tank Id: 2
Tank Status: Current
Installed Date: 04/16/1961
Perm Close Date: Not reported
Product Name: Gasoline, Gas Mix

Tank Capacity: 6000
Root Tank Id: Not reported

Main Tank: No
Compartment Tank: No
Manifold Tank: 0
Commercial: Yes
Regulated: Yes

Other CP Tank: Not reported
Overfill Protection Name: Auto Shutoff Device
Spill Protection Name: Catchment Basin

Leak Detection Name: MLLD

Decode for TCONS\_KEY: Single Wall Steel
Decode for PCONS\_KEY: DW Flexible Piping
Decode for PSYS\_KEY: Pressurized System

#### Click here to access the North Carolina DEQ records for this facility:

Tank Id: 3 Tank Status: 0

Tank Status: Current
Installed Date: 04/16/1961
Perm Close Date: Not reported
Product Name: Gasoline, Gas Mix

Tank Capacity: 4000
Root Tank Id: Not reported

Main Tank: No
Compartment Tank: No
Manifold Tank: 0
Commercial: Yes
Regulated: Yes

Other CP Tank: Not reported
Overfill Protection Name: Auto Shutoff Device
Spill Protection Name: Catchment Basin

Leak Detection Name: MLLD

Decode for TCONS\_KEY: Single Wall Steel
Decode for PCONS\_KEY: DW Flexible Piping
Decode for PSYS\_KEY: Pressurized System

# Click here to access the North Carolina DEQ records for this facility:

Tank Id:

Tank Status: Removed
Installed Date: 04/16/1961
Perm Close Date: 04/25/2004
Product Name: Diesel
Tank Capacity: 1000
Root Tank Id: Not reported

Main Tank: No Compartment Tank: No

Manifold Tank: Not reported

Commercial: Yes

Direction Distance

**EDR ID Number** Elevation Site Database(s) **EPA ID Number** 

SCOTCHMAN 3035 (Continued)

U001199176

Regulated: Yes

Other CP Tank: Not reported Overfill Protection Name: Auto Shutoff Device Spill Protection Name: Catchment Basin Leak Detection Name: Unknown Decode for TCONS\_KEY: Single Wall Steel

Decode for PCONS\_KEY: Other Decode for PSYS\_KEY: Unknown

Click here to access the North Carolina DEQ records for this facility:

NC Financial Assurance 1:

SCOTCHMAN 3035 Name: Address: 7162 MARKET STREET City,State,Zip: WILMINGTON, NC 28405 00-0-0000020168 Facility ID:

Region:

Financial Responsibility Desc: Corporate Guarantee Financial Responsibility Name: GPM Investments, LLC

Started Date: 05/01/2013 Ended Date: 04/30/2014

**NHC LENDIRE ROAD TDDSS DEBRIS** S123207172 N/A

NW LENDIRE ROAD AND MARKET STREET

1/4-1/2 WILMINGTON, NC

0.255 mi. 1347 ft.

Relative: DEBRIS: Higher DS Number: DS65-062

Name: NHC LENDIRE ROAD TDDSS Actual:

Address: LENDIRE ROAD AND MARKET STREET 46 ft. WILMINGTON, NC

City,State,Zip: Size of Site: 30 Acres Type of Debris: Not reported Contact: Joe Suleyman 910-798-4403 Contact Phone: Second Contact: Not reported Second Contact Phone: Not reported Confirm Year: 2018 Status: Not Active Latitude: 34.2762

Longitude: -77.8186

LUST 8 FORMER PAUL'S TIRE S121425687 **7238 MARKET STREET** N/A

NNW 1/4-1/2 WILMINGTON, NC 28411

0.270 mi. 1425 ft.

Relative: LUST:

Higher FORMER PAUL'S TIRE Name: Address: 7238 MARKET STREET Actual: City,State,Zip: WILMINGTON, NC 28411 45 ft.

00-0-000 Facility ID: **UST Number:** WI-8059

Direction Distance

**EDR ID Number** Elevation Site Database(s) **EPA ID Number** 

#### FORMER PAUL'S TIRE (Continued)

S121425687

Incident Number: 43092 Contamination Type: Soil

Source Type: Leak-underground Product Type: **PETROLEUM** Date Reported: 08/30/2017 Date Occur: 08/30/2017 Cleanup: 08/30/2017 Closure Request: Not reported Close Out: 09/05/2018 Level Of Soil Cleanup Achieved: Residential **REGULATED** Tank Regulated Status:

# Of Supply Wells:

Commercial/NonCommercial UST Site: COMMERCIAL

Risk Classification: Risk Class Based On Review:

Corrective Action Plan Type: Not reported NOV Issue Date: Not reported NORR Issue Date: Not reported Site Priority: Not reported Phase Of LSA Req: Not reported Site Risk Reason: Not reported Land Use: Not reported MTBE: No MTBE1: Unknown Flag: No Flag1: No

LUR Filed: Not reported

Release Detection:

File Located in House **Current Status:** 

RBCA GW: Cleanups to 2L.0202 standards

PETOPT: RPL: False CD Num: 0 Reel Num: 0 RPOW: True RPOP: True Error Flag: 0 Error Code: Ν Valid: False

Lat/Long Decimal: 34.2735 -77.8171 Testlat: Not reported

Regional Officer Project Mgr: STF Region: WIL

Company: Paul's Tire Service Contact Person: Paul Chahoe Telephone: Not reported RP Address: 7238 Market Street RP City,St,Zip: Wilmington, NC 28411

RP County: Not reported

Tanks pulled by DOT, soil sample "1 NW' had TPH DRO Soil @ 25.6 which Comments:

is below action limits. No bottom soil sample was collected b/c hit GW. GW not sampled. Need GW sample to assign risk/rank to site.

5 Min Quad: Not reported

PIRF:

43092 Facility Id: Date Occurred: Not reported Not reported Date Reported:

Direction Distance

**EDR ID Number** Elevation Site Database(s) **EPA ID Number** 

FORMER PAUL'S TIRE (Continued)

S121425687

**Description Of Incident:** Not reported Not reported Owner/Operator:

Ownership: 4 Operation Type: 6 Type: 3 Location:

Site Priority: Not reported Priority Update: Not reported

Wells Affected Y/N: Ν

Samples Include: Not reported

7#5 Minute Quad: Ν

5 Minute Quad: Not reported Pirf/Min Soil: Not reported Release Code: Not reported Source Code: Not reported

Err Type: 3 Cause: Source: Α Ρ Ust Number:

Last Modified: 9/5/2018 Incident Phase: **Closed Out** NOV Issued: Not reported NORR Issued: Not reported 45 Day Report: Not reported Public Meeting Held: Not reported Corrective Action Planned: Not reported SOC Signed: Not reported Reclassification Report: Not reported RS Designation: Not reported Closure Request Date: Not reported Close-out Report: Not reported

Click here to access the North Carolina DEQ records for this facility:

HALL PROPERTY 7155 MARKET STREET WNW 1/4-1/2 WILMINGTON, NC 28411

0.274 mi. 1449 ft.

45 ft.

Relative: LUST: Higher Actual:

HALL PROPERTY Name: Address: 7155 MARKET STREET WILMINGTON, NC 28411 City, State, Zip:

Facility ID: Not reported WI-2425 **UST Number:** Incident Number: 32159 Contamination Type: Soil

Source Type: Leak-underground Product Type: **PETROLEUM** Date Reported: 06/10/2004 Date Occur: 05/05/2004 Cleanup: 05/05/2004 Closure Request: Not reported Close Out: 12/21/2004 Level Of Soil Cleanup Achieved: Soil to Groundwater Tank Regulated Status: **BOTH AT SAME SITE**  LUST

IMD

S106520773

N/A

Direction Distance

Elevation Site Database(s) EPA ID Number

**HALL PROPERTY (Continued)** 

S106520773

**EDR ID Number** 

# Of Supply Wells: 0
Commercial/NonCommercial UST Site: BOTH
Risk Classification: L
Risk Class Based On Review: L

Corrective Action Plan Type: Not reported NOV Issue Date: Not reported NORR Issue Date: Not reported Site Priority: Not reported

Phase Of LSA Req: 1

Site Risk Reason: Not reported Land Use: Residential

 MTBE:
 No

 MTBE1:
 No

 Flag:
 No

 Flag1:
 No

LUR Filed: Not reported

Release Detection: 0

Current Status: File Located in Archives
RBCA GW: Cleanups to 2L.0202 standards

 PETOPT:
 4

 RPL:
 False

 CD Num:
 272

 Reel Num:
 0

 RPOW:
 True

 RPOP:
 False

 Error Flag:
 0

Error Code: Not reported Valid: False

Lat/Long Decimal: 34.2721 -77.8198
Testlat: Not reported
Regional Officer Project Mgr: JDP
Region: WIL

Company: Not reported
Contact Person: MR. WELDON HALL
Telephone: 9106860516

RP Address: 214 SIMMONS DRIVE RP City,St,Zip: WILMINGTON NC, NC 28411

RP County: Not reported

Comments: Heating Oil UST removed from property. Task Code 2.5 not completed.

19 tons of comtaminated soil removed during excavation.

5 Min Quad: Not reported

PIRF:

 Facility Id:
 32159

 Date Occurred:
 5/5/2004

 Date Reported:
 6/10/2004

Description Of Incident: Soil samples confirm release form Heating oil tank during removal.

Owner/Operator: Not reported

 Ownership:
 4

 Operation Type:
 3

 Type:
 4

 Location:
 7

Site Priority:

Priority Update:

Wells Affected Y/N:

Samples Include:

Not reported

Not reported

Not reported

7#5 Minute Quad: y

5 Minute Quad: Not reported

Direction Distance

Elevation Site Database(s) **EPA ID Number** 

# **HALL PROPERTY (Continued)**

S106520773

**EDR ID Number** 

Pirf/Min Soil: Not reported Not reported Release Code: Source Code: Not reported

Err Type:

Cause: Not reported

Source: С Ust Number:

Last Modified: 12/21/2004 Incident Phase: **Closed Out** Not reported NOV Issued: NORR Issued: 6/18/2004 45 Day Report: Not reported Public Meeting Held: Not reported Corrective Action Planned: Not reported SOC Signed: Not reported Reclassification Report: Not reported RS Designation: Not reported Closure Request Date: Not reported 12/21/2004 Close-out Report:

Click here to access the North Carolina DEQ records for this facility:

IMD:

Facility ID: 32159

Name: HALL PROPERTY Address: 7155 MARKET STREET City, State, Zip: WILMINGTON, NC

Date Occurred: 5/5/2004 6/10/2004 Submit Date:

Incident Desc: Soil samples confirm release form Heating oil tank during removal.

Operator: MR. WELDON HALL

UST ID: Not reported Incident ID: Not reported Initials of UST Regional Contact: Not reported Regional Office: Not reported Responsible Party/Company Name: Not reported Ownership: Not reported

Responsible Party Contact Name:

Operation:

Responsible Party Mailing Address: Not reported Responsible Party City, State, Zip: Not reported Ownership: Private Operation Type: Residential Responsible Party County: Not reported

Source of Contamination: GASOLINE/DIESEL/KEROSENE

Source: 3 Type: Location: 7

Petroleum Type: Not reported Date Incident Reported: Not reported Whether Tank is Commercial or Non Commercial: Not reported Not reported Site Priority: Not reported Whether Tank is Regulated: Priority Update: Not reported Notice of Regulatory Requirement: Not reported Wells Affected: Not reported Map ID MAP FINDINGS
Direction

Distance Elevation Site

Database(s) EPA ID Number

Not reported

Not reported

# **HALL PROPERTY (Continued)**

S106520773

**EDR ID Number** 

Notice of Violation:

Phase 1 or Phase 2:

Num Affected:
Site Priority:

Not reported
Not reported
Not reported
Not reported
Site Priority:

GASOLINE/DIESEL

Location: Residence
Current Risk Condition: Not reported

Sampled By: y

Samples Include: Not reported Initial reported risk of incident (never changes): Not reported Not reported 7.5 Min Quad: Not reported 5 Min Quad: Not reported Intermediate Condition Present: Latitude: 34.27194444 -77.81888888 Longitude: Use of Land, Industrial: Not reported Not reported

Corrective Action Plan Selected - up to 5: Not reported Date Close Review Requested From RP or Owner: Not reported Not reported Date Case Closed: Extent of Contamination: Not reported Number of Supply Wells Located on Property: Not reported MTBE in Well Y/N/U Yes, No or Unknown: Not reported Facility Phone Number: Not reported MTBE in Groundwater Y/N/U Yes, No or Unknown: Not reported Date Land Use Restriction Filed: Not reported Date Cleanup Initiated: Not reported Record Status: Not reported RBCA GW Codes: Not reported RBCA GW: Not reported Pollutant Type Present: Not reported Reference Number for Media Disk for Archived Record: Not reported RP Owner?: Not reported

Status:

RP Operator?:

RP Landowner?:

Facility ID: 32159

Last Modified: 2004-12-21 00:00:00

Incident Phase: CO

NOV Issued: Not reported

NORR Issued: 2004-06-18 00:00:00

45 Day Report: Not reported Public Meeting Held: Not reported Corrective Action Planned: Not reported SOC Sighned: Not reported Reclassification Report: Not reported **RS** Designation: Not reported Closure Request Date: Not reported 2004-12-21 00:00:00 Close-out Report:

TC6622808.2s Page 24

Direction Distance

Elevation Site Database(s) EPA ID Number

B10 CONVEN. FOOD MART #5428 LUST TRUST S105766398
NW 7211 MARKET STREET IMD N/A

1/4-1/2 WILMINGTON, NC

0.278 mi.

1466 ft. Site 1 of 2 in cluster B

Relative: LUST TRUST:

HigherName:CONVEN. FOOD MART #5428Actual:Address:7211 MARKET STREET45 ft.City,State,Zip:WILMINGTON, NC

 Facility ID:
 0-022262

 Site ID:
 8251

 Site Note:
 Not reported

 Site Eligible?:
 True

Commercial Find: 100% Commercial

Priority Rank: Low
Deductable Amount: 20000
3rd Party Deductable Amt: 0
Sum 3rd Party Amt Applied: 0

IMD:

Facility ID: 8251

Name: CONVENIENT MART # 5428

Address: 7211 MARKET ST. City, State, Zip: WILMINGTON, NC

 Date Occurred:
 5/1/1992

 Submit Date:
 6/17/1992

Incident Desc: SOIL AND GW SAMPLES CONFIRMED CONTAMINATION DUE TO A RELEASE.

Operator: MR. JAMES J. FELTZ

UST ID: Not reported Incident ID: Not reported Initials of UST Regional Contact: Not reported Regional Office: Not reported Responsible Party/Company Name: Not reported Ownership: 4

Responsible Party Contact Name:

Operation:

Responsible Party Mailing Address:

Responsible Party City,State,Zip:

Ownership:

Operation Type:

Not reported

Private

Commercial

Responsible Party County:

Source of Contamination:

Not reported

GASOLINE/DIESEL/KEROSENE

Source: 3
Type: 3
Location: 1

Petroleum Type: Not reported
Date Incident Reported: Not reported
Whether Tank is Commercial or Non Commercial: Not reported
Site Priority: 100D
Whether Tank is Regulated: Not reported
Priority Update: 5/30/1998
Notice of Regulatory Requirement: Not reported

Wells Affected: N

Notice of Violation:

Phase 1 or Phase 2:

Not reported

Not reported

Num Affected: 0

Site Priority: Not reported

Type: GASOLINE/DIESEL

**EDR ID Number** 

MAP FINDINGS Map ID Direction

Distance

**EDR ID Number** Elevation Site Database(s) **EPA ID Number** 

Facility

#### CONVEN. FOOD MART #5428 (Continued)

Location:

S105766398

Current Risk Condition: Not reported Sampled By: 3 Samples Include: Initial reported risk of incident (never changes): Not reported 7.5 Min Quad:

Not reported CC29P 5 Min Quad: Intermediate Condition Present: Not reported 34.27222222 Latitude: Longitude: -77.81944444 Use of Land, Industrial: Not reported Not reported Corrective Action Plan Selected - up to 5: RBCA: Not reported Date Close Review Requested From RP or Owner: Not reported Date Case Closed: Not reported Extent of Contamination: Not reported Number of Supply Wells Located on Property: Not reported MTBE in Well Y/N/U Yes, No or Unknown: Not reported Facility Phone Number: Not reported MTBE in Groundwater Y/N/U Yes, No or Unknown: Not reported Date Land Use Restriction Filed: Not reported Date Cleanup Initiated: Not reported Record Status: Not reported **RBCA GW Codes:** Not reported RBCA GW: Not reported Not reported Pollutant Type Present: Reference Number for Media Disk for Archived Record: Not reported RP Owner?: Not reported RP Operator?: Not reported RP Landowner?: Not reported

Status:

Facility ID: 8251

2000-01-03 00:00:00 Last Modified:

Incident Phase: CO

NOV Issued: Not reported NORR Issued: Not reported 45 Day Report: Not reported Public Meeting Held: Not reported Corrective Action Planned: Not reported SOC Sighned: Not reported Reclassification Report: Not reported RS Designation: Not reported Closure Request Date: Not reported

Close-out Report: 1999-12-10 00:00:00

LUST U004139065 B11 **CONVENIENT FOOD MART 5428** 

NW 7211 MARKET ST 1/4-1/2 WILMINGTON, NC 28405

0.278 mi.

1466 ft. Site 2 of 2 in cluster B

LUST: Relative: Higher

**CONVENIENT MART # 5428** Name:

Address: 7211 MARKET ST. Actual: City,State,Zip: WILMINGTON, NC 28405 45 ft.

Facility ID: 00-0-000 N/A

**UST** 

Direction Distance

**EDR ID Number** Elevation Site Database(s) **EPA ID Number** 

# **CONVENIENT FOOD MART 5428 (Continued)**

U004139065

WI-998 **UST Number:** 8251 Incident Number:

Contamination Type: Groundwater/Both Source Type: Leak-underground Product Type: **PETROLEUM** Date Reported: 08/14/1992 Date Occur: 05/01/1992 Cleanup: 05/01/1992 Closure Request: Not reported Close Out: 12/10/1999 Level Of Soil Cleanup Achieved: Not reported Tank Regulated Status: REGULATED

# Of Supply Wells:

Commercial/NonCommercial UST Site: COMMERCIAL

Risk Classification: Risk Class Based On Review: L Corrective Action Plan Type: Κ

NOV Issue Date: Not reported 06/25/1992 NORR Issue Date: 100D Site Priority: Phase Of LSA Req: Not reported Site Risk Reason: Not reported Land Use: Residential MTBE: Not reported Unknown MTBE1: Flag: No Flag1: No

LUR Filed: Not reported

Release Detection:

**Current Status:** File Located in Archives

**RBCA GW:** Not reported

PETOPT: 3 RPL: False CD Num: 162 Reel Num: 3911 RPOW: False RPOP: False Error Flag: 0

Error Code: Not reported Valid: False

34.2730 -77.8187 Lat/Long Decimal: Not reported Testlat: Regional Officer Project Mgr: DTM Region: WIL

Company: DAIRY MART CONVENIENCE STORES

Contact Person: MR. JAMES J. FELTZ

Telephone: Not reported ONE VISION DRIVE RP Address: RP City,St,Zip: ENFIELD, CT 06082

RP County: Not reported Comments: #Error 5 Min Quad: Not reported

PIRF:

Facility Id: 8251 Date Occurred: 5/1/1992 Date Reported: 6/17/1992

Description Of Incident: SOIL AND GW SAMPLES CONFIRMED CONTAMINATION DUE TO A RELEASE.

Direction Distance Elevation

stance EDR ID Number evation Site Database(s) EPA ID Number

#### **CONVENIENT FOOD MART 5428 (Continued)**

Owner/Operator:

MR. JAMES J. FELTZ

Ownership: 4 Operation Type: 6 Type: 3 Location: Site Priority: 100D Priority Update: 5/30/1998 Wells Affected Y/N: Ν Samples Include: 0 7#5 Minute Quad: 3 5 Minute Quad: 1

Pirf/Min Soil: Not reported Release Code: CC29P Source Code: Pirf

Err Type: Not reported
Cause: Not reported
Source: Not reported
Ust Number: Not reported

Last Modified: 1/3/2000 Incident Phase: **Closed Out** NOV Issued: Not reported NORR Issued: Not reported 45 Day Report: Not reported Public Meeting Held: Not reported Corrective Action Planned: Not reported Not reported SOC Signed: Reclassification Report: Not reported Not reported **RS** Designation: Closure Request Date: Not reported Close-out Report: 12/10/1999

Click here to access the North Carolina DEQ records for this facility:

UST:

Name: CONVENIENT FOOD MART 5428

 Address:
 7211 MARKET ST

 City, State, Zip:
 WILMINGTON, NC 28405

 Facility Id:
 00-0-0000022262

Contact: REMOTE SERVICES, INC.

Contact Address1: C/O TANKNOLOGY/ PO BOX 141188

Contact Address2: Not reported

Contact City/State/Zip: AUSTIN, TX 78714-1188

FIPS County Desc: New Hanover Latitude: 34.273
Longitude: -77.81879

Tank ld:

Tank Status: Removed
Installed Date: 03/26/1977
Perm Close Date: 04/28/1992
Product Name: Gasoline, Gas Mix

Tank Capacity: 8000
Root Tank Id: Not reported
Main Took: No

Main Tank: No Compartment Tank: No

Manifold Tank: Not reported

U004139065

Direction Distance Elevation

tion Site Database(s) EPA ID Number

# **CONVENIENT FOOD MART 5428 (Continued)**

U004139065

**EDR ID Number** 

Commercial: Yes Regulated: Yes

Other CP Tank:
Overfill Protection Name:
Spill Protection Name:
Leak Detection Name:
Decode for TCONS\_KEY:
Decode for PSYS\_KEY:
Unknown
Unknown
Single Wall Steel
Decode for PSYS\_KEY:
Unknown

Click here to access the North Carolina DEQ records for this facility:

Tank ld: 2

Tank Status: Removed
Installed Date: 03/26/1977
Perm Close Date: 04/28/1992
Product Name: Gasoline, Gas Mix

Tank Capacity: 8000

Root Tank Id: Not reported

Main Tank: No Compartment Tank: No

Manifold Tank: Not reported Commercial: Yes Regulated: Yes

Other CP Tank:

Overfill Protection Name:

Spill Protection Name:

Leak Detection Name:

Decode for TCONS\_KEY:

Decode for PCONS\_KEY:

Not reported

Unknown

Unknown

Single Wall Steel

Single Wall Steel

Decode for PSYS\_KEY: Unknown

Click here to access the North Carolina DEQ records for this facility:

Tank ld:

Tank Status: Removed
Installed Date: 03/26/1978
Perm Close Date: 04/28/1992
Product Name: Gasoline, Gas Mix

Tank Capacity: 6000
Root Tank Id: Not reported

Main Tank: No Compartment Tank: No

Manifold Tank: Not reported Commercial: Yes

Regulated: Yes
Other CP Tank: Not reported
Overfill Protection Name: Unknown
Spill Protection Name: Unknown
Leak Detection Name: Unknown
Decode for TCONS KEY: Single Wall S

Decode for TCONS\_KEY: Single Wall Steel
Decode for PCONS\_KEY: Single Wall Steel
Decode for PSYS\_KEY: Unknown

Direction Distance

**EDR ID Number** Elevation Site Database(s) **EPA ID Number** 

#### **CONVENIENT FOOD MART 5428 (Continued)**

U004139065

Click here to access the North Carolina DEQ records for this facility:

U003143373 C12 STEWART SANDWICHES, INC. LUST 7120 MARKET STREET **UST** West N/A

1/4-1/2 WILMINGTON, NC 28405 IMD

0.294 mi.

38 ft.

1554 ft. Site 1 of 2 in cluster C

Relative: LUST: Higher Actual:

Name: STEWART SANDWICHES Address: 7120 MARKET ST. WILMINGTON, NC 28405 City,State,Zip:

Facility ID: 00-0-000 **UST Number:** WI-1149 Incident Number: 12059

Contamination Type: Groundwater/Both Source Type: Leak-underground Product Type: **PETROLEUM** Date Reported: 03/14/1994 Date Occur: 02/08/1994 Cleanup: 02/08/1994 Closure Request: Not reported Close Out: 07/14/2011 Level Of Soil Cleanup Achieved: Residential Tank Regulated Status: **REGULATED** 

# Of Supply Wells:

Commercial/NonCommercial UST Site: COMMERCIAL

Risk Classification: Н Risk Class Based On Review: ı Corrective Action Plan Type: СР

NOV Issue Date: Not reported 04/28/1994 NORR Issue Date: 50B Site Priority:

Phase Of LSA Req: Not reported Site Risk Reason: Surface water Land Use: Not reported MTBE: Not reported

MTBE1: Yes Flag: No Flag1: No

LUR Filed: Not reported

Release Detection:

**Current Status:** File Located in House

**RBCA GW:** Cleanups to 2L.0202 standards

PETOPT: 3 RPL: False 0 CD Num: 0 Reel Num: RPOW: False RPOP: False Error Flag:

Error Code: Not reported Valid: False

34.2703 -77.8201 Lat/Long Decimal: Testlat: Not reported

Regional Officer Project Mgr: STF Region: WIL

Company: MODAME STEWART FOODS, INC.

Direction Distance

Elevation Site Database(s) EPA ID Number

# STEWART SANDWICHES, INC. (Continued)

U003143373

**EDR ID Number** 

Contact Person: MR. PETER SOCHA
Telephone: 8044669200
RP Address: 128 JAMESWOOD

RP City,St,Zip: WILLIAMSBURG, VA 23185

RP County: Not reported

Comments: CAP NEVER IMPLEMENTED. Stewart Foods, Inc., has a revoked status with

the Sec. of States Office. Bankruptcy. Corporation dissolved by

Commonwealth of Va on 01/12/1999. To CAB Branch head for state lead

recommendation on 12/05/2006.

5 Min Quad: Not reported

PIRF:

 Facility Id:
 12059

 Date Occurred:
 2/9/1994

 Date Reported:
 4/21/1994

Description Of Incident: WIRO RECEIVED A TANK CLOSURE REPORT THAT REVEALED SOIL AND GW

CONTAMINATION WAS PRESENT.

Owner/Operator: MR. PETER SOCHA

Ownership: Operation Type: 6 Type: 3 Location: 1 Site Priority: 50B Priority Update: 5/30/1998 Wells Affected Y/N: Ν Samples Include: 0 7#5 Minute Quad: 3 5 Minute Quad:

Pirf/Min Soil: Not reported Release Code: CC29P Source Code: Pirf

Err Type: Not reported
Cause: Not reported
Source: Not reported
Ust Number: Not reported

Last Modified: 7/14/2011 Incident Phase: **Closed Out** NOV Issued: Not reported NORR Issued: Not reported 45 Day Report: Not reported Public Meeting Held: Not reported Corrective Action Planned: Not reported SOC Signed: Not reported Reclassification Report: Not reported

Reclassification Report: Not reported RS Designation: Not reported Closure Request Date: Not reported Close-out Report: Not reported

Click here to access the North Carolina DEQ records for this facility:

UST:

Name: STEWART SANDWICHES, INC.
Address: 7120 MARKET STREET
City,State,Zip: WILMINGTON, NC 28405
Facility Id: 00-0-000006743

Contact: STEWART SANDWICHES, INC.

Direction Distance

**EDR ID Number** Elevation Site Database(s) **EPA ID Number** 

# STEWART SANDWICHES, INC. (Continued)

U003143373

Contact Address1: 7120 MARKET STREET

Contact Address2: Not reported

Contact City/State/Zip: WILMINGTON, NC 28405

FIPS County Desc: **New Hanover** 

Latitude: Longitude: 0

Tank Id: 1

Tank Status: Removed Installed Date: 05/10/1969 02/08/1994 Perm Close Date: Gasoline, Gas Mix Product Name:

3000 Tank Capacity: Root Tank Id: Not reported

Main Tank: No Compartment Tank: No

Manifold Tank: Not reported Commercial: Yes Regulated: Yes

Not reported Other CP Tank: Overfill Protection Name: Unknown Spill Protection Name: Unknown Leak Detection Name: Unknown Decode for TCONS\_KEY: Unknown Decode for PCONS\_KEY: Single Wall Steel Decode for PSYS\_KEY: Unknown

Click here to access the North Carolina DEQ records for this facility:

IMD:

Facility ID:

Name: STEWART SANDWICHES Address: 7120 MARKET ST. City,State,Zip: WILMINGTON, NC Date Occurred: 2/8/1994

Submit Date: 4/21/1994

Incident Desc: WIRO RECEIVED A TANK CLOSURE REPORT THAT REVEALED SOIL AND GW

CONTAMINATION WAS PRESENT.

MR. PETER SOCHA Operator: UST ID: Not reported

Incident ID: Not reported Initials of UST Regional Contact: Not reported Regional Office: Not reported Responsible Party/Company Name: Not reported

Ownership:

Responsible Party Contact Name: Not reported

Operation:

Responsible Party Mailing Address: Not reported Responsible Party City, State, Zip: Not reported Private Ownership: Operation Type: Commercial Responsible Party County: Not reported

GASOLINE/DIESEL/KEROSENE Source of Contamination:

Source: 3 Type: 3 Location:

Petroleum Type: Not reported

Direction Distance

Elevation Site Database(s) EPA ID Number

# STEWART SANDWICHES, INC. (Continued)

U003143373

**EDR ID Number** 

Date Incident Reported:
Whether Tank is Commercial or Non Commercial:
Not reported
Site Priority:
50B
Whether Tank is Regulated:
Priority Update:
Notice of Regulatory Requirement:
Wells Affected:
Not reported
Not reported
Not reported

Notice of Violation:

Not reported
Phase 1 or Phase 2:

Not reported

Num Affected: 0

Site Priority: Not reported
Type: GASOLINE/DIESEL

Location: Facility
Current Risk Condition: Not reported

Sampled By: 3
Samples Include: 1

Initial reported risk of incident (never changes): Not reported 7.5 Min Quad: Not reported 5 Min Quad: CC29P Intermediate Condition Present: Not reported Latitude: 34.270347598 Longitude: -77.82015883 Use of Land. Industrial: Not reported Corrective Action Plan Selected - up to 5: Not reported RBCA: Not reported Date Close Review Requested From RP or Owner: Not reported Date Case Closed: Not reported Extent of Contamination: Not reported Number of Supply Wells Located on Property: Not reported MTBE in Well Y/N/U Yes, No or Unknown: Not reported Facility Phone Number: Not reported MTBE in Groundwater Y/N/U Yes, No or Unknown: Not reported Date Land Use Restriction Filed: Not reported Date Cleanup Initiated: Not reported **Record Status:** Not reported **RBCA GW Codes:** Not reported **RBCA GW:** Not reported Pollutant Type Present: Not reported Reference Number for Media Disk for Archived Record: Not reported RP Owner?: Not reported RP Operator?: Not reported

#### Status:

RP Landowner?:

Facility ID: 12059

Last Modified: 2011-07-14 00:00:00

Not reported

Incident Phase: CO

NOV Issued: Not reported NORR Issued: Not reported 45 Day Report: Not reported Public Meeting Held: Not reported Corrective Action Planned: Not reported SOC Sighned: Not reported Reclassification Report: Not reported RS Designation: Not reported Closure Request Date: Not reported Close-out Report: Not reported

Direction Distance

Elevation Site Database(s) EPA ID Number

C13 BEASLEY STALLINGS 11 IMD S101167806
West 7104 MARKET ST. N/A

1/4-1/2 WILMINGTON, NC

0.313 mi.

1651 ft. Site 2 of 2 in cluster C

Relative: IMD:

Higher Facility ID: 5810

 Actual:
 Name:
 BEASLEY STALLINGS 11

 38 ft.
 Address:
 7104 MARKET ST.

 City,State,Zip:
 WILMINGTON, NC

 Date Occurred:
 11/13/1989

 Submit Date:
 7/29/1990

Incident Desc: ON 11/13/89 A REAL ESTATE ASSESSMENT REVEALED SOIL AND GROUNDWATER

CONTAMINATION AT THIS STALLINGS OIL PROPERTY.

Operator: MR. C. WOOD BEASLEY III

UST ID:
Incident ID:
Initials of UST Regional Contact:
Regional Office:
Responsible Party/Company Name:

Not reported
Not reported
Not reported

Ownership: 3

Responsible Party Contact Name:

Operation:

Responsible Party Mailing Address:

Responsible Party City, State, Zip:

Ownership:

Operation Type:

Responsible Party County:

Not reported

Unknown

Not reported

Not reported

Source of Contamination: GASOLINE/DIESEL/KEROSENE

 Source:
 3

 Type:
 3

 Location:
 1

Petroleum Type: Not reported
Date Incident Reported: Not reported
Whether Tank is Commercial or Non Commercial: Not reported
Site Priority: 55B

Whether Tank is Regulated:

Priority Update:

Not reported
5/30/1998

Notice of Regulatory Requirement:

Not reported

Wells Affected: N

Notice of Violation:

Phase 1 or Phase 2:

Not reported

Not reported

Num Affected: 0

Site Priority: Not reported Type: GASOLINE/DIESEL

Location: Facility
Current Risk Condition: Not reported

Sampled By: 3
Samples Include: 1

Initial reported risk of incident (never changes): Not reported 7.5 Min Quad: Not reported 5 Min Quad: Not reported Intermediate Condition Present: Not reported 34.269365587 Latitude: Longitude: -77.82174935 Use of Land, Industrial: Not reported Corrective Action Plan Selected - up to 5: Not reported RBCA: Not reported

**EDR ID Number** 

Direction Distance

Elevation Site Database(s) EPA ID Number

# **BEASLEY STALLINGS 11 (Continued)**

S101167806

**EDR ID Number** 

Date Close Review Requested From RP or Owner: Not reported Not reported Date Case Closed: Not reported Extent of Contamination: Number of Supply Wells Located on Property: Not reported MTBE in Well Y/N/U Yes, No or Unknown: Not reported Not reported Facility Phone Number: MTBE in Groundwater Y/N/U Yes, No or Unknown: Not reported Not reported Date Land Use Restriction Filed: Date Cleanup Initiated: Not reported Record Status: Not reported **RBCA GW Codes:** Not reported **RBCA GW:** Not reported Pollutant Type Present: Not reported Reference Number for Media Disk for Archived Record: Not reported RP Owner?: Not reported RP Operator?: Not reported RP Landowner?: Not reported

Status:

Facility ID: 5810

Last Modified: 2020-09-02 00:00:00

Incident Phase: CO

NOV Issued: Not reported NORR Issued: Not reported 45 Day Report: Not reported Public Meeting Held: Not reported Corrective Action Planned: Not reported SOC Sighned: Not reported Reclassification Report: Not reported **RS** Designation: Not reported Closure Request Date: Not reported Close-out Report: Not reported

 14
 BEASLEY STALLINGS 11
 LUST \$109837091

 West 7100 MARKET ST.
 N/A

1/4-1/2 0.314 mi. 1660 ft.

Relative: LUST: Higher Name:

WILMINGTON, NC 28405

HigherName:BEASLEY STALLINGS 11Actual:Address:7100 MARKET ST.38 ft.City,State,Zip:WILMINGTON, NC 28405

Facility ID: Not reported UST Number: WI-848 Incident Number: 5810

Contamination Type: Groundwater/Both Source Type: Leak-underground Product Type: **PETROLEUM** Date Reported: 11/13/1989 11/13/1989 Date Occur: Cleanup: 11/13/1989 Closure Request: Not reported 09/02/2020 Close Out: Level Of Soil Cleanup Achieved: Soil to Groundwater

Tank Regulated Status: REGULATED

# Of Supply Wells: 0

Direction Distance

**EDR ID Number** Elevation Site Database(s) **EPA ID Number** 

# **BEASLEY STALLINGS 11 (Continued)**

S109837091

Commercial/NonCommercial UST Site: COMMERCIAL

Risk Classification: Н Risk Class Based On Review: 1

Corrective Action Plan Type: Not reported NOV Issue Date: Not reported Not reported NORR Issue Date: 55B Site Priority: Phase Of LSA Req: 2

Site Risk Reason: Not reported Land Use: Not reported Not reported MTBE: MTBE1: Yes Flag: No Flag1: No

LUR Filed: Not reported

Release Detection:

File Located in House **Current Status:** 

**RBCA GW:** Cleanups to 2L.0202 standards

PETOPT: 3 False RPL: CD Num: 0 Reel Num: 0 RPOW: True RPOP: False Error Flag:

Error Code: Not reported Valid: False

Lat/Long Decimal: 34.2700 -77.8206 Testlat: Not reported

Regional Officer Project Mgr: SAK Region: WIL

Company: BEASLEY-STALLINGS PARTNERSHIP

Contact Person: MR. C. WOOD BEASLEY III

Telephone: Not reported RP Address: P.O. BOX 1386 RP City,St,Zip: AHOSKIE, NC 27910

RP County: Not reported

Comments: WAS DTM SITE, need to check how far irrigation wells are (9/03), feb.

> 05 - 210 ppb benzene plus minor other btex in mw-5, all other mw-s are either bdl or very minor contamianation, soil sample has .092 ppm benzene. April - 2010 = site is going to be developed in ~ May 2010. MW's will be destroyed and replaced by property owner. Wait untill new wells are installed to sample. Need to sample mw's again next quarter addind MEDEP. (1/13). March 2017 - going to resample monitoring wells to include MADEP methods to see current contaminate

concentrations. 2019 - soils are below current action levels, see Nov.13, 1991 soil sampling report. Groundwater is below 2L

5 Min Quad: Not reported

PIRF:

Facility Id: 5810 Date Occurred: 11/13/1989 Date Reported: 7/29/1990

Description Of Incident: ON 11/13/89 A REAL ESTATE ASSESSMENT REVEALED SOIL AND GROUNDWATER

CONTAMINATION AT THIS STALLINGS OIL PROPERTY.

Owner/Operator: MR. ROBERT L. BEAMAN

Ownership:

Operation Type: Not reported

Direction Distance

**EDR ID Number** Elevation Site Database(s) **EPA ID Number** 

# **BEASLEY STALLINGS 11 (Continued)**

S109837091

Type: 3 Location: 1 Site Priority: 55B Priority Update: 5/30/1998 Wells Affected Y/N: Ν Samples Include: 0 7#5 Minute Quad: 3 5 Minute Quad: 1

Pirf/Min Soil: Not reported Release Code: Not reported Source Code: Pirf

Not reported Err Type:

Cause: Not reported Source: Not reported Ust Number: Not reported

Last Modified: 9/2/2020 Incident Phase: **Closed Out** NOV Issued: Not reported Not reported NORR Issued: 45 Day Report: Not reported Public Meeting Held: Not reported Corrective Action Planned: Not reported SOC Signed: Not reported Reclassification Report: Not reported RS Designation: Not reported Closure Request Date: Not reported Close-out Report: Not reported

Click here to access the North Carolina DEQ records for this facility:

15 **PORT UNIT 251** West 7040 MARKET ST 1/4-1/2

0.379 mi.

**LUST TRUST** WILMINGTON, NC 28405 UST **INST CONTROL IMD** 

LUST: Relative: Higher Name: Actual:

1999 ft.

42 ft.

PORT NO. 251 Address: 7040 MARKET ST. City, State, Zip: WILMINGTON, NC 28405

Facility ID: 00-0-000 **UST Number:** WI-854 Incident Number: 5857

Contamination Type: Groundwater/Both Source Type: Leak-underground **PETROLEUM** Product Type: Date Reported: 05/02/1989 Date Occur: 04/25/1989 Cleanup: 04/25/1989

Closure Request: 2002-09-03 00:00:00

Close Out: 11/05/2002 Level Of Soil Cleanup Achieved: Not reported REGULATED Tank Regulated Status:

# Of Supply Wells:

Commercial/NonCommercial UST Site: COMMERCIAL

Risk Classification: Н Risk Class Based On Review: L U001199390

N/A

LUST

Direction Distance

**EDR ID Number** Elevation Site Database(s) **EPA ID Number** 

PORT UNIT 251 (Continued) U001199390

APS Corrective Action Plan Type: Not reported NOV Issue Date: NORR Issue Date: Not reported Site Priority: 140B Phase Of LSA Req: Not reported Not reported Site Risk Reason: Land Use: Residential MTBE: Not reported MTBE1: Yes Flag: No Flag1: No

Release Detection:

LUR Filed:

**Current Status:** File Located in Archives **RBCA GW:** Cleanups to alternate standards

11/06/2002

PETOPT: RPL: True CD Num: 163 Reel Num: 3911 RPOW: True RPOP: True Error Flag: 0

Error Code: Not reported

Valid: False

34.2680 -77.8228 Lat/Long Decimal: Not reported Testlat: Regional Officer Project Mgr: **BAR** 

Region: WIL

**EMRO MARKETING COMPANY** Company:

Contact Person: MR. TED JASTAL Telephone: Not reported RP Address: P.O. BOX 1500

RP City, St, Zip: SPRINGFIELD, OH 45501

RP County: Not reported

TALKED TO DAVID DRY OF SME ON NOV. 13, 2001. WILL SUBMIT TWO ROUNDS Comments:

OF SAMPLING IN THE NEXT SIX MONTHS-SYSTEM WILL REMAIN OFF IN INTERIM. SYSTEM WAS SHUT-OFF ON 08/31/2002. HIGHEST BENZENE CONC. NOW 15 UG/L.

SYSTEM WENT DOWN IN AUGUST DUE TO MECHANICAL

5 Min Quad: Not reported

PIRF:

5857 Facility Id: Date Occurred: 11/28/1988 Date Reported: 8/23/1990

PETROLEUM HYDROCARBONS WERE FOUND TO BE PRESENT IN SOIL AND **Description Of Incident:** 

GROUNDWATER AT THE SITE THROUGH A RISK ASSESSMENT.

Owner/Operator: MR. TED JASTAL

Ownership: Operation Type: 6 Type: 3 Location: 1 Site Priority: 140B Priority Update: 5/30/1998 Wells Affected Y/N: Ν Samples Include: 0 7#5 Minute Quad: 3 5 Minute Quad:

Pirf/Min Soil: Not reported

Direction Distance

**EDR ID Number** Elevation Site Database(s) **EPA ID Number** 

PORT UNIT 251 (Continued) U001199390

Release Code: Not reported

Source Code: Pirf Err Type:

Not reported Not reported Cause: Source: Not reported Not reported Ust Number:

11/5/2002 Last Modified: Incident Phase: **Closed Out** NOV Issued: Not reported NORR Issued: Not reported Not reported 45 Day Report: Public Meeting Held: Not reported Corrective Action Planned: Not reported SOC Signed: Not reported Reclassification Report: Not reported RS Designation: Not reported Closure Request Date: Not reported Close-out Report: 11/5/2002

Click here to access the North Carolina DEQ records for this facility:

LUST TRUST:

EMRO STORE #251 Name: Address: 7040 MARKET STREET City,State,Zip: WILMINGTON, NC

Facility ID: 0-020640 Site ID: 5857 Site Note: Not reported

Site Eligible?: True Commercial Find: 100% Commercial

Priority Rank: High 50000 Deductable Amount: 3rd Party Deductable Amt: 100000 Sum 3rd Party Amt Applied: 0

UST:

PORT UNIT 251 Name: Address: 7040 MARKET ST City,State,Zip: WILMINGTON, NC 28405

Facility Id: 00-0-0000020640

Contact: **EMRO MARKETING COMPANY** Contact Address1: 1954 AIRPORT RD, SUITE 100

Not reported Contact Address2:

Contact City/State/Zip: CHAMBLEE, GA 30341

FIPS County Desc: New Hanover Latitude: 34.26907 Longitude: -77.82213

Tank Id:

Tank Status: Removed Installed Date: 04/21/1972 Perm Close Date: 04/23/1986 Product Name: Gasoline, Gas Mix

Tank Capacity: 8000 Root Tank Id: Not reported

Direction Distance

Elevation Site Database(s) EPA ID Number

#### PORT UNIT 251 (Continued)

U001199390

**EDR ID Number** 

Main Tank: No Compartment Tank: No

Manifold Tank: Not reported

Commercial: Yes Regulated: Yes

Other CP Tank:
Overfill Protection Name:
Spill Protection Name:
Leak Detection Name:
Decode for TCONS\_KEY:
Decode for PCONS\_KEY:
Decode for PSYS\_KEY:
Unknown

Not reported
Unknown
Unknown
Unknown
Single Wall Steel
Unknown

Click here to access the North Carolina DEQ records for this facility:

Tank ld: 2

Tank Status: Removed
Installed Date: 04/21/1972
Perm Close Date: 04/23/1986

Product Name: Gasoline, Gas Mix

Tank Capacity: 8000

Root Tank Id: Not reported

Main Tank: No

Compartment Tank: No

Manifold Tank: Not reported

Commercial: Yes Regulated: Yes

Other CP Tank:

Overfill Protection Name:

Spill Protection Name:

Leak Detection Name:

Decode for TCONS\_KEY:

Decode for PCONS\_KEY:

Single Wall Steel

Single Wall Steel

Decode for PSYS\_KEY: Unknown

Click here to access the North Carolina DEQ records for this facility:

Tank ld: 3

Tank Status: Removed
Installed Date: 04/21/1972
Perm Close Date: 04/23/1986
Product Name: Gasoline, Gas Mix

Tank Capacity: 8000

Root Tank Id: Not reported

Main Tank: No Compartment Tank: No

Manifold Tank: Not reported

Commercial: Yes Regulated: Yes

Other CP Tank:

Overfill Protection Name:

Spill Protection Name:

Leak Detection Name:

Decode for TCONS\_KEY:

Decode for PCONS\_KEY:

Not reported

Unknown

Unknown

Single Wall Steel

Single Wall Steel

Direction Distance

**EDR ID Number** Elevation Site Database(s) **EPA ID Number** 

PORT UNIT 251 (Continued) U001199390

Decode for PSYS\_KEY: Unknown

Click here to access the North Carolina DEQ records for this facility:

Tank Id:

Tank Status: Removed Installed Date: 04/21/1972 Perm Close Date: 04/23/1986 Product Name: Gasoline, Gas Mix

6000 Tank Capacity: Root Tank Id: Not reported

Main Tank: No Compartment Tank: No

Manifold Tank: Not reported

Commercial: Yes Yes Regulated:

Other CP Tank: Not reported Overfill Protection Name: Unknown Spill Protection Name: Unknown Leak Detection Name: Unknown Decode for TCONS KEY: Single Wall Steel Decode for PCONS KEY: Single Wall Steel

Decode for PSYS\_KEY: Unknown

Click here to access the North Carolina DEQ records for this facility:

INST CONTROL:

Name: PORT NO. 251 7040 MARKET ST. Address: City,State,Zip: WILMINGTON, NC

Project Number: WI-854 Object ID:

Wilmington Regional Office (910) 796-7215 **DWM Contact:** DWM Program: Underground Storage Tank Section

Project Status: No Further Action COC: Multi COC Contamination Source: **UST System** Received Date: 11/5/2002

Restricted Media: **Groundwater Only** Allowed Use: Media Restrictions Only

Certification: None Plant Reception Date: Not reported Instrument Status: Effective Deed BK: Not reported Deed PG: Not reported Plat BK: Not reported Not reported Plat PG:

Notice and Restriction Instrument:

Deed: Not reported Deed Date: Recorded 11-5-2002 Plat: Not reported

Plat Date: Not reported X Coord: 2355681.6959 Y Coord: 190675.61983

Direction Distance

**EDR ID Number** Elevation Site Database(s) **EPA ID Number** 

PORT UNIT 251 (Continued) U001199390

IMD:

Facility ID: 5857

PORT NO. 251 Name: Address: 7040 MARKET ST. City, State, Zip: WILMINGTON, NC

Date Occurred: 4/25/1989 8/23/1990 Submit Date:

Incident Desc: PETROLEUM HYDROCARBONS WERE FOUND TO BE PRESENT IN SOIL AND

GROUNDWATER AT THE SITE THROUGH A RISK ASSESSMENT.

Operator: MR. TED JASTAL UST ID: Not reported Incident ID: Not reported Initials of UST Regional Contact: Not reported Regional Office: Not reported Responsible Party/Company Name: Not reported

Ownership:

Responsible Party Contact Name: Not reported

Operation:

Responsible Party Mailing Address: Not reported Responsible Party City, State, Zip: Not reported Ownership: Private Operation Type: Commercial Responsible Party County: Not reported

Source of Contamination: GASOLINE/DIESEL/KEROSENE

Source: 3 Type: 3 Location: Petroleum Type: Not reported

Date Incident Reported: Not reported Whether Tank is Commercial or Non Commercial: Not reported Site Priority: 140B Whether Tank is Regulated: Not reported 5/30/1998 **Priority Update:** Notice of Regulatory Requirement: Not reported Wells Affected: Notice of Violation: Not reported Phase 1 or Phase 2: Not reported

Site Priority: Not reported GASOLINE/DIESEL Type:

Facility Location: Current Risk Condition: Not reported

Sampled By: Samples Include:

Num Affected:

Initial reported risk of incident (never changes): Not reported 7.5 Min Quad: Not reported 5 Min Quad: Not reported Intermediate Condition Present: Not reported 34.26805555 Latitude: -77.82277777 Longitude: Use of Land, Industrial: Not reported Corrective Action Plan Selected - up to 5: Not reported Not reported RBCA: Not reported Date Close Review Requested From RP or Owner: Date Case Closed: Not reported Extent of Contamination: Not reported Number of Supply Wells Located on Property: Not reported

Direction Distance

Elevation Site Database(s) **EPA ID Number** 

PORT UNIT 251 (Continued) U001199390

MTBE in Well Y/N/U Yes, No or Unknown: Not reported Not reported Facility Phone Number: MTBE in Groundwater Y/N/U Yes, No or Unknown: Not reported Date Land Use Restriction Filed: Not reported Date Cleanup Initiated: Not reported Not reported Record Status: Not reported **RBCA GW Codes: RBCA GW:** Not reported Not reported Pollutant Type Present: Reference Number for Media Disk for Archived Record: Not reported RP Owner?: Not reported RP Operator?: Not reported RP Landowner?: Not reported

Status:

Facility ID: 5857

Last Modified: 2002-11-05 00:00:00

Incident Phase: CO

NOV Issued: Not reported NORR Issued: Not reported 45 Day Report: Not reported Not reported Public Meeting Held: Corrective Action Planned: Not reported SOC Sighned: Not reported Reclassification Report: Not reported RS Designation: Not reported Closure Request Date: Not reported

2002-11-05 00:00:00 Close-out Report:

16 **NEW HANOVER SCHOOLS-OGDEN ELEMENTARY** IMD S117927436 3637 MIDDLE SOUND ROAD SE **NPDES** N/A

1/4-1/2 0.434 mi. 2289 ft.

Relative: IMD:

WILMINGTON, NC 28411

Lower 0-027193 Facility ID:

NEW HANOVER SCHOOLS-OGDEN ELEMENTARY Name: Actual: Address: 3637 MIDDLE SOUND ROAD

30 ft.

City,State,Zip: WILMINGTON, NC 28411

Date Occurred: Not reported

Submit Date: Not reported

Incident Desc: Not reported

Operator: Not reported UST ID: WI-296 Incident ID: Not reported Initials of UST Regional Contact: BAR Regional Office: WIL

Responsible Party/Company Name: Not reported Ownership: Not reported Not reported Responsible Party Contact Name: Operation: Not reported

Responsible Party Mailing Address: Not reported Responsible Party City, State, Zip: Not reported Ownership: Not reported Operation Type: Not reported Responsible Party County: Not reported

**EDR ID Number** 

Direction Distance Elevation

ion Site Database(s) EPA ID Number

# NEW HANOVER SCHOOLS-OGDEN ELEMENTARY (Continued)

S117927436

**EDR ID Number** 

Source of Contamination: Not reported Not reported Source: Not reported Type: Not reported Location: Petroleum Type: Not reported Not reported Date Incident Reported: COMMERCIAL Whether Tank is Commercial or Non Commercial: Site Priority: Not reported Whether Tank is Regulated: NON REGULATED Priority Update: Not reported Notice of Regulatory Requirement: Not reported Wells Affected: Not reported Notice of Violation: Not reported Phase 1 or Phase 2: Not reported Num Affected: Not reported Site Priority: Not reported Type: Not reported Location: Not reported Current Risk Condition: Not reported Sampled By: Not reported Samples Include: Not reported Initial reported risk of incident (never changes): 7.5 Min Quad: Not reported

5 Min Quad: Not reported Intermediate Condition Present: Not reported Not Report Not Re

Latitude: 34.26669700000001 Longitude: -77.81044500000001

Use of Land, Industrial:

Corrective Action Plan Selected - up to 5:

RBCA:

Date Close Review Requested From RP or Owner:

Date Case Closed:

Extent of Contamination:

Not reported

Not reported

Not reported

Not reported

Number of Supply Wells Located on Property: 0

MTBE in Well Y/N/U Yes, No or Unknown: Not reported Facility Phone Number: Not reported

MTBE in Groundwater Y/N/U Yes, No or Unknown: U

Date Land Use Restriction Filed:

Date Cleanup Initiated:

Record Status:

Not reported

Not reported

CURRENT RECORD

RBCA GW Codes:

RBCA GW:

Not reported

Not reported

Not reported

Not reported

Reference Number for Media Disk for Archived Record: 0
RP Owner?: False
RP Operator?: False
RP Landowner?: False

NPDES:

Name: OGDEN ELEMENTARY SCHOOL Address: 3637 MIDDLE SOUND LOOP RD

City,State,Zip: WILMINGTON, NC
Permit Number: SW8051217
Permit Status: Expired
Permit Type: State Stormwater

Permit Type: State Stormwa Issue Date: 02/13/2006 Region: Wilmington

Direction Distance

Elevation Site Database(s) EPA ID Number

#### **NEW HANOVER SCHOOLS-OGDEN ELEMENTARY (Continued)**

S117927436

**EDR ID Number** 

Owner Name: Not reported Not reported Class: Not reported Applied: Drafted: Not reported Expires: 02/13/2020 Not reported Subbasin: Not reported Receiving Stream: Comments: Not reported As-Built Flow (GPD): Not reported Domestic %: Not reported Industrial %: Not reported stormwtr %: Not reported Permitted Flow (GPD): Not reported Program Category: Not reported Project Type: Not reported Is Major Permit: Not reported Date Assigned: Not reported Organization Name: Not reported Outfall: Not reported Discharge Via: Not reported Stream Classification: Not reported

Regulated Activity: State Stormwater - Infiltration System

Owner Type: Not reported Effective Date: 03/21/2014 Basin Name: Cape Fear

Name: OGDEN ELEMENTARY SCHOOL Address: 3637 MIDDLE SOUND LOOP RD

City,State,Zip: WILMINGTON, NC
Permit Number: SW8051217
Permit Status: Expired

Permit Type: State Stormwater Issue Date: 02/13/2006 Region: Wilmington Owner Name: Not reported Not reported Class: Applied: Not reported Drafted: Not reported Expires: 02/13/2020 Subbasin: Not reported Receiving Stream: Not reported Not reported Comments: As-Built Flow (GPD): Not reported Domestic %: Not reported Not reported Industrial %: stormwtr %: Not reported Permitted Flow (GPD): Not reported Program Category: Not reported Project Type: Not reported Is Major Permit: Not reported Date Assigned: Not reported Organization Name: Not reported

Regulated Activity: State Stormwater - Infiltration System

Not reported

Not reported

Not reported

Owner Type: Not reported

Outfall:

Discharge Via:

Stream Classification:

Direction Distance

**EDR ID Number** Elevation Site Database(s) **EPA ID Number** 

#### **NEW HANOVER SCHOOLS-OGDEN ELEMENTARY (Continued)**

S117927436

Effective Date: 03/21/2014 Basin Name: Not reported

17 **OGDEN FIRE DEPT.** LUST S106349096 North 7375 MARKET ST. **LUST TRUST** N/A 1/4-1/2 WILMINGTON, NC 28411 IMD

0.440 mi. 2322 ft.

LUST: Relative:

Higher OGDEN FIRE DEPT. Name: Address: 7375 MARKET ST. Actual: 44 ft. City,State,Zip: WILMINGTON, NC 28411

Facility ID: 0-020657 UST Number: WI-1168 12289 Incident Number:

Contamination Type: Groundwater/Both Source Type: Leak-underground **PETROLEUM** Product Type: Date Reported: 03/06/1992 10/29/1991 Date Occur: Cleanup: 10/29/1991 Closure Request: Not reported Close Out: 06/25/2004 Level Of Soil Cleanup Achieved: Not reported Tank Regulated Status: **REGULATED** 

# Of Supply Wells:

Commercial/NonCommercial UST Site: COMMERCIAL

Risk Classification: Н Risk Class Based On Review: Corrective Action Plan Type: Not reported

NOV Issue Date: Not reported NORR Issue Date: Not reported Site Priority: 30B Phase Of LSA Req: Not reported Site Risk Reason: Not reported Land Use: Not reported MTBE: Not reported Unknown MTBE1: Flag: No

Flag1: No LUR Filed: Not reported Release Detection:

**Current Status:** File Located in Archives

**RBCA GW:** Not reported

PETOPT: 3 RPL: False 244 CD Num: Reel Num: 0 RPOW: False RPOP: False Error Flag: 0

Error Code: Not reported Valid: False

Lat/Long Decimal: 34.2767 -77.8155 Not reported Testlat:

Regional Officer Project Mgr: SAK Region: WIL

Direction Distance

**EDR ID Number** Elevation Site Database(s) **EPA ID Number** 

#### **OGDEN FIRE DEPT. (Continued)**

S106349096

Company: OGDEN VOLUNTEER FIRE DEPT.

Contact Person: **CAPTAIN GARY WATERS** 

Telephone: 9106867420

RP Address: 7375 MARKET STREET RP City,St,Zip: WILMINGTON, NC 28405

RP County: Not reported Comments: norr sent 1/27/04 5 Min Quad: Not reported

PIRF:

Facility Id: 12289 Date Occurred: 10/28/1991 Date Reported: 6/21/1994

Description Of Incident: SOIL CONTAM. WAS CONFIRMED WHILE ABONDONING USTS.

Owner/Operator: **CAPTAIN MARION COVIL** 

Ownership: Operation Type: 1 Type: 3 Location: 1 Site Priority: 30B 3/8/1999 Priority Update: Wells Affected Y/N: Not reported

Samples Include:

7#5 Minute Quad: Not reported Not reported 5 Minute Quad: Not reported Pirf/Min Soil: Release Code: Not reported Min Soil Source Code: Err Type: Not reported Cause: Not reported Not reported Source: Ust Number: Not reported

6/25/2004 Last Modified: Incident Phase: **Closed Out** NOV Issued: Not reported NORR Issued: Not reported 45 Day Report: Not reported Public Meeting Held: Not reported Not reported Corrective Action Planned: SOC Signed: Not reported Reclassification Report: Not reported RS Designation: Not reported Closure Request Date: Not reported Close-out Report: 6/25/2004

Click here to access the North Carolina DEQ records for this facility:

OGDEN VOLUNTEER FIRE DEPT. (HEATING OIL) Name:

Address: 7375 MARKET STREET City,State,Zip: WILMINGTON, NC 28411

Facility ID: Not reported WI-7239 **UST Number:** 32368 Incident Number: Contamination Type: Soil

Source Type: Leak-underground Product Type: **PETROLEUM** Date Reported: 10/24/2006

Direction Distance

Elevation Site Database(s) EPA ID Number

**OGDEN FIRE DEPT. (Continued)** 

S106349096

**EDR ID Number** 

Date Occur: 10/24/2006
Cleanup: 10/24/2006
Closure Request: Not reported
Close Out: 01/17/2007
Level Of Soil Cleanup Achieved: Not reported
Tank Regulated Status: NON REGULATED

# Of Supply Wells:

Commercial/NonCommercial UST Site: NON COMMERCIAL

Risk Classification: L Risk Class Based On Review: L

Corrective Action Plan Type: Not reported NOV Issue Date: Not reported NORR Issue Date: Not reported Site Priority: Not reported Phase Of LSA Req: Not reported Site Risk Reason: Not reported Land Use: Residential MTBE: No

 MTBE:
 No

 MTBE1:
 No

 Flag:
 No

 Flag1:
 No

LUR Filed: Not reported

Release Detection:

Current Status: File Located in Archives

RBCA GW: Not reported

PETOPT: True RPL: CD Num: 475 Reel Num: 7239 RPOW: True RPOP: True Error Flag: 0 Error Code: Ν Valid: False

Lat/Long Decimal: 34.2769 -77.8157
Testlat: Not reported
Regional Officer Project Mgr: JDP

Region: JDP Region: WIL

Company: OGDEN VOLUNTEER FIRE DEPT.

Contact Person: CHIEF GARY WATERS

Telephone: 9103435052

RP Address: 7375 MARKET STREET RP City,St,Zip: WILMINGTON, NC 28411

RP County: Not reported

Comments: Heating oil UST removed. Groundwater encountered during closure

activities. Soil sampling confirms release. Low Risk. NFA letter sent

1-17-07. File pulled for archiving on 3/13/2013 by LEP.

5 Min Quad: Not reported

PIRF:

 Facility Id:
 32368

 Date Occurred:
 10/24/2006

 Date Reported:
 10/24/2006

Description Of Incident: Heating oil UST removed. Groundwater encountered during closure

activities. Soil sampling confirms release.

Owner/Operator: Not reported

Ownership: 6
Operation Type: 1

MAP FINDINGS Map ID

Direction Distance

**EDR ID Number** Elevation Site Database(s) **EPA ID Number** 

**OGDEN FIRE DEPT. (Continued)** 

S106349096

Type: 4 Location: 1

Site Priority: Not reported Priority Update: Not reported

Wells Affected Y/N:

Samples Include: Not reported

7#5 Minute Quad:

5 Minute Quad: Not reported Pirf/Min Soil: Not reported Release Code: Not reported Source Code: Not reported

Err Type:

Cause: Not reported Source: Not reported

Ust Number:

Last Modified: 1/17/2007 Incident Phase: **Closed Out** NOV Issued: Not reported NORR Issued: Not reported 45 Day Report: Not reported Public Meeting Held: Not reported Corrective Action Planned: Not reported SOC Signed: Not reported Reclassification Report: Not reported RS Designation: Not reported Closure Request Date: Not reported Close-out Report: Not reported

Click here to access the North Carolina DEQ records for this facility:

LUST TRUST:

OGDEN VOLUNTEER FIRE DEPT. (HEATING OIL) Name:

Address: 7375 MARKET STREET City,State,Zip: WILMINGTON, NC Facility ID: Not reported

Site ID: 32368

Site Note: Noncommercial; 100% eligible; \$0 deductible.[CGS 10/08/07] Final

appeal result remains a Cost Recovery request for \$186.00) 3/31/09

Site Eligible?: True

Commercial Find: 100% Non-Commercial

Priority Rank: Not reported

Deductable Amount: 3rd Party Deductable Amt: Sum 3rd Party Amt Applied: 0

IMD:

Facility ID: 12289

Name: OGDEN FIRE DEPT. Address: 7375 MARKET ST. City,State,Zip: WILMINGTON, NC Date Occurred: 10/29/1991 Submit Date: 6/21/1994

SOIL CONTAM. WAS CONFIRMED WHILE ABONDONING USTS. Incident Desc:

**CAPTAIN GARY WATERS** Operator:

UST ID: Not reported Map ID MAP FINDINGS
Direction

Distance
Elevation Site

Site Database(s) EPA ID Number

**OGDEN FIRE DEPT. (Continued)** 

S106349096

**EDR ID Number** 

Incident ID: Not reported Initials of UST Regional Contact: Not reported Regional Office: Not reported Responsible Party/Company Name: Not reported

Ownership: 4

Responsible Party Contact Name: Not reported

Operation:

Responsible Party Mailing Address:

Responsible Party City,State,Zip:

Ownership:

Operation Type:

Responsible Party County:

Not reported

Private

Public Service

Not reported

Source of Contamination: GASOLINE/DIESEL/KEROSENE

 Source:
 3

 Type:
 3

 Location:
 1

Petroleum Type: Not reported
Date Incident Reported: Not reported
Whether Tank is Commercial or Non Commercial: Not reported

Site Priority: 30B

Whether Tank is Regulated:

Priority Update:

Not reported
3/8/1999

Notice of Regulatory Requirement:

Wells Affected:

Not reported
Notice of Violation:

Phase 1 or Phase 2:

Not reported
Not reported
Not reported

Num Affected: 0

Site Priority: Not reported
Type: GASOLINE/DIESEL

Facility Location: Current Risk Condition: Not reported Sampled By: Not reported Samples Include: Not reported Initial reported risk of incident (never changes): Not reported Not reported 7.5 Min Quad: Not reported 5 Min Quad: Intermediate Condition Present: Not reported Latitude: 34.27583333 Longitude: -77.81666666 Use of Land, Industrial: Not reported Corrective Action Plan Selected - up to 5: Not reported Not reported RBCA: Date Close Review Requested From RP or Owner: Not reported Not reported Date Case Closed: Not reported Extent of Contamination: Number of Supply Wells Located on Property: Not reported MTBE in Well Y/N/U Yes, No or Unknown: Not reported Facility Phone Number: Not reported MTBE in Groundwater Y/N/U Yes, No or Unknown: Not reported Date Land Use Restriction Filed: Not reported Date Cleanup Initiated: Not reported Record Status: Not reported **RBCA GW Codes:** Not reported **RBCA GW:** Not reported Pollutant Type Present: Not reported Reference Number for Media Disk for Archived Record: Not reported RP Owner?: Not reported

Map ID MAP FINDINGS Direction

Distance Elevation Site EDR ID Number

Database(s) EPA ID Number

**OGDEN FIRE DEPT. (Continued)** 

S106349096

RP Operator?:

RP Landowner?:

Not reported

Not reported

Status:

Facility ID: 12289

Last Modified: 2004-06-25 00:00:00

Incident Phase: CO

NOV Issued: Not reported NORR Issued: Not reported 45 Day Report: Not reported Public Meeting Held: Not reported Corrective Action Planned: Not reported SOC Sighned: Not reported Reclassification Report: Not reported RS Designation: Not reported Closure Request Date: Not reported

Close-out Report: 2004-06-25 00:00:00

Count: 2 records. ORPHAN SUMMARY

City	EDR ID Si	Site Name	Site Address	Zip	Database(s)
WILMINGTON	S105218012 BI	BEASLEY STALLINGS PARTNERSHIP	NORTH MARKET STREET		LUST TRUST
WILMINGTON	S125674835 W	VILMINGTON GUN CLUB (FORMER)	MILITARY CUTOFF ROAD		SHWS

To maintain currency of the following federal and state databases, EDR contacts the appropriate governmental agency on a monthly or quarterly basis, as required.

**Number of Days to Update:** Provides confirmation that EDR is reporting records that have been updated within 90 days from the date the government agency made the information available to the public.

### STANDARD ENVIRONMENTAL RECORDS

#### Federal NPL site list

NPL: National Priority List

National Priorities List (Superfund). The NPL is a subset of CERCLIS and identifies over 1,200 sites for priority cleanup under the Superfund Program. NPL sites may encompass relatively large areas. As such, EDR provides polygon coverage for over 1,000 NPL site boundaries produced by EPA's Environmental Photographic Interpretation Center (EPIC) and regional EPA offices.

Date of Government Version: 04/27/2021 Source: EPA
Date Data Arrived at EDR: 05/03/2021 Telephone: N/A

Number of Days to Update: 16 Next Scheduled EDR Contact: 10/11/2021
Data Release Frequency: Quarterly

**NPL Site Boundaries** 

Sources

EPA's Environmental Photographic Interpretation Center (EPIC)

Telephone: 202-564-7333

EPA Region 1 EPA Region 6

Telephone 617-918-1143 Telephone: 214-655-6659

EPA Region 3 EPA Region 7

Telephone 215-814-5418 Telephone: 913-551-7247

EPA Region 4 EPA Region 8

Telephone 404-562-8033 Telephone: 303-312-6774

EPA Region 5 EPA Region 9

Telephone 312-886-6686 Telephone: 415-947-4246

EPA Region 10

Telephone 206-553-8665

Proposed NPL: Proposed National Priority List Sites

A site that has been proposed for listing on the National Priorities List through the issuance of a proposed rule in the Federal Register. EPA then accepts public comments on the site, responds to the comments, and places on the NPL those sites that continue to meet the requirements for listing.

Date of Government Version: 04/27/2021 Source: EPA
Date Data Arrived at EDR: 05/03/2021 Telephone: N/A

Next Scheduled EDR Contact: 10/11/2021
Data Release Frequency: Quarterly

NPL LIENS: Federal Superfund Liens

Federal Superfund Liens. Under the authority granted the USEPA by CERCLA of 1980, the USEPA has the authority to file liens against real property in order to recover remedial action expenditures or when the property owner received notification of potential liability. USEPA compiles a listing of filed notices of Superfund Liens.

Date of Government Version: 10/15/1991 Date Data Arrived at EDR: 02/02/1994 Date Made Active in Reports: 03/30/1994

Number of Days to Update: 56

Source: EPA

Telephone: 202-564-4267 Last EDR Contact: 08/15/2011

Next Scheduled EDR Contact: 11/28/2011 Data Release Frequency: No Update Planned

### Federal Delisted NPL site list

Delisted NPL: National Priority List Deletions

The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) establishes the criteria that the EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425.(e), sites may be deleted from the NPL where no further response is appropriate.

Date of Government Version: 04/27/2021 Date Data Arrived at EDR: 05/03/2021 Date Made Active in Reports: 05/19/2021

Number of Days to Update: 16

Source: EPA Telephone: N/A

Last EDR Contact: 08/04/2021

Next Scheduled EDR Contact: 10/11/2021 Data Release Frequency: Quarterly

### Federal CERCLIS list

FEDERAL FACILITY: Federal Facility Site Information listing

A listing of National Priority List (NPL) and Base Realignment and Closure (BRAC) sites found in the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) Database where EPA Federal Facilities Restoration and Reuse Office is involved in cleanup activities.

Date of Government Version: 02/22/2021 Date Data Arrived at EDR: 03/30/2021 Date Made Active in Reports: 06/17/2021

Number of Days to Update: 79

Source: Environmental Protection Agency Telephone: 703-603-8704

Last EDR Contact: 06/23/2021

Next Scheduled EDR Contact: 10/11/2021 Data Release Frequency: Varies

### SEMS: Superfund Enterprise Management System

SEMS (Superfund Enterprise Management System) tracks hazardous waste sites, potentially hazardous waste sites, and remedial activities performed in support of EPA's Superfund Program across the United States. The list was formerly know as CERCLIS, renamed to SEMS by the EPA in 2015. The list contains data on potentially hazardous waste sites that have been reported to the USEPA by states, municipalities, private companies and private persons, pursuant to Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). This dataset also contains sites which are either proposed to or on the National Priorities List (NPL) and the sites which are in the screening and assessment phase for possible inclusion on the NPL.

Date of Government Version: 04/27/2021 Date Data Arrived at EDR: 05/03/2021 Date Made Active in Reports: 05/19/2021

Number of Days to Update: 16

Source: EPA Telephone: 800-424-9346 Last EDR Contact: 08/04/2021

Next Scheduled EDR Contact: 10/25/2021 Data Release Frequency: Quarterly

#### Federal CERCLIS NFRAP site list

SEMS-ARCHIVE: Superfund Enterprise Management System Archive

SEMS-ARCHIVE (Superfund Enterprise Management System Archive) tracks sites that have no further interest under the Federal Superfund Program based on available information. The list was formerly known as the CERCLIS-NFRAP, renamed to SEMS ARCHIVE by the EPA in 2015. EPA may perform a minimal level of assessment work at a site while it is archived if site conditions change and/or new information becomes available. Archived sites have been removed and archived from the inventory of SEMS sites. Archived status indicates that, to the best of EPA's knowledge, assessment at a site has been completed and that EPA has determined no further steps will be taken to list the site on the National Priorities List (NPL), unless information indicates this decision was not appropriate or other considerations require a recommendation for listing at a later time. The decision does not necessarily mean that there is no hazard associated with a given site; it only means that based upon available information, the location is not judged to be potential NPL site.

Date of Government Version: 04/27/2021 Date Data Arrived at EDR: 05/03/2021 Date Made Active in Reports: 05/19/2021

Number of Days to Update: 16

Source: EPA

Telephone: 800-424-9346 Last EDR Contact: 08/04/2021

Next Scheduled EDR Contact: 10/25/2021 Data Release Frequency: Quarterly

### Federal RCRA CORRACTS facilities list

CORRACTS: Corrective Action Report

CORRACTS identifies hazardous waste handlers with RCRA corrective action activity.

Date of Government Version: 03/22/2021 Date Data Arrived at EDR: 03/23/2021 Date Made Active in Reports: 05/19/2021

Number of Days to Update: 57

Source: EPA

Telephone: 800-424-9346 Last EDR Contact: 06/21/2021

Next Scheduled EDR Contact: 10/04/2021 Data Release Frequency: Quarterly

#### Federal RCRA non-CORRACTS TSD facilities list

RCRA-TSDF: RCRA - Treatment, Storage and Disposal

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Transporters are individuals or entities that move hazardous waste from the generator offsite to a facility that can recycle, treat, store, or dispose of the waste. TSDFs treat, store, or dispose of the waste.

Date of Government Version: 03/22/2021 Date Data Arrived at EDR: 03/23/2021 Date Made Active in Reports: 05/19/2021

Number of Days to Update: 57

Source: Environmental Protection Agency

Telephone: (404) 562-8651 Last EDR Contact: 06/21/2021

Next Scheduled EDR Contact: 10/04/2021 Data Release Frequency: Quarterly

## Federal RCRA generators list

RCRA-LQG: RCRA - Large Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Large quantity generators (LQGs) generate over 1,000 kilograms (kg) of hazardous waste, or over 1 kg of acutely hazardous waste per month.

Date of Government Version: 03/22/2021
Date Data Arrived at EDR: 03/23/2021
Date Made Active in Reports: 05/19/2021

Number of Days to Update: 57

Source: Environmental Protection Agency Telephone: (404) 562-8651

Last EDR Contact: 06/21/2021

Next Scheduled EDR Contact: 10/04/2021 Data Release Frequency: Quarterly

#### RCRA-SQG: RCRA - Small Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Small quantity generators (SQGs) generate between 100 kg and 1,000 kg of hazardous waste per month.

Date of Government Version: 03/22/2021 Date Data Arrived at EDR: 03/23/2021 Date Made Active in Reports: 05/19/2021

Number of Days to Update: 57

Source: Environmental Protection Agency

Telephone: (404) 562-8651 Last EDR Contact: 06/21/2021

Next Scheduled EDR Contact: 10/04/2021 Data Release Frequency: Quarterly

RCRA-VSQG: RCRA - Very Small Quantity Generators (Formerly Conditionally Exempt Small Quantity Generators)
RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation
and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database
includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste
as defined by the Resource Conservation and Recovery Act (RCRA). Very small quantity generators (VSQGs) generate
less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month.

Date of Government Version: 03/22/2021 Date Data Arrived at EDR: 03/23/2021 Date Made Active in Reports: 05/19/2021

Number of Days to Update: 57

Source: Environmental Protection Agency

Telephone: (404) 562-8651 Last EDR Contact: 06/21/2021

Next Scheduled EDR Contact: 10/04/2021 Data Release Frequency: Quarterly

### Federal institutional controls / engineering controls registries

#### LUCIS: Land Use Control Information System

LUCIS contains records of land use control information pertaining to the former Navy Base Realignment and Closure properties.

Date of Government Version: 05/10/2021 Date Data Arrived at EDR: 05/13/2021 Date Made Active in Reports: 08/03/2021

Number of Days to Update: 82

Source: Department of the Navy Telephone: 843-820-7326 Last EDR Contact: 08/05/2021

Next Scheduled EDR Contact: 11/22/2021 Data Release Frequency: Varies

#### US ENG CONTROLS: Engineering Controls Sites List

A listing of sites with engineering controls in place. Engineering controls include various forms of caps, building foundations, liners, and treatment methods to create pathway elimination for regulated substances to enter environmental media or effect human health.

Date of Government Version: 05/17/2021 Date Data Arrived at EDR: 05/21/2021 Date Made Active in Reports: 08/11/2021

Number of Days to Update: 82

Source: Environmental Protection Agency

Telephone: 703-603-0695 Last EDR Contact: 05/21/2021

Next Scheduled EDR Contact: 09/06/2021 Data Release Frequency: Varies

### US INST CONTROLS: Institutional Controls Sites List

A listing of sites with institutional controls in place. Institutional controls include administrative measures, such as groundwater use restrictions, construction restrictions, property use restrictions, and post remediation care requirements intended to prevent exposure to contaminants remaining on site. Deed restrictions are generally required as part of the institutional controls.

Date of Government Version: 05/17/2021 Date Data Arrived at EDR: 05/21/2021 Date Made Active in Reports: 08/11/2021

Number of Days to Update: 82

Source: Environmental Protection Agency

Telephone: 703-603-0695 Last EDR Contact: 05/21/2021

Next Scheduled EDR Contact: 09/06/2021

Data Release Frequency: Varies

#### Federal ERNS list

ERNS: Emergency Response Notification System

Emergency Response Notification System. ERNS records and stores information on reported releases of oil and hazardous

substances.

Date of Government Version: 03/22/2021 Date Data Arrived at EDR: 03/24/2021 Date Made Active in Reports: 06/17/2021

Number of Days to Update: 85

Source: National Response Center, United States Coast Guard

Telephone: 202-267-2180 Last EDR Contact: 06/17/2021

Next Scheduled EDR Contact: 10/04/2021 Data Release Frequency: Quarterly

### State- and tribal - equivalent NPL

HSDS: Hazardous Substance Disposal Site

Locations of uncontrolled and unregulated hazardous waste sites. The file includes sites on the National Priority

List as well as those on the state priority list.

Date of Government Version: 08/09/2011 Date Data Arrived at EDR: 11/08/2011 Date Made Active in Reports: 12/05/2011

Number of Days to Update: 27

Source: North Carolina Center for Geographic Information and Analysis

Telephone: 919-754-6580 Last EDR Contact: 07/13/2021

Next Scheduled EDR Contact: 11/01/2021 Data Release Frequency: No Update Planned

### State- and tribal - equivalent CERCLIS

SHWS: Inactive Hazardous Sites Inventory

State Hazardous Waste Sites. State hazardous waste site records are the states' equivalent to CERCLIS. These sites may or may not already be listed on the federal CERCLIS list. Priority sites planned for cleanup using state funds (state equivalent of Superfund) are identified along with sites where cleanup will be paid for by potentially responsible parties. Available information varies by state.

Date of Government Version: 03/01/2021 Date Data Arrived at EDR: 03/10/2021 Date Made Active in Reports: 05/27/2021

Number of Days to Update: 78

Source: Department of Environment, Health and Natural Resources

Telephone: 919-508-8400 Last EDR Contact: 06/10/2021

Next Scheduled EDR Contact: 09/20/2021 Data Release Frequency: Quarterly

#### State and tribal landfill and/or solid waste disposal site lists

SWF/LF: List of Solid Waste Facilities

Solid Waste Facilities/Landfill Sites. SWF/LF type records typically contain an inventory of solid waste disposal facilities or landfills in a particular state. Depending on the state, these may be active or inactive facilities or open dumps that failed to meet RCRA Subtitle D Section 4004 criteria for solid waste landfills or disposal sites.

Date of Government Version: 09/10/2020 Date Data Arrived at EDR: 09/23/2020 Date Made Active in Reports: 12/14/2020

Number of Days to Update: 82

Source: Department of Environment and Natural Resources

Telephone: 919-733-0692 Last EDR Contact: 06/22/2021

Next Scheduled EDR Contact: 10/04/2021 Data Release Frequency: Varies

OLI: Old Landfill Inventory

Old landfill inventory location information. (Does not include no further action sites and other agency lead sites).

Date of Government Version: 09/11/2020 Date Data Arrived at EDR: 10/09/2020 Date Made Active in Reports: 12/30/2020

Number of Days to Update: 82

Source: Department of Environment & Natural Resources

Telephone: 919-733-4996 Last EDR Contact: 07/09/2021

Next Scheduled EDR Contact: 10/18/2021

Data Release Frequency: Varies

DEBRIS: Solid Waste Active Disaster Debris Sites Listing

NCDEQ Division of Waste Management Solid Waste Section Temporary Disaster Debris Staging Site (TDDSS) Locations which are available to be activated in a disaster or emergency. Disaster Debris Sites can only be used for temporary disaster debris storage if the site's responsible party activates the site for use by notifying the NCDEQ DWM Solid Waste Section staff during an emergency

Date of Government Version: 01/06/2021 Date Data Arrived at EDR: 03/16/2021 Date Made Active in Reports: 06/02/2021

Number of Days to Update: 78

Source: Department of Environmental Quality

Telephone: 919-707-8247 Last EDR Contact: 06/17/2021

Next Scheduled EDR Contact: 09/27/2021 Data Release Frequency: Varies

LCID: Land-Clearing and Inert Debris (LCID) Landfill Notifications

A list all of the Land-Clearing and Inert Debris (LCID) Landfill Notification facilities (under 2 acres in size) in North Carolina.

Date of Government Version: 04/30/2020 Date Data Arrived at EDR: 07/09/2020 Date Made Active in Reports: 09/23/2020

Number of Days to Update: 76

Source: Department of Environmental Quality

Telephone: 919-707-8248 Last EDR Contact: 07/02/2021

Next Scheduled EDR Contact: 10/18/2021

Data Release Frequency: Varies

### State and tribal leaking storage tank lists

LAST: Leaking Aboveground Storage Tanks

A listing of leaking aboveground storage tank site locations.

Date of Government Version: 04/30/2021 Date Data Arrived at EDR: 05/03/2021 Date Made Active in Reports: 07/20/2021

Number of Days to Update: 78

Source: Department of Environment & Natural Resources

Telephone: 877-623-6748 Last EDR Contact: 08/03/2021

Next Scheduled EDR Contact: 11/15/2021 Data Release Frequency: Quarterly

LUST: Regional UST Database

This database contains information obtained from the Regional Offices. It provides a more detailed explanation of current and historic activity for individual sites, as well as what was previously found in the Incident Management Database. Sites in this database with Incident Numbers are considered LUSTs.

Date of Government Version: 04/30/2021 Date Data Arrived at EDR: 05/03/2021 Date Made Active in Reports: 07/21/2021

Number of Days to Update: 79

Source: Department of Environment and Natural Resources

Telephone: 919-707-8200 Last EDR Contact: 08/03/2021

Next Scheduled EDR Contact: 11/15/2021 Data Release Frequency: Quarterly

INDIAN LUST R1: Leaking Underground Storage Tanks on Indian Land

A listing of leaking underground storage tank locations on Indian Land.

Date of Government Version: 10/01/2020 Date Data Arrived at EDR: 12/16/2020 Date Made Active in Reports: 03/12/2021

Number of Days to Update: 86

Source: EPA Region 1 Telephone: 617-918-1313 Last EDR Contact: 06/11/2021

Next Scheduled EDR Contact: 11/01/2021 Data Release Frequency: Varies

INDIAN LUST R4: Leaking Underground Storage Tanks on Indian Land LUSTs on Indian land in Florida, Mississippi and North Carolina.

Date of Government Version: 10/02/2020 Date Data Arrived at EDR: 12/18/2020 Date Made Active in Reports: 03/12/2021

Number of Days to Update: 84

Source: EPA Region 4 Telephone: 404-562-8677 Last EDR Contact: 06/17/2021

Next Scheduled EDR Contact: 11/01/2021 Data Release Frequency: Varies

INDIAN LUST R7: Leaking Underground Storage Tanks on Indian Land LUSTs on Indian land in Iowa, Kansas, and Nebraska

Date of Government Version: 09/30/2020 Date Data Arrived at EDR: 12/22/2020 Date Made Active in Reports: 03/12/2021

Number of Days to Update: 80

Source: EPA Region 7 Telephone: 913-551-7003 Last EDR Contact: 06/11/2021

Next Scheduled EDR Contact: 11/01/2021 Data Release Frequency: Varies

INDIAN LUST R8: Leaking Underground Storage Tanks on Indian Land

LUSTs on Indian land in Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming.

Date of Government Version: 10/09/2020 Date Data Arrived at EDR: 12/16/2020 Date Made Active in Reports: 03/12/2021

Number of Days to Update: 86

Source: EPA Region 8 Telephone: 303-312-6271 Last EDR Contact: 06/11/2021

Next Scheduled EDR Contact: 11/01/2021 Data Release Frequency: Varies

INDIAN LUST R9: Leaking Underground Storage Tanks on Indian Land LUSTs on Indian land in Arizona, California, New Mexico and Nevada

Date of Government Version: 10/01/2020 Date Data Arrived at EDR: 12/16/2020 Date Made Active in Reports: 03/12/2021

Number of Days to Update: 86

Source: Environmental Protection Agency Telephone: 415-972-3372 Last EDR Contact: 06/11/2021

Next Scheduled EDR Contact: 11/01/2021 Data Release Frequency: Varies

INDIAN LUST R5: Leaking Underground Storage Tanks on Indian Land

Leaking underground storage tanks located on Indian Land in Michigan, Minnesota and Wisconsin.

Date of Government Version: 10/07/2020 Date Data Arrived at EDR: 12/16/2020 Date Made Active in Reports: 03/12/2021

Number of Days to Update: 86

Source: EPA, Region 5 Telephone: 312-886-7439 Last EDR Contact: 06/11/2021

Next Scheduled EDR Contact: 11/01/2021 Data Release Frequency: Varies

INDIAN LUST R10: Leaking Underground Storage Tanks on Indian Land LUSTs on Indian land in Alaska, Idaho, Oregon and Washington.

Date of Government Version: 11/12/2020 Date Data Arrived at EDR: 12/16/2020 Date Made Active in Reports: 03/12/2021

Number of Days to Update: 86

Source: EPA Region 10 Telephone: 206-553-2857 Last EDR Contact: 06/11/2021

Next Scheduled EDR Contact: 11/01/2021 Data Release Frequency: Varies

INDIAN LUST R6: Leaking Underground Storage Tanks on Indian Land

LUSTs on Indian land in New Mexico and Oklahoma.

Date of Government Version: 04/08/2020 Date Data Arrived at EDR: 05/20/2020 Date Made Active in Reports: 08/12/2020

Number of Days to Update: 84

Source: EPA Region 6 Telephone: 214-665-6597 Last EDR Contact: 06/11/2021

Next Scheduled EDR Contact: 11/01/2021 Data Release Frequency: Varies

LUST TRUST: State Trust Fund Database

This database contains information about claims against the State Trust Funds for reimbursements for expenses incurred while remediating Leaking USTs.

Date of Government Version: 04/02/2021 Date Data Arrived at EDR: 04/06/2021 Date Made Active in Reports: 06/25/2021

Number of Days to Update: 80

Source: Department of Environment and Natural Resources

Telephone: 919-733-1315 Last EDR Contact: 07/02/2021

Next Scheduled EDR Contact: 10/18/2021 Data Release Frequency: Quarterly

#### State and tribal registered storage tank lists

FEMA UST: Underground Storage Tank Listing

A listing of all FEMA owned underground storage tanks.

Date of Government Version: 01/29/2021 Date Data Arrived at EDR: 02/17/2021 Date Made Active in Reports: 03/22/2021

Number of Days to Update: 33

Source: FEMA

Telephone: 202-646-5797 Last EDR Contact: 06/29/2021

Next Scheduled EDR Contact: 10/18/2021 Data Release Frequency: Varies

UST: Petroleum Underground Storage Tank Database

Registered Underground Storage Tanks. UST's are regulated under Subtitle I of the Resource Conservation and Recovery Act (RCRA) and must be registered with the state department responsible for administering the UST program. Available

information varies by state program.

Date of Government Version: 04/30/2021 Date Data Arrived at EDR: 05/03/2021 Date Made Active in Reports: 07/20/2021

Number of Days to Update: 78

Source: Department of Environment and Natural Resources

Telephone: 919-733-1308 Last EDR Contact: 08/03/2021

Next Scheduled EDR Contact: 11/15/2021 Data Release Frequency: Quarterly

AST: AST Database

Facilities with aboveground storage tanks that have a capacity greater than 21,000 gallons.

Date of Government Version: 12/15/2020 Date Data Arrived at EDR: 03/16/2021 Date Made Active in Reports: 06/03/2021

Number of Days to Update: 79

Source: Department of Environment and Natural Resources

Telephone: 919-715-6183 Last EDR Contact: 06/08/2021

Next Scheduled EDR Contact: 09/27/2021 Data Release Frequency: Semi-Annually

INDIAN UST R5: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 5 (Michigan, Minnesota and Wisconsin and Tribal Nations).

Date of Government Version: 10/07/2020 Date Data Arrived at EDR: 12/16/2020 Date Made Active in Reports: 03/12/2021

Number of Days to Update: 86

Source: EPA Region 5 Telephone: 312-886-6136 Last EDR Contact: 06/11/2021

Next Scheduled EDR Contact: 11/01/2021 Data Release Frequency: Varies

INDIAN UST R7: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 7 (Iowa, Kansas, Missouri, Nebraska, and 9 Tribal Nations).

Date of Government Version: 09/30/2020 Date Data Arrived at EDR: 12/22/2020 Date Made Active in Reports: 03/12/2021

Number of Days to Update: 80

Source: EPA Region 7 Telephone: 913-551-7003 Last EDR Contact: 06/11/2021

Next Scheduled EDR Contact: 11/01/2021 Data Release Frequency: Varies

INDIAN UST R9: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 9 (Arizona, California, Hawaii, Nevada, the Pacific Islands, and Tribal Nations).

Date of Government Version: 10/01/2020 Date Data Arrived at EDR: 12/16/2020 Date Made Active in Reports: 03/12/2021

Number of Days to Update: 86

Source: EPA Region 9 Telephone: 415-972-3368 Last EDR Contact: 06/11/2021

Next Scheduled EDR Contact: 11/01/2021 Data Release Frequency: Varies

INDIAN UST R8: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 8 (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming and 27 Tribal Nations).

Date of Government Version: 10/09/2020 Date Data Arrived at EDR: 12/16/2020 Date Made Active in Reports: 03/12/2021

Number of Days to Update: 86

Source: EPA Region 8 Telephone: 303-312-6137 Last EDR Contact: 06/11/2021

Next Scheduled EDR Contact: 11/01/2021 Data Release Frequency: Varies

INDIAN UST R6: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 6 (Louisiana, Arkansas, Oklahoma, New Mexico, Texas and 65 Tribes).

Date of Government Version: 04/08/2020 Date Data Arrived at EDR: 05/20/2020 Date Made Active in Reports: 08/12/2020

Number of Days to Update: 84

Source: EPA Region 6 Telephone: 214-665-7591 Last EDR Contact: 06/11/2021

Next Scheduled EDR Contact: 11/01/2021

Data Release Frequency: Varies

INDIAN UST R1: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 1 (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont and ten Tribal Nations).

Date of Government Version: 10/01/2020 Date Data Arrived at EDR: 12/16/2020 Date Made Active in Reports: 03/12/2021

Number of Days to Update: 86

Source: EPA, Region 1 Telephone: 617-918-1313 Last EDR Contact: 06/11/2021

Next Scheduled EDR Contact: 11/01/2021 Data Release Frequency: Varies

INDIAN UST R4: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 4 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee and Tribal Nations)

Date of Government Version: 10/02/2020 Date Data Arrived at EDR: 12/18/2020 Date Made Active in Reports: 03/12/2021

Number of Days to Update: 84

Source: EPA Region 4 Telephone: 404-562-9424 Last EDR Contact: 06/17/2021

Next Scheduled EDR Contact: 11/01/2021 Data Release Frequency: Varies

INDIAN UST R10: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 10 (Alaska, Idaho, Oregon, Washington, and Tribal Nations).

Date of Government Version: 11/12/2020 Date Data Arrived at EDR: 12/16/2020 Date Made Active in Reports: 03/12/2021

Number of Days to Update: 86

Source: EPA Region 10 Telephone: 206-553-2857 Last EDR Contact: 06/11/2021

Next Scheduled EDR Contact: 11/01/2021 Data Release Frequency: Varies

State and tribal institutional control / engineering control registries

INST CONTROL: No Further Action Sites With Land Use Restrictions Monitoring

A land use restricted site is a property where there are limits or requirements on future use of the property due to varying levels of cleanup possible, practical, or necessary at the site.

Date of Government Version: 09/04/2020 Date Data Arrived at EDR: 09/09/2020 Date Made Active in Reports: 12/03/2020

Number of Days to Update: 85

Source: Department of Environmental Quality

Telephone: 919-508-8400 Last EDR Contact: 06/10/2021

Next Scheduled EDR Contact: 09/20/2021 Data Release Frequency: Quarterly

#### State and tribal voluntary cleanup sites

INDIAN VCP R7: Voluntary Cleanup Priority Lisitng

A listing of voluntary cleanup priority sites located on Indian Land located in Region 7.

Date of Government Version: 03/20/2008 Date Data Arrived at EDR: 04/22/2008 Date Made Active in Reports: 05/19/2008

Number of Days to Update: 27

Source: EPA, Region 7 Telephone: 913-551-7365 Last EDR Contact: 07/08/2021

Next Scheduled EDR Contact: 07/20/2009 Data Release Frequency: No Update Planned

INDIAN VCP R1: Voluntary Cleanup Priority Listing

A listing of voluntary cleanup priority sites located on Indian Land located in Region 1.

Date of Government Version: 07/27/2015 Date Data Arrived at EDR: 09/29/2015 Date Made Active in Reports: 02/18/2016

Number of Days to Update: 142

Source: EPA, Region 1 Telephone: 617-918-1102 Last EDR Contact: 06/15/2021

Next Scheduled EDR Contact: 10/04/2021 Data Release Frequency: No Update Planned

VCP: Responsible Party Voluntary Action Sites Responsible Party Voluntary Action site locations.

> Date of Government Version: 03/01/2021 Date Data Arrived at EDR: 03/10/2021 Date Made Active in Reports: 05/27/2021

Number of Days to Update: 78

Source: Department of Environment and Natural Resources

Telephone: 919-508-8400 Last EDR Contact: 06/07/2021

Next Scheduled EDR Contact: 09/20/2021 Data Release Frequency: Quarterly

### State and tribal Brownfields sites

**BROWNFIELDS: Brownfields Projects Inventory** 

A brownfield site is an abandoned, idled, or underused property where the threat of environmental contamination has hindered its redevelopment. All of the sites in the inventory are working toward a brownfield agreement for cleanup and liabitly control.

Date of Government Version: 03/01/2021 Date Data Arrived at EDR: 03/30/2021 Date Made Active in Reports: 06/23/2021

Number of Days to Update: 85

Source: Department of Environment and Natural Resources

Telephone: 919-733-4996 Last EDR Contact: 06/24/2021

Next Scheduled EDR Contact: 10/11/2021 Data Release Frequency: Quarterly

### ADDITIONAL ENVIRONMENTAL RECORDS

## Local Brownfield lists

US BROWNFIELDS: A Listing of Brownfields Sites

Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Cleaning up and reinvesting in these properties takes development pressures off of undeveloped, open land, and both improves and protects the environment. Assessment, Cleanup and Redevelopment Exchange System (ACRES) stores information reported by EPA Brownfields grant recipients on brownfields properties assessed or cleaned up with grant funding as well as information on Targeted Brownfields Assessments performed by EPA Regions. A listing of ACRES Brownfield sites is obtained from Cleanups in My Community. Cleanups in My Community provides information on Brownfields properties for which information is reported back to EPA, as well as areas served by Brownfields grant programs.

Date of Government Version: 03/15/2021 Date Data Arrived at EDR: 03/16/2021 Date Made Active in Reports: 06/10/2021

Number of Days to Update: 86

Source: Environmental Protection Agency

Telephone: 202-566-2777 Last EDR Contact: 06/10/2021

Next Scheduled EDR Contact: 09/27/2021 Data Release Frequency: Semi-Annually

### Local Lists of Landfill / Solid Waste Disposal Sites

HIST LF: Solid Waste Facility Listing A listing of solid waste facilities.

Date of Government Version: 11/06/2006 Date Data Arrived at EDR: 02/13/2007 Date Made Active in Reports: 03/02/2007

Number of Days to Update: 17

Source: Department of Environment & Natural Resources

Telephone: 919-733-0692 Last EDR Contact: 01/19/2009 Next Scheduled EDR Contact: N/A

Data Release Frequency: No Update Planned

SWRCY: Recycling Center Listing

A listing of recycling center locations.

Date of Government Version: 01/28/2021 Date Data Arrived at EDR: 01/29/2021 Date Made Active in Reports: 04/23/2021

Number of Days to Update: 84

Source: Department of Environment & Natural Resources

Telephone: 919-707-8137 Last EDR Contact: 07/21/2021

Next Scheduled EDR Contact: 11/08/2021 Data Release Frequency: Varies

INDIAN ODI: Report on the Status of Open Dumps on Indian Lands

Location of open dumps on Indian land.

Date of Government Version: 12/31/1998 Date Data Arrived at EDR: 12/03/2007 Date Made Active in Reports: 01/24/2008

Number of Days to Update: 52

Source: Environmental Protection Agency

Telephone: 703-308-8245 Last EDR Contact: 07/20/2021

Next Scheduled EDR Contact: 11/08/2021 Data Release Frequency: No Update Planned

ODI: Open Dump Inventory

An open dump is defined as a disposal facility that does not comply with one or more of the Part 257 or Part 258

Subtitle D Criteria.

Date of Government Version: 06/30/1985 Date Data Arrived at EDR: 08/09/2004 Date Made Active in Reports: 09/17/2004

Number of Days to Update: 39

Source: Environmental Protection Agency

Telephone: 800-424-9346 Last EDR Contact: 06/09/2004 Next Scheduled EDR Contact: N/A

Data Release Frequency: No Update Planned

DEBRIS REGION 9: Torres Martinez Reservation Illegal Dump Site Locations

A listing of illegal dump sites location on the Torres Martinez Indian Reservation located in eastern Riverside

County and northern Imperial County, California.

Date of Government Version: 01/12/2009
Date Data Arrived at EDR: 05/07/2009
Date Made Active in Reports: 09/21/2009

Number of Days to Update: 137

Source: EPA, Region 9 Telephone: 415-947-4219 Last EDR Contact: 07/13/2021

Next Scheduled EDR Contact: 11/01/2021 Data Release Frequency: No Update Planned

IHS OPEN DUMPS: Open Dumps on Indian Land

A listing of all open dumps located on Indian Land in the United States.

Date of Government Version: 04/01/2014 Date Data Arrived at EDR: 08/06/2014 Date Made Active in Reports: 01/29/2015

Number of Days to Update: 176

Source: Department of Health & Human Serivces, Indian Health Service

Telephone: 301-443-1452 Last EDR Contact: 07/20/2021

Next Scheduled EDR Contact: 11/08/2021

Data Release Frequency: Varies

Local Lists of Hazardous waste / Contaminated Sites

US HIST CDL: National Clandestine Laboratory Register

A listing of clandestine drug lab locations that have been removed from the DEAs National Clandestine Laboratory Register.

Date of Government Version: 05/18/2021 Date Data Arrived at EDR: 05/18/2021 Date Made Active in Reports: 08/03/2021

Number of Days to Update: 77

Source: Drug Enforcement Administration

Telephone: 202-307-1000 Last EDR Contact: 05/22/2021

Next Scheduled EDR Contact: 09/06/2021 Data Release Frequency: No Update Planned

US CDL: Clandestine Drug Labs

A listing of clandestine drug lab locations. The U.S. Department of Justice ("the Department") provides this web site as a public service. It contains addresses of some locations where law enforcement agencies reported they found chemicals or other items that indicated the presence of either clandestine drug laboratories or dumpsites. In most cases, the source of the entries is not the Department, and the Department has not verified the entry and does not guarantee its accuracy. Members of the public must verify the accuracy of all entries by, for example, contacting local law enforcement and local health departments.

Date of Government Version: 05/18/2021 Date Data Arrived at EDR: 05/18/2021 Date Made Active in Reports: 08/03/2021

Number of Days to Update: 77

Source: Drug Enforcement Administration

Telephone: 202-307-1000 Last EDR Contact: 05/18/2021

Next Scheduled EDR Contact: 09/06/2021 Data Release Frequency: Quarterly

### Local Land Records

LIENS 2: CERCLA Lien Information

A Federal CERCLA ('Superfund') lien can exist by operation of law at any site or property at which EPA has spent Superfund monies. These monies are spent to investigate and address releases and threatened releases of contamination. CERCLIS provides information as to the identity of these sites and properties.

Date of Government Version: 04/27/2021 Date Data Arrived at EDR: 05/03/2021 Date Made Active in Reports: 05/19/2021

Number of Days to Update: 16

Source: Environmental Protection Agency

Telephone: 202-564-6023 Last EDR Contact: 08/04/2021

Next Scheduled EDR Contact: 10/11/2021 Data Release Frequency: Semi-Annually

### Records of Emergency Release Reports

HMIRS: Hazardous Materials Information Reporting System

Hazardous Materials Incident Report System. HMIRS contains hazardous material spill incidents reported to DOT.

Date of Government Version: 03/22/2021 Date Data Arrived at EDR: 03/24/2021 Date Made Active in Reports: 06/17/2021

Number of Days to Update: 85

Source: U.S. Department of Transportation

Telephone: 202-366-4555 Last EDR Contact: 06/17/2021

Next Scheduled EDR Contact: 10/04/2021 Data Release Frequency: Quarterly

SPILLS: Spills Incident Listing

A listing spills, hazardous material releases, sanitary sewer overflows, wastewater treatment plant bypasses and upsets, citizen complaints, and any other environmental emergency calls reported to the agency.

Date of Government Version: 12/30/2020 Date Data Arrived at EDR: 02/09/2021 Date Made Active in Reports: 05/03/2021

Number of Days to Update: 83

Source: Department of Environment & Natural Resources

Telephone: 919-807-6308 Last EDR Contact: 06/02/2021

Next Scheduled EDR Contact: 09/20/2021 Data Release Frequency: Quarterly

IMD: Incident Management Database

Groundwater and/or soil contamination incidents

Date of Government Version: 07/30/2021 Date Data Arrived at EDR: 08/03/2021 Date Made Active in Reports: 08/06/2021

Number of Days to Update: 3

Source: Department of Environment and Natural Resources

Telephone: 877-623-6748 Last EDR Contact: 08/03/2021

Next Scheduled EDR Contact: 11/15/2021 Data Release Frequency: No Update Planned

## SPILLS 90: SPILLS90 data from FirstSearch

Spills 90 includes those spill and release records available exclusively from FirstSearch databases. Typically, they may include chemical, oil and/or hazardous substance spills recorded after 1990. Duplicate records that are already included in EDR incident and release records are not included in Spills 90.

Date of Government Version: 09/27/2012 Date Data Arrived at EDR: 01/03/2013 Date Made Active in Reports: 03/06/2013

Number of Days to Update: 62

Source: FirstSearch Telephone: N/A

Last EDR Contact: 01/03/2013 Next Scheduled EDR Contact: N/A

Data Release Frequency: No Update Planned

### SPILLS 80: SPILLS80 data from FirstSearch

Spills 80 includes those spill and release records available from FirstSearch databases prior to 1990. Typically, they may include chemical, oil and/or hazardous substance spills recorded before 1990. Duplicate records that are already included in EDR incident and release records are not included in Spills 80.

Date of Government Version: 06/14/2001 Date Data Arrived at EDR: 01/03/2013 Date Made Active in Reports: 03/06/2013

Number of Days to Update: 62

Source: FirstSearch Telephone: N/A

Last EDR Contact: 01/03/2013 Next Scheduled EDR Contact: N/A

Data Release Frequency: No Update Planned

### Other Ascertainable Records

### RCRA NonGen / NLR: RCRA - Non Generators / No Longer Regulated

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Non-Generators do not presently generate hazardous waste.

Date of Government Version: 03/22/2021 Date Data Arrived at EDR: 03/23/2021 Date Made Active in Reports: 05/19/2021

Number of Days to Update: 57

Source: Environmental Protection Agency

Telephone: (404) 562-8651 Last EDR Contact: 06/21/2021

Next Scheduled EDR Contact: 10/04/2021 Data Release Frequency: Quarterly

#### FUDS: Formerly Used Defense Sites

The listing includes locations of Formerly Used Defense Sites properties where the US Army Corps of Engineers is actively working or will take necessary cleanup actions.

Date of Government Version: 05/04/2021 Date Data Arrived at EDR: 05/18/2021 Date Made Active in Reports: 08/11/2021

Number of Days to Update: 85

Source: U.S. Army Corps of Engineers

Telephone: 202-528-4285 Last EDR Contact: 05/18/2021

Next Scheduled EDR Contact: 08/30/2021 Data Release Frequency: Varies

### DOD: Department of Defense Sites

This data set consists of federally owned or administered lands, administered by the Department of Defense, that have any area equal to or greater than 640 acres of the United States, Puerto Rico, and the U.S. Virgin Islands.

Date of Government Version: 12/31/2005 Date Data Arrived at EDR: 11/10/2006 Date Made Active in Reports: 01/11/2007

Number of Days to Update: 62

Source: USGS

Telephone: 888-275-8747 Last EDR Contact: 07/13/2021

Next Scheduled EDR Contact: 10/25/2021

Data Release Frequency: Varies

#### FEDLAND: Federal and Indian Lands

Federally and Indian administrated lands of the United States. Lands included are administrated by: Army Corps of Engineers, Bureau of Reclamation, National Wild and Scenic River, National Wildlife Refuge, Public Domain Land, Wilderness, Wilderness Study Area, Wildlife Management Area, Bureau of Indian Affairs, Bureau of Land Management, Department of Justice, Forest Service, Fish and Wildlife Service, National Park Service.

Date of Government Version: 04/02/2018 Date Data Arrived at EDR: 04/11/2018 Date Made Active in Reports: 11/06/2019

Number of Days to Update: 574

Source: U.S. Geological Survey Telephone: 888-275-8747 Last EDR Contact: 07/09/2021

Next Scheduled EDR Contact: 10/18/2021

Data Release Frequency: N/A

### SCRD DRYCLEANERS: State Coalition for Remediation of Drycleaners Listing

The State Coalition for Remediation of Drycleaners was established in 1998, with support from the U.S. EPA Office of Superfund Remediation and Technology Innovation. It is comprised of representatives of states with established drycleaner remediation programs. Currently the member states are Alabama, Connecticut, Florida, Illinois, Kansas, Minnesota, Missouri, North Carolina, Oregon, South Carolina, Tennessee, Texas, and Wisconsin.

Date of Government Version: 01/01/2017 Date Data Arrived at EDR: 02/03/2017 Date Made Active in Reports: 04/07/2017

Number of Days to Update: 63

Source: Environmental Protection Agency

Telephone: 615-532-8599 Last EDR Contact: 08/06/2021

Next Scheduled EDR Contact: 11/22/2021 Data Release Frequency: Varies

### US FIN ASSUR: Financial Assurance Information

All owners and operators of facilities that treat, store, or dispose of hazardous waste are required to provide proof that they will have sufficient funds to pay for the clean up, closure, and post-closure care of their facilities.

Date of Government Version: 03/22/2021 Date Data Arrived at EDR: 03/23/2021 Date Made Active in Reports: 06/17/2021

Number of Days to Update: 86

Source: Environmental Protection Agency

Telephone: 202-566-1917 Last EDR Contact: 06/21/2021

Next Scheduled EDR Contact: 10/04/2021 Data Release Frequency: Quarterly

#### EPA WATCH LIST: EPA WATCH LIST

EPA maintains a "Watch List" to facilitate dialogue between EPA, state and local environmental agencies on enforcement matters relating to facilities with alleged violations identified as either significant or high priority. Being on the Watch List does not mean that the facility has actually violated the law only that an investigation by EPA or a state or local environmental agency has led those organizations to allege that an unproven violation has in fact occurred. Being on the Watch List does not represent a higher level of concern regarding the alleged violations that were detected, but instead indicates cases requiring additional dialogue between EPA, state and local agencies - primarily because of the length of time the alleged violation has gone unaddressed or unresolved.

Date of Government Version: 08/30/2013 Date Data Arrived at EDR: 03/21/2014 Date Made Active in Reports: 06/17/2014

Number of Days to Update: 88

Source: Environmental Protection Agency

Telephone: 617-520-3000 Last EDR Contact: 07/26/2021

Next Scheduled EDR Contact: 11/15/2021 Data Release Frequency: No Update Planned

### 2020 COR ACTION: 2020 Corrective Action Program List

The EPA has set ambitious goals for the RCRA Corrective Action program by creating the 2020 Corrective Action Universe. This RCRA cleanup baseline includes facilities expected to need corrective action. The 2020 universe contains a wide variety of sites. Some properties are heavily contaminated while others were contaminated but have since been cleaned up. Still others have not been fully investigated yet, and may require little or no remediation. Inclusion in the 2020 Universe does not necessarily imply failure on the part of a facility to meet its RCRA obligations.

Date of Government Version: 09/30/2017 Date Data Arrived at EDR: 05/08/2018 Date Made Active in Reports: 07/20/2018

Number of Days to Update: 73

Source: Environmental Protection Agency

Telephone: 703-308-4044 Last EDR Contact: 08/06/2021

Next Scheduled EDR Contact: 11/15/2021

Data Release Frequency: Varies

#### TSCA: Toxic Substances Control Act

Toxic Substances Control Act. TSCA identifies manufacturers and importers of chemical substances included on the TSCA Chemical Substance Inventory list. It includes data on the production volume of these substances by plant site.

Date of Government Version: 12/31/2016 Date Data Arrived at EDR: 06/17/2020 Date Made Active in Reports: 09/10/2020

Number of Days to Update: 85

Source: EPA

Telephone: 202-260-5521 Last EDR Contact: 06/17/2021

Next Scheduled EDR Contact: 09/27/2021 Data Release Frequency: Every 4 Years

#### TRIS: Toxic Chemical Release Inventory System

Toxic Release Inventory System. TRIS identifies facilities which release toxic chemicals to the air, water and land in reportable quantities under SARA Title III Section 313.

Date of Government Version: 12/31/2018 Date Data Arrived at EDR: 08/14/2020 Date Made Active in Reports: 11/04/2020

Number of Days to Update: 82

Source: EPA

Telephone: 202-566-0250 Last EDR Contact: 05/17/2021

Next Scheduled EDR Contact: 08/30/2021 Data Release Frequency: Annually

### SSTS: Section 7 Tracking Systems

Section 7 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended (92 Stat. 829) requires all registered pesticide-producing establishments to submit a report to the Environmental Protection Agency by March 1st each year. Each establishment must report the types and amounts of pesticides, active ingredients and devices being produced, and those having been produced and sold or distributed in the past year.

Date of Government Version: 04/19/2021 Date Data Arrived at EDR: 04/20/2021 Date Made Active in Reports: 07/16/2021

Number of Days to Update: 87

Source: EPA

Telephone: 202-564-4203 Last EDR Contact: 07/19/2021

Next Scheduled EDR Contact: 11/01/2021 Data Release Frequency: Annually

#### ROD: Records Of Decision

Record of Decision. ROD documents mandate a permanent remedy at an NPL (Superfund) site containing technical and health information to aid in the cleanup.

Date of Government Version: 04/27/2021 Date Data Arrived at EDR: 05/03/2021 Date Made Active in Reports: 05/19/2021

Number of Days to Update: 16

Source: EPA

Telephone: 703-416-0223 Last EDR Contact: 08/04/2021

Next Scheduled EDR Contact: 09/13/2021 Data Release Frequency: Annually

RMP: Risk Management Plans

When Congress passed the Clean Air Act Amendments of 1990, it required EPA to publish regulations and guidance for chemical accident prevention at facilities using extremely hazardous substances. The Risk Management Program Rule (RMP Rule) was written to implement Section 112(r) of these amendments. The rule, which built upon existing industry codes and standards, requires companies of all sizes that use certain flammable and toxic substances to develop a Risk Management Program, which includes a(n): Hazard assessment that details the potential effects of an accidental release, an accident history of the last five years, and an evaluation of worst-case and alternative accidental releases; Prevention program that includes safety precautions and maintenance, monitoring, and employee training measures; and Emergency response program that spells out emergency health care, employee training measures and procedures for informing the public and response agencies (e.g the fire department) should an accident occur.

Date of Government Version: 05/07/2021 Date Data Arrived at EDR: 05/13/2021 Date Made Active in Reports: 08/03/2021

Number of Days to Update: 82

Source: Environmental Protection Agency

Telephone: 202-564-8600 Last EDR Contact: 07/14/2021

Next Scheduled EDR Contact: 11/01/2021 Data Release Frequency: Varies

#### RAATS: RCRA Administrative Action Tracking System

RCRA Administration Action Tracking System. RAATS contains records based on enforcement actions issued under RCRA pertaining to major violators and includes administrative and civil actions brought by the EPA. For administration actions after September 30, 1995, data entry in the RAATS database was discontinued. EPA will retain a copy of the database for historical records. It was necessary to terminate RAATS because a decrease in agency resources made it impossible to continue to update the information contained in the database.

Date of Government Version: 04/17/1995 Date Data Arrived at EDR: 07/03/1995 Date Made Active in Reports: 08/07/1995

Number of Days to Update: 35

Source: EPA

Telephone: 202-564-4104 Last EDR Contact: 06/02/2008

Next Scheduled EDR Contact: 09/01/2008 Data Release Frequency: No Update Planned

### PRP: Potentially Responsible Parties

A listing of verified Potentially Responsible Parties

Date of Government Version: 12/30/2020 Date Data Arrived at EDR: 01/14/2021 Date Made Active in Reports: 03/05/2021

Number of Days to Update: 50

Source: EPA

Telephone: 202-564-6023 Last EDR Contact: 08/04/2021

Next Scheduled EDR Contact: 11/15/2021 Data Release Frequency: Quarterly

#### PADS: PCB Activity Database System

PCB Activity Database. PADS Identifies generators, transporters, commercial storers and/or brokers and disposers of PCB's who are required to notify the EPA of such activities.

Date of Government Version: 11/19/2020 Date Data Arrived at EDR: 01/08/2021 Date Made Active in Reports: 03/22/2021

Number of Days to Update: 73

Source: EPA

Telephone: 202-566-0500 Last EDR Contact: 07/09/2021

Next Scheduled EDR Contact: 10/18/2021 Data Release Frequency: Annually

### ICIS: Integrated Compliance Information System

The Integrated Compliance Information System (ICIS) supports the information needs of the national enforcement and compliance program as well as the unique needs of the National Pollutant Discharge Elimination System (NPDES) program.

Date of Government Version: 11/18/2016 Date Data Arrived at EDR: 11/23/2016 Date Made Active in Reports: 02/10/2017

Number of Days to Update: 79

Source: Environmental Protection Agency

Telephone: 202-564-2501 Last EDR Contact: 06/29/2021

Next Scheduled EDR Contact: 10/18/2021 Data Release Frequency: No Update Planned

FTTS: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)

FTTS tracks administrative cases and pesticide enforcement actions and compliance activities related to FIFRA, TSCA and EPCRA (Emergency Planning and Community Right-to-Know Act). To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 04/09/2009 Date Data Arrived at EDR: 04/16/2009 Date Made Active in Reports: 05/11/2009

Number of Days to Update: 25

Source: EPA/Office of Prevention, Pesticides and Toxic Substances

Telephone: 202-566-1667 Last EDR Contact: 08/18/2017

Next Scheduled EDR Contact: 12/04/2017 Data Release Frequency: No Update Planned

FTTS INSP: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)
A listing of FIFRA/TSCA Tracking System (FTTS) inspections and enforcements.

Date of Government Version: 04/09/2009

Date Data Arrived at EDR: 04/16/2009 Date Made Active in Reports: 05/11/2009

Number of Days to Update: 25

Source: EPA

Telephone: 202-566-1667 Last EDR Contact: 08/18/2017

Next Scheduled EDR Contact: 12/04/2017 Data Release Frequency: No Update Planned

MLTS: Material Licensing Tracking System

MLTS is maintained by the Nuclear Regulatory Commission and contains a list of approximately 8,100 sites which possess or use radioactive materials and which are subject to NRC licensing requirements. To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 03/08/2021 Date Data Arrived at EDR: 03/11/2021 Date Made Active in Reports: 05/11/2021

Number of Days to Update: 61

Source: Nuclear Regulatory Commission

Telephone: 301-415-7169 Last EDR Contact: 07/14/2021

Next Scheduled EDR Contact: 11/01/2021 Data Release Frequency: Quarterly

COAL ASH DOE: Steam-Electric Plant Operation Data

A listing of power plants that store ash in surface ponds.

Date of Government Version: 12/31/2019 Date Data Arrived at EDR: 12/01/2020 Date Made Active in Reports: 02/09/2021

Number of Days to Update: 70

Source: Department of Energy Telephone: 202-586-8719 Last EDR Contact: 05/27/2021

Next Scheduled EDR Contact: 09/13/2021 Data Release Frequency: Varies

COAL ASH EPA: Coal Combustion Residues Surface Impoundments List

A listing of coal combustion residues surface impoundments with high hazard potential ratings.

Date of Government Version: 01/12/2017 Date Data Arrived at EDR: 03/05/2019 Date Made Active in Reports: 11/11/2019

Number of Days to Update: 251

Source: Environmental Protection Agency

Telephone: N/A

Last EDR Contact: 05/27/2021

Next Scheduled EDR Contact: 09/13/2021 Data Release Frequency: Varies

PCB TRANSFORMER: PCB Transformer Registration Database

The database of PCB transformer registrations that includes all PCB registration submittals.

Date of Government Version: 09/13/2019 Date Data Arrived at EDR: 11/06/2019 Date Made Active in Reports: 02/10/2020

Number of Days to Update: 96

Source: Environmental Protection Agency

Telephone: 202-566-0517 Last EDR Contact: 08/06/2021

Next Scheduled EDR Contact: 11/15/2021 Data Release Frequency: Varies

RADINFO: Radiation Information Database

The Radiation Information Database (RADINFO) contains information about facilities that are regulated by U.S. Environmental Protection Agency (EPA) regulations for radiation and radioactivity.

Date of Government Version: 07/01/2019 Date Data Arrived at EDR: 07/01/2019 Date Made Active in Reports: 09/23/2019

Number of Days to Update: 84

Source: Environmental Protection Agency

Telephone: 202-343-9775 Last EDR Contact: 06/22/2021

Next Scheduled EDR Contact: 10/11/2021 Data Release Frequency: No Update Planned

### HIST FTTS: FIFRA/TSCA Tracking System Administrative Case Listing

A complete administrative case listing from the FIFRA/TSCA Tracking System (FTTS) for all ten EPA regions. The information was obtained from the National Compliance Database (NCDB). NCDB supports the implementation of FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) and TSCA (Toxic Substances Control Act). Some EPA regions are now closing out records. Because of that, and the fact that some EPA regions are not providing EPA Headquarters with updated records, it was decided to create a HIST FTTS database. It included records that may not be included in the newer FTTS database updates. This database is no longer updated.

Date of Government Version: 10/19/2006
Date Data Arrived at EDR: 03/01/2007
Date Made Active in Reports: 04/10/2007

Number of Days to Update: 40

Source: Environmental Protection Agency

Telephone: 202-564-2501 Last EDR Contact: 12/17/2007

Next Scheduled EDR Contact: 03/17/2008

Data Release Frequency: No Update Planned

## HIST FTTS INSP: FIFRA/TSCA Tracking System Inspection & Enforcement Case Listing

A complete inspection and enforcement case listing from the FIFRA/TSCA Tracking System (FTTS) for all ten EPA regions. The information was obtained from the National Compliance Database (NCDB). NCDB supports the implementation of FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) and TSCA (Toxic Substances Control Act). Some EPA regions are now closing out records. Because of that, and the fact that some EPA regions are not providing EPA Headquarters with updated records, it was decided to create a HIST FTTS database. It included records that may not be included in the newer FTTS database updates. This database is no longer updated.

Date of Government Version: 10/19/2006 Date Data Arrived at EDR: 03/01/2007 Date Made Active in Reports: 04/10/2007

Number of Days to Update: 40

Source: Environmental Protection Agency

Telephone: 202-564-2501 Last EDR Contact: 12/17/2008

Next Scheduled EDR Contact: 03/17/2008 Data Release Frequency: No Update Planned

### DOT OPS: Incident and Accident Data

Department of Transporation, Office of Pipeline Safety Incident and Accident data.

Date of Government Version: 01/02/2020 Date Data Arrived at EDR: 01/28/2020 Date Made Active in Reports: 04/17/2020

Number of Days to Update: 80

Source: Department of Transporation, Office of Pipeline Safety

Telephone: 202-366-4595 Last EDR Contact: 07/23/2021

Next Scheduled EDR Contact: 11/08/2021 Data Release Frequency: Quarterly

#### CONSENT: Superfund (CERCLA) Consent Decrees

Major legal settlements that establish responsibility and standards for cleanup at NPL (Superfund) sites. Released periodically by United States District Courts after settlement by parties to litigation matters.

Date of Government Version: 06/30/2021 Date Data Arrived at EDR: 07/14/2021 Date Made Active in Reports: 07/16/2021

Number of Days to Update: 2

Source: Department of Justice, Consent Decree Library

Telephone: Varies

Last EDR Contact: 07/02/2021

Next Scheduled EDR Contact: 10/18/2021 Data Release Frequency: Varies

## BRS: Biennial Reporting System

The Biennial Reporting System is a national system administered by the EPA that collects data on the generation and management of hazardous waste. BRS captures detailed data from two groups: Large Quantity Generators (LQG) and Treatment, Storage, and Disposal Facilities.

Date of Government Version: 12/31/2017 Date Data Arrived at EDR: 06/22/2020 Date Made Active in Reports: 11/20/2020

Number of Days to Update: 151

Source: EPA/NTIS Telephone: 800-424-9346 Last EDR Contact: 06/21/2021

Next Scheduled EDR Contact: 10/04/2021 Data Release Frequency: Biennially

INDIAN RESERV: Indian Reservations

This map layer portrays Indian administered lands of the United States that have any area equal to or greater

than 640 acres.

Date of Government Version: 12/31/2014 Date Data Arrived at EDR: 07/14/2015 Date Made Active in Reports: 01/10/2017

Number of Days to Update: 546

Source: USGS

Telephone: 202-208-3710 Last EDR Contact: 07/02/2021

Next Scheduled EDR Contact: 10/18/2021 Data Release Frequency: Varies

FUSRAP: Formerly Utilized Sites Remedial Action Program

DOE established the Formerly Utilized Sites Remedial Action Program (FUSRAP) in 1974 to remediate sites where radioactive contamination remained from Manhattan Project and early U.S. Atomic Energy Commission (AEC) operations.

Date of Government Version: 08/08/2017 Date Data Arrived at EDR: 09/11/2018 Date Made Active in Reports: 09/14/2018

Number of Days to Update: 3

Source: Department of Energy Telephone: 202-586-3559 Last EDR Contact: 07/23/2021

Next Scheduled EDR Contact: 11/15/2021

Data Release Frequency: Varies

UMTRA: Uranium Mill Tailings Sites

Uranium ore was mined by private companies for federal government use in national defense programs. When the mills shut down, large piles of the sand-like material (mill tailings) remain after uranium has been extracted from the ore. Levels of human exposure to radioactive materials from the piles are low; however, in some cases tailings were used as construction materials before the potential health hazards of the tailings were recognized.

Date of Government Version: 08/30/2019 Date Data Arrived at EDR: 11/15/2019 Date Made Active in Reports: 01/28/2020

Number of Days to Update: 74

Source: Department of Energy Telephone: 505-845-0011 Last EDR Contact: 08/12/2021

Next Scheduled EDR Contact: 11/29/2021 Data Release Frequency: Varies

LEAD SMELTER 1: Lead Smelter Sites

A listing of former lead smelter site locations.

Date of Government Version: 04/27/2021 Date Data Arrived at EDR: 05/03/2021 Date Made Active in Reports: 05/19/2021

Number of Days to Update: 16

Source: Environmental Protection Agency

Telephone: 703-603-8787 Last EDR Contact: 08/04/2021

Next Scheduled EDR Contact: 10/11/2021 Data Release Frequency: Varies

LEAD SMELTER 2: Lead Smelter Sites

A list of several hundred sites in the U.S. where secondary lead smelting was done from 1931and 1964. These sites may pose a threat to public health through ingestion or inhalation of contaminated soil or dust

Date of Government Version: 04/05/2001 Date Data Arrived at EDR: 10/27/2010 Date Made Active in Reports: 12/02/2010

Number of Days to Update: 36

Source: American Journal of Public Health

Telephone: 703-305-6451 Last EDR Contact: 12/02/2009 Next Scheduled EDR Contact: N/A

Data Release Frequency: No Update Planned

US AIRS (AFS): Aerometric Information Retrieval System Facility Subsystem (AFS)

The database is a sub-system of Aerometric Information Retrieval System (AIRS). AFS contains compliance data on air pollution point sources regulated by the U.S. EPA and/or state and local air regulatory agencies. This information comes from source reports by various stationary sources of air pollution, such as electric power plants, steel mills, factories, and universities, and provides information about the air pollutants they produce. Action, air program, air program pollutant, and general level plant data. It is used to track emissions and compliance data from industrial plants.

Date of Government Version: 10/12/2016 Date Data Arrived at EDR: 10/26/2016 Date Made Active in Reports: 02/03/2017

Number of Days to Update: 100

US AIRS MINOR: Air Facility System Data A listing of minor source facilities.

Date of Government Version: 10/12/2016
Date Data Arrived at EDR: 10/26/2016
Date Made Active in Reports: 02/03/2017

Number of Days to Update: 100

Source: EPA

Telephone: 202-564-2496 Last EDR Contact: 09/26/2017

Next Scheduled EDR Contact: 01/08/2018 Data Release Frequency: No Update Planned

Source: EPA

Telephone: 202-564-2496 Last EDR Contact: 09/26/2017

Next Scheduled EDR Contact: 01/08/2018
Data Release Frequency: No Update Planned

MINES VIOLATIONS: MSHA Violation Assessment Data

Mines violation and assessment information. Department of Labor, Mine Safety & Health Administration.

Date of Government Version: 05/27/2021 Date Data Arrived at EDR: 05/27/2021 Date Made Active in Reports: 06/10/2021

Number of Days to Update: 14

Source: DOL, Mine Safety & Health Admi

Telephone: 202-693-9424 Last EDR Contact: 07/01/2021

Next Scheduled EDR Contact: 09/13/2021 Data Release Frequency: Quarterly

US MINES: Mines Master Index File

Contains all mine identification numbers issued for mines active or opened since 1971. The data also includes violation information.

Date of Government Version: 05/03/2021 Date Data Arrived at EDR: 05/25/2021 Date Made Active in Reports: 08/11/2021

Number of Days to Update: 78

Source: Department of Labor, Mine Safety and Health Administration

Telephone: 303-231-5959 Last EDR Contact: 05/25/2021

Next Scheduled EDR Contact: 09/06/2021 Data Release Frequency: Semi-Annually

US MINES 2: Ferrous and Nonferrous Metal Mines Database Listing

This map layer includes ferrous (ferrous metal mines are facilities that extract ferrous metals, such as iron ore or molybdenum) and nonferrous (Nonferrous metal mines are facilities that extract nonferrous metals, such as gold, silver, copper, zinc, and lead) metal mines in the United States.

Date of Government Version: 05/06/2020 Date Data Arrived at EDR: 05/27/2020 Date Made Active in Reports: 08/13/2020

Number of Days to Update: 78

Source: USGS Telephone: 703-648-7709

Last EDR Contact: 05/27/2021

Next Scheduled EDR Contact: 09/06/2021 Data Release Frequency: Varies

US MINES 3: Active Mines & Mineral Plants Database Listing

Active Mines and Mineral Processing Plant operations for commodities monitored by the Minerals Information Team of the USGS.

Date of Government Version: 04/14/2011 Date Data Arrived at EDR: 06/08/2011 Date Made Active in Reports: 09/13/2011

Number of Days to Update: 97

Source: USGS

Telephone: 703-648-7709 Last EDR Contact: 05/27/2021

Next Scheduled EDR Contact: 09/06/2021 Data Release Frequency: Varies

ABANDONED MINES: Abandoned Mines

An inventory of land and water impacted by past mining (primarily coal mining) is maintained by OSMRE to provide information needed to implement the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The inventory contains information on the location, type, and extent of AML impacts, as well as, information on the cost associated with the reclamation of those problems. The inventory is based upon field surveys by State, Tribal, and OSMRE program officials. It is dynamic to the extent that it is modified as new problems are identified and existing problems are reclaimed.

Date of Government Version: 03/23/2021 Date Data Arrived at EDR: 03/25/2021 Date Made Active in Reports: 06/17/2021

Number of Days to Update: 84

Source: Department of Interior Telephone: 202-208-2609 Last EDR Contact: 06/14/2021

Next Scheduled EDR Contact: 09/20/2021 Data Release Frequency: Quarterly

FINDS: Facility Index System/Facility Registry System

Facility Index System. FINDS contains both facility information and 'pointers' to other sources that contain more detail. EDR includes the following FINDS databases in this report: PCS (Permit Compliance System), AIRS (Aerometric Information Retrieval System), DOCKET (Enforcement Docket used to manage and track information on civil judicial enforcement cases for all environmental statutes), FURS (Federal Underground Injection Control), C-DOCKET (Criminal Docket System used to track criminal enforcement actions for all environmental statutes), FFIS (Federal Facilities Information System), STATE (State Environmental Laws and Statutes), and PADS (PCB Activity Data System).

Date of Government Version: 02/03/2021 Date Data Arrived at EDR: 03/03/2021 Date Made Active in Reports: 04/05/2021

Number of Days to Update: 33

Source: EPA Telephone: (404) 562-9900 Last EDR Contact: 05/18/2021

Next Scheduled EDR Contact: 09/13/2021 Data Release Frequency: Quarterly

**UXO: Unexploded Ordnance Sites** 

A listing of unexploded ordnance site locations

Date of Government Version: 12/31/2018 Date Data Arrived at EDR: 07/02/2020 Date Made Active in Reports: 09/17/2020

Number of Days to Update: 77

Source: Department of Defense Telephone: 703-704-1564 Last EDR Contact: 07/07/2021

Next Scheduled EDR Contact: 10/25/2021 Data Release Frequency: Varies

ECHO: Enforcement & Compliance History Information

ECHO provides integrated compliance and enforcement information for about 800,000 regulated facilities nationwide.

Date of Government Version: 04/04/2021 Date Data Arrived at EDR: 04/06/2021 Date Made Active in Reports: 06/25/2021

Number of Days to Update: 80

Source: Environmental Protection Agency Telephone: 202-564-2280

Last EDR Contact: 07/01/2021

Next Scheduled EDR Contact: 10/18/2021 Data Release Frequency: Quarterly

DOCKET HWC: Hazardous Waste Compliance Docket Listing

A complete list of the Federal Agency Hazardous Waste Compliance Docket Facilities.

Date of Government Version: 05/06/2021 Date Data Arrived at EDR: 05/21/2021 Date Made Active in Reports: 08/11/2021

Number of Days to Update: 82

Source: Environmental Protection Agency

Telephone: 202-564-0527 Last EDR Contact: 05/21/2021

Next Scheduled EDR Contact: 09/06/2021 Data Release Frequency: Varies

FUELS PROGRAM: EPA Fuels Program Registered Listing

This listing includes facilities that are registered under the Part 80 (Code of Federal Regulations) EPA Fuels Programs. All companies now are required to submit new and updated registrations.

Date of Government Version: 05/14/2021 Date Data Arrived at EDR: 05/14/2021 Date Made Active in Reports: 08/03/2021

Number of Days to Update: 81

Source: EPA

Telephone: 800-385-6164 Last EDR Contact: 08/13/2021

Next Scheduled EDR Contact: 11/29/2021 Data Release Frequency: Quarterly

AIRS: Air Quality Permit Listing

A listing of facilities with air quality permits.

Date of Government Version: 03/09/2021 Date Data Arrived at EDR: 03/10/2021 Date Made Active in Reports: 05/27/2021

Number of Days to Update: 78

Source: Department of Environmental Quality

Telephone: 919-707-8726 Last EDR Contact: 06/07/2021

Next Scheduled EDR Contact: 09/20/2021 Data Release Frequency: Varies

ASBESTOS: ASBESTOS
Asbestos notification sites

Date of Government Version: 04/30/2021 Date Data Arrived at EDR: 05/17/2021 Date Made Active in Reports: 08/03/2021

Number of Days to Update: 78

Source: Department of Health & Human Services

Telephone: 919-707-5973 Last EDR Contact: 07/14/2021

Next Scheduled EDR Contact: 11/01/2021 Data Release Frequency: Varies

COAL ASH: Coal Ash Disposal Sites

A listing of coal combustion products distribution permits issued by the Division for the treatment, storage,

transportation, use and disposal of coal combustion products.

Date of Government Version: 09/10/2020 Date Data Arrived at EDR: 09/23/2020 Date Made Active in Reports: 12/14/2020

Number of Days to Update: 82

Source: Department of Environment & Natural Resources

Telephone: 919-807-6359 Last EDR Contact: 06/22/2021

Next Scheduled EDR Contact: 10/04/2021

Data Release Frequency: Varies

DRYCLEANERS: Drycleaning Sites

Potential and known drycleaning sites, active and abandoned, that the Drycleaning Solvent Cleanup Program has knowledge of and entered into this database.

Date of Government Version: 09/08/2020 Date Data Arrived at EDR: 09/16/2020 Date Made Active in Reports: 12/08/2020

Number of Days to Update: 83

Source: Department of Environment & Natural Resources

Telephone: 919-508-8400 Last EDR Contact: 06/03/2021

Next Scheduled EDR Contact: 09/27/2021 Data Release Frequency: Varies

Financial Assurance 1: Financial Assurance Information Listing

A listing of financial assurance information for underground storage tank facilities. Financial assurance is intended to ensure that resources are available to pay for the cost of closure, post-closure care, and corrective measures if the owner or operator of a regulated facility is unable or unwilling to pay.

Date of Government Version: 04/30/2021 Date Data Arrived at EDR: 05/03/2021 Date Made Active in Reports: 07/20/2021

Number of Days to Update: 78

Source: Department of Environment & Natural Resources

Telephone: 919-733-1322 Last EDR Contact: 08/03/2021

Next Scheduled EDR Contact: 11/15/2021 Data Release Frequency: Quarterly

Financial Assurance 2: Financial Assurance Information Listing

Information for solid waste facilities. Financial assurance is intended to ensure that resources are available to pay for the cost of closure, post-closure care, and corrective measures if the owner or operator of a regulated facility is unable or unwilling to pay.

Date of Government Version: 10/02/2012 Date Data Arrived at EDR: 10/03/2012 Date Made Active in Reports: 10/26/2012

Number of Days to Update: 23

Source: Department of Environmental & Natural Resources

Telephone: 919-508-8496 Last EDR Contact: 06/15/2021

Next Scheduled EDR Contact: 10/04/2021 Data Release Frequency: Varies

Financial Assurance 3: Financial Assurance Information Hazardous waste financial assurance information.

Date of Government Version: 03/08/2021 Date Data Arrived at EDR: 03/09/2021 Date Made Active in Reports: 05/26/2021

Number of Days to Update: 78

Source: Department of Environment & Natural Resources

Telephone: 919-707-8222 Last EDR Contact: 06/02/2021

Next Scheduled EDR Contact: 09/20/2021 Data Release Frequency: Varies

NPDES: NPDES Facility Location Listing

General information regarding NPDES(National Pollutant Discharge Elimination System) permits.

Date of Government Version: 04/02/2021 Date Data Arrived at EDR: 04/27/2021 Date Made Active in Reports: 07/15/2021

Number of Days to Update: 79

Source: Department of Environment & Natural Resources

Telephone: 919-733-7015 Last EDR Contact: 07/26/2021

Next Scheduled EDR Contact: 11/08/2021 Data Release Frequency: Varies

UIC: Underground Injection Wells Listing

A listing of uncerground injection wells locations.

Date of Government Version: 10/26/2020 Date Data Arrived at EDR: 11/30/2020 Date Made Active in Reports: 12/07/2020

Number of Days to Update: 7

Source: Department of Environment & Natural Resources

Telephone: 919-807-6412 Last EDR Contact: 06/04/2021

Next Scheduled EDR Contact: 09/13/2021 Data Release Frequency: Quarterly

AOP: Animal Operation Permits Listing

This listing includes animal operations that are required to be permitted by the state.

Date of Government Version: 04/01/2020 Date Data Arrived at EDR: 05/26/2020 Date Made Active in Reports: 05/27/2020

Number of Days to Update: 1

Source: Department of Environmental Quality

Telephone: 919-707-9129 Last EDR Contact: 06/10/2021

Next Scheduled EDR Contact: 09/20/2021

Data Release Frequency: Varies

PCSRP: Petroleum-Contaminated Soil Remediation Permits

To treat petroleum-contaminated soil in order to protect North Carolinaa??s environment and the health of the citizens of North Carolina.

Date of Government Version: 04/05/2021 Date Data Arrived at EDR: 04/06/2021 Date Made Active in Reports: 06/24/2021

Number of Days to Update: 79

Source: Department of Environmental Quality

Telephone: 919-707-8248 Last EDR Contact: 07/02/2021

Next Scheduled EDR Contact: 10/18/2021 Data Release Frequency: Varies

SEPT HAULERS: Permitted Septage Haulers Listing

This list of all active and permitted Septage Land Application Site (SLAS) and Septage Detention and Treatment Facility (SDTF) sites in North Carolina. The purpose of this map is to provide the public and government entities a visual overview of the businesses that manage septage and septage facilities throughout the state.

Date of Government Version: 03/25/2021 Date Data Arrived at EDR: 04/06/2021 Date Made Active in Reports: 06/24/2021

Number of Days to Update: 79

Source: Department of Environmental Quality

Telephone: 919-707-8248 Last EDR Contact: 07/02/2021

Next Scheduled EDR Contact: 10/18/2021 Data Release Frequency: Varies

MINES MRDS: Mineral Resources Data System

Mineral Resources Data System

Date of Government Version: 04/06/2018 Date Data Arrived at EDR: 10/21/2019 Date Made Active in Reports: 10/24/2019

Number of Days to Update: 3

Source: USGS

Telephone: 703-648-6533 Last EDR Contact: 05/27/2021

Next Scheduled EDR Contact: 09/06/2021 Data Release Frequency: Varies

CCB: Coal Ash Structural Fills (CCB) Listing

These are not permitted Coal Ash landfills A list all of the now closed Coal Ash Structural Fills (CCB) in North Carolina, in point data form. The purpose is to provide the public and other government entities a visual overview of coal ash structural fills throughout the state and increase public awareness of their current locations.

Date of Government Version: 02/27/2020 Date Data Arrived at EDR: 07/07/2020 Date Made Active in Reports: 09/23/2020

Number of Days to Update: 78

Source: Department of Environmental Quality

Telephone: 919-707-8248 Last EDR Contact: 07/02/2021

Next Scheduled EDR Contact: 10/18/2021 Data Release Frequency: Varies

PCS: Permit Compliance System

PCS is a computerized management information system that contains data on National Pollutant Discharge Elimination System (NPDES) permit holding facilities. PCS tracks the permit, compliance, and enforcement status of NPDES

Date of Government Version: 07/14/2011 Date Data Arrived at EDR: 08/05/2011 Date Made Active in Reports: 09/29/2011

Number of Days to Update: 55

Source: EPA, Office of Water Telephone: 202-564-2496 Last EDR Contact: 06/30/2021

Next Scheduled EDR Contact: 10/18/2021 Data Release Frequency: No Update Planned

PCS INACTIVE: Listing of Inactive PCS Permits

An inactive permit is a facility that has shut down or is no longer discharging.

Date of Government Version: 11/05/2014 Date Data Arrived at EDR: 01/06/2015 Date Made Active in Reports: 05/06/2015

Number of Days to Update: 120

Source: EPA

Telephone: 202-564-2496 Last EDR Contact: 06/30/2021

Next Scheduled EDR Contact: 10/18/2021 Data Release Frequency: No Update Planned

PCS ENF: Enforcement data

No description is available for this data

Date of Government Version: 12/31/2014 Date Data Arrived at EDR: 02/05/2015 Date Made Active in Reports: 03/06/2015

Number of Days to Update: 29

Source: EPA

Telephone: 202-564-2497 Last EDR Contact: 06/30/2021

Next Scheduled EDR Contact: 10/18/2021 Data Release Frequency: No Update Planned

## **EDR HIGH RISK HISTORICAL RECORDS**

### **EDR Exclusive Records**

EDR MGP: EDR Proprietary Manufactured Gas Plants

The EDR Proprietary Manufactured Gas Plant Database includes records of coal gas plants (manufactured gas plants) compiled by EDR's researchers. Manufactured gas sites were used in the United States from the 1800's to 1950's to produce a gas that could be distributed and used as fuel. These plants used whale oil, rosin, coal, or a mixture of coal, oil, and water that also produced a significant amount of waste. Many of the byproducts of the gas production, such as coal tar (oily waste containing volatile and non-volatile chemicals), sludges, oils and other compounds are potentially hazardous to human health and the environment. The byproduct from this process was frequently disposed of directly at the plant site and can remain or spread slowly, serving as a continuous source of soil and groundwater contamination.

Date of Government Version: N/A Date Data Arrived at EDR: N/A Date Made Active in Reports: N/A

Number of Days to Update: N/A

Source: EDR, Inc. Telephone: N/A Last EDR Contact: N/A

Next Scheduled EDR Contact: N/A

Data Release Frequency: No Update Planned

#### EDR Hist Auto: EDR Exclusive Historical Auto Stations

EDR has searched selected national collections of business directories and has collected listings of potential gas station/filling station/service station sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include gas station/filling station/service station establishments. The categories reviewed included, but were not limited to gas, gas station, gasoline station, filling station, auto, automobile repair, auto service station, service station, etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns, but may not show up in current government records searches.

Date of Government Version: N/A

Date Data Arrived at EDR: N/A

Date Made Active in Reports: N/A

Last EDR Contact: N/A

Note of Government Version: N/A

Last EDR Contact: N/A

Number of Days to Update: N/A Next Scheduled EDR Contact: N/A Data Release Frequency: Varies

#### EDR Hist Cleaner: EDR Exclusive Historical Cleaners

EDR has searched selected national collections of business directories and has collected listings of potential dry cleaner sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include dry cleaning establishments. The categories reviewed included, but were not limited to dry cleaners, cleaners, laundry, laundromat, cleaning/laundry, wash & dry etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns, but may not show up in current government records searches.

Date of Government Version: N/A Source: EDR, Inc.
Date Data Arrived at EDR: N/A Telephone: N/A
Date Made Active in Reports: N/A Last EDR Contact: N/A

Number of Days to Update: N/A Next Scheduled EDR Contact: N/A Data Release Frequency: Varies

### **EDR RECOVERED GOVERNMENT ARCHIVES**

### Exclusive Recovered Govt. Archives

### RGA HWS: Recovered Government Archive State Hazardous Waste Facilities List

The EDR Recovered Government Archive State Hazardous Waste database provides a list of SHWS incidents derived from historical databases and includes many records that no longer appear in current government lists. Compiled from Records formerly available from the Department of Environment, Health and Natural Resources in North Carolina.

Date of Government Version: N/A
Date Data Arrived at EDR: 07/01/2013
Date Made Active in Reports: 12/24/2013
Number of Days to Update: 176

Source: Department of Environment, Health and Natural Resources Telephone: N/A

Last EDR Contact: 06/01/2012 Next Scheduled EDR Contact: N/A Data Release Frequency: Varies

## RGA LF: Recovered Government Archive Solid Waste Facilities List

The EDR Recovered Government Archive Landfill database provides a list of landfills derived from historical databases and includes many records that no longer appear in current government lists. Compiled from Records formerly available from the Department of Environment, Health and Natural Resources in North Carolina.

Date of Government Version: N/A
Date Data Arrived at EDR: 07/01/2013
Date Made Active in Reports: 01/13/2014
Number of Days to Update: 196

Source: Department of Environment, Health and Natural Resources

Telephone: N/A

Last EDR Contact: 06/01/2012 Next Scheduled EDR Contact: N/A Data Release Frequency: Varies

### RGA LUST: Recovered Government Archive Leaking Underground Storage Tank

The EDR Recovered Government Archive Leaking Underground Storage Tank database provides a list of LUST incidents derived from historical databases and includes many records that no longer appear in current government lists. Compiled from Records formerly available from the Department of Environment, Health and Natural Resources in North Carolina.

Date of Government Version: N/A
Date Data Arrived at EDR: 07/01/2013
Date Made Active in Reports: 12/20/2013
Number of Days to Update: 172

Source: Department of Environment, Health and Natural Resources Telephone: N/A Last EDR Contact: 06/01/2012 Next Scheduled EDR Contact: N/A Data Release Frequency: Varies

### OTHER DATABASE(S)

Depending on the geographic area covered by this report, the data provided in these specialty databases may or may not be complete. For example, the existence of wetlands information data in a specific report does not mean that all wetlands in the area covered by the report are included. Moreover, the absence of any reported wetlands information does not necessarily mean that wetlands do not exist in the area covered by the report.

CT MANIFEST: Hazardous Waste Manifest Data

Facility and manifest data. Manifest is a document that lists and tracks hazardous waste from the generator through transporters to a tsd facility.

Date of Government Version: 03/24/2021 Date Data Arrived at EDR: 05/11/2021 Date Made Active in Reports: 07/28/2021

Number of Days to Update: 78

Last EDR Contact: 08/10/2021

Source: Department of Energy & Environmental Protection Telephone: 860-424-3375

Next Scheduled EDR Contact: 11/22/2021 Data Release Frequency: No Update Planned

NJ MANIFEST: Manifest Information
Hazardous waste manifest information.

Date of Government Version: 12/31/2018 Date Data Arrived at EDR: 04/10/2019 Date Made Active in Reports: 05/16/2019

Number of Days to Update: 36

Source: Department of Environmental Protection

Telephone: N/A

Last EDR Contact: 07/09/2021

Next Scheduled EDR Contact: 10/18/2021 Data Release Frequency: Annually

NY MANIFEST: Facility and Manifest Data

Manifest is a document that lists and tracks hazardous waste from the generator through transporters to a TSD facility.

Date of Government Version: 01/01/2019 Date Data Arrived at EDR: 04/29/2020 Date Made Active in Reports: 07/10/2020

Number of Days to Update: 72

Source: Department of Environmental Conservation

Telephone: 518-402-8651 Last EDR Contact: 07/29/2021

Next Scheduled EDR Contact: 11/08/2021 Data Release Frequency: Quarterly

PA MANIFEST: Manifest Information
Hazardous waste manifest information.

Date of Government Version: 06/30/2018 Date Data Arrived at EDR: 07/19/2019 Date Made Active in Reports: 09/10/2019

Number of Days to Update: 53

Source: Department of Environmental Protection

Telephone: 717-783-8990 Last EDR Contact: 07/07/2021

Next Scheduled EDR Contact: 10/25/2021 Data Release Frequency: Annually

RI MANIFEST: Manifest information
Hazardous waste manifest information

Date of Government Version: 12/31/2019 Date Data Arrived at EDR: 02/11/2021 Date Made Active in Reports: 02/24/2021

Number of Days to Update: 13

Source: Department of Environmental Management

Telephone: 401-222-2797 Last EDR Contact: 08/11/2021

Next Scheduled EDR Contact: 11/29/2021 Data Release Frequency: Annually

WI MANIFEST: Manifest Information

Hazardous waste manifest information.

Date of Government Version: 05/31/2018 Date Data Arrived at EDR: 06/19/2019 Date Made Active in Reports: 09/03/2019

Number of Days to Update: 76

Source: Department of Natural Resources

Telephone: N/A

Last EDR Contact: 06/03/2021

Next Scheduled EDR Contact: 09/20/2021 Data Release Frequency: Annually

#### Oil/Gas Pipelines

Source: Endeavor Business Media

Petroleum Bundle (Crude Oil, Refined Products, Petrochemicals, Gas Liquids (LPG/NGL), and Specialty Gases (Miscellaneous)) N = Natural Gas Bundle (Natural Gas, Gas Liquids (LPG/NGL), and Specialty Gases (Miscellaneous)). This map includes information copyrighted by Endeavor Business Media. This information is provided on a best effort basis and Endeavor Business Media does not guarantee its accuracy nor warrant its fitness for any particular purpose. Such information has been reprinted with the permission of Endeavor Business Media.

#### Electric Power Transmission Line Data

Source: Endeavor Business Media

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Sensitive Receptors: There are individuals deemed sensitive receptors due to their fragile immune systems and special sensitivity to environmental discharges. These sensitive receptors typically include the elderly, the sick, and children. While the location of all sensitive receptors cannot be determined, EDR indicates those buildings and facilities - schools, daycares, hospitals, medical centers, and nursing homes - where individuals who are sensitive receptors are likely to be located.

### AHA Hospitals:

Source: American Hospital Association, Inc.

Telephone: 312-280-5991

The database includes a listing of hospitals based on the American Hospital Association's annual survey of hospitals.

Medical Centers: Provider of Services Listing

Source: Centers for Medicare & Medicaid Services

Telephone: 410-786-3000

A listing of hospitals with Medicare provider number, produced by Centers of Medicare & Medicaid Services,

a federal agency within the U.S. Department of Health and Human Services.

## **Nursing Homes**

Source: National Institutes of Health

Telephone: 301-594-6248

Information on Medicare and Medicaid certified nursing homes in the United States.

#### **Public Schools**

Source: National Center for Education Statistics

Telephone: 202-502-7300

The National Center for Education Statistics' primary database on elementary

and secondary public education in the United States. It is a comprehensive, annual, national statistical database of all public elementary and secondary schools and school districts, which contains data that are comparable across all states.

Private Schools

Source: National Center for Education Statistics

Telephone: 202-502-7300

The National Center for Education Statistics' primary database on private school locations in the United States.

Daycare Centers: Child Care Facility List

Source: Department of Health & Human Services

Telephone: 919-662-4499

Flood Zone Data: This data was obtained from the Federal Emergency Management Agency (FEMA). It depicts 100-year and 500-year flood zones as defined by FEMA. It includes the National Flood Hazard Layer (NFHL) which incorporates Flood Insurance Rate Map (FIRM) data and Q3 data from FEMA in areas not covered by NFHL.

Source: FEMA

Telephone: 877-336-2627

Date of Government Version: 2003, 2015

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002, 2005 and 2010 from the U.S. Fish and Wildlife Service.

State Wetlands Data: Wetland Inventory Source: US Fish & Wildlife Service Telephone: 703-358-2171

Current USGS 7.5 Minute Topographic Map Source: U.S. Geological Survey

## STREET AND ADDRESS INFORMATION

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# **GEOCHECK®-PHYSICAL SETTING SOURCE ADDENDUM**

### **TARGET PROPERTY ADDRESS**

CANOPY POINTE 217 MIDDLE SOUND LOOP ROAD WILMINGTON, NC 28467

### **TARGET PROPERTY COORDINATES**

Latitude (North): 34.27024 - 34° 16' 12.86" Longitude (West): 77.815262 - 77° 48' 54.94"

Universal Tranverse Mercator: Zone 18 UTM X (Meters): 240798.5 UTM Y (Meters): 3795512.5

Elevation: 31 ft. above sea level

### **USGS TOPOGRAPHIC MAP**

Target Property Map: 5945715 SCOTTS HILL, NC

Version Date: 2013

EDR's GeoCheck Physical Setting Source Addendum is provided to assist the environmental professional in forming an opinion about the impact of potential contaminant migration.

Assessment of the impact of contaminant migration generally has two principle investigative components:

- 1. Groundwater flow direction, and
- 2. Groundwater flow velocity.

Groundwater flow direction may be impacted by surface topography, hydrology, hydrogeology, characteristics of the soil, and nearby wells. Groundwater flow velocity is generally impacted by the nature of the geologic strata.

## **GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY**

## **GROUNDWATER FLOW DIRECTION INFORMATION**

Groundwater flow direction for a particular site is best determined by a qualified environmental professional using site-specific well data. If such data is not reasonably ascertainable, it may be necessary to rely on other sources of information, such as surface topographic information, hydrologic information, hydrogeologic data collected on nearby properties, and regional groundwater flow information (from deep aquifers).

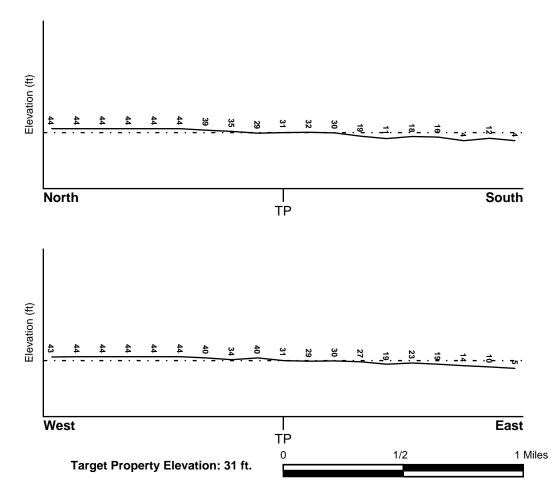
### **TOPOGRAPHIC INFORMATION**

Surface topography may be indicative of the direction of surficial groundwater flow. This information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

### TARGET PROPERTY TOPOGRAPHY

General Topographic Gradient: General SSE

#### SURROUNDING TOPOGRAPHY: ELEVATION PROFILES



Source: Topography has been determined from the USGS 7.5' Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified.

## **GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY**

### **HYDROLOGIC INFORMATION**

Surface water can act as a hydrologic barrier to groundwater flow. Such hydrologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

Refer to the Physical Setting Source Map following this summary for hydrologic information (major waterways and bodies of water).

### **FEMA FLOOD ZONE**

Flood Plain Panel at Target Property FEMA Source Type

3720315900J FEMA FIRM Flood data

Additional Panels in search area: FEMA Source Type

 3720316900J
 FEMA FIRM Flood data

 3720315800J
 FEMA FIRM Flood data

 3720316800J
 FEMA FIRM Flood data

**NATIONAL WETLAND INVENTORY** 

NWI Quad at Target Property Data Coverage

SCOTTS HILL YES - refer to the Overview Map and Detail Map

#### HYDROGEOLOGIC INFORMATION

Hydrogeologic information obtained by installation of wells on a specific site can often be an indicator of groundwater flow direction in the immediate area. Such hydrogeologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

## **AQUIFLOW®**

Search Radius: 1.000 Mile.

EDR has developed the AQUIFLOW Information System to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted by environmental professionals to regulatory authorities at select sites and has extracted the date of the report, groundwater flow direction as determined hydrogeologically, and the depth to water table.

LOCATION GENERAL DIRECTION

MAP ID FROM TP GROUNDWATER FLOW

Not Reported

# GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

## **GROUNDWATER FLOW VELOCITY INFORMATION**

Groundwater flow velocity information for a particular site is best determined by a qualified environmental professional using site specific geologic and soil strata data. If such data are not reasonably ascertainable, it may be necessary to rely on other sources of information, including geologic age identification, rock stratigraphic unit and soil characteristics data collected on nearby properties and regional soil information. In general, contaminant plumes move more quickly through sandy-gravelly types of soils than silty-clayey types of soils.

### **GEOLOGIC INFORMATION IN GENERAL AREA OF TARGET PROPERTY**

Geologic information can be used by the environmental professional in forming an opinion about the relative speed at which contaminant migration may be occurring.

#### **ROCK STRATIGRAPHIC UNIT**

#### **GEOLOGIC AGE IDENTIFICATION**

Era: Cenozoic Category: Stratifed Sequence

System: Quaternary Series: Pleistocene

Code: Qp (decoded above as Era, System & Series)

Geologic Age and Rock Stratigraphic Unit Source: P.G. Schruben, R.E. Arndt and W.J. Bawiec, Geology of the Conterminous U.S. at 1:2,500,000 Scale - a digital representation of the 1974 P.B. King and H.M. Beikman Map, USGS Digital Data Series DDS - 11 (1994).

#### DOMINANT SOIL COMPOSITION IN GENERAL AREA OF TARGET PROPERTY

The U.S. Department of Agriculture's (USDA) Soil Conservation Service (SCS) leads the National Cooperative Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. Soil maps for STATSGO are compiled by generalizing more detailed (SSURGO) soil survey maps. The following information is based on Soil Conservation Service STATSGO data.

Soil Component Name: LEON
Soil Surface Texture: sand

Hydrologic Group: Class B/D - Drained/undrained hydrology class of soils that can be

drained and are classified.

Soil Drainage Class: Poorly. Soils may have a saturated zone, a layer of low hydraulic

conductivity, or seepage. Depth to water table is less than 1 foot.

Hydric Status: Soil meets the requirements for a hydric soil.

Corrosion Potential - Uncoated Steel: HIGH

Depth to Bedrock Min: > 60 inches

Depth to Bedrock Max: > 60 inches

# **GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY**

Soil Layer Information							
	Boundary			Classification			
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil	Permeability Rate (in/hr)	Soil Reaction (pH)
1	0 inches	3 inches	sand	Granular materials (35 pct. or less passing No. 200), Fine Sand.	COARSE-GRAINED SOILS, Sands, Clean Sands, Poorly graded sand.	Max: 20.00 Min: 6.00	Max: 6.50 Min: 3.60
2	3 inches	15 inches	sand	Granular materials (35 pct. or less passing No. 200), Fine Sand.	COARSE-GRAINED SOILS, Sands, Clean Sands, Poorly graded sand.	Max: 20.00 Min: 6.00	Max: 6.50 Min: 3.60
3	15 inches	30 inches	sand	Granular materials (35 pct. or less passing No. 200), Fine Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Silty Sand.	Max: 6.00 Min: 0.60	Max: 6.50 Min: 3.60
4	30 inches	80 inches	sand	Granular materials (35 pct. or less passing No. 200), Fine Sand.	COARSE-GRAINED SOILS, Sands, Clean Sands, Poorly graded sand.	Max: 20.00 Min: 2.00	Max: 6.50 Min: 3.60

### OTHER SOIL TYPES IN AREA

Based on Soil Conservation Service STATSGO data, the following additional subordinant soil types may appear within the general area of target property.

Soil Surface Textures: fine sand

loamy sand mucky - loam

loam

Surficial Soil Types: fine sand

loamy sand mucky - loam

loam

Shallow Soil Types: fine sand

sandy loam

Deeper Soil Types: clay loam

sandy clay loam

stratified loamy sand loamy fine sand sandy loam

## **GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY**

### **LOCAL / REGIONAL WATER AGENCY RECORDS**

EDR Local/Regional Water Agency records provide water well information to assist the environmental professional in assessing sources that may impact ground water flow direction, and in forming an opinion about the impact of contaminant migration on nearby drinking water wells.

### WELL SEARCH DISTANCE INFORMATION

DATABASE SEARCH DISTANCE (miles)

Federal USGS 1.000

Federal FRDS PWS Nearest PWS within 1 mile

State Database 1.000

#### FEDERAL USGS WELL INFORMATION

MAP ID	WELL ID	LOCATION FROM TP
1	USGS40000882022	0 - 1/8 Mile NW
4	USGS40000882025	1/8 - 1/4 Mile WNW
7	USGS40000882009	1/4 - 1/2 Mile SE
B9	USGS40000882023	1/2 - 1 Mile West
B10	USGS40000882024	1/2 - 1 Mile West
12	USGS40000882054	1/2 - 1 Mile NE
13	USGS40000881991	1/2 - 1 Mile SSE
15	USGS40000882062	1/2 - 1 Mile NE
C16	USGS40000882051	1/2 - 1 Mile WNW
C18	USGS40000882050	1/2 - 1 Mile WNW
19	USGS40000881982	1/2 - 1 Mile SSW
20	USGS40000882013	1/2 - 1 Mile East
D21	USGS40000882017	1/2 - 1 Mile West
D23	USGS40000882018	1/2 - 1 Mile West

#### FEDERAL FRDS PUBLIC WATER SUPPLY SYSTEM INFORMATION

		LOCATION
MAP ID	WELL ID	FROM TP
	NC0465201	0 - 1/8 Mile SSW

Note: PWS System location is not always the same as well location.

### STATE DATABASE WELL INFORMATION

MAP ID	WELL ID	LOCATION FROM TP
A3	NC2000000000287	0 - 1/8 Mile SSW
5	NC200000000299	1/4 - 1/2 Mile NW
6	NC300000007592	1/4 - 1/2 Mile SSW
8	NC300000007669	1/2 - 1 Mile North
B11	NC300000007729	1/2 - 1 Mile West
14	NC300000007718	1/2 - 1 Mile NNE
C17	NC300000007730	1/2 - 1 Mile WNW

# **GEOCHECK<sup>®</sup> - PHYSICAL SETTING SOURCE SUMMARY**

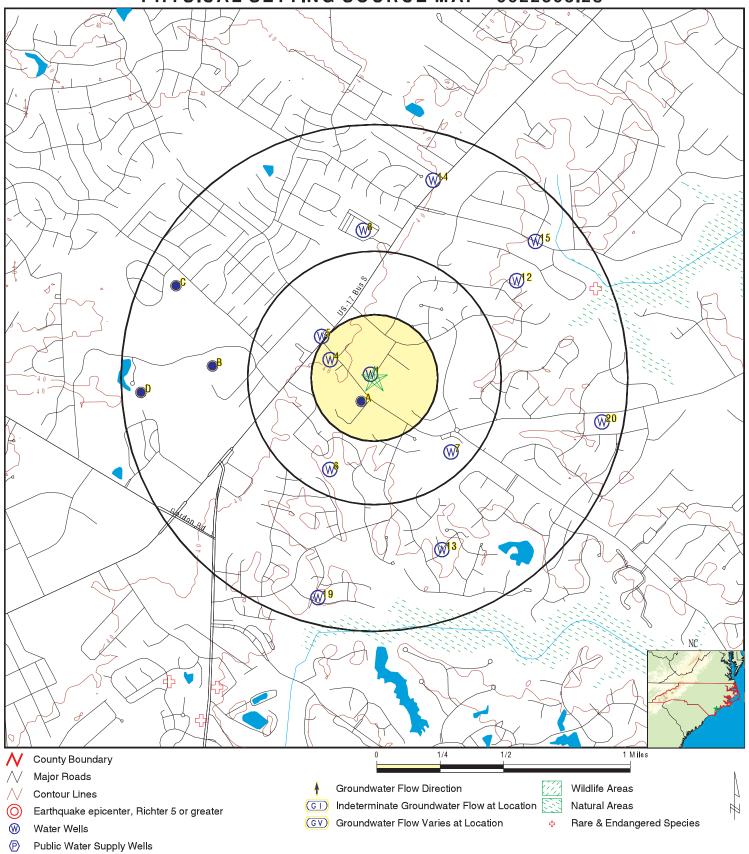
### STATE DATABASE WELL INFORMATION

MAP ID WELL ID LOCATION FROM TP

D22 NC30000000007728 1/2 - 1 Mile West

### OTHER STATE DATABASE INFORMATION

## PHYSICAL SETTING SOURCE MAP - 6622808.2s



Cluster of Multiple Icons

SITE NAME: Canopy Pointe ADDRESS: 217 Middle Sound Loop Road

Wilmington NC 28467 LAT/LONG: 34.27024 / 77.815262 CLIENT: Southern Env. CONTACT: David A Syster Southern Env. Group Inc.

INQUIRY #: 6622808.2s

August 17, 2021 12:29 pm DATE:

Map ID Direction Distance

Elevation Database EDR ID Number

1 NW FED USGS USGS40000882022

0 - 1/8 Mile Higher

Organization ID: USGS-NC

USGS North Carolina Water Science Center Organization Name: Monitor Location: NH-147 CHRISTIAN CH Well Type: 03030001 Description: Not Reported HUC: Drainage Area: Not Reported Drainage Area Units: Not Reported Contrib Drainage Area: Not Reported Contrib Drainage Area Unts: Not Reported

Aquifer: Castle Hayne aquifer Formation Type: Castle Hayne Limestone

Aquifer Type:Not ReportedConstruction Date:Not ReportedWell Depth:Not ReportedWell Depth Units:Not ReportedWell Hole Depth:Not ReportedWell Hole Depth Units:Not Reported

A2 SSW FRDS PWS NC0465201 0 - 1/8 Mile Higher

Epa region: 04 State: NC K & M MHP Pwsid: NC0465201 Pwsname: Cityserved: Not Reported NC Stateserved: Zipserved: Not Reported Fipscounty: 37129 Status: Closed Retpopsrvd: 60

Pwssvcconn: 27 Psource longname: Groundwater Pwstype: CWS Owner: Private

Contact: KOONCE, WALTON Contactorgname: KOONCE, WALTON
Contactphone: Not Reported Contactaddress1: KOONCE, WALTON
65 NORTHWOOD DRIVE

Contactaddress2: Not Reported Contactcity: WILMINGTON

Contactstate: NC Contactzip: 28405

Pwsactivitycode: I

Pwsid: NC0465201 Facid: 7877

Facname: TREATMENT\_PLT\_WELL #1 Factype: Treatment\_plant Facactivitycode: A Trobjective: disinfection

Trtprocess: hypochlorination, post Factypecode: TP

PWS ID: NC0465201 PWS name: K & M MHP
Address: 118 MIDDLE SOUND RD Care of: Not Reported
City: WILMINGTON State: NC

Zip: 28405 Owner: K & M MHP

Source code: Ground water Population: 60

PWS ID: NC0465201 PWS type: System Owner/Responsible Party

PWS name: WALTON KOONCE OR MANAGER NOW

PWS address: Not Reported PWS city: WILMINGTON

PWS state: NC PWS zip: 28405

PWS ID: NC0465201 PWS type: System Owner/Responsible Party

PWS name: WALTON KOONCE PWS address: Not Reported

PWS city: WILMINGTON PWS state: NC

PWS zip: 28405 PWS name: K & M MHP

PWS type code: C Retail population served: 60

Contact: KOONCE, WALTON Contact address: 65 NORTHWOOD DRIVE

Contact address: WILMINGTON Contact city: NC

Contact state: 28 Contact zip: 910-799-70

Contact telephone: Not Reported

County: NEW HANOVER Source: Ground water

Treatment Objective: DISINFECTION Process: HYPOCHLORINATION, POST

Population: 60

County: NEW HANOVER Source: Ground water

Treatment Objective: SOFTENING (HARDNESS REMOVAL)
Process: ION EXCHANGE Population:

PWS ID: NC0465201 Activity status: Active Date system activated: Not Reported 8606 Date system deactivated: 00000060 K&MMHP Retail population: System name: System address: Not Reported System city: WILMINGTON

System state: NC System zip: 28405

County FIPS: 065 City served: WILMINGTON

Population served: Under 101 Persons Treatment: Treated

Latitude: 341620 Longitude: 0774900

Latitude: 341318 Longitude: 0775600

State:NCLatitude degrees:34Latitude minutes:16Latitude seconds:8.0000Longitude degrees:77Longitude minutes:48

Longitude seconds: 59.0000

Cmp edt:

Cmp edt:

Violation id:1003Orig code:SState:NCViolation Year:2000Contamination code:1025Contamination Name:Fluoride

12/31/2002

12/31/2002

Violation code:03Violation name:Monitoring, RegularRule code:333Rule name:Other IOC

Rule code: 333 Rule name: Other IOC

Violation measur: Not Reported Unit of measure: Not Reported

State mcl: Not Reported Cmp bdt: 01/01/2000

 Violation id:
 1103
 Orig code:
 S

 State:
 NC
 Violation Year:
 2000

 Contamination code:
 1032
 Contamination Name:
 Manganese

 Violation code:
 Violation page:
 Monitoring

Violation code:03Violation name:Monitoring, RegularRule code:500Rule name:Not RegulatedViolation measur:Not ReportedUnit of measure:Not ReportedState mcl:Not ReportedCmp bdt:01/01/2000

 State mcl:
 Not Reported
 Cmp bdt:
 01/01/2000

 Cmp edt:
 12/31/2002

Violation id:1203Orig code:SState:NCViolation Year:2000Contamination code:1925Contamination Name:pH

Contamination code:1925Contamination Name:pHViolation code:03Violation name:Monitoring, RegularRule code:500Rule name:Not RegulatedViolation measur:Not ReportedUnit of measure:Not Reported

Cmp bdt:

State mcl: Not Reported Cmp edt: 12/31/2002

Violation id:1303Orig code:SState:NCViolation Year:2000

Contamination code: 1085 Contamination Name: Thallium, Total Violation code: 03 Violation name: Monitoring, Regular Pula code: 333

Rule code:333Rule name:Other IOCViolation measur:Not ReportedUnit of measure:Not ReportedState mcl:Not ReportedCmp bdt:01/01/2000

01/01/2000

60

Violation id:1403Orig code:SState:NCViolation Year:2000

Beryllium, Total Contamination code: 1075 Contamination Name: Monitoring, Regular Violation code: 03 Violation name: Other IOC Rule code: 333 Rule name: Violation measur: Not Reported Unit of measure: Not Reported

Violation measur:

Not Reported

Unit of measure:

Not Reported

Cmp bdt:

01/01/2000

Cmp edt:

12/31/2002

Violation id:1503Orig code:SState:NCViolation Year:2000

Contamination code: 1074 Contamination Name: Antimony, Total Violation code: 03 Violation name: Monitoring, Regular Other IOC Rule code: 333 Rule name: Violation measur: Not Reported Not Reported Unit of measure:

State mcl: Not Reported Cmp bdt: 01/01/2000 Cmp edt: 12/31/2002

Violation id:1603Orig code:SState:NCViolation Year:2000Contamination code:1055Contamination Name:Sulfate

Violation code:03Violation name:Monitoring, RegularRule code:500Rule name:Not RegulatedViolation measur:Not ReportedUnit of measure:Not Reported

State mcl: Not Reported Cmp bdt: 01/01/2000
Cmp edt: 12/31/2002

Violation id:1703Orig code:SState:NCViolation Year:2000Contamination code:1052Contamination Name:Sodium

Contamination code: 1052 Contamination Name: Sodium
Violation code: 03 Violation name: Monitoring, Regular
Rule code: 500 Rule name: Not Regulated

Rule code:500Rule name:Not RegulatedViolation measur:Not ReportedUnit of measure:Not ReportedState mcl:Not ReportedCmp bdt:01/01/2000Cmp edt:12/31/2002

Violation id:1803Orig code:SState:NCViolation Year:2000Contamination code:1045Contamination Name:Selenium

Violation code: 03 Violation name: Monitoring, Regular Rule code: 333 Rule name: Other IOC Violation measur: Not Reported Unit of measure: Not Reported

Violation measur:Not ReportedUnit of measure:Not ReportedState mcl:Not ReportedCmp bdt:01/01/2000Cmp edt:12/31/2002

Violation id:1903Orig code:SState:NCViolation Year:2000Contamination code:1036Contamination Name:Nickel

Violation code:03Violation name:Monitoring, RegularRule code:333Rule name:Other IOCViolation measur:Not ReportedUnit of measure:Not Reported

State mcl: Not Reported Cmp bdt: 01/01/2000
Cmp edt: 12/31/2002

Violation id:2003Orig code:SState:NCViolation Year:2000Contamination code:1035Contamination Name:Mercury

Violation code: 03 Violation name: Monitoring, Regular

Rule code: 333 Rule name: Other IOC
Violation measur: Not Reported Unit of measure: Not Reported
State mcl: Not Reported Cmp bdt: 01/01/2000
Cmp edt: 12/31/2002

Violation id:2103Orig code:SState:NCViolation Year:2000Contamination code:1028Contamination Name:Iron

Violation code:03Violation name:Monitoring, RegularRule code:500Rule name:Not RegulatedViolation measur:Not ReportedUnit of measure:Not ReportedState mcl:Not ReportedCmp bdt:01/01/2000

State mcl: Not Reported Cmp edt: 12/31/2002

Violation id:2203Orig code:SState:NCViolation Year:2000Contamination code:1024Contamination Name:CYANIDE

Violation code:03Violation name:Monitoring, RegularRule code:333Rule name:Other IOC

Rule code: 333 Rule name: Other IOC
Violation measur: Not Reported Unit of measure: Not Reported
State mcl: Not Reported Cmp bdt: 01/01/2000
Cmp edt: 12/31/2002

Violation id:2303Orig code:SState:NCViolation Year:2000Contamination code:1010Contamination Name:Barium

Violation code:03Violation name:Monitoring, RegularRule code:333Rule name:Other IOCViolation measur:Not ReportedUnit of measure:Not Reported

Cmp bdt:

State mcl: Not Reported Cmp edt: 12/31/2002

Cmp edt:

Violation id:2403Orig code:SState:NCViolation Year:2000Contamination code:1015Contamination Name:Cadmium

Violation code:03Violation name:Monitoring, RegularRule code:333Rule name:Other IOC

Violation measur:

Not Reported

State mcl:

Not Reported

Unit of measure:

Not Reported

Cmp bdt:

01/01/2000

Cmp edt:

12/31/2002

Violation id:2503Orig code:SState:NCViolation Year:2000Contamination code:1020Contamination Name:Chromium

 Violation code:
 03
 Violation name:
 Monitoring, Regular

 Rule code:
 333
 Rule name:
 Other IOC

 Violation measur:
 Not Reported
 Unit of measure:
 Not Reported

Violation measur:Not ReportedUnit of measure:Not ReportedState mcl:Not ReportedCmp bdt:01/01/2000Cmp edt:12/31/2002

Violation id:2604Orig code:SState:NCViolation Year:2003

Contamination code: 7000 Contamination Name: Consumer Confidence Rule
Violation code: 71 Violation name: CCR Complete Failure to Report

Rule code: 420 Rule name: CCR

Violation measur: Not Reported Unit of measure: Not Reported State mcl: O7/01/2003

Not Reported Cmp bdt: 07/01/2003

Violation id:2704Orig code:SState:NCViolation Year:2003

Not Reported

Contamination code: 3100 Contamination Name: Coliform (TCR)
Violation code: 22 Violation name: MCL, Monthly (TCR)

Rule code: 110 Rule name: TCR

Violation measur:Not ReportedUnit of measure:Not ReportedState mcl:Not ReportedCmp bdt:09/01/2003Cmp edt:09/30/2003

01/01/2000

Violation id:2804Orig code:SState:NCViolation Year:2003

Contamination code: 3100 Contamination Name: Coliform (TCR)
Violation code: 22 Violation name: MCL, Monthly (TCR)

Rule code: 110 Rule name: TCR
Violation measur: Not Reported Unit of measure: Not Reported
State mcl: Not Reported Cmp bdt: 10/01/2003

Cmp edt: 10/31/2003

Violation id:2904Orig code:SState:NCViolation Year:2003Contamination code:1040Contamination Name:Nitrate

Violation code: 03 Violation name: Monitoring, Regular

Rule code:331Rule name:NitratesViolation measur:Not ReportedUnit of measure:Not ReportedState mcl:Not ReportedCmp bdt:01/01/2003

Cmp edt: 12/31/2003

Violation id:3005Orig code:SState:NCViolation Year:2004

Contamination code: 7000 Contamination Name: Consumer Confidence Rule
Violation code: 71 Violation name: CCR Complete Failure to Report

Rule code: 420 Rule name: CCR

Violation measur:Not ReportedUnit of measure:Not ReportedState mcl:Not ReportedCmp bdt:07/01/2004

Cmp edt: Not Reported

 Violation id:
 3770905
 Orig code:
 S

 State:
 NC
 Violation Year:
 2005

Contamination code: 7500 Contamination Name: Public Notice

Violation code: 76

Violation name: PN Violation without NPDWR Violation

Rule code: 410 Rule name: PN rule

Violation measur: Not Reported Unit of measure: Not Reported

State mcl: Not Reported Cmp bdt: 04/02/2005

Cmp edt: Not Reported

Violation id:400Orig code:SState:NCViolation Year:1999

Contamination code: 7000 Contamination Name: Consumer Confidence Rule
Violation code: 71 Violation name: CCR Complete Failure to Report

Rule code: 420 Rule name: CCR
Violation measur: Not Reported Unit of measure: Not Reported
State mcl: Not Reported Cmp bdt: 10/19/1999

Cmp edt: Not Reported

Violation id:4196702Orig code:SState:NCViolation Year:2002Contamination code:7500Contamination Name:Public Notice

Violation code: 76

Violation name: PN Violation without NPDWR Violation

Rule code:410Rule name:PN ruleViolation measur:Not ReportedUnit of measure:Not ReportedState mcl:Not ReportedCmp bdt:08/19/2002

Cmp edt: Not Reported

Violation id:4440202Orig code:SState:NCViolation Year:2002Contamination code:1094Contamination Name:Asbestos

Violation code: 03 Violation name: Monitoring, Regular

Rule code: 333 Rule name: Other IOC
Violation measur: Not Reported Unit of measure: Not Reported

State mcl: Not Reported Cmp bdt: 01/01/2002

Cmp edt: 12/31/2004

Violation id:4466504Orig code:SState:NCViolation Year:2003Contamination code:7500Contamination Name:Public Notice

Violation code: 76

Violation name: PN Violation without NPDWR Violation

Rule code:410Rule name:PN ruleViolation measur:Not ReportedUnit of measure:Not ReportedState mcl:Not ReportedCmp bdt:12/08/2003

Cmp edt: Not Reported

Violation id:4560804Orig code:SState:NCViolation Year:2004

Contamination code: 7500 Contamination Name: Public Notice

Violation code: 76

Violation name: PN Violation without NPDWR Violation

Rule code:410Rule name:PN ruleViolation measur:Not ReportedUnit of measure:Not ReportedState mcl:Not ReportedCmp bdt:02/08/2004

Cmp edt: Not Reported

Violation id:4600503Orig code:SState:NCViolation Year:2002

Contamination code: 7500 Contamination Name: Public Notice

Violation code: 76

Violation name: PN Violation without NPDWR Violation

Rule code: 410 Rule name: PN rule

Violation measur: Not Reported Unit of measure: Not Reported

State mcl: Not Reported Cmp bdt: 12/18/2002

Cmp edt: Not Reported

Violation id:4818804Orig code:SState:NCViolation Year:2003Contamination code:7500Contamination Name:Public Notice

Contamination code: 7500 Violation code: 76

Violation name: PN Violation without NPDWR Violation

Rule code: 410 Rule name: PN rule

Violation measur: Not Reported Unit of measure: Not Reported

State mcl: Cmp bdt: 11/06/2003

Cmp edt: Not Reported

Violation id:4818906Orig code:SState:NCViolation Year:2005

Contamination code: 5000 Contamination Name: Lead and Copper Rule

Violation code: 52 Violation name: Follow-up Or Routine LCR Tap M/R

Rule code:350Rule name:LCRViolation measur:Not ReportedUnit of measure:Not ReportedState mcl:Not ReportedCmp bdt:10/01/2005

Cmp edt: Not Reported

Violation id:4819007Orig code:SState:NCViolation Year:2006Contamination code:1040Contamination Name:Nitrate

Violation code: 03 Violation name: Monitoring, Regular

Rule code: 331 Rule name: Nitrates

Violation measur: Not Reported Unit of measure: Not Reported
State mcl: Not Reported Cmp bdt: 01/01/2006

Cmp edt: 12/31/2006

Violation id: 4819008 Orig code: S

NC 2007 State: Violation Year: Contamination code: 7500 Contamination Name: Public Notice

Violation code: 75 Violation name: PN Violation for NPDWR Violation

Rule code: 410 Rule name: PN rule Not Reported Violation measur: Unit of measure: Not Reported 07/21/2007 State mcl: Not Reported Cmp bdt:

Cmp edt: Not Reported

4819009 S Violation id: Orig code: Violation Year: State: NC 2005

2378 1,2,4-Trichlorobenzene Contamination code: Contamination Name: Violation code: 03 Violation name: Monitoring, Regular Rule code: 310 Rule name: VOC

Violation measur: Not Reported Unit of measure: Not Reported Not Reported 01/01/2005 State mcl: Cmp bdt: 12/31/2007

Violation id: 4819010 Orig code: S Violation Year: NC 2005 State:

Cmp edt:

Cmp edt:

Cmp edt:

2380 Contamination code: Contamination Name: cis-1,2-Dichloroethylene 03 Violation name: Monitoring, Regular Violation code:

Rule code: 310 Rule name: VOC Not Reported Not Reported Violation measur: Unit of measure:

Not Reported 01/01/2005 State mcl: Cmp bdt: Cmp edt: 12/31/2007

S 4819011 Violation id: Orig code: NC Violation Year: 2005 State:

Xylenes, Total Contamination code: 2955 Contamination Name: Monitoring, Regular Violation code: 03 Violation name:

310 Rule code: Rule name: Violation measur: Not Reported Unit of measure: Not Reported

01/01/2005 Not Reported State mcl: Cmp bdt: 12/31/2007 Cmp edt:

4819012 Violation id: Orig code: Violation Year: 2005 State: NC

Contamination code: Contamination Name: 2964 **DICHLOROMETHANE** Violation code: 03 Violation name: Monitoring, Regular

Rule code: 310 Rule name: VOC Violation measur: Not Reported Unit of measure: Not Reported 01/01/2005 State mcl: Not Reported Cmp bdt: 12/31/2007 Cmp edt:

Violation id: 4819013 Orig code: S State: NC Violation Year: 2005

Contamination code: 2968 Contamination Name: o-Dichlorobenzene Violation code: 03 Violation name: Monitoring, Regular

Rule code: 310 Rule name: VOC

Violation measur: Not Reported Unit of measure: Not Reported Not Reported 01/01/2005 State mcl: Cmp bdt:

Violation id: 4819014 Orig code: S State: NC Violation Year: 2005

12/31/2007

12/31/2007

2969 p-Dichlorobenzene Contamination code: Contamination Name: Monitoring, Regular Violation code: 03 Violation name:

Rule code: 310 Rule name: VOC Violation measur: Not Reported Unit of measure: Not Reported Not Reported 01/01/2005 State mcl: Cmp bdt:

Violation id:4819015Orig code:SState:NCViolation Year:2005

Contamination code: 2976 Contamination Name: Vinyl chloride
Violation code: 03 Violation name: Monitoring, Regular

Rule code: 310 Rule name: VOC
Violation measur: Not Reported Unit of measure: Not Reported
State mcl: Not Reported Cmp bdt: 01/01/2005
Cmp edt: 12/31/2007

Violation id:4819016Orig code:SState:NCViolation Year:2005

Contamination code: 2977 Contamination Name: 1,1-Dichloroethylene Violation code: 03 Violation name: Monitoring, Regular Rule code: 310 Rule name: VOC

Violation measur:

Not Reported

State mcl:

Not Reported

Cmp bdt:

VOC

Not Reported

O1/01/2005

Cmp edt:

VOC

Not Reported

O1/01/2005

Violation id:4819017Orig code:SState:NCViolation Year:2005

Contamination code: 2979 Contamination Name: trans-1,2-Dichloroethylene

Violation code: 03 Violation name: Monitoring, Regular

Rule code: 310 Rule name: VOC

Violation measur:Not ReportedUnit of measure:Not ReportedState mcl:Not ReportedCmp bdt:01/01/2005Cmp edt:12/31/2007

Violation id:4819018Orig code:SState:NCViolation Year:2005

Contamination code: 2980 Contamination Name: 1,2-Dichloroethane Violation code: 03 Violation name: Monitoring, Regular

Rule code: 310 Rule name: VOC

Violation measur:Not ReportedUnit of measure:Not ReportedState mcl:Not ReportedCmp bdt:01/01/2005Cmp edt:12/31/2007

Violation id:4819019Orig code:SState:NCViolation Year:2005

Contamination code: 2981 Contamination Name: 1,1,1-Trichloroethane Violation code: 03 Violation name: Monitoring, Regular

Rule code:310Rule name:VOCViolation measur:Not ReportedUnit of measure:Not ReportedState mcl:Not ReportedCmp bdt:01/01/2005

Violation id:4819020Orig code:SState:NCViolation Year:2005

12/31/2007

12/31/2007

Cmp edt:

Cmp edt:

Contamination code: 2982 Contamination Name: Carbon tetrachloride Violation code: 03 Violation name: Monitoring, Regular

Rule code: 310 Rule name: VOC
Violation measur: Not Reported Unit of measure: Not Reported

 State mcl:
 Not Reported
 Cmp bdt:
 01/01/2005

 Cmp edt:
 12/31/2007

 Violation id:
 4819021
 Orig code:
 S

 State:
 NC
 Violation Year:
 2005

Contamination code: 2983 Contamination Name: 1,2-Dichloropropane Violation code: 03 Violation name: Monitoring, Regular

Rule code:310Rule name:VOCViolation measur:Not ReportedUnit of measure:Not ReportedState mcl:Not ReportedCmp bdt:01/01/2005

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Violation id: 4819022 S Orig code: State: NC Violation Year: 2005

Contamination code: 2984 Contamination Name: Trichloroethylene Monitoring, Regular Violation code: 03 Violation name:

VOC Rule code: 310 Rule name: Not Reported Not Reported Violation measur: Unit of measure: State mcl: Not Reported Cmp bdt: 01/01/2005 Cmp edt: 12/31/2007

4819023 S Violation id: Orig code: Violation Year: State: NC 2005

Contamination code: 2985 Contamination Name: 1,1,2-Trichloroethane Violation code: 03 Violation name: Monitoring, Regular

Rule code: 310 Rule name: VOC Violation measur: Not Reported Not Reported Unit of measure: Not Reported 01/01/2005 State mcl: Cmp bdt: 12/31/2007 Cmp edt:

4819024 S Violation id: Orig code: State: NC Violation Year: 2005

Contamination code: 2987 Contamination Name: Tetrachloroethylene Violation code: 03 Violation name: Monitoring, Regular

VOC Rule code: 310 Rule name: Not Reported Not Reported Violation measur: Unit of measure:

01/01/2005 State mcl: Not Reported Cmp bdt: Cmp edt: 12/31/2007

S Violation id: 4819025 Orig code: State: NC Violation Year: 2005

2989 **CHLOROBENZENE** Contamination code: Contamination Name: 03 Violation name: Monitoring, Regular Violation code:

Rule code: 310 Rule name: VOC Not Reported Not Reported Violation measur: Unit of measure:

Not Reported 01/01/2005 State mcl: Cmp bdt: Cmp edt: 12/31/2007

4819026 Orig code: S Violation id: Violation Year: 2005 State: NC Contamination code: 2990 Contamination Name: Benzene

Violation code: 03 Violation name: Monitoring, Regular 310 Rule name: VOC

Rule code: Not Reported Not Reported Violation measur: Unit of measure: Not Reported 01/01/2005 State mcl: Cmp bdt: 12/31/2007 Cmp edt:

Violation id: 4819027 Orig code: S State: NC Violation Year: 2005 Contamination code: 2991 Contamination Name: Toluene

Monitoring, Regular Violation code: 03 Violation name:

Rule code: 310 Rule name: VOC Not Reported Not Reported Violation measur: Unit of measure:

Not Reported 01/01/2005 State mcl: Cmp bdt: 12/31/2007 Cmp edt:

Violation id: 4819028 Orig code: 2005 State: NC Violation Year:

Contamination code: 2992 Contamination Name: Ethylbenzene Monitoring, Regular Violation code: 03 Violation name: Rule code: 310 Rule name: VOC

Not Reported Not Reported Violation measur: Unit of measure: 01/01/2005 State mcl: Not Reported Cmp bdt: 12/31/2007 Cmp edt:

Violation id: 4819029 S Orig code: State: NC Violation Year: 2005 Contamination code: 2996 Contamination Name: Styrene

Monitoring, Regular Violation code: 03 Violation name:

VOC Rule code: 310 Rule name: Not Reported Violation measur: Not Reported Unit of measure: State mcl: Not Reported Cmp bdt: 01/01/2005

Cmp edt: 12/31/2007

4819030 S Violation id: Orig code: Violation Year: 2008 State: NC Contamination code: 7500 Contamination Name: Public Notice

Violation code: 75 Violation name: PN Violation for NPDWR Violation

Rule code: 410 Rule name: PN rule Not Reported Not Reported Violation measur: Unit of measure: Not Reported 03/21/2008 State mcl: Cmp bdt: Cmp edt: Not Reported

4819032 S Violation id: Orig code: State: NC Violation Year: 2009 Contamination code: 7500 Contamination Name: Public Notice

Violation code: 75 Violation name: PN Violation for NPDWR Violation

Rule code: 410 Rule name: PN rule Not Reported Not Reported Violation measur: Unit of measure: 05/10/2009 State mcl: Not Reported Cmp bdt:

Cmp edt: Not Reported

S Violation id: 4819033 Orig code: State: NC Violation Year: 2009

3100 Coliform (TCR) Contamination code: Contamination Name:

23 Violation name: Monitoring, Routine Major (TCR) Violation code:

Rule code: 110 Rule name: **TCR** 

Not Reported Not Reported Violation measur: Unit of measure: Not Reported 09/01/2009 State mcl: Cmp bdt: Cmp edt: 09/30/2009

4819034 Orig code: S Violation id: Violation Year: 2009 State: NC. 0999 Contamination code: Contamination Name: Chlorine

Violation code: 27 Violation name: Monitoring and Reporting (DBP)

St1 DBP Rule code: 210 Rule name: Not Reported Not Reported Violation measur: Unit of measure: Not Reported 07/01/2009 State mcl: Cmp bdt: 09/30/2009

Violation id: 4819035 Orig code: S State: NC Violation Year: 2009 Contamination code: 0999 Contamination Name: Chlorine

Monitoring and Reporting (DBP) Violation code: 27 Violation name:

Rule code: 210 Rule name: St1 DBP Not Reported Not Reported Violation measur: Unit of measure: Not Reported 10/01/2009 State mcl: Cmp bdt:

Cmp edt: 12/31/2009

Cmp edt:

Violation id: 4819036 Orig code: 2009 State: NC Violation Year:

Contamination code: 3100 Contamination Name: Coliform (TCR)

Violation code: 23 Violation name: Monitoring, Routine Major (TCR)

Rule code: 110 Rule name:

Not Reported Not Reported Violation measur: Unit of measure: 12/01/2009 State mcl: Not Reported Cmp bdt: 12/31/2009 Cmp edt:

Violation id: 501 Orig code: S State: NC Violation Year: 2001

Contamination code: 3100 Contamination Name: Coliform (TCR)

Monitoring, Routine Major (TCR) Violation code: 23 Violation name: Rule code: 110 Rule name: **TCR** Violation measur: Not Reported Unit of measure: Not Reported Cmp bdt: 06/01/2001

State mcl: Not Reported Cmp edt: 06/30/2001

S Violation id: 602 Orig code: State: NC Violation Year: 2001

Contamination code: 7000 Contamination Name: Consumer Confidence Rule Violation code: 71 Violation name: CCR Complete Failure to Report

Rule code: 420 Rule name: **CCR** Not Reported Not Reported Violation measur: Unit of measure: 07/01/2001 State mcl: Cmp bdt:

Not Reported Cmp edt: Not Reported

S Violation id: 702 Orig code: State: NC Violation Year: 2001

Contamination code: 3100 Contamination Name: Coliform (TCR)

Violation code: 23 Violation name: Monitoring, Routine Major (TCR) Rule code: 110 Rule name: **TCR** 

Not Reported Unit of measure: Not Reported Violation measur: Cmp bdt: State mcl: Not Reported 10/01/2001

Cmp edt: 10/31/2001

S 803 Violation id: Orig code: State: NC Violation Year: 2002

7000 Consumer Confidence Rule Contamination code: Contamination Name: CCR Complete Failure to Report Violation code: 71 Violation name:

Rule code: 420 Rule name: CCR

Not Reported Not Reported Violation measur: Unit of measure: Not Reported 07/01/2002 State mcl: Cmp bdt: Not Reported

903 S Violation id: Orig code: Violation Year: 2000 State: NC Contamination code: 1005 Contamination Name: Arsenic

Violation code: 03 Violation name: Monitoring, Regular

Rule code: 332 Rule name: Arsenic Violation measur: Not Reported Unit of measure: Not Reported 01/01/2000 Not Reported State mcl: Cmp bdt:

12/31/2002 Cmp edt:

Cmp edt:

PWS currently has or had major violation(s) or enforcement:Yes

Violation ID: 9413908 Violation source ID: Not Reported

LEAD & COPPER RULE PWS telephone: Not Reported Contaminant:

Violation type: Initial Tap Sampling for Pb and Cu

070193 123193 Violation start date: Violation end date: Not Reported Violation period (months): 006 Violation awareness date: Major violator: Not Reported Maximum contaminant level: Not Reported Number of required samples: Not Reported Number of samples taken: Not Reported Analysis method: Not Reported Analysis result: Not Reported

Violation ID: 1003 Orig Code: Enforcemnt FY: 2003

**Enforcement Action:** 01/28/2003 **Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal

Violation ID: 1003 Orig Code:

Enforcemnt FY: 2003 **Enforcement Action:** 02/20/2003

Enforcement Detail:	St Compliance achieved	Enforcement Category:	Resolving
Violation ID: Enforcemnt FY:	1003 2003	Orig Code: Enforcement Action:	S 01/28/2003
Enforcement Detail:	St Formal NOV issued	Enforcement Category:	Informal
Violation ID: Enforcemnt FY:	1103 2003	Orig Code: Enforcement Action:	S 01/28/2003
Enforcement Detail:	St Formal NOV issued	Enforcement Category:	Informal
Violation ID:	1103	Orig Code:	S
Enforcemnt FY: Enforcement Detail:	2003 St Compliance achieved	Enforcement Action: Enforcement Category:	02/20/2003 Resolving
Violation ID:	1103	Orig Code:	S
Enforcemnt FY: Enforcement Detail:	2003 St Public Notif requested	Enforcement Action: Enforcement Category:	01/28/2003 Informal
Violation ID:	1203	Orig Code:	S
Enforcemnt FY: Enforcement Detail:	2003 St Compliance achieved	Enforcement Action: Enforcement Category:	02/20/2003 Resolving
Violation ID:	1203	Orig Code:	S
Enforcemnt FY: Enforcement Detail:	2003 St Public Notif requested	Enforcement Action: Enforcement Category:	01/28/2003 Informal
Violation ID:			S
Enforcemnt FY:	1203 2003	Orig Code: Enforcement Action:	01/28/2003
Enforcement Detail:	St Formal NOV issued	Enforcement Category:	Informal
Violation ID: Enforcemnt FY:	1303 2003	Orig Code: Enforcement Action:	S 01/28/2003
Enforcement Detail:	St Public Notif requested	Enforcement Category:	Informal
Violation ID:	1303	Orig Code:	S
Enforcemnt FY: Enforcement Detail:	2003 St Compliance achieved	Enforcement Action: Enforcement Category:	02/20/2003 Resolving
Violation ID:	1303	Orig Code:	S
Enforcemnt FY:	2003	Enforcement Action:	01/28/2003
Enforcement Detail:	St Formal NOV issued	Enforcement Category:	Informal
Violation ID: Enforcemnt FY:	1403 2003	Orig Code: Enforcement Action:	S 02/20/2003
Enforcement Detail:	St Compliance achieved	Enforcement Category:	Resolving
Violation ID:	1403	Orig Code:	S
Enforcemnt FY: Enforcement Detail:	2003 St Public Notif requested	Enforcement Action: Enforcement Category:	01/28/2003 Informal
	·	0.7	
Violation ID: Enforcemnt FY:	1403 2003	Orig Code: Enforcement Action:	S 01/28/2003
Enforcement Detail:	St Formal NOV issued	Enforcement Category:	Informal
Violation ID:	1503	Orig Code:	S
Enforcemnt FY: Enforcement Detail:	2003 St Formal NOV issued	Enforcement Action: Enforcement Category:	01/28/2003 Informal
Violation ID:	1503	Orig Code:	S
Enforcemnt FY:	2003	Enforcement Action:	01/28/2003
Enforcement Detail:	St Public Notif requested	Enforcement Category:	Informal

Violation ID:	1503	Orig Code:	S
Enforcemnt FY:	2003	Enforcement Action:	02/20/2003
Enforcement Detail:	St Compliance achieved	Enforcement Category:	Resolving
Violation ID:	1603	Orig Code:	S
Enforcement FY:	2003	Enforcement Action:	01/28/2003
Enforcement Detail:	St Formal NOV issued	Enforcement Category:	Informal
Violation ID:	1603	Orig Code:	S
Enforcement FY:	2003	Enforcement Action:	01/28/2003
Enforcement Detail:	St Public Notif requested	Enforcement Category:	Informal
Violation ID:	1603	Orig Code:	S
Enforcement FY:	2003	Enforcement Action:	02/20/2003
Enforcement Detail:	St Compliance achieved	Enforcement Category:	Resolving
Violation ID:	1703	Orig Code:	S
Enforcemnt FY:	2003	Enforcement Action:	01/28/2003
Enforcement Detail:	St Formal NOV issued	Enforcement Category:	Informal
Violation ID:	1703	Orig Code:	S
Enforcemnt FY:	2003	Enforcement Action:	02/20/2003
Enforcement Detail:	St Compliance achieved	Enforcement Category:	Resolving
Violation ID:	1703	Orig Code:	S
Enforcemnt FY:	2003	Enforcement Action:	01/28/2003
Enforcement Detail:	St Public Notif requested	Enforcement Category:	Informal
Violation ID:	1803	Orig Code:	S
Enforcemnt FY:	2003	Enforcement Action:	01/28/2003
Enforcement Detail:	St Formal NOV issued	Enforcement Category:	Informal
Violation ID:	1803	Orig Code:	S
Enforcemnt FY:	2003	Enforcement Action:	01/28/2003
Enforcement Detail:	St Public Notif requested	Enforcement Category:	Informal
Violation ID:	1803	Orig Code:	S
Enforcemnt FY:	2003	Enforcement Action:	02/20/2003
Enforcement Detail:	St Compliance achieved	Enforcement Category:	Resolving
Violation ID:	1903	Orig Code:	S
Enforcemnt FY:	2003	Enforcement Action:	01/28/2003
Enforcement Detail:	St Public Notif requested	Enforcement Category:	Informal
Violation ID:	1903	Orig Code:	S
Enforcemnt FY:	2003	Enforcement Action:	02/20/2003
Enforcement Detail:	St Compliance achieved	Enforcement Category:	Resolving
Violation ID:	1903	Orig Code:	S
Enforcemnt FY:	2003	Enforcement Action:	01/28/2003
Enforcement Detail:	St Formal NOV issued	Enforcement Category:	Informal
Violation ID:	2003	Orig Code:	S
Enforcement FY:	2003	Enforcement Action:	02/20/2003
Enforcement Detail:	St Compliance achieved	Enforcement Category:	Resolving
Violation ID:	2003	Orig Code:	S
Enforcement FY:	2003	Enforcement Action:	01/28/2003
Enforcement Detail:	St Formal NOV issued	Enforcement Category:	Informal
Violation ID:	2003	Orig Code:	S
Enforcemnt FY:	2003	Enforcement Action:	01/28/2003

Enforcement Detail:	St Public Notif requested	Enforcement Category:	Informal
Violation ID:	2103	Orig Code: Enforcement Action: Enforcement Category:	S
Enforcemnt FY:	2003		02/20/2003
Enforcement Detail:	St Compliance achieved		Resolving
Violation ID:	2103	Orig Code: Enforcement Action:	S
Enforcemnt FY:	2003		01/28/2003
Enforcement Detail:	St Public Notif requested	Enforcement Category:	Informal
Violation ID:	2103	Orig Code:	S
Enforcemnt FY:	2003	Enforcement Action:	01/28/2003
Enforcement Detail:	St Formal NOV issued	Enforcement Category:	Informal
Violation ID:	2203	Orig Code:	S
Enforcemnt FY:	2003	Enforcement Action:	01/28/2003
Enforcement Detail:	St Formal NOV issued	Enforcement Category:	Informal
Violation ID:	2203	Orig Code:	S
Enforcemnt FY:	2003	Enforcement Action:	01/28/2003
Enforcement Detail:	St Public Notif requested	Enforcement Category:	Informal
Violation ID:	2203	Orig Code: Enforcement Action: Enforcement Category:	S
Enforcemnt FY:	2003		02/20/2003
Enforcement Detail:	St Compliance achieved		Resolving
Violation ID:	2303	Orig Code:	S
Enforcemnt FY:	2003	Enforcement Action:	01/28/2003
Enforcement Detail:	St Public Notif requested	Enforcement Category:	Informal
Violation ID:	2303	Orig Code:	S
Enforcemnt FY:	2003	Enforcement Action:	01/28/2003
Enforcement Detail:	St Formal NOV issued	Enforcement Category:	Informal
Violation ID:	2303	Orig Code:	S
Enforcemnt FY:	2003	Enforcement Action:	02/20/2003
Enforcement Detail:	St Compliance achieved	Enforcement Category:	Resolving
Violation ID:	2403	Orig Code:	S
Enforcemnt FY:	2003	Enforcement Action:	01/28/2003
Enforcement Detail:	St Formal NOV issued	Enforcement Category:	Informal
Violation ID:	2403	Orig Code:	S
Enforcemnt FY:	2003	Enforcement Action:	01/28/2003
Enforcement Detail:	St Public Notif requested	Enforcement Category:	Informal
Violation ID:	2403	Orig Code:	S
Enforcemnt FY:	2003	Enforcement Action:	02/20/2003
Enforcement Detail:	St Compliance achieved	Enforcement Category:	Resolving
Violation ID:	2503	Orig Code:	S
Enforcemnt FY:	2003	Enforcement Action:	01/28/2003
Enforcement Detail:	St Formal NOV issued	Enforcement Category:	Informal
Violation ID:	2503	Orig Code:	S
Enforcemnt FY:	2003	Enforcement Action:	01/28/2003
Enforcement Detail:	St Public Notif requested	Enforcement Category:	Informal
Violation ID:	2503	Orig Code:	S
Enforcemnt FY:	2003	Enforcement Action:	02/20/2003
Enforcement Detail:	St Compliance achieved	Enforcement Category:	Resolving

Violation ID: 2604 Orig Code: Enforcemnt FY: 2003 **Enforcement Action:** 09/18/2003 **Enforcement Detail:** St Formal NOV issued **Enforcement Category:** Informal Violation ID: 2604 Orig Code: Enforcemnt FY: 2005 **Enforcement Action:** 10/07/2004 **Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal Violation ID: 2604 Orig Code: Enforcemnt FY: 2005 **Enforcement Action:** 11/12/2004 **Enforcement Detail:** St AO (w/o penalty) issued **Enforcement Category:** Formal Violation ID: 2604 Orig Code: S 01/07/2005 Enforcemnt FY: 2005 **Enforcement Action: Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving Violation ID: 2604 Orig Code: S Enforcemnt FY: 2003 **Enforcement Action:** 09/18/2003 **Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal Violation ID: 2604 Orig Code: 10/07/2004 Enforcemnt FY: 2005 **Enforcement Action:** St Formal NOV issued **Enforcement Detail: Enforcement Category:** Informal Violation ID: 2704 Orig Code: 10/03/2003 Enforcemnt FY: 2004 **Enforcement Action: Enforcement Detail:** St Formal NOV issued **Enforcement Category:** Informal Violation ID: 2704 Orig Code: Enforcemnt FY: 2004 **Enforcement Action:** 05/31/2004 **Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving 2704 Violation ID: Orig Code: Enforcemnt FY: 2004 **Enforcement Action:** 10/03/2003 **Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal Violation ID: 2804 Orig Code: 10/29/2003 Enforcemnt FY: 2004 **Enforcement Action: Enforcement Detail:** St Formal NOV issued **Enforcement Category:** Informal 2804 Violation ID: Orig Code: 10/29/2003 Enforcemnt FY: **Enforcement Action:** 2004 **Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal Violation ID: 2804 Orig Code: Enforcemnt FY: **Enforcement Action:** 05/31/2004 **Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving Violation ID: 2904 Orig Code: S 03/22/2004 Enforcemnt FY: 2004 **Enforcement Action:** St Formal NOV issued **Enforcement Detail: Enforcement Category:** Informal Violation ID: 2904 Orig Code: S 03/22/2004 Enforcemnt FY: 2004 **Enforcement Action: Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal Violation ID: 2904 Orig Code: Enforcemnt FY: 2004 **Enforcement Action:** 09/28/2004 **Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving

Violation ID:

3005

S

Orig Code:

10/07/2004 Enforcemnt FY: 2005 **Enforcement Action: Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal Violation ID: 3005 Orig Code: S 11/12/2004 Enforcemnt FY: 2005 **Enforcement Action: Enforcement Detail:** St AO (w/o penalty) issued **Enforcement Category:** Formal Violation ID: 3005 Orig Code: S 01/07/2005 Enforcemnt FY: 2005 **Enforcement Action: Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving Violation ID: 3005 Orig Code: 10/07/2004 Enforcemnt FY: 2005 **Enforcement Action: Enforcement Detail:** St Formal NOV issued Enforcement Category: Informal Violation ID: 3770905 Orig Code: Enforcemnt FY: 2010 04/17/2010 **Enforcement Action: Enforcement Detail:** St Compliance achieved Enforcement Category: Resolving Violation ID: 3770905 Orig Code: Enforcemnt FY: 2010 **Enforcement Action:** 04/17/2010 **Enforcement Detail:** St Intentional no-action **Enforcement Category:** Resolving Violation ID: 400 Orig Code: Enforcemnt FY: 2000 **Enforcement Action:** 05/30/2000 Fed FAO issued **Enforcement Detail: Enforcement Category:** Formal Violation ID: 400 Orig Code: S 02/10/2000 Enforcemnt FY: **Enforcement Action: Enforcement Detail:** St Formal NOV issued **Enforcement Category:** Informal 400 Orig Code: S Violation ID: Enforcemnt FY: Enforcement Action: 02/10/2000 2000 **Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal Violation ID: 400 Orig Code: Enforcement Action: 07/10/2000 Enforcemnt FY: 2000 **Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving Violation ID: 4196702 Orig Code: 04/17/2010 Enforcemnt FY: **Enforcement Action:** 2010 **Enforcement Detail:** St Intentional no-action **Enforcement Category:** Resolving Violation ID: 4196702 Orig Code: Enforcemnt FY: 2010 **Enforcement Action:** 04/17/2010 **Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving Violation ID: 4440202 Orig Code: Enforcemnt FY: 2010 **Enforcement Action:** 06/11/2010 **Enforcement Detail:** St Intentional no-action **Enforcement Category:** Informal Violation ID: 4440202 Orig Code: Enforcemnt FY: **Enforcement Action:** 06/11/2010 2010 **Enforcement Detail:** St Compliance achieved Enforcement Category: Resolving 4466504 Violation ID: Orig Code: Enforcemnt FY: 2010 **Enforcement Action:** 04/17/2010 **Enforcement Detail:** St Intentional no-action **Enforcement Category:** Resolving 4466504 Violation ID: Orig Code: Enforcemnt FY: 2010 **Enforcement Action:** 04/17/2010

**Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving Violation ID: 4560804 Orig Code: S 04/17/2010 Enforcemnt FY: 2010 **Enforcement Action: Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving Violation ID: 4560804 Orig Code: 04/17/2010 Enforcemnt FY: 2010 **Enforcement Action: Enforcement Detail:** St Intentional no-action **Enforcement Category:** Resolving Violation ID: 4600503 Orig Code: Enforcemnt FY: 2010 **Enforcement Action:** 04/17/2010 **Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving Violation ID: 4600503 Orig Code: S 04/17/2010 Enforcemnt FY: 2010 **Enforcement Action: Enforcement Detail:** St Intentional no-action **Enforcement Category:** Resolving Violation ID: 4818804 Orig Code: 04/17/2010 Enforcemnt FY: 2010 **Enforcement Action: Enforcement Detail:** St Intentional no-action **Enforcement Category:** Resolving 4818804 Violation ID: Orig Code: 2010 04/17/2010 Enforcemnt FY: **Enforcement Action: Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving Violation ID: 4818906 Orig Code: 07/20/2006 Enforcemnt FY: **Enforcement Action: Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal Violation ID: 4818906 Orig Code: S 02/03/2009 Enforcemnt FY: 2009 **Enforcement Action: Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving Violation ID: 4818906 Orig Code: S 07/20/2006 Enforcemnt FY: 2006 **Enforcement Action:** St Formal NOV issued **Enforcement Detail: Enforcement Category:** Informal Violation ID: 4819007 Orig Code: S 03/21/2007 Enforcemnt FY: 2007 **Enforcement Action: Enforcement Detail:** St Formal NOV issued **Enforcement Category:** Informal Violation ID: 4819007 Orig Code: 06/17/2008 Enforcemnt FY: 2008 **Enforcement Action: Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving Violation ID: 4819007 Orig Code: Enforcemnt FY: 2007 **Enforcement Action:** 03/21/2007 **Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal Violation ID: 4819008 Orig Code: S Enforcemnt FY: **Enforcement Action:** 12/31/2009 2010 Resolving **Enforcement Detail:** St Compliance achieved **Enforcement Category:** Violation ID: 4819008 Orig Code: Enforcemnt FY: 12/31/2009 2010 **Enforcement Action:** Enforcement Detail: Enforcement Category: St Intentional no-action Resolving Violation ID: 4819009 Orig Code: 01/01/2008 Enforcemnt FY: 2008 **Enforcement Action:** St Compliance achieved **Enforcement Detail: Enforcement Category:** Resolving

Violation ID: 4819009 Orig Code: Enforcemnt FY: 2008 **Enforcement Action:** 05/09/2008

**Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal

Violation ID: 4819009 Orig Code:

Enforcemnt FY: 2008 **Enforcement Action:** 05/09/2008 **Enforcement Detail:** St Formal NOV issued **Enforcement Category:** Informal

4819009 Violation ID: Orig Code:

Enforcement Action: 07/02/2008 Enforcemnt FY: 2008

St AO (w/penalty) issued **Enforcement Detail: Enforcement Category:** Formal

Violation ID: 4819010 Orig Code: S Enforcemnt FY: 2008

01/01/2008 **Enforcement Action:** Resolving **Enforcement Detail:** St Compliance achieved Enforcement Category:

Violation ID: 4819010 Orig Code:

Enforcemnt FY: 2008 07/02/2008 **Enforcement Action:** 

St AO (w/penalty) issued Enforcement Category: **Enforcement Detail: Formal** 

Violation ID: 4819010 Orig Code:

Enforcemnt FY: 2008 **Enforcement Action:** 05/09/2008 St Formal NOV issued **Enforcement Detail: Enforcement Category:** Informal

Violation ID: 4819010 Orig Code:

Enforcemnt FY: **Enforcement Action:** 05/09/2008

**Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal

Violation ID: 4819011 Orig Code: S

07/02/2008 Enforcemnt FY: **Enforcement Action:** 

**Enforcement Detail:** St AO (w/penalty) issued **Enforcement Category:** Formal

4819011 Orig Code: S Violation ID:

Enforcemnt FY: Enforcement Action: 05/09/2008 2008

**Enforcement Detail:** St Formal NOV issued **Enforcement Category:** Informal

Violation ID: 4819011 Orig Code: S

Enforcement Action: 05/09/2008 Enforcemnt FY: 2008 **Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal

Violation ID: 4819011 Orig Code: S

01/01/2008 Enforcemnt FY: **Enforcement Action:** 2008

**Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving

Violation ID: 4819012 Orig Code: Enforcemnt FY: 2008

**Enforcement Action:** 01/01/2008 **Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving

Violation ID: 4819012 Orig Code:

Enforcemnt FY: 2008 **Enforcement Action:** 05/09/2008

**Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal

Violation ID: 4819012 Orig Code: S

Enforcemnt FY: **Enforcement Action:** 05/09/2008 2008

**Enforcement Detail:** St Formal NOV issued Enforcement Category: Informal

4819012 Violation ID: Orig Code:

Enforcemnt FY: 2008 **Enforcement Action:** 07/02/2008

**Enforcement Detail:** St AO (w/penalty) issued **Enforcement Category:** Formal

Violation ID: 4819013 Orig Code:

Enforcemnt FY: 2008 **Enforcement Action:** 05/09/2008

**Enforcement Detail:** St Formal NOV issued **Enforcement Category:** Informal Violation ID: 4819013 Orig Code: S Enforcement Action: 05/09/2008 Enforcemnt FY: 2008 **Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal Violation ID: 4819013 Orig Code: Enforcemnt FY: 2008 **Enforcement Action:** 01/01/2008 **Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving Violation ID: 4819013 Orig Code: Enforcemnt FY: 2008 **Enforcement Action:** 07/02/2008 **Enforcement Detail:** St AO (w/penalty) issued **Enforcement Category:** Formal Violation ID: 4819014 S Orig Code: 07/02/2008 Enforcemnt FY: 2008 **Enforcement Action: Enforcement Detail:** St AO (w/penalty) issued **Enforcement Category:** Formal Violation ID: 4819014 Orig Code: 01/01/2008 Enforcemnt FY: 2008 **Enforcement Action: Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving Violation ID: 4819014 Orig Code: 05/09/2008 Enforcemnt FY: 2008 **Enforcement Action: Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal S Violation ID: 4819014 Orig Code: 05/09/2008 Enforcemnt FY: 2008 **Enforcement Action: Enforcement Detail:** St Formal NOV issued **Enforcement Category:** Informal Violation ID: 4819015 Orig Code: S 07/02/2008 Enforcemnt FY: 2008 **Enforcement Action: Enforcement Detail:** St AO (w/penalty) issued **Enforcement Category:** Formal Violation ID: 4819015 Orig Code: S 01/01/2008 Enforcemnt FY: 2008 **Enforcement Action:** St Compliance achieved **Enforcement Detail: Enforcement Category:** Resolving Violation ID: 4819015 Orig Code: Enforcemnt FY: 2008 **Enforcement Action:** 05/09/2008 **Enforcement Detail:** St Formal NOV issued **Enforcement Category:** Informal Violation ID: 4819015 Orig Code: 05/09/2008 Enforcemnt FY: 2008 **Enforcement Action: Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal Violation ID: 4819016 Orig Code: Enforcemnt FY: 2008 **Enforcement Action:** 01/01/2008 **Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving Violation ID: 4819016 Orig Code: S Enforcemnt FY: **Enforcement Action:** 05/09/2008 2008 **Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal Violation ID: 4819016 Orig Code: Enforcemnt FY: 07/02/2008 2008 **Enforcement Action:** Enforcement Detail: **Enforcement Category:** St AO (w/penalty) issued **Formal** Violation ID: 4819016 Orig Code: 05/09/2008 Enforcemnt FY: 2008 **Enforcement Action:** 

St Formal NOV issued

**Enforcement Detail:** 

Informal

**Enforcement Category:** 

Violation ID: 4819017 Orig Code: Enforcemnt FY: 2008 **Enforcement Action:** 05/09/2008

**Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal

Violation ID: 4819017 Orig Code:

Enforcemnt FY: 2008 **Enforcement Action:** 07/02/2008 **Enforcement Detail:** St AO (w/penalty) issued **Enforcement Category:** Formal

Violation ID: 4819017 Orig Code:

2008 Enforcement Action: 01/01/2008 Enforcemnt FY:

**Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving

Violation ID: 4819017 Orig Code:

05/09/2008 Enforcemnt FY: 2008 **Enforcement Action: Enforcement Detail:** St Formal NOV issued Enforcement Category: Informal

Violation ID: 4819018 Orig Code:

Enforcemnt FY: 2008 07/02/2008 **Enforcement Action:** 

St AO (w/penalty) issued Enforcement Category: **Enforcement Detail: Formal** 

Violation ID: 4819018 Orig Code:

Enforcemnt FY: 2008 **Enforcement Action:** 05/09/2008 St Formal NOV issued **Enforcement Detail: Enforcement Category:** 

Informal

Violation ID: 4819018 Orig Code:

Enforcemnt FY: **Enforcement Action:** 05/09/2008

**Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal

4819018 Violation ID: Orig Code: S

01/01/2008 Enforcemnt FY: **Enforcement Action:** 

**Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving

4819019 Orig Code: S Violation ID:

Enforcemnt FY: Enforcement Action: 07/02/2008 2008

**Enforcement Detail:** St AO (w/penalty) issued **Enforcement Category: Formal** 

Violation ID: 4819019 Orig Code: S

Enforcement Action: 05/09/2008 Enforcemnt FY: 2008 St Formal NOV issued **Enforcement Detail: Enforcement Category:** Informal

Violation ID: 4819019 Orig Code: S

01/01/2008 Enforcemnt FY: **Enforcement Action:** 2008

**Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving

Violation ID: 4819019 Orig Code:

Enforcemnt FY: 2008 **Enforcement Action:** 05/09/2008

**Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal

Violation ID: 4819020 Orig Code:

Enforcemnt FY: 2008 **Enforcement Action:** 07/02/2008

**Enforcement Detail:** St AO (w/penalty) issued **Enforcement Category: Formal** 

Violation ID: 4819020 Orig Code: S

Enforcemnt FY: **Enforcement Action:** 05/09/2008 2008

**Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal

Violation ID: 4819020 Orig Code:

Enforcemnt FY: 2008 **Enforcement Action:** 05/09/2008

**Enforcement Detail:** St Formal NOV issued **Enforcement Category:** Informal

Violation ID: 4819020 Orig Code:

Enforcemnt FY: 2008 **Enforcement Action:** 01/01/2008

**Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving Violation ID: 4819021 Orig Code: S Enforcement Action: 05/09/2008 Enforcemnt FY: 2008 St Formal NOV issued **Enforcement Detail: Enforcement Category:** Informal Violation ID: 4819021 Orig Code: Enforcemnt FY: 2008 **Enforcement Action:** 05/09/2008 **Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal Violation ID: 4819021 Orig Code: Enforcemnt FY: 2008 **Enforcement Action:** 01/01/2008 **Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving Violation ID: 4819021 Orig Code: S 07/02/2008 Enforcemnt FY: 2008 **Enforcement Action: Enforcement Detail:** St AO (w/penalty) issued **Enforcement Category:** Formal Violation ID: 4819022 Orig Code: 05/09/2008 Enforcemnt FY: 2008 **Enforcement Action: Enforcement Detail:** St Formal NOV issued **Enforcement Category:** Informal Violation ID: 4819022 Orig Code: S 07/02/2008 Enforcemnt FY: 2008 **Enforcement Action: Enforcement Detail:** St AO (w/penalty) issued **Enforcement Category:** Formal S Violation ID: 4819022 Orig Code: 01/01/2008 Enforcemnt FY: **Enforcement Action: Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving Violation ID: 4819022 Orig Code: S 05/09/2008 Enforcemnt FY: 2008 **Enforcement Action: Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal Violation ID: 4819023 Oria Code: S 01/01/2008 Enforcemnt FY: 2008 **Enforcement Action:** St Compliance achieved **Enforcement Detail: Enforcement Category:** Resolving 4819023 Violation ID: Orig Code: Enforcemnt FY: 2008 **Enforcement Action:** 05/09/2008 **Enforcement Detail:** St Formal NOV issued **Enforcement Category:** Informal Violation ID: 4819023 Orig Code: 05/09/2008 Enforcemnt FY: 2008 **Enforcement Action: Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal Violation ID: 4819023 Orig Code: S Enforcemnt FY: 2008 **Enforcement Action:** 07/02/2008 **Enforcement Detail:** St AO (w/penalty) issued **Enforcement Category:** Formal Violation ID: 4819024 Orig Code: S Enforcemnt FY: **Enforcement Action:** 05/09/2008 2008 St Formal NOV issued **Enforcement Detail: Enforcement Category:** Informal Violation ID: 4819024 Orig Code: Enforcemnt FY: 05/09/2008 2008 **Enforcement Action:** Enforcement Detail: St Public Notif requested **Enforcement Category:** Informal Violation ID: 4819024 Orig Code: 01/01/2008 Enforcemnt FY: 2008 **Enforcement Action:** 

St Compliance achieved

**Enforcement Detail:** 

Resolving

**Enforcement Category:** 

Violation ID: 4819024 Orig Code: Enforcemnt FY: **Enforcement Action:** 

2008 07/02/2008 **Enforcement Detail:** St AO (w/penalty) issued **Enforcement Category: Formal** 

Violation ID: 4819025 Orig Code:

Enforcemnt FY: 2008 **Enforcement Action:** 07/02/2008 **Enforcement Detail:** Formal

St AO (w/penalty) issued **Enforcement Category:** 

Violation ID: 4819025 Orig Code: Enforcemnt FY: 2008

01/01/2008 **Enforcement Action: Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving

Violation ID: 4819025 Orig Code:

Enforcement Action: 05/09/2008 Enforcemnt FY: 2008 **Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal

Violation ID: 4819025 Orig Code:

Enforcemnt FY: 2008 05/09/2008 **Enforcement Action:** 

St Formal NOV issued **Enforcement Detail:** Enforcement Category: Informal

Violation ID: 4819026 Orig Code:

Enforcemnt FY: 2008 **Enforcement Action:** 05/09/2008

St Formal NOV issued **Enforcement Detail: Enforcement Category:** Informal

Violation ID: 4819026 Orig Code:

Enforcemnt FY: **Enforcement Action:** 07/02/2008

**Enforcement Detail:** St AO (w/penalty) issued **Enforcement Category: Formal** 

Violation ID: 4819026 Orig Code: S

01/01/2008 Enforcemnt FY: **Enforcement Action:** 

**Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving

4819026 Orig Code: S Violation ID:

Enforcemnt FY: Enforcement Action: 05/09/2008 2008

**Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal

Violation ID: 4819027 Orig Code: S

Enforcement Action: 05/09/2008 Enforcemnt FY: 2008 St Formal NOV issued **Enforcement Detail: Enforcement Category:** Informal

Violation ID: 4819027 Orig Code: S

07/02/2008 Enforcemnt FY: **Enforcement Action:** 2008

**Enforcement Category:** 

Violation ID: 4819027 Orig Code: Enforcemnt FY: 2008 **Enforcement Action:** 05/09/2008

St AO (w/penalty) issued

**Enforcement Detail:** 

**Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal

Violation ID: 4819027 Orig Code: Enforcemnt FY: 2008 **Enforcement Action:** 

01/01/2008

**Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving

Violation ID: 4819028 Orig Code:

Enforcemnt FY: 05/09/2008 2008 **Enforcement Action:** 

**Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal

Violation ID: 4819028 Orig Code:

Enforcemnt FY: 2008 **Enforcement Action:** 07/02/2008

**Enforcement Detail:** St AO (w/penalty) issued **Enforcement Category:** Formal

Violation ID: 4819028 Orig Code:

Enforcemnt FY: 2008 **Enforcement Action:** 05/09/2008

Formal

**Enforcement Detail:** St Formal NOV issued **Enforcement Category:** Informal Violation ID: 4819028 Orig Code: S 01/01/2008 Enforcemnt FY: 2008 **Enforcement Action: Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving Violation ID: 4819029 Orig Code: Enforcemnt FY: 2008 **Enforcement Action:** 01/01/2008 Enforcement Detail: St Compliance achieved **Enforcement Category:** Resolving Violation ID: 4819029 Orig Code: Enforcemnt FY: 2008 **Enforcement Action:** 05/09/2008 St Formal NOV issued **Enforcement Detail: Enforcement Category:** Informal Violation ID: 4819029 Orig Code: S 05/09/2008 Enforcemnt FY: 2008 **Enforcement Action: Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal Violation ID: 4819029 Orig Code: 07/02/2008 Enforcemnt FY: 2008 **Enforcement Action: Enforcement Detail:** St AO (w/penalty) issued **Enforcement Category: Formal** Violation ID: 4819030 Orig Code: 12/31/2009 Enforcemnt FY: 2010 **Enforcement Action: Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving 4819030 Violation ID: Orig Code: Enforcemnt FY: 12/31/2009 2010 **Enforcement Action: Enforcement Detail:** St Intentional no-action **Enforcement Category:** Resolving Violation ID: 4819032 Orig Code: S Enforcemnt FY: 2010 **Enforcement Action:** 12/31/2009 **Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving Violation ID: 4819032 Orig Code: S 12/31/2009 Enforcemnt FY: 2010 **Enforcement Action:** St Intentional no-action **Enforcement Detail: Enforcement Category:** Resolving Violation ID: 4819033 Orig Code: Enforcemnt FY: 2010 **Enforcement Action:** 04/21/2010 **Enforcement Detail:** St Case dropped **Enforcement Category:** Informal Violation ID: 4819033 Orig Code: 01/07/2010 Enforcemnt FY: 2010 **Enforcement Action: Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal 4819033 Violation ID: Orig Code: Enforcemnt FY: **Enforcement Action:** 01/07/2010 2010 St Formal NOV issued **Enforcement Detail: Enforcement Category:** Informal Violation ID: 4819033 Orig Code: Enforcemnt FY: 2013 **Enforcement Action:** 10/23/2012 **Enforcement Detail:** State No Longer Subject to Rule **Enforcement Category:** Resolving 4819033 Violation ID: Orig Code: 03/19/2010 Enforcemnt FY: 2010 **Enforcement Action: Enforcement Detail:** St AO (w/penalty) issued **Enforcement Category:** Formal 4819034 Orig Code: Violation ID: S 01/07/2010 Enforcemnt FY: **Enforcement Action:** 2010 **Enforcement Detail:** St Formal NOV issued **Enforcement Category:** Informal

Violation ID: 4819034 Orig Code: Enforcemnt FY: 2010 **Enforcement Action:** 

01/07/2010 **Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal

Violation ID: 4819035 Orig Code:

Enforcement Action: 03/30/2010 Enforcemnt FY: 2010 **Enforcement Detail:** St Formal NOV issued **Enforcement Category:** Informal

4819035 Violation ID: Orig Code:

03/30/2010 Enforcemnt FY: 2010 **Enforcement Action:** St Public Notif requested **Enforcement Category: Enforcement Detail:** Informal

Violation ID: 4819036 Orig Code:

Enforcemnt FY: 2013 **Enforcement Action:** 10/23/2012

**Enforcement Detail:** State No Longer Subject to Rule

**Enforcement Category:** Resolving

Violation ID: 4819036 Orig Code:

Enforcemnt FY: **Enforcement Action:** 03/30/2010 2010

**Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal

Violation ID: 4819036 Orig Code:

03/30/2010 Enforcemnt FY: 2010 **Enforcement Action:** 

**Enforcement Detail:** St Formal NOV issued **Enforcement Category:** Informal

Violation ID: 501 Orig Code:

2001 08/08/2001 Enforcemnt FY: **Enforcement Action:** St Formal NOV issued **Enforcement Detail: Enforcement Category:** Informal

Violation ID: 501 Orig Code:

Enforcemnt FY: 2001 **Enforcement Action:** 08/08/2001

**Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal

Violation ID: 501 Orig Code:

Enforcemnt FY: 2004 **Enforcement Action:** 05/31/2004 **Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving

Violation ID: 602 Orig Code:

10/07/2004 Enforcemnt FY: 2005 **Enforcement Action: Enforcement Detail: Enforcement Category:** St Formal NOV issued Informal

602 Violation ID: Orig Code: S

Enforcement Action: 11/26/2001 Enforcemnt FY: 2002

St Formal NOV issued **Enforcement Detail: Enforcement Category:** Informal

Violation ID: 602 Orig Code:

10/07/2004 Enforcemnt FY: **Enforcement Action: Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal

Violation ID: 602 Orig Code: S

**Enforcement Action:** 11/12/2004 Enforcemnt FY: 2005

St AO (w/o penalty) issued **Enforcement Detail:** 

**Enforcement Category:** Formal

Violation ID: 602 Orig Code:

Enforcemnt FY: 01/07/2005 2005 **Enforcement Action:** St Compliance achieved **Enforcement Detail: Enforcement Category:** Resolving

Violation ID: 602 Orig Code:

11/26/2001 Enforcemnt FY: 2002 **Enforcement Action: Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal

Violation ID: 702 Orig Code: Enforcemnt FY: 2002 **Enforcement Action:** 12/07/2001 **Enforcement Detail:** St Formal NOV issued **Enforcement Category:** Informal

Violation ID: 702 Orig Code:

Enforcemnt FY: 2002 **Enforcement Action:** 12/07/2001 **Enforcement Detail:** St Public Notif requested **Enforcement Category:** Informal

Violation ID: 702 Orig Code:

Enforcemnt FY: 2004 **Enforcement Action:** 05/31/2004 **Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving

Violation ID: 803 Orig Code: S

Enforcemnt FY: 2003 **Enforcement Action:** 10/21/2002 **Enforcement Detail:** St Public Notif requested Enforcement Category: Informal

Violation ID: Orig Code:

Enforcemnt FY: 2005 10/07/2004 **Enforcement Action: Enforcement Detail:** St Public Notif requested Enforcement Category: Informal

Violation ID: 803 Orig Code:

Enforcemnt FY: 2005 **Enforcement Action:** 10/07/2004

**Enforcement Detail:** St Formal NOV issued **Enforcement Category:** Informal

Violation ID: 803 Orig Code:

Enforcemnt FY: **Enforcement Action:** 01/07/2005

**Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving

Violation ID: 803 Orig Code: S

10/21/2002 Enforcemnt FY: **Enforcement Action: Enforcement Detail:** St Formal NOV issued **Enforcement Category:** Informal

Violation ID: 803 Orig Code: S

2005

Enforcemnt FY: Enforcement Action: 11/12/2004 **Enforcement Detail:** St AO (w/o penalty) issued

**Enforcement Category:** Formal

Violation ID: 903 Orig Code:

01/28/2003 Enforcemnt FY: 2003 **Enforcement Action:** St Formal NOV issued **Enforcement Detail: Enforcement Category:** Informal

Violation ID: 903 Orig Code:

02/20/2003 Enforcemnt FY: 2003 **Enforcement Action:** 

**Enforcement Detail:** St Compliance achieved **Enforcement Category:** Resolving

Violation ID: 903 Orig Code:

Enforcemnt FY: **Enforcement Action:** 01/28/2003

**Enforcement Detail:** Informal St Public Notif requested **Enforcement Category:** 

Violation ID: Not Reported Orig Code: S

02/27/2006 Enforcemnt FY: 2006 **Enforcement Action:** 

**Enforcement Detail:** St AO (w/penalty) issued **Enforcement Category:** Not Reported

Violation ID: Not Reported Orig Code:

02/11/2003 Enforcemnt FY: **Enforcement Action:** 

**Enforcement Detail:** St AO (w/penalty) issued **Enforcement Category:** Not Reported

Violation ID: Not Reported Orig Code:

Enforcemnt FY: 2004 **Enforcement Action:** 01/30/2004

**Enforcement Detail:** St AO (w/penalty) issued **Enforcement Category:** Not Reported

PWS name: K & M MHP Population served: 60

PWS type code: C Violation ID: 4818906

Contaminant: LEAD & COPPER RULE Violation type: Follow-up and Routine Tap Sampling Compliance start date: 10/1/2005 0:00:00 Compliance end date: 12/31/2025 0:00:00

Enforcement date: 7/20/2006 0:00:00 Enforcement action: State Formal NOV Issued Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60

PWS type code: C Violation ID: 4818906

Contaminant: LEAD & COPPER RULE Violation type: Follow-up and Routine Tap Sampling

Enforcement date: 7/20/2006 0:00:00 Enforcement action: State Public Notif Requested Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4819007

Contaminant: NITRATE Violation type: 3
Compliance start date: 1/1/2006 0:00:00 Compliance end date: 12/31/2006 0:00:00

Enforcement date: 3/21/2007 0:00:00 Enforcement action: State Formal NOV Issued Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4819007

Contaminant: NITRATE Violation type: 3

Compliance start date: 1/1/2006 0:00:00 Compliance end date: 12/31/2006 0:00:00 Enforcement date: 3/21/2007 0:00:00 Enforcement action: State Public Notif Request

Enforcement date: 3/21/2007 0:00:00 Enforcement action: State Public Notif Requested Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4819007
Contaminant: NITRATE Violation type: 3

Compliance start date: 1/1/2006 0:00:00 Compliance end date: 12/31/2006 0:00:00

Enforcement date: 6/17/2008 0:00:00 Enforcement action: State Compliance Achieved Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4819008

Contaminant: 7500 Violation type: 75
Compliance start date: 7/21/2007 0:00:00 Compliance end date: 12/31/2025 0:

Compliance start date: 7/21/2007 0:00:00 Compliance end date: 12/31/2025 0:00:00 Enforcement date: No Enf Action as of Enforcement action: 7/8/2009 0:00:00 Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4819009

Contaminant: 1,2,4-TRICHLOROBENZENE Violation type: 3

Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00 Enforcement date: 1/1/2008 0:00:00 Enforcement action: State Compliance Achieved

Violation measurement:

Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: C Violation ID: 4819009

Contaminant: 1,2,4-TRICHLOROBENZENE Violation type: 3

Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00 Enforcement date: 5/9/2008 0:00:00 Enforcement action: State Formal NOV Issued Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60

PWS type code: C Violation ID: 4819009
Contaminant: 1,2,4-TRICHLOROBENZENE Violation type: 3

Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00

Enforcement date: 5/9/2008 0:00:00 Enforcement action: State Public Notif Requested Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: Violation ID: 4819009

Contaminant: 1,2,4-TRICHLOROBENZENE Violation type:

1/1/2005 0:00:00 12/31/2007 0:00:00 Compliance start date: Compliance end date: Enforcement date: 7/2/2008 0:00:00 Enforcement action: State AO (w/penalty) Issued Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 4819010 Violation ID: PWS type code:

CIS-1,2-DICHLOROETHYLENE Violation type: 3 Contaminant:

12/31/2007 0:00:00 Compliance start date: 1/1/2005 0:00:00 Compliance end date: 1/1/2008 0:00:00 Enforcement action: State Compliance Achieved Enforcement date: Violation measurement: Not Reported

Population served: PWS name: K & M MHP 60 PWS type code: С Violation ID: 4819010

Contaminant: CIS-1,2-DICHLOROETHYLENE Violation type:

1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00 Compliance start date: 5/9/2008 0:00:00 Enforcement action: State Formal NOV Issued Enforcement date: Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 4819010 PWS type code: С Violation ID: CIS-1,2-DICHLOROETHYLENE

Contaminant: Violation type: Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00

Enforcement date: 5/9/2008 0:00:00 Enforcement action: State Public Notif Requested

Violation measurement: Not Reported PWS name: K & M MHP Population served: 60

4819010 PWS type code: Violation ID: Contaminant: CIS-1,2-DICHLOROETHYLENE Violation type:

Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00

Enforcement date: 7/2/2008 0:00:00 Enforcement action: State AO (w/penalty) Issued Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 4819011 PWS type code: С Violation ID: Contaminant: XYLENES, TOTAL

Violation type: 12/31/2007 0:00:00 Compliance start date: 1/1/2005 0:00:00 Compliance end date: Enforcement date: 1/1/2008 0:00:00 Enforcement action: State Compliance Achieved

PWS name: Population served: K & M MHP 60 PWS type code: Violation ID: 4819011

Not Reported

Violation measurement:

Contaminant: XYLENES, TOTAL Violation type: Compliance start date: 1/1/2005 0:00:00 Compliance end date:

12/31/2007 0:00:00 Enforcement action: 5/9/2008 0:00:00 State Formal NOV Issued Enforcement date: Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 4819011 PWS type code: Violation ID:

XYLENES, TOTAL Contaminant: Violation type: 3 Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00

5/9/2008 0:00:00 State Public Notif Requested Enforcement date: Enforcement action:

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: С Violation ID: 4819011 Contaminant: XYLENES, TOTAL Violation type:

12/31/2007 0:00:00 Compliance start date: 1/1/2005 0:00:00 Compliance end date:

7/2/2008 0:00:00 Enforcement action: Enforcement date: State AO (w/penalty) Issued Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: C Violation ID: 4819012

Contaminant: METHYLENE CHLORIDE (DICHLOROMETHANE)

Violation type:3Compliance start date:1/1/2005 0:00:00Compliance end date:12/31/2007 0:00:00Enforcement date:1/1/2008 0:00:00Enforcement action:State Compliance AchievedViolation measurement:Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4819012

Contaminant: METHYLENE CHLORIDE (DICHLOROMETHANE)

Violation type:3Compliance start date:1/1/2005 0:00:00Compliance end date:12/31/2007 0:00:00Enforcement date:5/9/2008 0:00:00Enforcement action:State Formal NOV IssuedViolation measurement:Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4819012
Contaminant: METHYLENE CHLORIDE (DICHLOROMETHANE)

 Violation type:
 3
 Compliance start date:
 1/1/2005 0:00:00

 Compliance end date:
 12/31/2007 0:00:00
 Enforcement date:
 5/9/2008 0:00:00

Enforcement action: State Public Notif Requested

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4819012

Contaminant: METHYLENE CHLORIDE (DICHLOROMETHANE)

 Violation type:
 3
 Compliance start date:
 1/1/2005 0:00:00

 Compliance end date:
 12/31/2007 0:00:00
 Enforcement date:
 7/2/2008 0:00:00

Enforcement action: State AO (w/penalty) Issued

Violation measurement: Not Reported

PWS name:K & M MHPPopulation served:60PWS type code:CViolation ID:4819013Contaminant:O-DICHLOROBENZENEViolation type:3

Enforcement date: 1/1/2008 0:00:00 Enforcement action: State Compliance Achieved

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4819013

Contaminant: O-DICHLOROBENZENE Violation type: 3
Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00
Enforcement date: 5/9/2008 0:00:00 Enforcement action: State Formal NOV Issued

Violation measurement: Not Reported

PWS name:K & M MHPPopulation served:60PWS type code:CViolation ID:4819013Contaminant:O-DICHLOROBENZENEViolation type:3

Enforcement date: 5/9/2008 0:00:00 Enforcement action: State Public Notif Requested

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4819013
Contaminant: O-DICHLOROBENZENE Violation type: 3

Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00

Enforcement date: 7/2/2008 0:00:00 Enforcement action: State AO (w/penalty) Issued

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4819014

Contaminant: P-DICHLOROBENZENE Violation type: 3

Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00

Enforcement date: 1/1/2008 0:00:00 Enforcement action: State Compliance Achieved Violation measurement: Not Reported

DWG CAMMID

PWS name: K & M MHP Population served: 60
PWS type code: C
Violation ID: 4819014 Contaminant: P-DICHLOROBENZENE

Violation type:3Compliance start date:1/1/2005 0:00:00Compliance end date:12/31/2007 0:00:00Enforcement date:5/9/2008 0:00:00Enforcement action:State Formal NOV IssuedViolation measurement:Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4819014

Contaminant: P-DICHLOROBENZENE Violation type: 3

Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00

Enforcement date: 5/0/2008 0:00:00 Enforcement action: State Public Netif Rec

Enforcement date: 5/9/2008 0:00:00 Enforcement action: State Public Notif Requested Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4819014

Contaminant: P-DICHLOROBENZENE Violation type: 3

Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00

Enforcement date: 7/2/2008 0:00:00 Enforcement action: State AO (w/penalty) Issued Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60

PWS type code: C Violation ID: 4819015
Contaminant: VINYL CHLORIDE Violation type: 3

Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00

Enforcement date: 1/1/2008 0:00:00 Enforcement action: State Compliance Achieved Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60

PWS type code: C Violation ID: 4819015

Contaminant: VINYL CHLORIDE Violation type: 3

Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00
Enforcement date: 5/9/2008 0:00:00 Enforcement action: State Formal NOV Issued
Violation measurement: Not Reported

PWS name:K & M MHPPopulation served:60PWS type code:CViolation ID:4819015Contaminant:VINYL CHLORIDEViolation type:3

Enforcement date: 5/9/2008 0:00:00 Enforcement action: State Public Notif Requested

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4819015

Contaminant: VINYL CHLORIDE Violation type: 3

Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00

Enforcement date: 7/2/2008 0:00:00 Enforcement action: State AO (w/penalty) Issued

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4819016
Contaminant: 1,1-DICHLOROETHYLENE Violation type: 3

Enforcement date: 1/1/2008 0:00:00 Enforcement action: State Compliance Achieved Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4819016

Contaminant: 1,1-DICHLOROETHYLENE Violation type: 3

1/1/2005 0:00:00 12/31/2007 0:00:00 Compliance start date: Compliance end date: Enforcement date: 5/9/2008 0:00:00 Enforcement action: State Formal NOV Issued

Violation measurement: Not Reported

Enforcement action:

PWS name: K & M MHP Population served: 60 PWS type code: С Violation ID: 4819016

Contaminant: 1,1-DICHLOROETHYLENE Violation type:

Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00 5/9/2008 0:00:00 Enforcement action: State Public Notif Requested Enforcement date: Not Reported Violation measurement:

PWS name: K & M MHP Population served: 60 PWS type code: Violation ID: 4819016

Contaminant: 1,1-DICHLOROETHYLENE Violation type: 3

Compliance end date: 1/1/2005 0:00:00 12/31/2007 0:00:00 Compliance start date: Enforcement date: 7/2/2008 0:00:00

Enforcement action: State AO (w/penalty) Issued Violation measurement: Not Reported

Violation measurement:

Not Reported

PWS name: Population served: K & M MHP 60 PWS type code: С Violation ID: 4819017

Contaminant: TRANS-1,2-DICHLOROETHYLENE

State Compliance Achieved

Violation type: Compliance start date: 1/1/2005 0:00:00 12/31/2007 0:00:00 Compliance end date: Enforcement date: 1/1/2008 0:00:00

PWS name: K & M MHP Population served:

PWS type code: Violation ID: 4819017 Contaminant: TRANS-1,2-DICHLOROETHYLENE

Violation type: Compliance start date: 1/1/2005 0:00:00

Compliance end date: 12/31/2007 0:00:00 Enforcement date: 5/9/2008 0:00:00 Enforcement action: State Formal NOV Issued Violation measurement: Not Reported

PWS name: K & M MHP 60 Population served: Violation ID:

4819017 PWS type code: С

Contaminant: TRANS-1,2-DICHLOROETHYLENE Violation type: Compliance start date: 1/1/2005 0:00:00

12/31/2007 0:00:00 Compliance end date: Enforcement date: 5/9/2008 0:00:00

State Public Notif Requested Enforcement action: Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 4819017

Violation ID: PWS type code: С Contaminant: TRANS-1,2-DICHLOROETHYLENE

1/1/2005 0:00:00 Violation type: Compliance start date:

Compliance end date: 12/31/2007 0:00:00 Enforcement date: 7/2/2008 0:00:00 Enforcement action: State AO (w/penalty) Issued

Not Reported Violation measurement:

Population served: PWS name: K & M MHP 60 PWS type code: Violation ID: 4819018 1,2-DICHLOROETHANE Contaminant: Violation type: 3

1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00 Compliance start date: Enforcement date: 1/1/2008 0:00:00 Enforcement action:

State Compliance Achieved Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 4819018 PWS type code: Violation ID: 1,2-DICHLOROETHANE Contaminant: Violation type:

Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00 5/9/2008 0:00:00 Enforcement date: Enforcement action: State Formal NOV Issued

Not Reported Violation measurement:

PWS name: K & M MHP Population served: 60 PWS type code: Violation ID: 4819018

Contaminant: 1,2-DICHLOROETHANE Violation type:

1/1/2005 0:00:00 12/31/2007 0:00:00 Compliance start date: Compliance end date: Enforcement date: 5/9/2008 0:00:00 Enforcement action: State Public Notif Requested Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 4819018 Violation ID: PWS type code:

Violation type: 1,2-DICHLOROETHANE Contaminant: 3

12/31/2007 0:00:00 Compliance start date: 1/1/2005 0:00:00 Compliance end date: 7/2/2008 0:00:00 Enforcement action: State AO (w/penalty) Issued Enforcement date:

PWS name: K & M MHP Population served: 60 PWS type code: С Violation ID: 4819019

Not Reported

Not Reported

Violation measurement:

Violation measurement:

Contaminant: 1,1,1-TRICHLOROETHANE Violation type:

1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00 Compliance start date: Enforcement action: State Compliance Achieved Enforcement date: 1/1/2008 0:00:00

PWS name: K & M MHP Population served: 60 4819019 PWS type code: С Violation ID:

Violation type: 1,1,1-TRICHLOROETHANE Contaminant:

Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00 Enforcement date: 5/9/2008 0:00:00 Enforcement action: State Formal NOV Issued Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 4819019 PWS type code: Violation ID:

Contaminant: 1,1,1-TRICHLOROETHANE Violation type: 3

Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00

Enforcement date: 5/9/2008 0:00:00 State Public Notif Requested Enforcement action: Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 4819019 PWS type code: С Violation ID:

1,1,1-TRICHLOROETHANE Contaminant: Violation type: 12/31/2007 0:00:00 Compliance start date: 1/1/2005 0:00:00 Compliance end date:

Enforcement date: 7/2/2008 0:00:00 Enforcement action: State AO (w/penalty) Issued Violation measurement: Not Reported

PWS name: Population served: 60 K & M MHP PWS type code: Violation ID: 4819020 Contaminant: CARBON TETRACHLORIDE Violation type:

Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00

Enforcement action: 1/1/2008 0:00:00 State Compliance Achieved Enforcement date: Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 4819020 PWS type code: Violation ID:

CARBON TETRACHLORIDE Contaminant: Violation type: 3

12/31/2007 0:00:00 Compliance start date: 1/1/2005 0:00:00 Compliance end date: 5/9/2008 0:00:00 State Formal NOV Issued Enforcement date: Enforcement action: Violation measurement: Not Reported

60 PWS name: K & M MHP Population served:

PWS type code: С Violation ID: 4819020 Contaminant: CARBON TETRACHLORIDE Violation type:

12/31/2007 0:00:00 Compliance start date: 1/1/2005 0:00:00 Compliance end date:

5/9/2008 0:00:00 Enforcement action: State Public Notif Requested Enforcement date: Violation measurement: Not Reported

PWS name: K & M MHP PWS type code:

Contaminant: CARBON TETRACHLORIDE

1/1/2005 0:00:00 Compliance start date: Enforcement date: 7/2/2008 0:00:00 Violation measurement: Not Reported

PWS name: K & M MHP

PWS type code:

1,2-DICHLOROPROPANE Contaminant:

Compliance start date: 1/1/2005 0:00:00 1/1/2008 0:00:00 Enforcement date: Violation measurement: Not Reported

PWS name: K & M MHP

PWS type code: С

1,2-DICHLOROPROPANE Contaminant: Compliance start date: 1/1/2005 0:00:00

5/9/2008 0:00:00 Enforcement date: Violation measurement: Not Reported

PWS name: K & M MHP

PWS type code: С

1.2-DICHLOROPROPANE Contaminant:

Compliance start date: 1/1/2005 0:00:00

Enforcement date: 5/9/2008 0:00:00 Violation measurement: Not Reported

PWS name: K & M MHP

PWS type code:

Contaminant: 1,2-DICHLOROPROPANE

Compliance start date: 1/1/2005 0:00:00 Enforcement date: 7/2/2008 0:00:00 Violation measurement: Not Reported

PWS name: K & M MHP

PWS type code: С

TRICHLOROETHYLENE Contaminant: Compliance start date: 1/1/2005 0:00:00

Enforcement date: 1/1/2008 0:00:00 Violation measurement: Not Reported

PWS name: K & M MHP

PWS type code:

Contaminant:

Compliance start date: 1/1/2005 0:00:00 5/9/2008 0:00:00 Enforcement date:

TRICHLOROETHYLENE

Violation measurement: Not Reported

PWS name: K & M MHP

PWS type code:

TRICHLOROETHYLENE Contaminant:

Compliance start date: 1/1/2005 0:00:00 5/9/2008 0:00:00 Enforcement date:

Violation measurement: Not Reported

PWS name: K & M MHP

PWS type code: С

Contaminant: TRICHLOROETHYLENE

1/1/2005 0:00:00

Compliance start date: 7/2/2008 0:00:00 Enforcement date: Violation measurement: Not Reported

Population served: 60 Violation ID: 4819020

Violation type:

12/31/2007 0:00:00 Compliance end date:

Enforcement action: State AO (w/penalty) Issued

Population served: 60

4819021 Violation ID:

Violation type: 3

12/31/2007 0:00:00 Compliance end date:

Enforcement action: State Compliance Achieved

Population served: 60

Violation ID: 4819021 Violation type:

Compliance end date: 12/31/2007 0:00:00

Enforcement action: State Formal NOV Issued

Population served: 60

Violation ID: 4819021

Violation type:

Compliance end date: 12/31/2007 0:00:00

Enforcement action: State Public Notif Requested

Population served: 60 4819021 Violation ID:

Violation type: 3

Compliance end date: 12/31/2007 0:00:00

State AO (w/penalty) Issued Enforcement action:

Population served: 60 4819022 Violation ID:

Violation type:

12/31/2007 0:00:00 Compliance end date:

Enforcement action: State Compliance Achieved

Population served: 60

Violation ID: 4819022

Violation type:

Compliance end date: 12/31/2007 0:00:00 Enforcement action: State Formal NOV Issued

Population served: 60 4819022 Violation ID:

Violation type: 3

12/31/2007 0:00:00 Compliance end date:

State Public Notif Requested Enforcement action:

Population served: 60

Violation ID: 4819022

Violation type: 12/31/2007 0:00:00 Compliance end date:

Enforcement action: State AO (w/penalty) Issued

PWS name: K & M MHP

PWS type code:

Contaminant: 1,1,2-TRICHLOROETHANE

Compliance start date: 1/1/2005 0:00:00
Enforcement date: 1/1/2008 0:00:00
Violation measurement: Not Reported

PWS name: K & M MHP

PWS type code: C

Contaminant: 1,1,2-TRICHLOROETHANE

Compliance start date: 1/1/2005 0:00:00
Enforcement date: 5/9/2008 0:00:00
Violation measurement: Not Reported

PWS name: K & M MHP

PWS type code: C

Contaminant: BERYLLIUM, TOTAL

Compliance start date: 1/1/2000 0:00:00 Enforcement date: 2/20/2003 0:00:00

Violation measurement: Not Reported

PWS name: K & M MHP

PWS type code: C

Contaminant: ANTIMONY, TOTAL
Compliance start date: 1/1/2000 0:00:00
Enforcement date: 1/28/2003 0:00:00

Enforcement date: 1/28/2003 0:0
Violation measurement: Not Reported

noiation measurement. Not report

PWS name: K & M MHP

PWS type code:

Contaminant: ANTIMONY, TOTAL Compliance start date: 1/1/2000 0:00:00

Enforcement date: 1/28/2003 0:00:00

Violation measurement: Not Reported

PWS name: K & M MHP

PWS type code: C
Contaminant: ANTIMONY, TOTAL

Compliance start date: 1/1/2000 0:00:00 Enforcement date: 2/20/2003 0:00:00

Not Reported

Violation measurement:

PWS name: K & M MHP

PWS type code:

Contaminant: SULFATE

Compliance start date: 1/1/2000 0:00:00 Enforcement date: 1/28/2003 0:00:00

Violation measurement: Not Reported

PWS name: K & M MHP

PWS type code: C
Contaminant: SULFATE

Compliance start date: 1/1/2000 0:00:00

Enforcement date: 1/28/2003 0:00:00

Violation measurement: Not Reported

PWS name: K & M MHP

PWS type code: C

Contaminant: SULFATE

Compliance start date: 1/1/2000 0:00:00 Enforcement date: 2/20/2003 0:00:00

Violation measurement: Not Reported

Population served: 60

Violation ID: 4819023 Violation type: 3

Compliance end date: 12/31/2007 0:00:00

Enforcement action: State Compliance Achieved

Population served: 60

Violation ID: 4819023

Violation type: 3

Compliance end date: 12/31/2007 0:00:00

Enforcement action: State Formal NOV Issued

Population served: 60 Violation ID: 1403

Violation ID: 1403 Violation type: 3

Compliance end date: 12/31/2002 0:00:00

Enforcement action: State Compliance Achieved

Population served: 60

Violation ID: 1503

Violation type: 3

Compliance end date: 12/31/2002 0:00:00
Enforcement action: State Formal NOV Issued

Population served: 60
Violation ID: 1503

Violation ID: 15
Violation type: 3

Compliance end date: 12/31/2002 0:00:00

Enforcement action: State Public Notif Requested

Population served: 60 Violation ID: 1503

Violation type: 3

Compliance end date: 12/31/2002 0:00:00

Enforcement action: State Compliance Achieved

Population served: 60

Violation ID: 1603

Violation type: 3

Compliance end date: 12/31/2002 0:00:00
Enforcement action: State Formal NOV Issued

Population served: 60
Violation ID: 1603
Violation type: 3

Compliance end date: 12/31/2002 0:00:00

Enforcement action: State Public Notif Requested

Emorcement action. State Public Notil Requested

Population served: 60 Violation ID: 1603

Violation type: 3

Compliance end date: 12/31/2002 0:00:00

Enforcement action: State Compliance Achieved

PWS name:K & M MHPPopulation served:60PWS type code:CViolation ID:1703Contaminant:SODIUMViolation type:3

Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00
Enforcement date: 1/28/2003 0:00:00 Enforcement action: State Formal NOV Issued Violation measurement: Not Reported

PWS name:K & M MHPPopulation served:60PWS type code:CViolation ID:1703Contaminant:SODIUMViolation type:3

Enforcement date: 1/28/2003 0:00:00 Enforcement action: State Public Notif Requested

Violation measurement: Not Reported

PWS name:K & M MHPPopulation served:60PWS type code:CViolation ID:1703Contaminant:SODIUMViolation type:3

Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00

Enforcement date: 2/20/2003 0:00:00 Enforcement action: State Compliance Achieved

Violation measurement: Not Reported

PWS name:K & M MHPPopulation served:60PWS type code:CViolation ID:1803Contaminant:SELENIUMViolation type:3

Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00 Enforcement date: 1/28/2003 0:00:00 Enforcement action: State Formal NOV Issued

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 1803

Contaminant: SELENIUM Violation type: 3

Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00 Enforcement date: 1/28/2003 0:00:00 Enforcement action: State Public Notif Requested

Enforcement date: 1/28/2003 0:00:00 Enforcement action:
Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 1803

Contaminant: SELENIUM Violation type: 3
Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/

Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00
Enforcement date: 2/20/2003 0:00:00 Enforcement action: State Compliance Achieved Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 1903
Contaminant: NICKEL Violation type: 3

Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00
Enforcement date: 1/28/2003 0:00:00 Enforcement action: State Formal NOV Issued

Violation measurement: Not Reported

PWS name:K & M MHPPopulation served:60PWS type code:CViolation ID:1903Contaminant:NICKELViolation type:3

Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00

Enforcement date: 1/28/2003 0:00:00 Enforcement action: State Public Notif Requested

Violation measurement: Not Reported

PWS name:K & M MHPPopulation served:60PWS type code:CViolation ID:1903Contaminant:NICKELViolation type:3

Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00

Enforcement date: 2/20/2003 0:00:00 Enforcement action: State Compliance Achieved Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: Violation ID: 2003 Contaminant: **MERCURY** Violation type:

1/1/2000 0:00:00 12/31/2002 0:00:00 Compliance start date: Compliance end date: Enforcement date: 1/28/2003 0:00:00 Enforcement action: State Formal NOV Issued

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 2003 Violation ID: PWS type code:

**MERCURY** 3 Contaminant: Violation type: 12/31/2002 0:00:00 Compliance start date: 1/1/2000 0:00:00 Compliance end date:

1/28/2003 0:00:00 Enforcement action: State Public Notif Requested Enforcement date:

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: С Violation ID: 2003 Contaminant: **MERCURY** Violation type:

1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00 Compliance start date:

2/20/2003 0:00:00 Enforcement action: Enforcement date: State Compliance Achieved

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: С Violation ID: 2103 **IRON** Contaminant: Violation type:

Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00 Enforcement date: 1/28/2003 0:00:00 Enforcement action: State Formal NOV Issued

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 2103 PWS type code: С Violation ID: Contaminant: **IRON** Violation type: 3

Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00

Enforcement date: 1/28/2003 0:00:00 State Public Notif Requested Enforcement action:

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: С Violation ID: 2103

**IRON** Contaminant: Violation type:

12/31/2002 0:00:00 Compliance start date: 1/1/2000 0:00:00 Compliance end date: Enforcement action: Enforcement date: 2/20/2003 0:00:00

State Compliance Achieved Violation measurement: Not Reported

PWS name: Population served: 60 K & M MHP 2203 PWS type code: Violation ID:

Contaminant: **CYANIDE** Violation type:

Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00 Enforcement action: 1/28/2003 0:00:00 State Formal NOV Issued Enforcement date:

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 2203 PWS type code: С Violation ID: CYANIDE Contaminant: Violation type: 3

Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00

1/28/2003 0:00:00 State Public Notif Requested Enforcement date: Enforcement action:

Violation measurement: Not Reported

60 PWS name: K & M MHP Population served: PWS type code: С Violation ID: 2203 Contaminant: CYANIDE Violation type:

12/31/2002 0:00:00 Compliance start date: 1/1/2000 0:00:00 Compliance end date:

2/20/2003 0:00:00 Enforcement action: Enforcement date: State Compliance Achieved Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: Violation ID: 2303 Contaminant: **BARIUM** Violation type:

1/1/2000 0:00:00 12/31/2002 0:00:00 Compliance start date: Compliance end date: Enforcement date: 1/28/2003 0:00:00 Enforcement action: State Formal NOV Issued Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 2303 С PWS type code: Violation ID: **BARIUM** 3 Contaminant: Violation type:

1/1/2000 0:00:00 12/31/2002 0:00:00 Compliance start date: Compliance end date:

1/28/2003 0:00:00 Enforcement action: State Public Notif Requested Enforcement date:

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: С Violation ID: 2303 Contaminant: **BARIUM** Violation type:

1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00 Compliance start date:

2/20/2003 0:00:00 Enforcement action: Enforcement date: State Compliance Achieved

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: С Violation ID: 2403 Contaminant: CADMIUM Violation type:

Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00 Enforcement date: 1/28/2003 0:00:00 Enforcement action: State Formal NOV Issued

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 2403 PWS type code: Violation ID:

Contaminant: CADMIUM Violation type: 3

Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00

Enforcement date: 1/28/2003 0:00:00 State Public Notif Requested Enforcement action:

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: С Violation ID: 2403 CADMIUM

Contaminant: Violation type: Compliance start date: 1/1/2000 0:00:00 Compliance end date:

12/31/2002 0:00:00 2/20/2003 0:00:00 Enforcement action: Enforcement date: State Compliance Achieved

Violation measurement: Not Reported

PWS name: Population served: 60 K & M MHP

2503 PWS type code: Violation ID: Contaminant: **CHROMIUM** Violation type:

1/1/2000 0:00:00 Compliance start date: Compliance end date: 12/31/2002 0:00:00 1/28/2003 0:00:00 Enforcement action: State Formal NOV Issued Enforcement date:

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 2503 PWS type code: С Violation ID:

CHROMIUM Contaminant: Violation type: 3

Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00 1/28/2003 0:00:00 State Public Notif Requested Enforcement date: Enforcement action:

Violation measurement: Not Reported

60 PWS name: K & M MHP Population served: PWS type code: С Violation ID: 2503

Contaminant: **CHROMIUM** Violation type:

12/31/2002 0:00:00 Compliance start date: 1/1/2000 0:00:00 Compliance end date:

2/20/2003 0:00:00 Enforcement action: Enforcement date: State Compliance Achieved Violation measurement: Not Reported

PWS name:K & M MHPPopulation served:60PWS type code:CViolation ID:2604Contaminant:7000Violation type:71

Enforcement date: 1/7/2005 0:00:00 Enforcement action: State Compliance Achieved

Violation measurement: Not Reported

PWS name:K & M MHPPopulation served:60PWS type code:CViolation ID:2604Contaminant:7000Violation type:71

Enforcement date: 10/7/2004 0:00:00 Enforcement action: State Formal NOV Issued

Violation measurement: Not Reported

PWS name:K & M MHPPopulation served:60PWS type code:CViolation ID:2604Contaminant:7000Violation type:71

Enforcement date: 10/7/2004 0:00:00 Enforcement action: State Public Notif Requested

Violation measurement: Not Reported

PWS name:K & M MHPPopulation served:60PWS type code:CViolation ID:2604Contaminant:7000Violation type:71

Enforcement date: 11/12/2004 0:00:00 Enforcement action: State AO (w/o Penalty) Issued

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 2604
Contaminant: 7000 Violation type: 71

Enforcement date: 9/18/2003 0:00:00 Enforcement action: State Formal NOV Issued

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 2604
Contaminant: 7000 Violation type: 71

Compliance start date: 7/1/2003 0:00:00 Compliance end date: 1/7/2005 0:00:00

Enforcement date: 9/18/2003 0:00:00 Enforcement action: State Public Notif Requested

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: C Violation ID: 2704

Contaminant: COLIFORM (TCR)

Violation type: Max Contaminant Level, Monthly (TCR)

Compliance start date: 9/1/2003 0:00:00 Compliance end date: 9/30/2003 0:00:00 Enforcement date: 10/3/2003 0:00:00 Enforcement action: State Formal NOV Issued

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: C Violation ID: 2704

Contaminant: COLIFORM (TCR)

Violation type: Max Contaminant Level, Monthly (TCR)

Enforcement date: 10/3/2003 0:00:00 Enforcement action: State Public Notif Requested

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: C Violation ID: 2704

Contaminant: COLIFORM (TCR)

Violation type: Max Contaminant Level, Monthly (TCR)

Compliance start date: 9/1/2003 0:00:00 Compliance end date: 9/30/2003 0:00:00

Enforcement date: 5/31/2004 0:00:00 Enforcement action: State Compliance Achieved

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: C Violation ID: 2804

Contaminant: COLIFORM (TCR)

Violation type: Max Contaminant Level, Monthly (TCR)

Compliance start date: 10/1/2003 0:00:00 Compliance end date: 10/31/2003 0:00:00 Enforcement date: 10/29/2003 0:00:00 Enforcement action: State Formal NOV Issued

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: C Violation ID: 2804

Contaminant: COLIFORM (TCR)

Violation type: Max Contaminant Level, Monthly (TCR)

Enforcement date: 10/29/2003 0:00:00 Enforcement action: State Public Notif Requested

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: C Violation ID: 2804

Contaminant: COLIFORM (TCR)

Violation type: Max Contaminant Level, Monthly (TCR)

Enforcement date: 5/31/2004 0:00:00 Enforcement action: State Compliance Achieved

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 2904
Contaminant: NITRATE Violation type: 3

Compliance start date: 1/1/2003 0:00:00

Compliance end date: 12/31/2003 0:00:00 Enforcement date: 3/22/2004 0:00:00 Enforcement action: State Formal NOV Issued Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 2904

Contaminant: NITRATE Violation type: 3

Compliance start date: 1/1/2003 0:00:00 Compliance end date: 12/31/2003 0:00:00

Enforcement date: 3/22/2004 0:00:00 Enforcement action: State Public Notif Requested Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 2904
Contaminant: NITRATE Violation type: 3

Compliance start date: 1/1/2003 0:00:00 Compliance end date: 12/31/2003 0:00:00

Enforcement date: 9/28/2004 0:00:00 Enforcement action: State Compliance Achieved

Violation measurement: Not Reported

PWS name:K & M MHPPopulation served:60PWS type code:CViolation ID:3005Contaminant:7000Violation type:71

Enforcement date: 1/7/2005 0:00:00 Enforcement action: State Compliance Achieved

Violation measurement: Not Reported

PWS name:K & M MHPPopulation served:60PWS type code:CViolation ID:3005Contaminant:7000Violation type:71

Compliance start date: 7/1/2004 0:00:00 Compliance end date: 1/7/2005 0:00:00

Enforcement date: 10/7/2004 0:00:00 Enforcement action: State Formal NOV Issued

Violation measurement: Not Reported

PWS name:K & M MHPPopulation served:60PWS type code:CViolation ID:3005Contaminant:7000Violation type:71

Enforcement date: 10/7/2004 0:00:00 Enforcement action: State Public Notif Requested Violation measurement: Not Reported

PWS name:K & M MHPPopulation served:60PWS type code:CViolation ID:3005Contaminant:7000Violation type:71

Enforcement date: 11/12/2004 0:00:00 Enforcement action: State AO (w/o Penalty) Issued Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60

PWS type code: C Violation ID: 3770905 Contaminant: 7500 Violation type: 76

Compliance start date: 4/2/2005 0:00:00 Compliance end date: 12/31/2025 0:00:00 Enforcement date: No Enf Action as of Enforcement action: 7/8/2009 0:00:00 Violation measurement: Not Reported

PWS name:K & M MHPPopulation served:60PWS type code:CViolation ID:400Contaminant:7000Violation type:71

Compliance start date: 10/19/1999 0:00:00 Compliance end date: 7/10/2000 0:00:00 Enforcement date: 2/10/2000 0:00:00 Enforcement action: State Formal NOV Issued

Violation measurement: Not Reported

PWS name:K & M MHPPopulation served:60PWS type code:CViolation ID:400Contaminant:7000Violation type:71

Compliance start date: 10/19/1999 0:00:00 Compliance end date: 7/10/2000 0:00:00

Enforcement date: 2/10/2000 0:00:00 Enforcement action: State Public Notif Requested

Violation measurement: Not Reported

PWS name:K & M MHPPopulation served:60PWS type code:CViolation ID:400Contaminant:7000Violation type:71

Violation measurement: Not Reported

PWS name:K & M MHPPopulation served:60PWS type code:CViolation ID:400Contaminant:7000Violation type:71

Compliance start date: 10/19/1999 0:00:00 Compliance end date: 7/10/2000 0:00:00

Enforcement date: 7/10/2000 0:00:00 Enforcement action: State Compliance Achieved

Violation measurement: Not Reported

PWS name:K & M MHPPopulation served:60PWS type code:CViolation ID:4196702Contaminant:7500Violation type:76

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60

PWS type code: C Violation ID: 4440202
Contaminant: ASBESTOS Violation type: 3

Compliance start date: 1/1/2002 0:00:00 Compliance end date: 12/31/2004 0:00:00 Enforcement date: No Enf Action as of Enforcement action: 7/8/2009 0:00:00 Violation measurement: Not Reported

PWS name:K & M MHPPopulation served:60PWS type code:CViolation ID:4466504Contaminant:7500Violation type:76

Compliance start date: 12/8/2003 0:00:00 Compliance end date: 12/31/2025 0:00:00 Enforcement date: No Enf Action as of Enforcement action: 7/8/2009 0:00:00 Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4560804
Contaminant: 7500 Violation type: 76

Compliance start date: 2/8/2004 0:00:00 Compliance end date: 12/31/2025 0:00:00 Enforcement date: No Enf Action as of Enforcement action: 7/8/2009 0:00:00 Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4600503
Contaminant: 7500 Violation type: 76

Compliance start date: 12/18/2002 0:00:00 Compliance end date: 12/31/2025 0:00:00 Enforcement date: No Enf Action as of Enforcement action: 7/8/2009 0:00:00 Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4818804
Contaminant: 7500 Violation type: 76

Compliance start date: 11/6/2003 0:00:00 Compliance end date: 12/31/2025 0:00:00 Enforcement date: No Enf Action as of Enforcement action: 7/8/2009 0:00:00

Enforcement date: No Enf Action as of Enforcement action: 7/8/2009 0:00:00

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4819023

Contaminant: 1,1,2-TRICHLOROETHANE Violation type: 3

Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00 Enforcement date: 5/9/2008 0:00:00 Enforcement action: State Public Notif Requested

Violation measurement:

Not Reported

Violation measurement:

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4819023

Contaminant: 1,1,2-TRICHLOROETHANE Violation type: 3
Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00

Enforcement date: 7/2/2008 0:00:00 Enforcement action: State AO (w/penalty) Issued Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4819024
Contaminant: TETRACHLOROETHYLENE Violation type: 3

Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00

Enforcement date: 1/1/2008 0:00:00 Enforcement action: State Compliance Achieved Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4819024

Contaminant: TETRACHLOROETHYLENE Violation type: 3

Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00 Enforcement date: 5/9/2008 0:00:00 Enforcement action: State Formal NOV Issued Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60

PWS type code: C Violation ID: 4819024

Contaminant: TETRACHLOROETHYLENE Violation type: 3

Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00

Enforcement date: 5/9/2008 0:00:00 Enforcement action: State Public Notif Requested Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4819024

Contaminant: TETRACHLOROETHYLENE Violation type: 3

Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00 Enforcement date: 7/2/2008 0:00:00 Enforcement action: State AO (w/penalty) Issued

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4819025

Contaminant: MONOCHLOROBENZENE (CHLOROBENZENE)

Violation type:3Compliance start date:1/1/2005 0:00:00Compliance end date:12/31/2007 0:00:00Enforcement date:1/1/2008 0:00:00Enforcement action:State Compliance AchievedViolation measurement:Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: C Violation ID: 4819025

Contaminant: MONOCHLOROBENZENE (CHLOROBENZENE)

Violation type:3Compliance start date:1/1/2005 0:00:00Compliance end date:12/31/2007 0:00:00Enforcement date:5/9/2008 0:00:00Enforcement action:State Formal NOV IssuedViolation measurement:Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: C Violation ID: 4819025

Contaminant: MONOCHLOROBENZENE (CHLOROBENZENE)

 Violation type:
 3
 Compliance start date:
 1/1/2005 0:00:00

 Compliance end date:
 12/31/2007 0:00:00
 Enforcement date:
 5/9/2008 0:00:00

Enforcement action: State Public Notif Requested

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4819025

Contaminant: MONOCHLOROBENZENE (CHLOROBENZENE)

 Violation type:
 3
 Compliance start date:
 1/1/2005 0:00:00

 Compliance end date:
 12/31/2007 0:00:00
 Enforcement date:
 7/2/2008 0:00:00

Enforcement action: State AO (w/penalty) Issued

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4819026
Contaminant: BENZENE Violation type: 3

Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00

Enforcement date: 1/1/2008 0:00:00 Enforcement action: State Compliance Achieved

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4819026
Contaminant: BENZENE Violation type: 3

Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00 Enforcement date: 5/9/2008 0:00:00 Enforcement action: State Formal NOV Issued

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4819026
Contaminant: BENZENE Violation type: 3

Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00

Enforcement date: 5/9/2008 0:00:00 Enforcement action: State Public Notif Requested

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4819026

Contaminant: BENZENE Violation type: 3

7/2/2008 0:00:00 State AO (w/penalty) Issued Enforcement date: Enforcement action: Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60

Violation ID: 4819027 PWS type code: С Contaminant: TOLUENE Violation type: 3

Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00 Enforcement date:

1/1/2008 0:00:00 Enforcement action: State Compliance Achieved Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: С Violation ID: 4819027

Contaminant: **TOLUENE** Violation type: 3 Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00 Enforcement action: State Formal NOV Issued Enforcement date: 5/9/2008 0:00:00 Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 Violation ID: 4819027 PWS type code:

Contaminant: **TOLUENE** Violation type: 3

1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00 Compliance start date:

Enforcement date: 5/9/2008 0:00:00 Enforcement action: State Public Notif Requested

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: Violation ID: 4819027 Contaminant: **TOLUENE** Violation type:

1/1/2005 0:00:00 12/31/2007 0:00:00 Compliance start date: Compliance end date:

Enforcement date: 7/2/2008 0:00:00 Enforcement action: State AO (w/penalty) Issued

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 4819028 Violation ID: PWS type code: С

Violation type: Contaminant: **ETHYLBENZENE** 

Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00

Enforcement date: 1/1/2008 0:00:00 Enforcement action: State Compliance Achieved Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 Violation ID: PWS type code: 4819028 Contaminant: **ETHYLBENZENE** Violation type:

12/31/2007 0:00:00 Compliance start date: 1/1/2005 0:00:00 Compliance end date: 5/9/2008 0:00:00 Enforcement action: State Formal NOV Issued Enforcement date: Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 Violation ID: 4819028 PWS type code:

**ETHYLBENZENE** Contaminant: Violation type:

12/31/2007 0:00:00 Compliance start date: 1/1/2005 0:00:00 Compliance end date:

Enforcement date: 5/9/2008 0:00:00 Enforcement action: State Public Notif Requested

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 4819028 PWS type code: С Violation ID: Contaminant: **ETHYLBENZENE** Violation type:

Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00

Enforcement date: Enforcement action: 7/2/2008 0:00:00 State AO (w/penalty) Issued

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 Violation ID: 4819029 PWS type code:

Contaminant: STYRENE Violation type: 3

Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00 Enforcement date: 1/1/2008 0:00:00 Enforcement action: State Compliance Achieved

Violation measurement: Not Reported

Violation measurement:

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4819029
Contaminant: STYRENE Violation type: 3

Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00 Enforcement date: 5/9/2008 0:00:00 Enforcement action: State Formal NOV Issued Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4819029
Contaminant: STYRENE Violation type: 3

Compliance start date: 1/1/2005 0:00:00 Compliance end date: 12/31/2007 0:00:00

Enforcement date: 5/9/2008 0:00:00 Enforcement action: State Public Notif Requested Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 4819029

Contaminant: STYRENE Violation type: 3

Enforcement date: 7/2/2008 0:00:00 Enforcement action: State AO (w/penalty) Issued Violation measurement: Not Reported

PWS name:K & M MHPPopulation served:60PWS type code:CViolation ID:4819030Contaminant:7500Violation type:75

Compliance start date: 3/21/2008 0:00:00 Compliance end date: 12/31/2025 0:00:00 Enforcement date: No Enf Action as of Enforcement action: 7/8/2009 0:00:00 Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60

PWS type code: C Violation ID: 501

Contaminant: COLIFORM (TCR) Violation type: Monitoring, Routine Major (TCR)

Compliance start date: 6/1/2001 0:00:00 Compliance end date: 6/30/2001 0:00:00

Enforcement date: 5/31/2004 0:00:00 Enforcement action: State Compliance Achieved Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: C Violation ID: 501

Contaminant: COLIFORM (TCR) Violation type: Monitoring, Routine Major (TCR)

Compliance start date: 6/1/2001 0:00:00 Compliance end date: 6/30/2001 0:00:00
Enforcement date: 8/8/2001 0:00:00 Enforcement action: State Formal NOV Issued

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 501

Not Reported

PWS type code: C Violation ID: 501
Contaminant: COLIFORM (TCR) Violation type: Monitoring, Routine Major (TCR)

Compliance start date: 6/1/2001 0:00:00 Compliance end date: 6/30/2001 0:00:00

Enforcement date: 8/8/2001 0:00:00 Enforcement action: State Public Notif Requested

Violation measurement: Not Reported

PWS name:K & M MHPPopulation served:60PWS type code:CViolation ID:602Contaminant:7000Violation type:71

Enforcement date: 1/7/2005 0:00:00 Enforcement action: State Compliance Achieved

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: C Violation ID: 602

Contaminant: 7000 Violation type:

Compliance start date: 7/1/2001 0:00:00 Compliance end date: 1/7/2005 0:00:00

Enforcement date: 10/7/2004 0:00:00 Enforcement action: State Formal NOV Issued Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: С Violation ID: 602 Contaminant: 7000

Violation type: 7/1/2001 0:00:00 Compliance end date: 1/7/2005 0:00:00 Compliance start date:

10/7/2004 0:00:00 Enforcement action: State Public Notif Requested Enforcement date:

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: С Violation ID: 602 7000 Contaminant: Violation type: 71

7/1/2001 0:00:00 1/7/2005 0:00:00 Compliance start date: Compliance end date:

Enforcement date: 11/12/2004 0:00:00 Enforcement action: State AO (w/o Penalty) Issued

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 Violation ID: 602 PWS type code: C Contaminant: 7000 Violation type:

1/7/2005 0:00:00 Compliance start date: 7/1/2001 0:00:00 Compliance end date:

11/26/2001 0:00:00 Enforcement date: Enforcement action: State Formal NOV Issued Not Reported Violation measurement:

K & M MHP 60 PWS name: Population served: С 602 PWS type code: Violation ID: Contaminant: 7000 Violation type: 71

1/7/2005 0:00:00 Compliance start date: 7/1/2001 0:00:00 Compliance end date:

11/26/2001 0:00:00 Enforcement action: State Public Notif Requested Enforcement date:

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60

PWS type code: С Violation ID: 702 Contaminant:

COLIFORM (TCR) Violation type: Monitoring, Routine Major (TCR) Compliance end date: 10/31/2001 0:00:00 Compliance start date: 10/1/2001 0:00:00

State Formal NOV Issued Enforcement date: 12/7/2001 0:00:00 Enforcement action: Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60

702 PWS type code: С Violation ID:

COLIFORM (TCR) Violation type: Contaminant: Monitoring, Routine Major (TCR) 10/1/2001 0:00:00 10/31/2001 0:00:00 Compliance start date: Compliance end date:

12/7/2001 0:00:00 Enforcement action: State Public Notif Requested Enforcement date:

Violation measurement: Not Reported

PWS name: K & M MHP 60 Population served: PWS type code: Violation ID:

Contaminant: COLIFORM (TCR) Violation type: Monitoring, Routine Major (TCR)

10/1/2001 0:00:00 Compliance start date: Compliance end date: 10/31/2001 0:00:00

Enforcement date: 5/31/2004 0:00:00 Enforcement action: State Compliance Achieved Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 С PWS type code: Violation ID: 803

7000 Contaminant: Violation type: 7/1/2002 0:00:00 Compliance end date: 1/7/2005 0:00:00 Compliance start date:

State Compliance Achieved

Enforcement date: 1/7/2005 0:00:00 Enforcement action: Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60

С 803 PWS type code: Violation ID: Contaminant: 7000 Violation type: 71

1/7/2005 0:00:00 Compliance start date: 7/1/2002 0:00:00 Compliance end date:

Enforcement date: 10/21/2002 0:00:00 Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: С Violation ID: 803 7000 Contaminant: Violation type: 71

7/1/2002 0:00:00 Compliance start date: Compliance end date: 1/7/2005 0:00:00

Enforcement date: 10/21/2002 0:00:00 Enforcement action: State Public Notif Requested

Enforcement action:

State Formal NOV Issued

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 Violation ID: 803 PWS type code: C Contaminant: 7000 Violation type:

7/1/2002 0:00:00 1/7/2005 0:00:00 Compliance start date: Compliance end date:

10/7/2004 0:00:00 State Formal NOV Issued Enforcement date: Enforcement action:

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: С Violation ID: 803 Contaminant: 7000 Violation type: 71

7/1/2002 0:00:00 1/7/2005 0:00:00 Compliance start date: Compliance end date:

Enforcement date: 10/7/2004 0:00:00 Enforcement action: State Public Notif Requested

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: С Violation ID: 803 Contaminant: 7000 Violation type: 71

Compliance start date: 7/1/2002 0:00:00 Compliance end date: 1/7/2005 0:00:00

Enforcement date: 11/12/2004 0:00:00 Enforcement action: State AO (w/o Penalty) Issued

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: Violation ID: 903 **ARSENIC** Violation type: Contaminant:

1/1/2000 0:00:00 12/31/2002 0:00:00 Compliance start date: Compliance end date: Enforcement date: 1/28/2003 0:00:00 Enforcement action: State Formal NOV Issued Violation measurement: Not Reported

60 PWS name: K & M MHP Population served: 903 PWS type code: Violation ID: С

Violation type: Contaminant: **ARSENIC** 

Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00

Enforcement date: 1/28/2003 0:00:00 Enforcement action: State Public Notif Requested Violation measurement: Not Reported

Population served: PWS name: K & M MHP 60 PWS type code: С Violation ID: 903 Contaminant: ARSENIC Violation type:

1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00 Compliance start date:

Enforcement date: 2/20/2003 0:00:00 Enforcement action: State Compliance Achieved

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 1003 PWS type code: Violation ID:

Contaminant: **FLUORIDE** Violation type:

Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00 Enforcement date: 1/28/2003 0:00:00 Enforcement action: State Formal NOV Issued Violation measurement: Not Reported

PWS name:K & M MHPPopulation served:60PWS type code:CViolation ID:1003Contaminant:FLUORIDEViolation type:3

Contaminant: FLUORIDE Violation type: 3

Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00

Enforcement date: 1/28/2003 0:00:00 Enforcement action: State Public Notif Requested

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 1003

Contaminant: FLUORIDE Violation type: 3
Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00

Enforcement date: 2/20/2003 0:00:00 Enforcement action: State Compliance Achieved

Violation measurement: Not Reported

PWS name:K & M MHPPopulation served:60PWS type code:CViolation ID:1103Contaminant:MANGANESEViolation type:3

Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00 Enforcement date: 1/28/2003 0:00:00 Enforcement action: State Formal NOV Issued

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 1103

Contaminant: MANGANESE Violation type: 3
Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/31/2

Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00 Enforcement date: 1/28/2003 0:00:00 Enforcement action: State Public Notif Requested

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: C Violation ID: 1103

Contaminant: MANGANESE Violation type: 3

Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00 Enforcement date: 2/20/2003 0:00:00 Enforcement action: State Compliance Achieved

Violation measurement: Not Reported

PWS name:K & M MHPPopulation served:60PWS type code:CViolation ID:1203Contaminant:PHViolation type:3

Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00
Enforcement date: 1/28/2003 0:00:00 Enforcement action: State Formal NOV Issued Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60
PWS type code: C Violation ID: 1203
Contaminant: PH Violation type: 3

Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00

Enforcement date: 1/28/2003 0:00:00 Enforcement action: State Public Notif Requested

Violation measurement: Not Reported

PWS name:K & M MHPPopulation served:60PWS type code:CViolation ID:1203Contaminant:PHViolation type:3

Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00

Enforcement date: 2/20/2003 0:00:00 Enforcement action: State Compliance Achieved

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60

PWS type code: C Violation ID: 1303
Contaminant: THALLIUM, TOTAL Violation type: 3

Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00
Enforcement date: 1/28/2003 0:00:00 Enforcement action: State Formal NOV Issued Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: C Violation ID: 1303

Contaminant: THALLIUM, TOTAL Violation type: 3

Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00 Enforcement date: 1/28/2003 0:00:00 Enforcement action: State Public Notif Requested

Enforcement date: 1/28/2003 0:00:00 Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: C Violation ID: 1303

Contaminant: THALLIUM, TOTAL Violation type: 3

Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00 Enforcement date: 2/20/2003 0:00:00 Enforcement action: State Compliance Achieved

Violation measurement: Not Reported

PWS name:K & M MHPPopulation served:60PWS type code:CViolation ID:1403Contaminant:BERYLLIUM, TOTALViolation type:3

Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00 Enforcement date: 1/28/2003 0:00:00 Enforcement action: State Formal NOV Issued

Violation measurement: Not Reported

PWS name: K & M MHP Population served: 60 PWS type code: C Violation ID: 1403

Contaminant: BERYLLIUM, TOTAL Violation type: 3

Compliance start date: 1/1/2000 0:00:00 Compliance end date: 12/31/2002 0:00:00

Enforcement date: 1/28/2003 0:00:00 Enforcement action: State Public Notif Requested

Violation measurement: Not Reported

A3 SSW NC WELLS NC200000000287

0 - 1/8 Mile Higher

Higher

 PWS ID:
 NC0465201
 System Name:
 K & M MHP

 PWS Type:
 C
 Primary Source:
 GW

 Water Type:
 GW
 Facility Name:
 WELL #1

Well Depth: 155 Owner: KOONCE, WALTON

4 WNW FED USGS USGS40000882025 1/8 - 1/4 Mile

Organization ID: USGS-NC

Organization Name: USGS North Carolina Water Science Center Monitor Location: NH-631 Type: Well Description: Not Reported HUC: 03030007 Drainage Area: Not Reported Drainage Area Units: Not Reported Contrib Drainage Area: Not Reported Contrib Drainage Area Unts: Not Reported

Aquifer: Northern Atlantic Coastal Plain aquifer system

Formation Type: Castle Hayne Limestone Aquifer Type: Confined single aquifer

Construction Date: Not Reported Well Depth: 75

Well Depth Units: Not Reported Well Hole Depth: 75

Well Depth Units: Not Reported Well Hole Depth: Not Reported

Well Hole Depth Units: Not Reported

Map ID Direction Distance

Elevation Database EDR ID Number

ŇW 1/4 - 1/2 Mile

**NC WELLS** NC200000000299

Higher

PWS ID: NC0465565 System Name: JONES SEAFOOD HOUSE

PWS Type: NC Primary Source: GW WELL #1 Water Type: GW Facility Name:

Well Depth: JONES, EDWARD 80 Owner:

SSW 1/4 - 1/2 Mile Lower

**NC WELLS** NC300000007592

PWD ID: **CFPUA-WILMINGTON** NC0465010 System Name: PWS Type: Community Primary Source: Surface Water Water Type: **Ground Water** Facility Name: EL OGDEN WELL

Facility Type: Well Well Depth: 140

CAPE FEAR PUBLIC UTILITY AUTHORITY Owner:

SE 1/4 - 1/2 Mile **FED USGS** USGS40000882009

Higher

Organization ID: **USGS-NC** 

Organization Name: USGS North Carolina Water Science Center Monitor Location: NH-620 Type: Well Description: Not Reported HUC: 03030007 Drainage Area: Not Reported Not Reported Drainage Area Units: Contrib Drainage Area: Not Reported Contrib Drainage Area Unts: Not Reported

Northern Atlantic Coastal Plain aquifer system Aquifer:

Castle Hayne Limestone Formation Type: Aquifer Type: Confined single aquifer

Construction Date: Not Reported Well Depth: 93

Well Depth Units: Well Hole Depth: Not Reported

Well Hole Depth Units: Not Reported

**NC WELLS** NC300000007669

North 1/2 - 1 Mile Higher

> PWD ID: CAMELOT HOLDINGS LLC System Name: NC0465198

PWS Type: Non Community Transient Primary Source: **Ground Water** Water Type: **Ground Water** Facility Name: WELL #1 Facility Type: Well Depth: 168

CAMELOT HOLDINGS LLC\_465198 Owner:

Map ID Direction Distance

Elevation Database EDR ID Number

**B9** West

**FED USGS** USGS40000882023

1/2 - 1 Mile Higher

> Organization ID: **USGS-NC**

Organization Name: USGS North Carolina Water Science Center Monitor Location: NH-581 Well Type: CFPUA N-PD-O 03030007 Description: HUC: Drainage Area: Not Reported **Drainage Area Units:** Not Reported Contrib Drainage Area: Not Reported Contrib Drainage Area Unts: Not Reported

Aquifer: Northern Atlantic Coastal Plain aquifer system

Formation Type: Confined single aquifer Peedee Formation Aquifer Type:

Construction Date: 20070914 Well Depth: 175 Well Hole Depth: Well Depth Units: ft 175

Well Hole Depth Units: ft

**B10 FED USGS** USGS40000882024 West

1/2 - 1 Mile Higher

> **USGS-NC** Organization ID:

Organization Name: USGS North Carolina Water Science Center Monitor Location: NH-582 Type: Well CFPUA N-PD-P HUC: 03030007 Description: Drainage Area: Not Reported Drainage Area Units: Not Reported Contrib Drainage Area: Not Reported Contrib Drainage Area Unts: Not Reported

Northern Atlantic Coastal Plain aquifer system Aquifer:

Formation Type: Peedee Formation Aquifer Type: Confined single aquifer

Construction Date: 20070124 Well Depth: 175 Well Depth Units: ft Well Hole Depth: 175

Well Hole Depth Units: ft

**B11** NC WELLS NC300000007729 West

1/2 - 1 Mile Higher

> PWD ID: NC0465232 System Name: CFPUA/NHC PWS Type: Community Primary Source: **Ground Water** Water Type: **Ground Water** Facility Name: WELL# 29 N

Facility Type: Well Depth: 175

Owner: CAPE FEAR PUBLIC UTILITY AUTHORITY

NE **FED USGS** USGS40000882054

1/2 - 1 Mile Lower

> Organization ID: **USGS-NC**

Organization Name: USGS North Carolina Water Science Center Monitor Location: NH-645 Type:

Well Description: Not Reported HUC: 03030007

Drainage Area: Not Reported **Drainage Area Units:** Not Reported Contrib Drainage Area Unts: Contrib Drainage Area: Not Reported Not Reported

Aquifer: Northern Atlantic Coastal Plain aquifer system

Formation Type: Aquifer Type: Confined single aquifer Castle Hayne Limestone

Well Depth: Construction Date: 20010217

Well Hole Depth: Well Depth Units: Not Reported ft

Well Hole Depth Units: Not Reported

13 SSE **FED USGS** USGS40000881991 1/2 - 1 Mile

Lower

**USGS-NC** Organization ID:

Organization Name: USGS North Carolina Water Science Center Monitor Location: NH-607 Well Type: Description: HUC: 03030007 Not Reported Drainage Area: Not Reported Drainage Area Units: Not Reported Contrib Drainage Area: Not Reported Contrib Drainage Area Unts: Not Reported

Aquifer: Northern Atlantic Coastal Plain aquifer system

Formation Type: Castle Hayne Limestone Aquifer Type: Confined single aquifer

20001009 Well Depth: Construction Date: 50

Well Depth Units: Well Hole Depth: Not Reported ft

Well Hole Depth Units: Not Reported

NNE **NC WELLS** NC300000007718

1/2 - 1 Mile Higher

> PWD ID: NC0465232 System Name: CFPUA/NHC PWS Type: Community Primary Source: **Ground Water** Facility Name: **WELL #15 ELKMONT** Water Type: **Ground Water**

Well Depth: Facility Type: Well 185

CAPE FEAR PUBLIC UTILITY AUTHORITY Owner:

USGS40000882062

NE 1/2 - 1 Mile Lower

> USGS-NC Organization ID:

USGS North Carolina Water Science Center Organization Name: Monitor Location: NH-653 Type: Well 03030007 Description: Not Reported HUC: Drainage Area: Not Reported Not Reported Drainage Area Units: Contrib Drainage Area: Not Reported Contrib Drainage Area Unts: Not Reported

Northern Atlantic Coastal Plain aquifer system Aquifer:

Formation Type: Peedee Formation Aquifer Type: Confined single aquifer

20090616 Well Depth: Construction Date: 150

Well Depth Units: Well Hole Depth: Not Reported

Well Hole Depth Units: Not Reported **FED USGS** 

Map ID Direction Distance

Database EDR ID Number Elevation

C16 WNW

**FED USGS** USGS40000882051

USGS40000882050

1/2 - 1 Mile Higher

> Organization ID: **USGS-NC**

Organization Name: USGS North Carolina Water Science Center Monitor Location: NH-584 Well Type: CFPUA O-PD-P 03030007 Description: HUC: Drainage Area: Not Reported **Drainage Area Units:** Not Reported Contrib Drainage Area: Not Reported Contrib Drainage Area Unts: Not Reported

Aquifer: Northern Atlantic Coastal Plain aquifer system

Formation Type: Peedee Formation Aquifer Type: Confined single aquifer

Construction Date: 20071203 Well Depth: Well Hole Depth: Well Depth Units: ft 171

Well Hole Depth Units: ft

WNW 1/2 - 1 Mile Higher

**NC WELLS** NC300000007730

CFPUA/NHC PWD ID: NC0465232 System Name: PWS Type: Primary Source: **Ground Water** Community Water Type: **Ground Water** Facility Name: WELL# 30 O Well Depth: Facility Type: Well 171

CAPE FEAR PUBLIC UTILITY AUTHORITY Owner:

C18

WNW 1/2 - 1 Mile Higher

> Organization ID: **USGS-NC**

Organization Name: USGS North Carolina Water Science Center Monitor Location: NH-583 Well Type: CFPUA O-PD-O 03030007 Description: HUC: Drainage Area: Not Reported Drainage Area Units: Not Reported Contrib Drainage Area: Not Reported Contrib Drainage Area Unts: Not Reported

Aquifer: Northern Atlantic Coastal Plain aquifer system

Formation Type: Peedee Formation Aquifer Type: Confined single aquifer

Construction Date: 20071030 Well Depth: 175 Well Hole Depth: Well Depth Units: ft 175

Well Hole Depth Units: ft

SSW **FED USGS** USGS40000881982

1/2 - 1 Mile Lower

> Organization ID: **USGS-NC**

Organization Name: USGS North Carolina Water Science Center Monitor Location: NH-600 Type:

Well Description: Not Reported HUC: 03030007

**FED USGS** 

Drainage Area: Not Reported Drainage Area Units: Not Reported Contrib Drainage Area: Not Reported Contrib Drainage Area: Not Reported Contrib Drainage Area Units: Not Reported

Aquifer: Northern Atlantic Coastal Plain aquifer system

Formation Type: Peedee Formation Aquifer Type: Confined multiple aquifer

Construction Date: Not Reported Well Depth: 204

Well Depth Units: ft Well Hole Depth: Not Reported

Well Hole Depth Units: Not Reported

20 East FED USGS USGS40000882013 1/2 - 1 Mile

1/2 - 1 Mile Lower

Organization ID: USGS-NC

Organization Name: USGS North Carolina Water Science Center Monitor Location: NH-623 Well Type: Description: HUC: 03030007 Not Reported Drainage Area: Not Reported Drainage Area Units: Not Reported Contrib Drainage Area: Not Reported Contrib Drainage Area Unts: Not Reported

Aquifer: Northern Atlantic Coastal Plain aquifer system

Formation Type: Castle Hayne Limestone Aquifer Type: Confined single aquifer

Construction Date: 20080606 Well Depth: 80

Well Depth Units: ft Well Hole Depth: Not Reported

Well Hole Depth Units: Not Reported

D21
West FED USGS USGS40000882017

1/2 - 1 Mile Higher

Organization ID: USGS-NC

Organization Name: USGS North Carolina Water Science Center Monitor Location: Well NH-579 Type: HUC: CFPUA M-PD-O 03030007 Description: Drainage Area: Not Reported Drainage Area Units: Not Reported Contrib Drainage Area: Not Reported Contrib Drainage Area Unts: Not Reported

Aquifer: Northern Atlantic Coastal Plain aquifer system

Formation Type: Peedee Formation Aquifer Type: Confined single aquifer Construction Date: Well Depth: 175

Well Depth Units: 175
Well Depth Units: 180

Well Hole Depth Units: ft

D22
West NC WELLS NC300000007728

1/2 - 1 Mile Higher

> PWD ID: NC0465232 System Name: CFPUA/NHC PWS Type: Community Primary Source: **Ground Water** Facility Name: WELL #28 M Water Type: **Ground Water** Facility Type: Well Depth: Well 175

Owner: CAPE FEAR PUBLIC UTILITY AUTHORITY

Map ID Direction Distance

Elevation EDR ID Number Database

D23 West 1/2 - 1 Mile **FED USGS** USGS40000882018

Higher

Organization ID: **USGS-NC** 

Organization Name: USGS North Carolina Water Science Center Monitor Location: NH-580 Well Type: Description: CFPUA M-PD-P HÜC: 03030007 Drainage Area: Not Reported Drainage Area Units: Not Reported Contrib Drainage Area: Not Reported Contrib Drainage Area Unts: Not Reported

Aquifer: Northern Atlantic Coastal Plain aquifer system

Formation Type: Confined single aquifer Peedee Formation Aquifer Type:

Construction Date: 20080116 Well Depth: 175 Well Depth Units: Well Hole Depth: 175

Well Hole Depth Units: ft

Map ID Direction Distance			Database	EDR ID Number
Elclass: Eostat: Edr id:	A E NC50003311	Precision1: Gisid:	<b>NC_NHEO</b> S 281952	NC50003311
Elclass: Eostat: Edr id:	P E NC50009006	Precision1: Gisid:	NC_NHEO S 451362	NC50009006
Elclass: Eostat: Edr id:	P X NC50018888	Precision1: Gisid:	<b>NC_NHEO</b> M 11545	NC50018888
Elclass: Eostat: Edr id:	P E NC50021395	Precision1: Gisid:	NC_NHEO S 451362	NC50021395
Acres: Quality type: Site id:	391.23 Not Reported 3068	Sitename: Sig: Edr id:	NC_SNHA PAGES CF D NC100030	
Acres: Quality type: Site id:	232.85 Not Reported 3069	Sitename: Sig: Edr id:	NC_SNHA HOWE CR D NC100030	

# AREA RADON INFORMATION

Federal EPA Radon Zone for NEW HANOVER County: 3

Note: Zone 1 indoor average level > 4 pCi/L.

: Zone 2 indoor average level >= 2 pCi/L and <= 4 pCi/L.

: Zone 3 indoor average level < 2 pCi/L.

Federal Area Radon Information for NEW HANOVER COUNTY, NC

Number of sites tested: 10

Area	Average Activity	% <4 pCi/L	% 4-20 pCi/L	% >20 pCi/L
Living Area - 1st Floor	0.240 pCi/L	100%	0%	0%
Living Area - 2nd Floor	Not Reported	Not Reported	Not Reported	Not Reported
Basement	Not Reported	Not Reported	Not Reported	Not Reported

# PHYSICAL SETTING SOURCE RECORDS SEARCHED

#### **TOPOGRAPHIC INFORMATION**

USGS 7.5' Digital Elevation Model (DEM)

Source: United States Geologic Survey

EDR acquired the USGS 7.5' Digital Elevation Model in 2002 and updated it in 2006. The 7.5 minute DEM corresponds to the USGS 1:24,000- and 1:25,000-scale topographic quadrangle maps. The DEM provides elevation data with consistent elevation units and projection.

Current USGS 7.5 Minute Topographic Map Source: U.S. Geological Survey

#### HYDROLOGIC INFORMATION

Flood Zone Data: This data was obtained from the Federal Emergency Management Agency (FEMA). It depicts 100-year and 500-year flood zones as defined by FEMA. It includes the National Flood Hazard Layer (NFHL) which incorporates Flood Insurance Rate Map (FIRM) data and Q3 data from FEMA in areas not covered by NFHL.

Source: FEMA

Telephone: 877-336-2627

Date of Government Version: 2003, 2015

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002, 2005 and 2010 from the U.S. Fish and Wildlife Service.

State Wetlands Data: Wetland Inventory Source: US Fish & Wildlife Service

Telephone: 703-358-2171

#### HYDROGEOLOGIC INFORMATION

AQUIFLOW<sup>R</sup> Information System

Source: EDR proprietary database of groundwater flow information

EDR has developed the AQUIFLOW Information System (AIS) to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted to regulatory authorities at select sites and has extracted the date of the report, hydrogeologically determined groundwater flow direction and depth to water table information.

### **GEOLOGIC INFORMATION**

Geologic Age and Rock Stratigraphic Unit

Source: P.G. Schruben, R.E. Arndt and W.J. Bawiec, Geology of the Conterminous U.S. at 1:2,500,000 Scale - A digital representation of the 1974 P.B. King and H.M. Beikman Map, USGS Digital Data Series DDS - 11 (1994).

STATSGO: State Soil Geographic Database

Source: Department of Agriculture, Natural Resources Conservation Service (NRCS)

The U.S. Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS) leads the national Conservation Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. Soil maps for STATSGO are compiled by generalizing more detailed (SSURGO) soil survey maps.

SSURGO: Soil Survey Geographic Database

Source: Department of Agriculture, Natural Resources Conservation Service (NRCS)

Telephone: 800-672-5559

SSURGO is the most detailed level of mapping done by the Natural Resources Conservation Service, mapping scales generally range from 1:12,000 to 1:63,360. Field mapping methods using national standards are used to construct the soil maps in the Soil Survey Geographic (SSURGO) database. SSURGO digitizing duplicates the original soil survey maps. This level of mapping is designed for use by landowners, townships and county natural resource planning and management.

# PHYSICAL SETTING SOURCE RECORDS SEARCHED

### LOCAL / REGIONAL WATER AGENCY RECORDS

FEDERAL WATER WELLS

PWS: Public Water Systems

Source: EPA/Office of Drinking Water

Telephone: 202-564-3750

Public Water System data from the Federal Reporting Data System. A PWS is any water system which provides water to at least 25 people for at least 60 days annually. PWSs provide water from wells, rivers and other sources.

PWS ENF: Public Water Systems Violation and Enforcement Data

Source: EPA/Office of Drinking Water

Telephone: 202-564-3750

Violation and Enforcement data for Public Water Systems from the Safe Drinking Water Information System (SDWIS) after August 1995. Prior to August 1995, the data came from the Federal Reporting Data System (FRDS).

USGS Water Wells: USGS National Water Inventory System (NWIS)

This database contains descriptive information on sites where the USGS collects or has collected data on surface water and/or groundwater. The groundwater data includes information on wells, springs, and other sources of groundwater.

#### STATE RECORDS

North Carolina Public Water Supply Wells Source: Department of Environmental Health

Telephone: 919-715-3243

#### OTHER STATE DATABASE INFORMATION

North Carolina Wildlife Resources/Game Lands

Source: Center for Geographic Information and Analysis

Telephone: 919-733-2090

All publicly owned game lands managed by the North Carolina Wildlife Resources Commission and as listed in Hunting and Fishing Maps.

NC Natural Heritage Sites: Natural Heritage Element Occurrence Sites

Source: Natural Heritage Occurrence Sites Center for Geographic Information and Analysis

Telephone: 919-733-2090

A point coverage identifying locations of rare and endangered species, occurrences of exemplary or unique natural ecosystems (terrestrial or aquatic), and special animal habitats (e.g., colonial waterbird nesting sites).

NC Natural Areas: Significant Natural Heritage Areas

Source: Center for Geographic Information and Analysis

Telephone: 919-733-2090

A polygon converage identifying sites (terrestrial or aquatic) that have particular biodiversity significance.

A site's significance may be due to the presenceof rare species, rare or high quality natural communities, or other important ecological features.

#### **RADON**

State Database: NC Radon

Source: Department of Environment & Natural Resources

Telephone: 919-733-4984

Radon Statistical and Non Statiscal Data

Area Radon Information

Source: USGS

Telephone: 703-356-4020

The National Radon Database has been developed by the U.S. Environmental Protection Agency

(USEPA) and is a compilation of the EPA/State Residential Radon Survey and the National Residential Radon Survey. The study covers the years 1986 - 1992. Where necessary data has been supplemented by information collected at

private sources such as universities and research institutions.

# PHYSICAL SETTING SOURCE RECORDS SEARCHED

EPA Radon Zones Source: EPA

Telephone: 703-356-4020

Sections 307 & 309 of IRAA directed EPA to list and identify areas of U.S. with the potential for elevated indoor

radon levels.

## OTHER

Airport Landing Facilities: Private and public use landing facilities

Source: Federal Aviation Administration, 800-457-6656

Epicenters: World earthquake epicenters, Richter 5 or greater

Source: Department of Commerce, National Oceanic and Atmospheric Administration

Earthquake Fault Lines: The fault lines displayed on EDR's Topographic map are digitized quaternary faultlines, prepared

in 1975 by the United State Geological Survey

# STREET AND ADDRESS INFORMATION

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# 10.4 Site Photos

The photo collages, found on the following page, were taken on 16 August 2021, and are meant to represent the condition of the Subject Property. The following is a key to the photo collage.

# **On-Site Photo Key**

Photo	Description
1	General view of property frontage. Demarcated gas line is visible in mulch (yellow paint).
2	Gas line flag.
3	Transformer on powerline along Middle Sound Loop Road.
4	Old tires and debris located on the property.
5	Old decaying drum located on the property.











10.5 Historical Research Documentation – Sanborn Fire Insurance Maps

- None Found -



# 10.6 Historical Aerial Review

SEGi examined historical aerial photographs. There is no indication, within the photos, that prior use of the Subject Property would have generated RECs.

# **Canopy Pointe**

217 Middle Sound Loop Road Wilmington, NC 28467

Inquiry Number: 6622808.5

September 02, 2021

# The EDR Aerial Photo Decade Package



# **EDR Aerial Photo Decade Package**

09/02/21

Site Name: Client Name:

Canopy Pointe 217 Middle Sound Loop Road Wilmington, NC 28467 EDR Inquiry # 6622808.5 Southern Env. Group Inc. 5315 South College Road Wilmington, NC 28412 Contact: David A Syster



Environmental Data Resources, Inc. (EDR) Aerial Photo Decade Package is a screening tool designed to assist environmental professionals in evaluating potential liability on a target property resulting from past activities. EDR's professional researchers provide digitally reproduced historical aerial photographs, and when available, provide one photo per decade.

## Search Results:

<u>Year</u>	<u>Scale</u>	<u>Details</u>	Source
2016	1"=500'	Flight Year: 2016	USDA/NAIP
2012	1"=500'	Flight Year: 2012	USDA/NAIP
2009	1"=500'	Flight Year: 2009	USDA/NAIP
2006	1"=500'	Flight Year: 2006	USDA/NAIP
1998	1"=500'	Acquisition Date: January 01, 1998	USGS/DOQQ
1993	1"=500'	Acquisition Date: February 03, 1993	USGS/DOQQ
1989	1"=500'	Flight Date: July 11, 1989	USGS
1983	1"=500'	Flight Date: March 13, 1983	NHAP
1975	1"=500'	Flight Date: April 01, 1975	USGS
1970	1"=500'	Flight Date: September 29, 1970	USGS
1969	1"=500'	Flight Date: April 08, 1969	USGS
1964	1"=500'	Flight Date: April 01, 1964	USGS
1958	1"=500'	Flight Date: January 01, 1958	USGS
1950	1"=500'	Flight Date: November 21, 1950	USGS
1938	1"=500'	Flight Date: March 25, 1938	USDA

When delivered electronically by EDR, the aerial photo images included with this report are for ONE TIME USE ONLY. Further reproduction of these aerial photo images is prohibited without permission from EDR. For more information contact your EDR Account Executive.

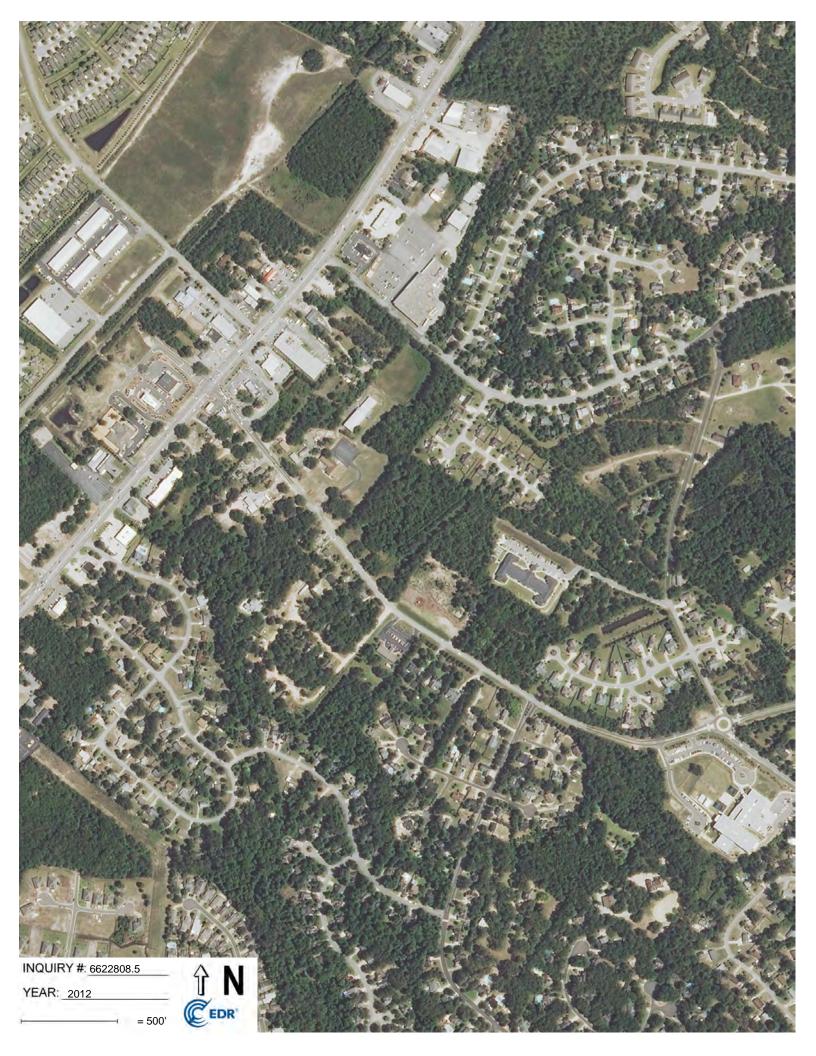
### **Disclaimer - Copyright and Trademark Notice**

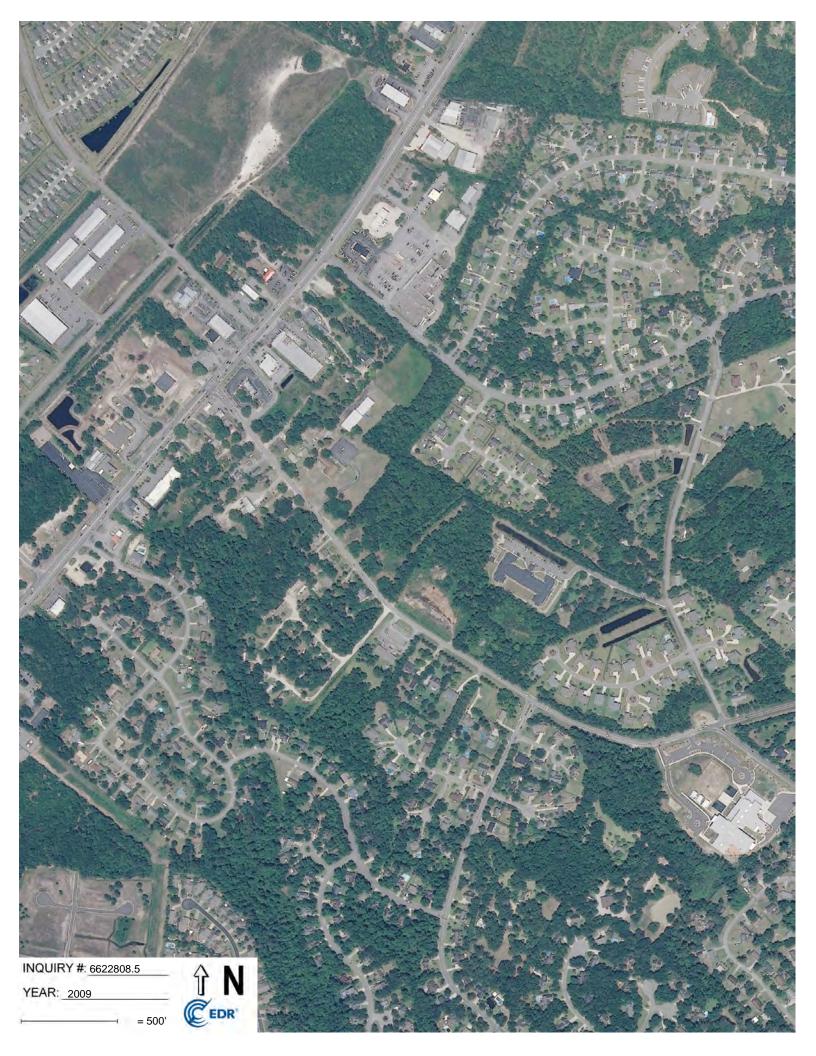
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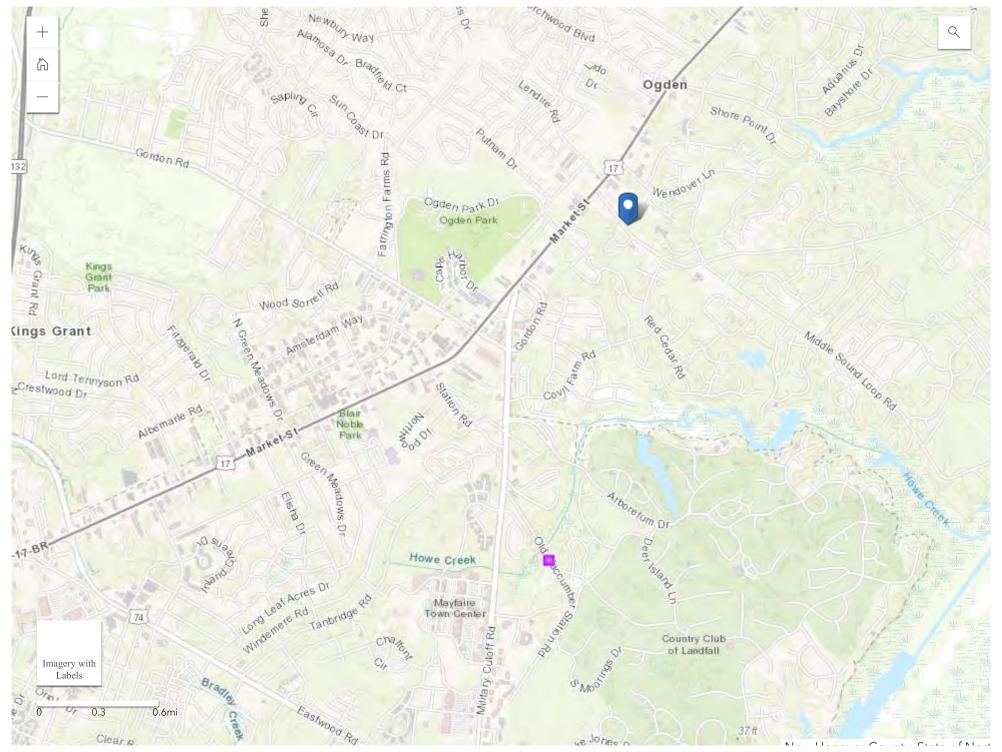












### Area of Interest (AOI) Information

Area: 87,513,003.33 ft2

May 26 2022 14:35:37 Eastern Daylight Time

Residence at Canopy Pointe

### **Hazardous Waste Sites**

#	HANDLER_ID	SITE_NAME	Count
1	NCR000145169	NCDSCA 065-0007 (COASTAL DRY CLEANERS)	1
2	NCR000152017	NCDSCA 065-0012 THREE DOLLAR CRSYTAL CL	1
3	NCR000011486	CVS PHARMACY #5557	1

### **UST Incidents**

#	IncidentNumber	IncidentName	Count
1	5810	BEASLEY STALLINGS 11	1
2	5857	PORT NO. 251	1
3	8251	CONVENIENT MART # 5428	1
4	10148	MARKET STREET-OGDEN SUNOCO	1
5	12059	STEWART SANDWICHES	1
6	12289	OGDEN FIRE DEPT.	1
7	15368	THOMPSONS RESTAURANT	1
8	17066	OGDEN PLAZA UST'S	1
9	32113	MARKET STREET CITGO	1
10	32152	SCOTCHMAN #35 - DIESEL TANK	1
11	32159	HALL PROPERTY	1
12	32368	OGDEN VOLUNTEER FIRE DEPT. (HEATING OIL)	1
13	32522	MARKET STREET CITGO SURFACE SPILL	1
14	43012	SCOTCHMAN #3035	1
15	43013	POP SHOPPE #124	1
16	43063	Stocks Building Supply (Former)	1
17	43078	Bayshore Drive - 229	1
18	43092	Former Paul's Tire	1
19	47096	Former Pop Shoppe - NCDOT ROW UST	1

### **AST Incidents**

#	IncidentNumber	IncidentName	Count
1	20159	NICHOLS RESIDENCE	1
2	94037	Jeremy Johnson Trucking Spill	1
3	95768	111 Military Cutoff Rd	1

### **UST Active Facilities**

#	FACILID	FACILNAME	Count
1	00-0-000034030	GAS CENTER 12	1
2	00-0-000032286	SPEEDWAY #8184	1

### Land Use Restriction and/or Notices

#	Prj_Number	Prj_Name	Count
1	WI-854	PORT NO. 251	1
2	WI-1062	MARKET STREET-OGDEN SUNOCO	1
3	WI-2380	MARKET STREET CITGO	1
4	WI-2379	SCOTCHMAN #35 - DIESEL TANK	1
5	WI-7964	SCOTCHMAN #3035	1
6	WI-7965	POP SHOPPE #124	1
7	WI-8046	Bayshore Drive - 229	1

### Yard Waste Notification (YWN) Facilities

#	Site_ID	Site_Name	Count
1	YWN-65-014	Jackson Landscaping, Inc.	1

### **DryCleaning Remediation Program**

#	Site_ID	Site_Name	Count
1	DC650007	Coastal Dry Cleaners - Ogden Plaza	1
2	DC650012	Three Dollar Crystal Cleaners	1

### **DryCleaning Historical Boiler Inspections**

#	Drycleaner	InspDate	Count
1	A CLEANER WORLD 111	3/8/2004	1
2	CAR WASH EXPRESS	5/30/2005	1
3	COASTAL DRY CLEANERS	3/3/1996	1
4	FOUR SEASONS DRY CLEANERS	8/26/2004	1
5	TWO FIFTY CRYSTAL CLEANERS	6/6/2005	1

### **DryCleaning City Directories**

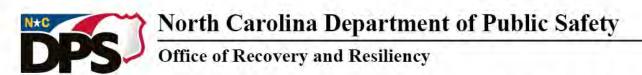
#	Drycleaner	Address	Count
1	Modern Laundry & Dry Cleaners Inc	7525 Market Street Road, Wilmington,NC	1

### **DryCleaning Compliance**

#	Facility_ID	Facility_Name	Count
1	650001C	Four Seasons Cleaners	1
2	650007C	\$3.00 Crystal Cleaners	1

### **ATTACHMENT 8:**

**Endangered Species** 



Roy Cooper, Governor Eddie M. Buffaloe, Jr., Secretary Laura H. Hogshead, Director

January 19, 2022

Mr. John Ellis U.S. Fish and Wildlife Service Raleigh ES Field Office P.O. Box 33726 Raleigh, NC 27636-3726

Sent Via Email: Raleigh@fws.gov

Leigh Mann@fws.gov

RE: Section 7 Project Review - No Effect Determination

NCORR - HUD CDBG-DR Program

Proposed The Residence at Canopy Pointe
205 Middle Sound Loop Road

Wilmington, NC 28411

Dear Mr. Ellis:

The North Carolina Office of Recovery and Resiliency (NCORR) as a recipient of Community Development Block Grant – Disaster Recovery (CDBG-DR) funds from the United States Department of Housing and Urban Development (HUD) is considering funding this proposed affordable housing project, **The Residence at Canopy Pointe**, 205 Middle Sound Loop Road, Wilmington, New Hanover County, North Carolina 28411. The State of North Carolina was adversely impacted by the landfall of Hurricanes Matthew (October 8, 2016) and Florence (September 14, 2018). These hurricanes damaged or destroyed hundreds of homes worsening the affordable housing shortage. This proposed project will increase affordable housing inventory for low- and moderate-income families. Therefore, funding for the proposed project will be provided in part by the HUD CDBG-DR North Carolina Affordable Housing Development Fund Program for Hurricane Florence storm recovery activities in North Carolina.

The purpose of this letter is to provide the U.S. Fish and Wildlife Service – Raleigh ES Field Office (USFWS) notice of the proposed project and to document compliance with Section 7 of the Endangered Species Act (ESA) of 1973 (16 U.S.C. 1531-1544, 87 Stat. 884), as well as the

Mailing Address: Post Office Box 110465 Durham, NC 27709



Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703–712) and the Bald and Golden Eagle Protection Act (BGEPA) (16 U.S.C. 668-668c, 54 Stat. 250), as amended.

We have reviewed the proposed project using the USFWS Raleigh Ecological Services' online 10step project review process and made "no effect" determinations for proposed/listed species and/or proposed/designated critical habitat, except for the Northern Long-eared Bat (NLEB), and a "no Eagle Act permit required" determination for eagles. The proposed project is consistent with activities analyzed in the January 5, 2016, Programmatic Biological Opinion on Final 4(d) Rule for the Northern Long-eared Bat and Activities Excepted from Take Prohibitions (PBO). The proposed project "may affect" the NLEB; however, any incidental take that may occur as a result of the proposed action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o). NCORR contacted the NC Natural Heritage Program (NCNHP) to review the project area for NLEB. NCNHP responded that "[t]here are no documented Northern Longeared Bat maternity roost trees within 150 feet of this project boundary" and "no Northern Longeared Bat hibernacula within 0.25 mile of this project boundary." Thus, NCORR has determined that the proposed action may affect NLEB and, in accordance with the January 5, 2016 PBO, that no activities associated with the proposed project will: (1) disturb hibernating NLEBs in a known hibernaculum; (2) alter the entrance or interior environment of a known hibernaculum; (3) remove any trees within 0.25 miles of a known hibernaculum at any time of year; or (4) cut or destroy known occupied maternity roost trees, or any other trees within a 150-foot radius from the maternity roost tree, during the pup season (June 1 through July 31). Please find attached the Selfcertification Letter, 10-step Project Review Package, and signed NLEB 4(d) Rule Streamlined Consultation Form (if needed) prepared by SEGI, Inc. for the proposed project in accordance with all instructions provided, using the best available information to reach our conclusions.

The Residence at Canopy Pointe is a proposed affordable housing community located at 205 Middle Sound Loop Road, Wilmington, New Hanover County, NC 28411. The proposed project site is comprised of four contiguous parcels, (Tract 1 - R04410-001-007-000; Tract 2 - R04410-001-009-000; Tract 3 - R04410-001-010-000; and Tract 4 - R04410-001-008-000) that encompass approximately 4.77 acres (see attached New Hanover County GIS Map). The parcels have been conditionally zoned Multi-Family, medium density, and the county's Future Land Use Plan designates the property as residential. The proposed project location maps are included in the attachments for your review.

This newly constructed community entails constructing a three-story building that will provide 70 residential units, as well as a computer center, on the first floor, a movie room, on the second floor, and a multi-purpose room, on the third. Outdoor sitting areas and an exercise room are also part of the plan. The buildings and parking lot will be nestled into the existing property fabric, by *preserving as much vegetation as possible*, provide buffers to adjacent properties, and employing low impact design techniques, for stormwater management. The conceptual plan proposes to utilize a stormwater detention pond, which will treat collected runoff, from the added built upon area, before it discharges offsite and eventually into downstream receiving waters. It is important to note, that the Cape Fear Public Utility Authority have sewer and water lines in place, along Middle Sound Loop Road, thus there is no need to perform work outside the proposed project location. The proposed project will be located on property with street frontage on Middle Sound Loop Road, adjacent to Living Water Ministries, to the west, White Oaks Apartments, to the east,

and The Fields at Wendover neighborhood, to the north (see attached New Hanover County GIS Map). The proposed project site plans are included in the attachments.

The site is relatively flat and densely wooded, with shrubs and woody vines making up the understory, while pines and Red Maple are the dominant tree species. Numerous trees have been blown over during recent hurricanes (i.e., Florence and Isaias). There are no snags within the project limits. There are no streams or wetlands within the project limits, but a man-made ditch extends into Tract 3, from north to south. The ditch does not hold water and is devoid of vegetation, due to shading. See attached photographs, which illustrate the existing conditions.

Approximately 4.5 acres of the proposed project site will be disturbed, with approximately 2.3 acres being converted to built-upon area. Due to the proposed land disturbance exceeding 1 acre, a NC Division of Energy, Minerals and Land Resources NPDES NCG010000 permit is required and will ensure best management practices, such as installing silt fence, temporary sediment basins/traps and construction entrance, are installed prior undertaking land disturbance activities. The measures will be inspected at least every seven days and/or after a rain event that produces more than one inch of rain within a twenty four hour period. Non-potable water will be used to contain dust, during the construction process.

NCORR is submitting the above information as notification of its determination and requests *acknowledgement* that they have received this determination for species under USFWS jurisdiction and *determination* whether the proposed action may affect, but is not likely to adversely affect the NLEB.

If you have any questions or require additional information regarding this request, please feel free to contact Andrea Gievers at (845) 682-1700 or via email at <a href="mailto:Andrea.L.Gievers@Rebuild.NC.gov">Andrea.L.Gievers@Rebuild.NC.gov</a>. Thank you for your time and assistance.

Sincerely,

andrea Simon

Andrea Gievers, JD, MSEL, ERM

NCORR Environmental Subject Matter Expert

#### Attachment:

• 10-step Project Review Package



## **Project Review**

### Checklist

Step	Item	Required	Date completed/ Notes
1 and 2	Official Species List from IPaC (will include map showing the action area)	Yes	11/16/21 (see Attachment 2)
3	NCDENER-Heritage Program database results or correspondence.	If Applicable	11/23/21 (see Attachment 3)
4	Habitat Assessments or Species Surveys	If Applicable	11/16/21 (see Attachment 4)
6	Bald Eagle Conclusion Table	Yes	Does not intersect with bald eagle concentration area (see Attachment 5)
7	NLEB	Yes	11/29/21 (see Attachments 3 and 6)
8	Species Conclusion Table	Yes	12/10/21 (see Attachment 7)
9	Online project review request letter or Online project review certification letter	Yes	1/19/22 (see Attachment 1)
10	Other documentation to support your conclusions	If Applicable	

### Instructions

Submit project review packages electronically to Raleigh@fws. gov. Please indicate in your email subject title if you are submitting a "Review Request Letter" or a "Self-Certification Letter." All project reviews will receive a return receipt to inform you that your project has been successfully submitted to this office. Please note that any single email, including attachments, must be smaller than 25 MB. If a single email would be larger than 25 MB, please spread out multiple attachments among several emails (use the same subject name and project reference in all emails related to an individual project). If this is not practical, please mail a hard copy or DVD containing the project review package to our office:

Raleigh Field Office P.O. Box 33726 Raleigh, NC 27636-3726

Maintain a complete copy of the project review package in your files since it will become an integral part of your official record of compliance.

### Contact us

If you have questions or comments concerning this process, please contact Leigh Mann at (919) 856-4520 extension 10 or via email at Raleigh@fws.gov.

http://Raleigh.fws.gov

Federal Relay Service for the deaf and hard-of-hearing 1 800/877 8339

U.S. Fish and Wildlife Service http://www.fws.gov 1 800/344 WILD

January 2017



# The Residence at Canopy Pointe USFW Species ReviewAttachment Pages M21-SG-37-0100

Prepared by:

Southern Environmental Group, Inc. 5315 South College Road, Suite E Wilmington, NC 28412

Date:

10 December 2021

#### **Introduction:**

The Residences at Canopy Point is a Community Development Block Grant Disaster Recovery Program (CDBGDRP). Developed by Blue Ridge Atlantic Community Development, Middle Sound Loop Road Senior Apartments exemplifies the type of mixed income apartment development that the County is encouraging in our community.

### **Project Location:**

The project site is located at 205 Middle Sound Loop Road, in New Hanover County, North Carolina (see attached vicinity map). The project will be located on property with street frontage on Middle Sound Loop Road, adjacent to Living Water Ministries, to the west, White Oaks Apartments, to the east, and The Fields at Wendover neighborhood, to the north (see attached New Hanover County GIS Map).

New Hanover County is one of North Carolina's twenty coastal counties, but the project is located more than 3900 linear feet from Howe Creek, the nearest saltwater waterbody (see attached Distance to Nearest Saltwater Waterbody Map) and is not within an area designated as a Coastal Barrier Resource System Area (see attached Coastal Barrier Resource System Area Map).

The project site is not within an area designated as a National Historic Place and there are no know historic structures on the property (see attached NC State Historic Preservation Office's HPOWEB 2.0 Map).

### **Project Site:**

The project site is comprised of four contiguous parcels, (Tract 1 - R04410-001-007-000; Tract 2 - R04410-001-009-000; Tract 3 - R04410-001-010-000; and Tract 4 - R04410-001-008-000) that encompass approximately 4.77 acres (see attached New Hanover County GIS Map). The parcels have been conditionally zoned multi-Family, medium density (see attached New Hanover County Zoning Map), and the county's Future Land Use Plan designates the property as residential (see attached). The project site is not located within a flood zone (see attached FEMA FIRMette).

The site is relatively flat and densely wooded, with shrubs and woody vines making up the understory, while pines and Red Maple are the dominant tree species. Numerous trees have been blown over during recent hurricanes (i.e., Florence and Isaias). There are no snags within the project limits There are no streams or wetlands within the project limits, but a man-made ditch extends into Tract 3, from north to south. The ditch does not hold water and is devoid of vegetation, due to shading.

#### **Proposed Project:**

The proposed project entails constructing a three-story building that will provide 70 residential units, as well as a computer center, on the first floor, a movie room, on the second floor, and a multi-purpose room, on the third. Outdoor sitting areas and an exercise room are also part of the plan. The buildings and parking lot will be nestled into the existing property fabric, by preserving as much vegetation as possible, provide buffers to adjacent properties, and employing low impact design techniques, for stormwater management. The conceptual plan proposes to utilize a stormwater detention pond, which will treat collected runoff, from the added built upon area, before it discharges offsite and eventually into downstream receiving waters. It is important to note, that the Cape Fear Public Utility Authority have sewer and water lines in place, along Middle Sound Loop Road, thus there is no need to perform work outside the proposed project location.

Approximately 4.5 acres of the project site will be disturbed, with approximately 2.3 acres being converted to built upon area. Due to the proposed land disturbance exceeding 1 acre, a NC Division of Energy, Minerals and Land

Resources NPDES NCG010000 permit is required and will ensure best management practices, such as installing silt fence, temporary sediment basins/traps and construction entrance, are installed prior undertaking land disturbance activities. The measures will be inspected at least every seven days and/or after a rain event that produces more than one inch of rain within a twenty four hour period. Non-potable water will be used to contain dust, during the construction process.

Consultation from the US Fish and Wildlife Service (FWS) and NC Natural Heritage Program (NHP) identified the Northern Long-eared Bat (NLEB), which is listed on the USFWS Endangered and Threatened Species List, as being of concern in New Hanover County (see attached FWS Official Species List and the NHP Occurrence Report). SEGi completed the FWS Information for Planning and Consultation (IPaC) Biological Assessment (see attached) and found that only the NLEB may be affected by the proposed development, but further consultation, from the FWS, is needed to make that determination.

The following supporting documents have been attached:

- 1. Online Project Review Request Letter
- 2. USFWS Office Species List
- 3. NCNHP Report
- 4. USFWS Biological Assessment
- 5. NC Bald Eagle Known Ranges Map
- 6. USFWS NLEB Consultation Letter
- 7. USFWS Species Conclusion Table
  - . Additional Supporting Documents
    - a. Recent Aerial Photograph
    - b. Critical Habitat Assessment Map
    - c. USGS Topographic Map
    - d. LiDAR Map
    - e. Soil Survey Map
    - f. Distance to Nearest Saltwater Waterbody Map
    - g. The Residences at Canopy Point Conceptual Plan

### Attachment 1

**Online Project Review Request Letter** 



### United States Department of the Interior

### FISH AND WILDLIFE SERVICE

Raleigh Field Office P.O. Box 33726 Raleigh, NC 27636-3726

Date:
<b>Self-Certification Letter</b>

### Dear Applicant:

Project Name

Thank you for using the U.S. Fish and Wildlife Service (Service) Raleigh Ecological Services online project review process. By printing this letter in conjunction with your project review package, you are certifying that you have completed the online project review process for the project named above in accordance with all instructions provided, using the best available information to reach your conclusions. This letter, and the enclosed project review package, completes the review of your project in accordance with the Endangered Species Act of 1973 (16 U.S.C. 1531-1544, 87 Stat. 884), as amended (ESA), and the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c, 54 Stat. 250), as amended (Eagle Act). This letter also provides information for your project review under the National Environmental Policy Act of 1969 (P.L. 91-190, 42 U.S.C. 4321-4347, 83 Stat. 852), as amended. A copy of this letter and the project review package must be submitted to this office for this certification to be valid. This letter and the project review package will be maintained in our records.

The species conclusions table in the enclosed project review package summarizes your ESA and Eagle Act conclusions. Based on your analysis, mark all the determinations that apply:

"no effect" determinations for proposed/listed species and/or proposed/designated critical habitat; and/or

"may affect, not likely to adversely affect" determinations for proposed/listed species and/or proposed/designated critical habitat; and/or

"may affect, likely to adversely affect" determination for the Northern longeared bat (Myotis septentrionalis) and relying on the findings of the January 5, 2016, Programmatic Biological Opinion for the Final 4(d) Rule on the Northern long-eared bat;

"no Eagle Act permit required" determinations for eagles.

Applicant Page 2

We certify that use of the online project review process in strict accordance with the instructions provided as documented in the enclosed project review package results in reaching the appropriate determinations. Therefore, we concur with the "no effect" or "not likely to adversely affect" determinations for proposed and listed species and proposed and designated critical habitat; the "may affect" determination for Northern long-eared bat; and/or the "no Eagle Act permit required" determinations for eagles. Additional coordination with this office is not needed. Candidate species are not legally protected pursuant to the ESA. However, the Service encourages consideration of these species by avoiding adverse impacts to them. Please contact this office for additional coordination if your project action area contains candidate species. Should project plans change or if additional information on the distribution of proposed or listed species, proposed or designated critical habitat, or bald eagles becomes available, this determination may be reconsidered. This certification letter is valid for 1 year. Information about the online project review process including instructions, species information, and other information regarding project reviews within North Carolina is available at our website http://www.fws.gov/raleigh/pp.html. If you have any questions, you can write to us at Raleigh@fws.gov or please contact Leigh Mann of this office at 919-856-4520, ext. 10.

Sincerely,

/s/Pete Benjamin

Pete Benjamin Field Supervisor Raleigh Ecological Services

Enclosures - project review package

### **Attachment 2**

**FWS Official Species List** 



### United States Department of the Interior



#### FISH AND WILDLIFE SERVICE

Raleigh Ecological Services Field Office Post Office Box 33726 Raleigh, NC 27636-3726 Phone: (919) 856-4520 Fax: (919) 856-4556

In Reply Refer To: November 16, 2021

Consultation Code: 04EN2000-2022-SLI-0263

Event Code: 04EN2000-2022-E-00582 Project Name: Residences at Canopy Pointe

Subject: List of threatened and endangered species that may occur in your proposed project

location or may be affected by your proposed project

### To Whom It May Concern:

The species list generated pursuant to the information you provided identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

Section 7 of the Act requires that all federal agencies (or their designated non-federal representative), in consultation with the Service, insure that any action federally authorized, funded, or carried out by such agencies is not likely to jeopardize the continued existence of any federally-listed endangered or threatened species. A biological assessment or evaluation may be prepared to fulfill that requirement and in determining whether additional consultation with the Service is necessary. In addition to the federally-protected species list, information on the species' life histories and habitats and information on completing a biological assessment or

evaluation and can be found on our web page at http://www.fws.gov/raleigh. Please check the web site often for updated information or changes

If your project contains suitable habitat for any of the federally-listed species known to be present within the county where your project occurs, the proposed action has the potential to adversely affect those species. As such, we recommend that surveys be conducted to determine the species' presence or absence within the project area. The use of North Carolina Natural Heritage program data should not be substituted for actual field surveys.

If you determine that the proposed action may affect (i.e., likely to adversely affect or not likely to adversely affect) a federally-protected species, you should notify this office with your determination, the results of your surveys, survey methodologies, and an analysis of the effects of the action on listed species, including consideration of direct, indirect, and cumulative effects, before conducting any activities that might affect the species. If you determine that the proposed action will have no effect (i.e., no beneficial or adverse, direct or indirect effect) on federally listed species, then you are not required to contact our office for concurrence (unless an Environmental Impact Statement is prepared). However, you should maintain a complete record of the assessment, including steps leading to your determination of effect, the qualified personnel conducting the assessment, habitat conditions, site photographs, and any other related articles.

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle\_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm; http://www.towerkill.com; and <a href="http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html">http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html</a>.

Not all Threatened and Endangered Species that occur in North Carolina are subject to section 7 consultation with the U.S Fish and Wildlife Service. Atlantic and shortnose sturgeon, sea turtles, when in the water, and certain marine mammals are under purview of the National Marine Fisheries Service. If your project occurs in marine, estuarine, or coastal river systems you should also contact the National Marine Fisheries Service, http://www.nmfs.noaa.gov/

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office. If you have any questions or comments, please contact John Ellis of this office at john\_ellis@fws.gov.

### **Official Species List**

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Raleigh Ecological Services Field Office Post Office Box 33726 Raleigh, NC 27636-3726 (919) 856-4520

### **Project Summary**

Consultation Code: 04EN2000-2022-SLI-0263

Event Code: Some(04EN2000-2022-E-00582)
Project Name: Residences at Canopy Pointe

Project Type: DEVELOPMENT

Project Description: The project site is approximately 5.7 acres, of wooded upland and in a

densely developed area of of New Hanover County, NC.. There are no wetlands on the property, but there is a man made ditch that runs a portion of the rear property line and another that extends up into the southern portion of the property and from east to west. The ditch does not contain any vegetation, within the bottom, and only hold water during rain events. The project entails constructing two residential buildings, which will serve as a senior living center, with associated parking and stormwater pond (see attached site plan). The ditch, that extends into the property will be filled, with clean earthen soil. Large machinery, such as backhoes, dump trucks and front end loaders will be used to complete the earth work. Conventional construction methods and materials will be used to construct the buildings and parking area. Work is expected to begin in May of 2022.

### **Project Location:**

Approximate location of the project can be viewed in Google Maps: <a href="https://www.google.com/maps/@34.27037935,-77.81543402122702,14z">https://www.google.com/maps/@34.27037935,-77.81543402122702,14z</a>



Counties: New Hanover County, North Carolina

### **Endangered Species Act Species**

There is a total of 17 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. <u>NOAA Fisheries</u>, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

### **Mammals**

NAME STATUS

### Northern Long-eared Bat Myotis septentrionalis

No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>

West Indian Manatee Trichechus manatus

Threatened

Threatened

There is **final** critical habitat for this species. The location of the critical habitat is not available. *This species is also protected by the Marine Mammal Protection Act, and may have additional consultation requirements.* 

Species profile: https://ecos.fws.gov/ecp/species/4469

#### Event Code: 04EN2000-2022-E-00582

### **Birds**

NAME STATUS

Eastern Black Rail *Laterallus jamaicensis ssp. jamaicensis* 

No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/10477">https://ecos.fws.gov/ecp/species/10477</a>

Threatened

Threatened

Piping Plover Charadrius melodus

 $Population: [At lantic \ Coast \ and \ Northern \ Great \ Plains \ populations] \ - \ Wherever \ found, \ except$ 

those areas where listed as endangered.

There is **final** critical habitat for this species. The location of the critical habitat is not available.

Species profile: <a href="https://ecos.fws.gov/ecp/species/6039">https://ecos.fws.gov/ecp/species/6039</a>

Red Knot Calidris canutus rufa

There is **proposed** critical habitat for this species. The location of the critical habitat is not

available.

Species profile: https://ecos.fws.gov/ecp/species/1864

Red-cockaded Woodpecker Picoides borealis

No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7614

Endangered

Threatened

Reptiles

NAME STATUS

American Alligator Alligator mississippiensis

No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/776">https://ecos.fws.gov/ecp/species/776</a>

Appearance (Threatened)

Threatened

Endangered

Similarity of

Green Sea Turtle *Chelonia mydas* 

Population: North Atlantic DPS

There is **final** critical habitat for this species. The location of the critical habitat is not available.

Species profile: <a href="https://ecos.fws.gov/ecp/species/6199">https://ecos.fws.gov/ecp/species/6199</a>

Kemp's Ridley Sea Turtle *Lepidochelys kempii* 

There is **proposed** critical habitat for this species. The location of the critical habitat is not

available.

Species profile: https://ecos.fws.gov/ecp/species/5523

Leatherback Sea Turtle Dermochelys coriacea

There is **final** critical habitat for this species. The location of the critical habitat is not available.

Species profile: <a href="https://ecos.fws.gov/ecp/species/1493">https://ecos.fws.gov/ecp/species/1493</a>

Loggerhead Sea Turtle Caretta caretta

Population: Northwest Atlantic Ocean DPS

There is **final** critical habitat for this species. The location of the critical habitat is not available.

Species profile: <a href="https://ecos.fws.gov/ecp/species/1110">https://ecos.fws.gov/ecp/species/1110</a>

Endangered

Threatened

Event Code: 04EN2000-2022-E-00582

### **Snails**

NAME STATUS

### Magnificent Ramshorn Planorbella magnifica

No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/6216">https://ecos.fws.gov/ecp/species/6216</a>

Candidate

#### Insects

NAME STATUS

### Monarch Butterfly Danaus plexippus

No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>

Candidate

### **Flowering Plants**

NAME STATUS

### Cooley's Meadowrue *Thalictrum cooleyi*

No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/3281">https://ecos.fws.gov/ecp/species/3281</a>

Endangered

Endangered

#### Golden Sedge Carex lutea

There is **final** critical habitat for this species. The location of the critical habitat is not available.

Species profile: https://ecos.fws.gov/ecp/species/6025

### Rough-leaved Loosestrife Lysimachia asperulaefolia

No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/2747">https://ecos.fws.gov/ecp/species/2747</a>

Endangered

### Seabeach Amaranth *Amaranthus pumilus*

No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/8549">https://ecos.fws.gov/ecp/species/8549</a>

Threatened

### **Critical habitats**

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

### **Attachment 3**

NC Natural Heritage Program Occurrences Report

### dlutheran@segi.us

From: Gievers, Andrea <andrea.l.gievers@rebuild.nc.gov>

Sent: Friday, January 7, 2022 9:53 AM

To: dlutheran@segi.us

**Subject:** FW: NCORR NLEB - The Residence at Canopy Pointe

From: Ratcliffe, Judith

Sent: Friday, January 7, 2022 9:51 AM

**To:** Gievers, Andrea <andrea.l.gievers@rebuild.nc.gov> **Cc:** Butler, Rodney A <Rodney.Butler@ncdcr.gov>

Subject: RE: NCORR NLEB - The Residence at Canopy Pointe

Hello Andrea,

Thank you for the opportunity to review **The Residence at Canopy Pointe, 205 Middle Sound Loop Road, Wilmington, New Hanover County, North Carolina 28411**. There are no documented Northern Long-eared Bat maternity roost trees within 150 feet of this project boundary. There are no Northern Long-eared Bat hibernacula within 0.25 mile of this project boundary.

Sincerely, Judith Ratcliffe

### JUDITH RATCLIFFE

Zoologist, NC Natural Heritage Program

121 W Jones St MSC 1651 Raleigh, NC 27699 919 707 8628 office





Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

Facebook Twitter Instagram YouTube

#StayStrongNC Learn more @ nc.gov/covid19

And don't forget your Ws! Wear. Wait. Wash. WEAR a face covering.
WAIT 6 feet apart from other people.
WASH your hands often.

From: Gievers, Andrea <andrea.l.gievers@rebuild.nc.gov>

Sent: Friday, January 7, 2022 9:21 AM

To: Ratcliffe, Judith < <u>judith.ratcliffe@ncdcr.gov</u>>
Cc: Butler, Rodney A < <u>Rodney.Butler@ncdcr.gov</u>>
Subject: NCORR NLEB - The Residence at Canopy Pointe

Hello Judy:

The North Carolina Office of Recovery and Resiliency (NCORR) as a recipient of Community Development Block Grant — Disaster Recovery (CDBG-DR) funds from the United States Department of Housing and Urban Development (HUD) is considering funding this proposed *affordable housing* project, **The Residence at Canopy Pointe, 205 Middle Sound Loop Road, Wilmington, New Hanover County, North Carolina 28411**. I have attached the Shapefiles from the consultant to assist in your NLEB 4(d) Rule review. Please feel free to contact me if you have any questions. Thank you so much for your time and assistance.

Sincerely,

Andrea

Andrea Gievers, JD, MSEL, ERM Environmental SME Community Development NC Office of Recovery and Resiliency Andrea.L.Gievers@Rebuild.NC.Gov (845) 682-1700

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.

Roy Cooper, Governor

D. Reid Wilson, Secretary

Misty Buchanan Deputy Director, Natural Heritage Program

NCNHDE-16413

November 23, 2021

Dana Lutheran Southern Environmental Group, Inc. 5315 South College Road Wilmington, NC 28412

RE: The Residences at Canopy Pointe; M21-SG-37-0100

Dear Dana Lutheran:

The North Carolina Natural Heritage Program (NCNHP) appreciates the opportunity to provide information about natural heritage resources for the project referenced above.

Based on the project area mapped with your request, a query of the NCNHP database indicates that there are no records for rare species, important natural communities, natural areas, and/or conservation/managed areas within the proposed project boundary. Please note that although there may be no documentation of natural heritage elements within the project boundary, it does not imply or confirm their absence; the area may not have been surveyed. The results of this query should not be substituted for field surveys where suitable habitat exists. In the event that rare species are found within the project area, please contact the NCNHP so that we may update our records.

The attached 'Potential Occurrences' table summarizes rare species and natural communities that have been documented within a one-mile radius of the property boundary. The proximity of these records suggests that these natural heritage elements may potentially be present in the project area if suitable habitat exists. Tables of natural areas and conservation/managed areas within a one-mile radius of the project area, if any, are also included in this report.

If a Federally-listed species is found within the project area or is indicated within a one-mile radius of the project area, the NCNHP recommends contacting the US Fish and Wildlife Service (USFWS) for guidance. Contact information for USFWS offices in North Carolina is found here: https://www.fws.gov/offices/Directory/ListOffices.cfm?statecode=37.

Please note that natural heritage element data are maintained for the purposes of conservation planning, project review, and scientific research, and are not intended for use as the primary criteria for regulatory decisions. Information provided by the NCNHP database may not be published without prior written notification to the NCNHP, and the NCNHP must be credited as an information source in these publications. Maps of NCNHP data may not be redistributed without permission.

The NC Natural Heritage Program may follow this letter with additional correspondence if a Dedicated Nature Preserve, Registered Heritage Area, Land and Water Fund easement, or Federally-listed species are documented near the project area.

If you have questions regarding the information provided in this letter or need additional assistance, please contact Rodney A. Butler at <u>rodney.butler@ncdcr.gov</u> or 919-707-8603.

Sincerely, NC Natural Heritage Program

# Natural Heritage Element Occurrences, Natural Areas, and Managed Areas Within a One-mile Radius of the Project Area The Residences at Canopy Pointe Project No. M21-SG-37-0100 November 23, 2021 NCNHDE-16413

#### Element Occurrences Documented Within a One-mile Radius of the Project Area

Taxonomic Group	EO ID	Scientific Name	Common Name	Last Observation	Element Occurrence	Accuracy	Federal Status	State Status	Global Rank	State Rank
				Date	Rank					
Bird	40189	Ammospiza caudacuta	a Saltmarsh Sparrow	2020-03-15	Е	3-Medium		Significantly Rare	G2	SUB,S2 N
Bird	19936	Passerina ciris	Painted Bunting	2017-08-01	AB	3-Medium		Special Concern	G5	S2B
Freshwater Fis	h38937	Acipenser oxyrinchus oxyrinchus	Atlantic Sturgeon	2018-09	Е	4-Low	Endangered	Endangered	G3T3	S2
Mammal	24390	Corynorhinus rafinesquii macrotis	Eastern Big-eared Bat	2006-Pre	Е	5-Very Low		Special Concern	G3G4T 3	S3
Mammal	32126	Myotis septentrionalis	Northern Long-eared Bat	1994-Post	H?	5-Very Low	Threatened	Threatened	G1G2	S2
Mammal	17664	Trichechus manatus	West Indian Manatee	2019-11-14	Е	5-Very Low	Threatened	Threatened	G2G3	S1N
Natural Community	29543	Brackish Marsh (Needlerush Subtype)		2002-10-21	ВС	4-Low			G5	S5
Natural Community	29541	Brackish Marsh (Needlerush Subtype)		2002	NR	4-Low			G5	S5
Natural Community	29538	Salt Marsh (Carolinian Subtype)		2002-10-21	ВС	2-High			G5	S4
Natural Community	29537	Salt Marsh (Carolinian Subtype)		2002	ВС	2-High			G5	S4
Vascular Plant	22550	Aristida condensata	Big Three-awn Grass	1931-08-30	Н	5-Very Low		Threatened	G4?	S2
Vascular Plant	33832	Asclepias pedicellata	Savanna Milkweed	1923-07	Н	4-Low		Special Concern Vulnerable	G4	S3
Vascular Plant	30852	Baccharis glomeruliflora	Silverling	1904-Pre	Н	5-Very Low		Endangered	G4	S1
Vascular Plant	22454	Dichanthelium cryptanthum	Hidden-flowered Witchgrass	1906-05-04	Н	5-Very Low		Significantly Rare Throughout	G3G4 Q	S2

Element Occurrences Documented Within a One-mile Radius of the Project Area

Taxonomic	EO ID	Scientific Name	Common Name	Last	Element	Accuracy	Federal	State	Global	State
Group				Observation	Occurrence		Status	Status	Rank	Rank
				Date	Rank					
Vascular Plant	37256	Dionaea muscipula	Venus Flytrap	2017-06-01	D	6-Unkno		Threatened	G2	S2
						wn				
Vascular Plant	9147	Platanthera nivea	Snowy Orchid	1989-07-07	X	3-Medium		Endangered	G5	SH
Vascular Plant	12589	Solidago tortifolia	Twisted-leaf	1964-11-22	Н	3-Medium		Endangered	G4G5	S1
			Goldenrod							

Natural Areas Documented Within a One-mile Radius of the Project Area

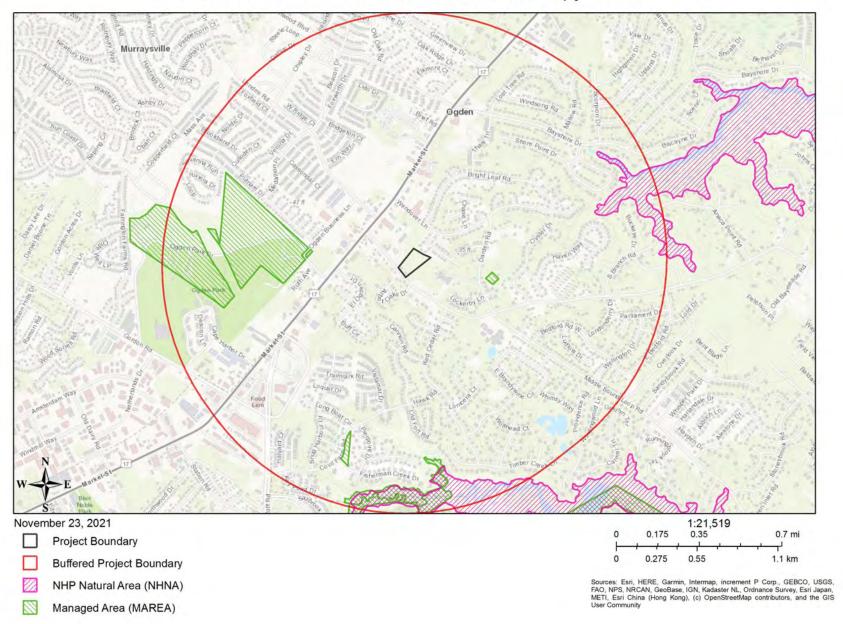
Site Name	Representational Rating	Collective Rating
Howe Creek Natural Area	R3 (High)	C5 (General)
Pages Creek Natural Area	R4 (Moderate)	C5 (General)

Managed Areas Documented Within a One-mile Radius of the Project Area

Managed Area Name	Owner	Owner Type
Northeast New Hanover Conservancy Preserve	Northeast New Hanover Conservancy	Private
New Hanover County Open Space	New Hanover County	Local Government
New Hanover County Open Space	New Hanover County	Local Government
New Hanover County Open Space	New Hanover County	Local Government

Definitions and an explanation of status designations and codes can be found at <a href="https://ncnhde.natureserve.org/help">https://ncnhde.natureserve.org/help</a>. Data query generated on November 23, 2021; source: NCNHP, Q3 October 2021. Please resubmit your information request if more than one year elapses before project initiation as new information is continually added to the NCNHP database.

# NCNHDE-16413: The Residences at Canopy Pointe



#### **Attachment 4**

**IPaC Biological Assessment** 

# **Residences At Canopy Pointe**

# **Biological Assessment**

Prepared using IPaC Generated by Dana Lutheran (dlutheran@segi.us) January 12, 2022

The purpose of this Biological Assessment (BA) is to assess the effects of the proposed project and determine whether the project may affect any Federally threatened, endangered, proposed or candidate species. This BA is prepared in accordance with legal requirements set forth under <u>Section 7 of the Endangered Species Act (16 U.S.C. 1536 (c))</u>.

In this document, any data provided by U.S. Fish and Wildlife Service is based on data as of November 30, 2021.

Prepared using IPaC version 5.69.0

# Residences At Canopy Pointe Biological Assessment

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# **1 Description Of The Action**

# 1.1 Project Name

Residences at Canopy Pointe

# 1.2 Executive Summary

The project consist of clearing and grading approximately 5 acres of forested upland, that is situated in a densely developed area of Wilmington, New Hanover County, NC. The understory of this site is very dense with shrubs and woody vines. Pines and Red Maple are the dominant tree species. There are no streams or wetlands within the project limits. Two buildings, with infrastructure and parking will be constructed and will be utilized as a senior living facility.

Effect determination summary

# 1.3 Project Description

# 1.3.1 Location



# 1.3.2 Description of project habitat

The approximately 5 acre site is comprised of flat, densely vegetated uplands, that is located approximately 0.50 mile from a 5 lane thoroughfare (i.e., Market Street). The property is bordered by a two lane, heavily traveled road (Middle Sound Loop Road), to the southwest, open, maintained yard, to the northwest and north, a subdivision, to the northeast, and a small wooded tract of land that seperates the subject property from another subdivision, to the southeast. Trees, saplings/shrubs and woody vines, on the tract, consist of Pinus taeda, Acer rubrum, Ilex coriacea, Persea palustris, Magnolia grandiflora, and Vitis rotundifolia. A small man made ditch extends southwest, from northeast property line.

#### Relevant documentation

- Residence at Canopy Pointe LiDAR Sketch 040720
- Residence at Canopy Pointe Topo Map 040720
- Residence at Canopy Pointe Soils Map 040720
- DP-1 Up Data Form
- Photo of Front of Property
- Photo of Western Adj Prop

# 1.3.3 Project proponent information

Provide information regarding who is proposing to conduct the project, and their contact information. Please provide details on whether there is a Federal nexus.

#### Requesting Agency

Southern Environmental Group, Inc. (SEGi)

**FULL NAME** 

Dana Lutheran

STREET ADDRESS

5315 South College Road

Suite E

CITY STATE ZIP Wilmington NC 28412

PHONE NUMBER E-MAIL ADDRESS (910) 228-1841 dlutheran@segi.us

#### Lead agency

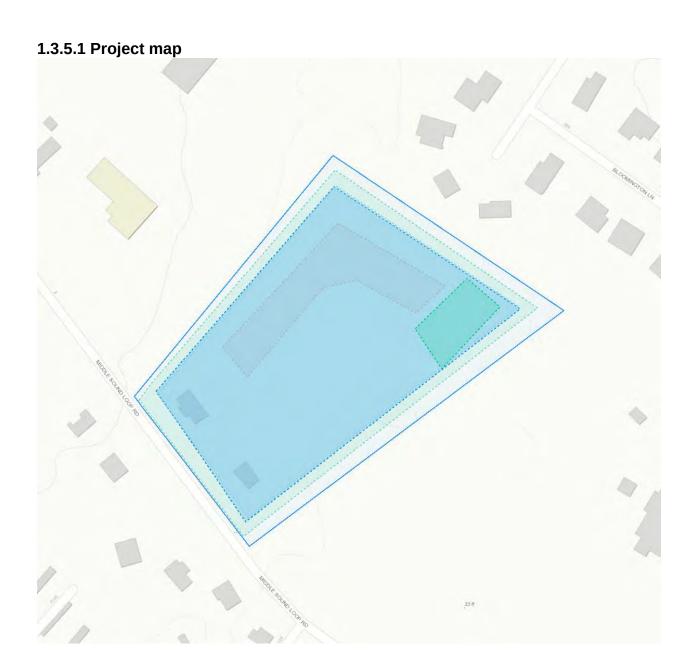
Lead agency is the same as requesting agency

# 1.3.4 Project purpose

The purpose of the project is relocate a senior living facility that was damaged during Hurricane Florence.

# 1.3.5 Project type and deconstruction

This project is a residential, commercial, industrial development project.



LEGE	
	Project footprint
	Building & Parking Construction: Construct building
	Buildings: Building (structure)
	Land Disturbance Area: Prepare the project site (terrestrial)
	Rough Grading: Rough grading
	Stormwater Pond: Stormwater drainage systems construction

# **1.3.5.2** building

# Structure completion date

March 31, 2022

# Removal/decommission date (if applicable)

Not applicable

#### Stressors

#### LANDFORM (TOPOGRAPHIC) FEATURES

• <u>Increase in impervious surfaces</u>

#### **HUMAN ACTIVITIES**

- <u>Increase in human presence</u>
- <u>Increase in vehicle traffic</u>

# Description

See attached site plan for details.

#### 1.3.5.3 construct building

#### Activity start date

March 31, 2022

#### Activity end date

Unspecified

#### Stressors

#### PLANT FEATURES

- Change in vegetation structure
- Decrease in vegetation

#### LANDFORM (TOPOGRAPHIC) FEATURES

- Change in topography
- <u>Increase in impervious surfaces</u>

#### SOIL AND SEDIMENT

- Increase in dust
- Increase in soil compaction

#### **HUMAN ACTIVITIES**

- Increase in human presence
- Increase in noise
- Increase in soil disturbance
- Increase in vehicle traffic

#### Description

Sediment and erosion discharges and dust is to be controlled by installing and maintaining BMPs during construction. After construction dust is not an issue and surface runoff, from built upon areas will be collected and treated prior to discharging offsite.

#### 1.3.5.4 prepare the project site (terrestrial)

#### Activity start date

June 02, 2022

#### Activity end date

Unspecified

#### **Stressors**

#### **PLANT FEATURES**

- Change in vegetation structure
- Decrease in vegetation

#### LANDFORM (TOPOGRAPHIC) FEATURES

• Change in topography

#### **SOIL AND SEDIMENT**

- Increase in dust
- <u>Increase in soil compaction</u>

#### **ENVIRONMENTAL PROCESSES**

- Change in hydrology
- Change in surface runoff

#### **HUMAN ACTIVITIES**

- Increase in human presence
- Increase in noise
- <u>Increase in soil disturbance</u>
- Increase in vehicle traffic

#### Description

Surface hydrology will be altered, as runoff will be collected and treated, via BMPs, before discharging offsite.

# 1.3.5.5 rough grading

# Activity start date

March 31, 2023

# Activity end date

Unspecified

#### Stressors

#### PLANT FEATURES

• Decrease in vegetation

#### LANDFORM (TOPOGRAPHIC) FEATURES

• Change in topography

#### **SOIL AND SEDIMENT**

- Increase in dust
- <u>Increase in soil compaction</u>

#### **HUMAN ACTIVITIES**

- <u>Increase in human presence</u>
- Increase in noise
- Increase in soil disturbance
- <u>Increase in vehicle traffic</u>

# Description

See attached site plan for details.

#### 1.3.5.6 stormwater drainage systems construction

#### Activity start date

August 01, 2022

#### Activity end date

Unspecified

#### Stressors

#### **PLANT FEATURES**

- Change in vegetation structure
- <u>Decrease in vegetation</u>

#### LANDFORM (TOPOGRAPHIC) FEATURES

• Change in topography

#### **SOIL AND SEDIMENT**

- Increase in dust
- <u>Increase in soil compaction</u>

#### **ENVIRONMENTAL PROCESSES**

- Change in hydrology
- Change in surface runoff

#### **HUMAN ACTIVITIES**

- <u>Increase in human presence</u>
- Increase in noise
- Increase in soil disturbance

#### Description

Due to the soils on the site being relatively sandy and the site containing a dense understory, runoff from the property is low. After construction of the stormwater pond, all runoff from built upon area will be captured and treated before discharging offsite.

# 1.3.6 Anticipated environmental stressors

Describe the anticipated effects of your proposed project on the aspects of the land, air and water that will occur due to the activities above. These should be based on the activity deconstructions done in the previous section and will be used to inform the action area.

#### 1.3.6.1 Plant Features

Individuals from the Plantae kingdom, such as trees, shrubs, herbs, grasses, ferns, and mosses. This feature also includes products of plants (e.g., nectar, flowers, seeds, etc.).

# 1.3.6.1.1 Change in vegetation structure

#### **ANTICIPATED MAGNITUDE**

90% of the vegetative structure will be removed and replaced with either BUA, the stormwater pond, or maintained landscaping.





Project footprint

Stressor location

# **CONSERVATION MEASURES**

Vegetated buffer

# STRUCTURES AND ACTIVITIES

- Construct building
- Prepare the project site (terrestrial)
- Stormwater drainage systems construction

# 1.3.6.1.2 Decrease in vegetation

# ANTICIPATED MAGNITUDE

A 10' - 20' vegetated buffer will remain around the sides and back of the development.



Project footprint

Stressor location

# CONSERVATION MEASURES No conservation measures for this stressor

#### STRUCTURES AND ACTIVITIES

- Rough grading
- Construct building
- Prepare the project site (terrestrial)
- Stormwater drainage systems construction

# 1.3.6.2 Landform (topographic) Features

Topographic (landform) features that typically occur naturally on the landscape (e.g., cliffs, terraces, ridges, etc.). This feature does not include aquatic landscape features or man-made structures.

# 1.3.6.2.1 Change in topography

#### ANTICIPATED MAGNITUDE

The site is relatively flat and will remain relatively flat after construction has been completed. Only minor topographic changes will take place.

#### STRESSOR LOCATION



Project footprint

Stressor location

# CONSERVATION MEASURES No conservation measures for this stressor

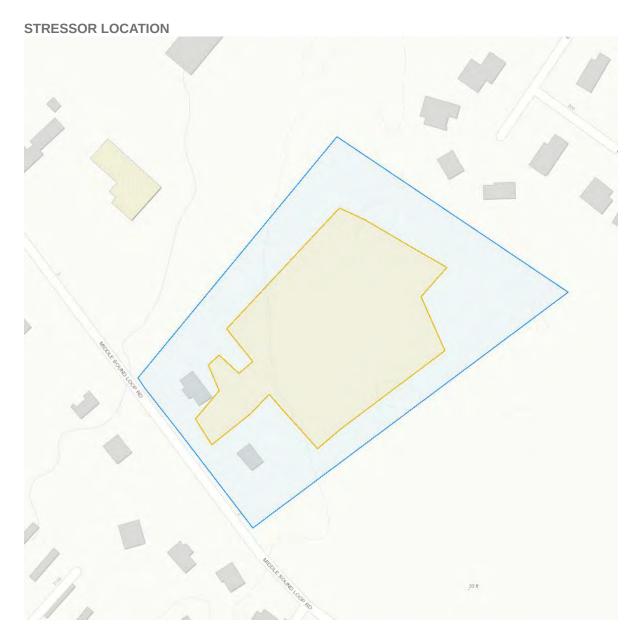
#### STRUCTURES AND ACTIVITIES

- Rough grading
- Construct building
- Prepare the project site (terrestrial)
- Stormwater drainage systems construction

# 1.3.6.2.2 Increase in impervious surfaces

# ANTICIPATED MAGNITUDE

During the design phase, the engineer only provided the minimal amount of parking required, which subsequently reduced impervious surface areas



Project footprint

Stressor location

# CONSERVATION MEASURES No conservation measures for this stressor

#### STRUCTURES AND ACTIVITIES

- Construct building
- Building

#### 1.3.6.3 Soil and Sediment

The topmost layer of earth on the landscape and its components (e.g., rock, sand, gravel, silt, etc.). This feature includes the physical characteristics of soil, such as depth, compaction, etc. Soil quality attributes (e.g, temperature, pH, etc.) should be placed in the Environmental Quality Features.

# 1.3.6.3.1 Increase in dust

#### ANTICIPATED MAGNITUDE

A small amount of dust will still occur, but will be controlled by spraying water during dry periods.



Project footprint

Stressor location

#### **CONSERVATION MEASURES**

<u>Dust control</u>

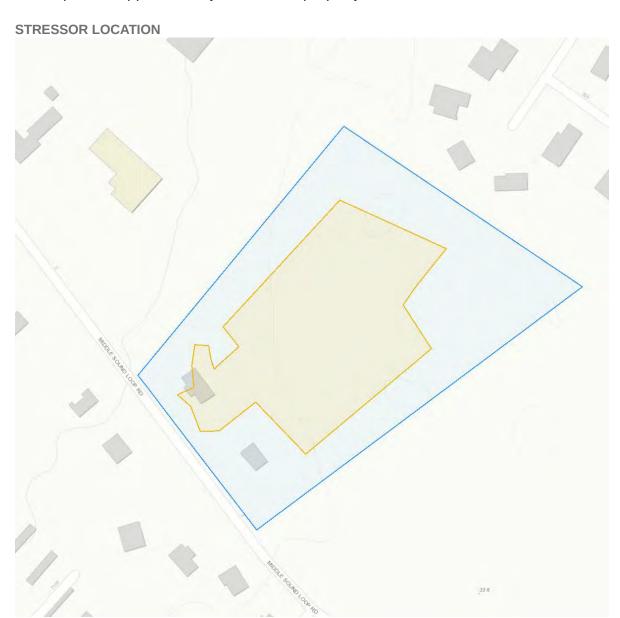
# STRUCTURES AND ACTIVITIES

- Rough grading
- Construct building
- Prepare the project site (terrestrial)
- Stormwater drainage systems construction

## 1.3.6.3.2 Increase in soil compaction

#### ANTICIPATED MAGNITUDE

Soil compaction will take place under the buildings and parking lot, which encompasses approximately 75% of the property.



Project footprint

Stressor location

# CONSERVATION MEASURES No conservation measures for this stressor

#### STRUCTURES AND ACTIVITIES

- Rough grading
- Construct building
- Prepare the project site (terrestrial)
- Stormwater drainage systems construction

#### 1.3.6.4 Environmental Processes

Abiotic processes that occur in the natural environment (e.g., erosion, precipitation, flood frequency, photoperiod, etc.).

# 1.3.6.4.1 Change in hydrology

## ANTICIPATED MAGNITUDE

During construction of the buildings, groundwater may be pushed out from under the buildings.



Project footprint

Stressor location

#### **CONSERVATION MEASURES**

No conservation measures for this stressor

#### STRUCTURES AND ACTIVITIES

- Prepare the project site (terrestrial)
- Stormwater drainage systems construction

#### 1.3.6.4.2 Change in surface runoff

#### **ANTICIPATED MAGNITUDE**

This stressor is not expected to occur; the following explanation has been provided:

Best Management Practices (BMP) will be installed prior to land disturbing activities taking place.

#### **CONSERVATION MEASURES**

- Vegetated buffer
- <u>Bmps</u>

#### STRUCTURES AND ACTIVITIES

- Prepare the project site (terrestrial)
- Stormwater drainage systems construction

#### 1.3.6.5 Human Activities

Human actions in the environment (e.g., fishing, hunting, farming, walking, etc.).

# 1.3.6.5.1 Increase in human presence

ANTICIPATED MAGNITUDE This is unknown.



Project footprint

Stressor location

# CONSERVATION MEASURES No conservation measures for this stressor

#### STRUCTURES AND ACTIVITIES

- Rough grading
- Construct building
- Prepare the project site (terrestrial)
- Stormwater drainage systems construction
- Building

## 1.3.6.5.2 Increase in noise

#### **ANTICIPATED MAGNITUDE**

This is going to be a senior living facility. Noise may increase but only during construction and only during normal business hours.



Project footprint

Stressor location

# CONSERVATION MEASURES No conservation measures for this stressor

#### STRUCTURES AND ACTIVITIES

- Rough grading
- Construct building
- Prepare the project site (terrestrial)
- Stormwater drainage systems construction

## 1.3.6.5.3 Increase in soil disturbance

ANTICIPATED MAGNITUDE See site plan.



Project footprint

Stressor location

# CONSERVATION MEASURES No conservation measures for this stressor

#### STRUCTURES AND ACTIVITIES

- Rough grading
- Construct building
- Prepare the project site (terrestrial)
- Stormwater drainage systems construction

#### 1.3.6.5.4 Increase in vehicle traffic

#### **ANTICIPATED MAGNITUDE**

Increased traffic should only occur during business hours.



Project footprint

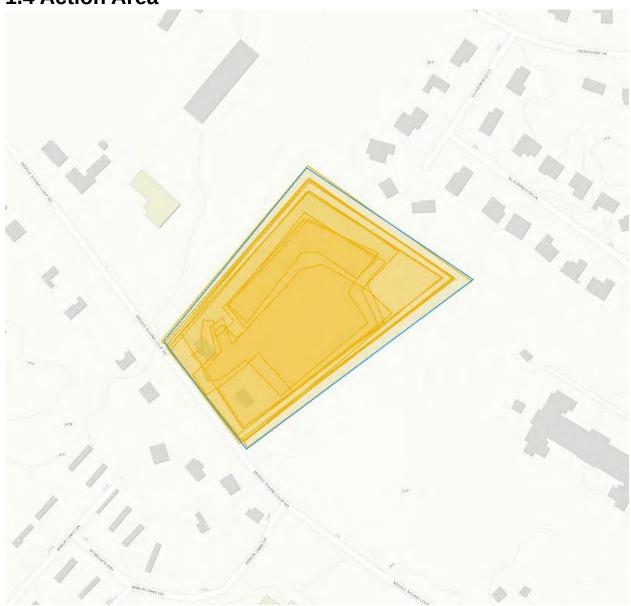
Stressor location

# CONSERVATION MEASURES No conservation measures for this stressor

#### STRUCTURES AND ACTIVITIES

- Rough grading
- Construct building
- Prepare the project site (terrestrial)
- Building

# 1.4 Action Area



### 1.5 Conservation Measures

## 1.5.1 bmps

#### Description

BMP are silt fence, temporary sediment traps/basins, etc. that are installed by hand or with machinery.

#### **Stressors**

• Change in surface runoff

#### 1.5.2 dust control

#### **Description**

by spraying non-potable water during dry periods

#### **Stressors**

• Increase in dust

# 1.5.3 vegetated buffer

#### **Description**

a 10' to 20' vegetated buffer will remain around the sides and back of the property.

#### **Stressors**

- Change in surface runoff
- Change in vegetation structure

# **1.6 Prior Consultation History**

None

# 1.7 Other Agency Partners And Interested Parties

HUD, NC NHP

# 1.8 Other Reports And Helpful Information

None

## Relevant documentation

• 2021-11-02 Conceptual Site Plan

# 2 Species Effects Analysis

This section describes, species by species, the effects of the proposed action on listed, proposed, and candidate species, and the habitat on which they depend. In this document, effects are broken down as direct interactions (something happening directly to the species) or indirect interactions (something happening to the environment on which a species depends that could then result in effects to the species).

These interactions encompass effects that occur both during project construction and those which could be ongoing after the project is finished. All effects, however, should be considered, including effects from direct and indirect interactions and cumulative effects.

# 2.1 Cooley's Meadowrue

This species has been excluded from analysis in this environmental review document.

#### Justification for exclusion

No available habitat

#### 2.2 Eastern Black Rail

This species has been excluded from analysis in this environmental review document.

#### Justification for exclusion

No available habitat

## 2.3 Golden Sedge

This species has been excluded from analysis in this environmental review document.

#### **Justification for exclusion**

## 2.4 Green Sea Turtle

This species has been excluded from analysis in this environmental review document.

#### **Justification for exclusion**

No available habitat

## 2.5 Kemp's Ridley Sea Turtle

This species has been excluded from analysis in this environmental review document.

#### **Justification for exclusion**

No available habitat

#### 2.6 Leatherback Sea Turtle

This species has been excluded from analysis in this environmental review document.

#### Justification for exclusion

No available habitat

# 2.7 Loggerhead Sea Turtle

This species has been excluded from analysis in this environmental review document.

#### Justification for exclusion

No available habitat

## 2.8 Magnificent Ramshorn

This species has been excluded from analysis in this environmental review document.

#### **Justification for exclusion**

## 2.9 Monarch Butterfly

This species has been excluded from analysis in this environmental review document.

#### Justification for exclusion

No available habitat

# 2.10 Piping Plover

This species has been excluded from analysis in this environmental review document.

#### **Justification for exclusion**

No available habitat

#### 2.11 Red Knot

This species has been excluded from analysis in this environmental review document.

#### **Justification for exclusion**

No available habitat

# 2.12 Red-Cockaded Woodpecker

This species has been excluded from analysis in this environmental review document.

#### Justification for exclusion

No available habitat

## 2.13 Rough-Leaved Loosestrife

This species has been excluded from analysis in this environmental review document.

#### Justification for exclusion

## 2.14 Seabeach Amaranth

This species has been excluded from analysis in this environmental review document.

#### **Justification for exclusion**

No available habitat

## 2.15 West Indian Manatee

This species has been excluded from analysis in this environmental review document.

## Justification for exclusion

# 3 Critical Habitat Effects Analysis No critical habitats intersect with the project action area.

# 4 Summary Discussion, Conclusion, And Effect Determinations

# **4.1 Effect Determination Summary**

SPECIES (COMMON NAME)	SCIENTIFIC NAME	LISTING STATUS	PRESENT IN ACTION AREA	EFFECT DETERMINATION
American Alligator	Alligator mississippiensis	Similarity of Appearance (Threatened)	Not Applicable	Not Applicable
Cooley's Meadowrue	Thalictrum cooleyi	Endangered	No	NE
Eastern Black Rail	Laterallus jamaicensis ssp. jamaicensis	Threatened	No	NE
Golden Sedge	Carex lutea	Endangered	No	NE
Green Sea Turtle	Chelonia mydas	Threatened	No	NE
Kemp's Ridley Sea Turtle	Lepidochelys kempii	Endangered	No	NE
Leatherback Sea Turtle	Dermochelys coriacea	Endangered	No	NE
Loggerhead Sea Turtle	Caretta caretta	Threatened	No	NE
Magnificent Ramshorn	Planorbella magnifica	Candidate	Excluded from analysis	Excluded from analysis
Monarch Butterfly	Danaus plexippus	Candidate	Excluded from analysis	Excluded from analysis
Northern Long-eared Bat <sup>†</sup> . This species or critical habitat is covered by a DKey.	Myotis septentrionalis	Threatened		MA
Piping Plover	Charadrius melodus	Threatened	No	NE
Red Knot	Calidris canutus rufa	Threatened	No	NE
Red-cockaded Woodpecker	Picoides borealis	Endangered	No	NE
Rough-leaved Loosestrife	Lysimachia asperulaefolia	Endangered	No	NE
Seabeach Amaranth	Amaranthus pumilus	Threatened	No	NE
West Indian Manatee	Trichechus manatus	Threatened	No	NE

<sup>&</sup>lt;sup>†</sup> This species or critical habitat is covered by a DKey.

# **4.2 Summary Discussion**

Based on SEGI's evaluation, the project may affect but is unlikely to adversely affect the NLEB, based on the lack of habitat and that there are no known nest roosts or hibernaculum within close proximity to the project site.

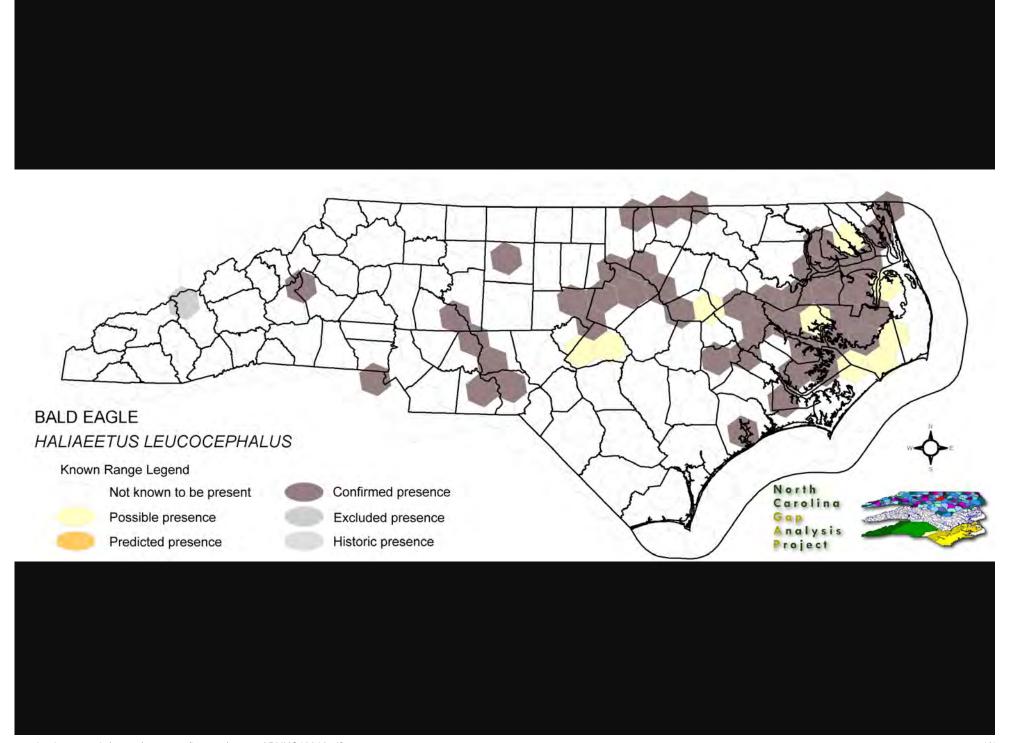
There is no known critical habitat within the limits of the project area.

#### 4.3 Conclusion

SEGi finds that the proposed project will not likely adversely affect the NLEB, which is the only listed species, where habitat may be present, within the project area. NC NHP consultation revealed there are no documented Northern Long-eared Bat maternity roost trees within 150 feet of this project boundary, and there are no Northern Long-eared Bat hibernacula within 0.25 mile of this project boundary.

#### **Attachment 5**

NC Bald Eagle Known Ranges Map



#### **Attachment 6**

#### **NLEB Consultation Letter**



# United States Department of the Interior



#### FISH AND WILDLIFE SERVICE

Raleigh Ecological Services Field Office Post Office Box 33726 Raleigh, NC 27636-3726 Phone: (919) 856-4520 Fax: (919) 856-4556

In Reply Refer To: November 29, 2021

Consultation code: 04EN2000-2022-TA-0263

Event Code: 04EN2000-2022-E-00712 Project Name: Residences at Canopy Pointe

Subject: Verification letter for the 'Residences at Canopy Pointe' project under the January 5,

2016, Programmatic Biological Opinion on Final 4(d) Rule for the Northern Long-

eared Bat and Activities Excepted from Take Prohibitions.

#### Dear Dana Lutheran:

The U.S. Fish and Wildlife Service (Service) received on November 29, 2021 your effects determination for the 'Residences at Canopy Pointe' (the Action) using the northern long-eared bat (*Myotis septentrionalis*) key within the Information for Planning and Consultation (IPaC) system. This IPaC key assists users in determining whether a Federal action is consistent with the activities analyzed in the Service's January 5, 2016, Programmatic Biological Opinion (PBO). The PBO addresses activities excepted from "take" prohibitions applicable to the northern long-eared bat under the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.).

Based upon your IPaC submission, the Action is consistent with activities analyzed in the PBO. The Action may affect the northern long-eared bat; however, any take that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o). Unless the Service advises you within 30 days of the date of this letter that your IPaC-assisted determination was incorrect, this letter verifies that the PBO satisfies and concludes your responsibilities for this Action under ESA Section 7(a)(2) with respect to the northern long-eared bat.

Please report to our office any changes to the information about the Action that you submitted in IPaC, the results of any bat surveys conducted in the Action area, and any dead, injured, or sick northern long-eared bats that are found during Action implementation. If the Action is not completed within one year of the date of this letter, you must update and resubmit the information required in the IPaC key.

This IPaC-assisted determination allows you to rely on the PBO for compliance with ESA Section 7(a)(2) <u>only</u> for the northern long-eared bat. It **does not** apply to the following ESA-protected species that also may occur in the Action area:

- American Alligator Mississippiensis Similarity of Appearance (Threatened)
- Cooley's Meadowrue *Thalictrum cooleyi* Endangered
- Eastern Black Rail Laterallus jamaicensis ssp. jamaicensis Threatened
- Golden Sedge Carex lutea Endangered
- Green Sea Turtle *Chelonia mydas* Threatened
- Kemp's Ridley Sea Turtle *Lepidochelys kempii* Endangered
- Leatherback Sea Turtle Dermochelys coriacea Endangered
- Loggerhead Sea Turtle Caretta caretta Threatened
- Magnificent Ramshorn Planorbella magnifica Candidate
- Monarch Butterfly Danaus plexippus Candidate
- Piping Plover Charadrius melodus Threatened
- Red Knot *Calidris canutus rufa* Threatened
- Red-cockaded Woodpecker *Picoides borealis* Endangered
- Rough-leaved Loosestrife Lysimachia asperulaefolia Endangered
- Seabeach Amaranth *Amaranthus pumilus* Threatened
- West Indian Manatee *Trichechus manatus* Threatened

If the Action may affect other federally listed species besides the northern long-eared bat, a proposed species, and/or designated critical habitat, additional consultation between you and this Service office is required. If the Action may disturb bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act is recommended.

[1] Take means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct [ESA Section 3(19)].

#### **Action Description**

You provided to IPaC the following name and description for the subject Action.

#### 1. Name

Residences at Canopy Pointe

#### 2. Description

The following description was provided for the project 'Residences at Canopy Pointe':

The project site is approximately 5.7 acres, of wooded upland and in a densely developed area of of New Hanover County, NC.. There are no wetlands on the property, but there is a man made ditch that runs a portion of the rear property line and another that extends up into the southern portion of the property and from east to west. The ditch does not contain any vegetation, within the bottom, and only hold water during rain events.

The project entails constructing two residential buildings, which will serve as a senior living center, with associated parking and stormwater pond (see attached site plan). The ditch, that extends into the property will be filled, with clean earthen soil. Large machinery, such as backhoes, dump trucks and front end loaders will be used to complete the earth work. Conventional construction methods and materials will be used to construct the buildings and parking area. Work is expected to begin in May of 2022.

Approximate location of the project can be viewed in Google Maps: <a href="https://www.google.com/maps/@34.27037935">https://www.google.com/maps/@34.27037935</a>,-77.81543402122702,14z



#### **Determination Key Result**

This Federal Action may affect the northern long-eared bat in a manner consistent with the description of activities addressed by the Service's PBO dated January 5, 2016. Any taking that may occur incidental to this Action is not prohibited under the final 4(d) rule at 50 CFR

§17.40(o). Therefore, the PBO satisfies your responsibilities for this Action under ESA Section 7(a)(2) relative to the northern long-eared bat.

#### Determination Key Description: Northern Long-eared Bat 4(d) Rule

This key was last updated in IPaC on May 15, 2017. Keys are subject to periodic revision.

This key is intended for actions that may affect the threatened northern long-eared bat.

The purpose of the key for Federal actions is to assist determinations as to whether proposed actions are consistent with those analyzed in the Service's PBO dated January 5, 2016.

Federal actions that may cause prohibited take of northern long-eared bats, affect ESA-listed species other than the northern long-eared bat, or affect any designated critical habitat, require ESA Section 7(a)(2) consultation in addition to the use of this key. Federal actions that may affect species proposed for listing or critical habitat proposed for designation may require a conference under ESA Section 7(a)(4).

# **Determination Key Result**

This project may affect the threatened Northern long-eared bat; therefore, consultation with the Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.) is required. However, based on the information you provided, this project may rely on the Service's January 5, 2016, *Programmatic Biological Opinion on Final 4(d) Rule for the Northern Long-Eared Bat and Activities Excepted from Take Prohibitions* to fulfill its Section 7(a)(2) consultation obligation.

# **Qualification Interview**

- 1. Is the action authorized, funded, or being carried out by a Federal agency? *Yes*
- 2. Have you determined that the proposed action will have "no effect" on the northern longeared bat? (If you are unsure select "No")

No

3. Will your activity purposefully **Take** northern long-eared bats?

No

4. [Semantic] Is the project action area located wholly outside the White-nose Syndrome Zone?

#### Automatically answered

No

5. Have you contacted the appropriate agency to determine if your project is near a known hibernaculum or maternity roost tree?

Location information for northern long-eared bat hibernacula is generally kept in state Natural Heritage Inventory databases – the availability of this data varies state-by-state. Many states provide online access to their data, either directly by providing maps or by providing the opportunity to make a data request. In some cases, to protect those resources, access to the information may be limited. A web page with links to state Natural Heritage Inventory databases and other sources of information on the locations of northern long-eared bat roost trees and hibernacula is available at <a href="www.fws.gov/midwest/endangered/mammals/nleb/nhisites.html">www.fws.gov/midwest/endangered/mammals/nleb/nhisites.html</a>.

Yes

6. Will the action affect a cave or mine where northern long-eared bats are known to hibernate (i.e., hibernaculum) or could it alter the entrance or the environment (physical or other alteration) of a hibernaculum?

No

7. Will the action involve Tree Removal?

Yes

8.	Will the action only remove hazardous trees for the protection of human life or property?
	No

# **Project Questionnaire**

If the project includes forest conversion, report the appropriate acreages below. Otherwise, type '0' in questions 1-3.

1. Estimated total acres of forest conversion:

5

2. If known, estimated acres of forest conversion from April 1 to October 31

5

3. If known, estimated acres of forest conversion from June 1 to July 31  $\,$ 

0

# If the project includes timber harvest, report the appropriate acreages below. Otherwise, type '0' in questions 4-6.

4. Estimated total acres of timber harvest

0

5. If known, estimated acres of timber harvest from April 1 to October 31

0

6. If known, estimated acres of timber harvest from June 1 to July 31

0

# If the project includes prescribed fire, report the appropriate acreages below. Otherwise, type '0' in questions 7-9.

7. Estimated total acres of prescribed fire

0

8. If known, estimated acres of prescribed fire from April 1 to October 31

0

9. If known, estimated acres of prescribed fire from June 1 to July 31  $\,$ 

0

# If the project includes new wind turbines, report the megawatts of wind capacity below. Otherwise, type '0' in question 10.

10. What is the estimated wind capacity (in megawatts) of the new turbine(s)?

0

#### Northern Long-Eared Bat 4(d) Rule Streamlined Consultation Form

Federal agencies should use this form for the optional streamlined consultation framework for the northern long-eared bat (NLEB). This framework allows federal agencies to rely upon the U.S. Fish and Wildlife Service's (USFWS) January 5, 2016, intra-Service Programmatic Biological Opinion (BO) on the final 4(d) rule for the NLEB for section 7(a)(2) compliance by: (1) notifying the USFWS that an action agency will use the streamlined framework; (2) describing the project with sufficient detail to support the required determination; and (3) enabling the USFWS to track effects and determine if reinitiation of consultation is required per 50 CFR 402.16.

This form is not necessary if an agency determines that a proposed action will have no effect to the NLEB or if the USFWS has concurred in writing with an agency's determination that a proposed action may affect, but is not likely to adversely affect the NLEB (i.e., the standard informal consultation process). Actions that may cause prohibited incidental take require separate formal consultation. Providing this information does not address section 7(a)(2) compliance for any other listed species.

Info	rmation to Determine 4(d) Rule Compliance:	YES	NO
1.	Does the project occur wholly outside of the WNS Zone <sup>1</sup> ?		<b>4</b>
2.	Have you contacted the appropriate agency <sup>2</sup> to determine if your project is near known hibernacula or maternity roost trees?	<b>Z</b>	
3.	Could the project disturb hibernating NLEBs in a known hibernaculum?		7
4.	Could the project alter the entrance or interior environment of a known hibernaculum?		<b>4</b>
5.	Does the project remove any trees within 0.25 miles of a known hibernaculum at any time of year?		<b>4</b>
6.	Would the project cut or destroy known occupied maternity roost trees, or any other trees within a 150-foot radius from the maternity roost tree from June 1 through July 31.		<b>4</b>

You are eligible to use this form if you have answered yes to question #1 or yes to question #2 and no to questions 3, 4, 5 and 6. The remainder of the form will be used by the USFWS to track our assumptions in the BO.

Agency and Applicant<sup>3</sup> (Name, Email, Phone No.): NCORR as RE for HUD and Blue Ridge Atlantic Community Development

**Project Name:** The Residence at Canopy Pointe

Project Location (include coordinates if known): 205 Middle Sound Loop Road, Wilmington, NC (34.270565;-77.815650)

**Basic Project Description** (provide narrative below or attach additional information):

See attached

### **General Project Information**

YES NO

<sup>&</sup>lt;sup>1</sup> http://www.fws.gov/midwest/endangered/mammals/nleb/pdf/WNSZone.pdf

<sup>&</sup>lt;sup>2</sup> See http://www.fws.gov/midwest/endangered/mammals/nleb/nhisites.html

<sup>&</sup>lt;sup>3</sup> If applicable - only needed for federal actions with applicants (e.g., for a permit, etc.) who are party to the consultation.

Does the project occur within 0.25 miles of a known hibernaculum?		7
Does the project occur within 150 feet of a known maternity roost tree?		Z
Does the project include forest conversion <sup>4</sup> ? (if yes, report acreage below)	7	
Estimated total acres of forest conversion	~4	.0
If known, estimated acres <sup>5</sup> of forest conversion from April 1 to October 31	~4	.0
If known, estimated acres of forest conversion from June 1 to July 31 <sup>6</sup>	~4	.0
Does the project include timber harvest? (if yes, report acreage below)		<b>⊿</b>
Estimated total acres of timber harvest		
If known, estimated acres of timber harvest from April 1 to October 31		
If known, estimated acres of timber harvest from June 1 to July 31		
Does the project include prescribed fire? (if yes, report acreage below)		✓
Estimated total acres of prescribed fire		
If known, estimated acres of prescribed fire from April 1 to October 31		
If known, estimated acres of prescribed fire from June 1 to July 31		
Does the project install new wind turbines? (if yes, report capacity in MW below)		<b>√</b>
Estimated wind capacity (MW)		

#### Agency Determination:

By signing this form, the action agency determines that this project may affect the NLEB, but that any resulting incidental take of the NLEB is not prohibited by the final 4(d) rule.

If the USFWS does not respond within 30 days from submittal of this form, the action agency may presume that its determination is informed by the best available information and that its project responsibilities under 7(a)(2) with respect to the NLEB are fulfilled through the USFWS January 5, 2016, Programmatic BO. The action agency will update this determination annually for multi-year activities.

The action agency understands that the USFWS presumes that all activities are implemented as described herein. The action agency will promptly report any departures from the described activities to the appropriate USFWS Field Office. The action agency will provide the appropriate USFWS Field Office with the results of any surveys conducted for the NLEB. Involved parties will promptly notify the appropriate USFWS Field Office upon finding a dead, injured, or sick NLEB.

Signature: Indren Simers	Date Submitted: 1/19/22
--------------------------	-------------------------

<sup>&</sup>lt;sup>4</sup> Any activity that temporarily or permanently removes suitable forested habitat, including, but not limited to, tree removal from development, energy production and transmission, mining, agriculture, etc. (see page 48 of the BO).

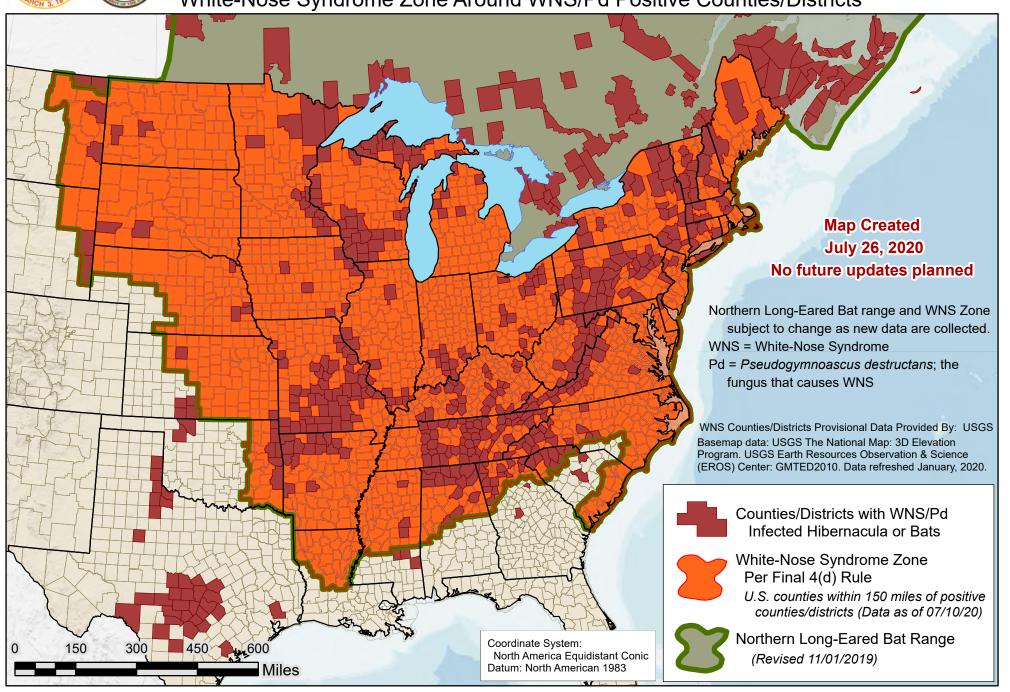
<sup>&</sup>lt;sup>5</sup> If the project removes less than 10 trees and the acreage is unknown, report the acreage as less than 0.1 acre.

<sup>&</sup>lt;sup>6</sup> If the activity includes tree clearing in June and July, also include those acreage in April to October.



# Northern Long-Eared Bat Final 4(d) Rule

White-Nose Syndrome Zone Around WNS/Pd Positive Counties/Districts



### **Attachment 7**

### **USFWS Species Conclusion Table**

# **Species Conclusions Table**

Project Name: Residence at Canopy Pointe

**Date:** <u>11/16/21</u>

Species / Resource Name	Conclusion	ESA Section 7 / Eagle Act Determination	Notes / Documentation
Northern Long-eared Bat  Myotis septentrionalis	No suitable habitat present	may affect	Habitat assessment little in the way of potential habitat (see attached photos)
West Indian Manatee Trichechus manatus	No suitable habitat present	No effect	Habitat assessment indicates no potential habitat present
Eastern Black Rail Laterallus jamaicensis ssp. jamaicensis	No suitable habitat present	No effect	Habitat assessment indicates no potential habitat present
Piping Plover Charadrius melodus	No suitable habitat present	No effect	Habitat assessment indicates no potential habitat present
Red Knot Calidris canutus rufa	No suitable habitat present	No effect	Habitat assessment indicates no potential habitat present
Red-cockaded Woodpecker Picoides borealis	No suitable habitat present	No effect	Habitat assessment indicates no potential habitat present
American Alligator Alligator mississippiensis	No suitable habitat present	No effect	Habitat assessment indicates no potential habitat present
Green Sea Turtle Chelonia mydas	No suitable habitat present	No effect	Habitat assessment indicates no potential habitat present
Kemp's Ridley Sea Turtle Lepidochelys kempii	No suitable habitat present	No effect	Habitat assessment indicates no potential habitat present
Leatherback Sea Turtle Dermochelys coriacea	No suitable habitat present	No effect	Habitat assessment indicates no potential habitat present
Loggerhead Sea Turtle Caretta caretta	No suitable habitat present	No effect	Habitat assessment indicates no potential habitat present
Magnificent Ramshorn Planorbella magnifica	No suitable habitat present	No effect	Habitat assessment indicates no potential habitat present
Monarch Butterfly Danaus plexippus	No suitable habitat Present	No effect	Habitat assessment indicates no potential habitat present
Cooley's Meadowrue Thalictrum cooleyi	No suitable habitat present	No effect	Habitat assessment indicates no potential habitat present
Golden Sedge Carex lutea	No suitable habitat present	No effect	Habitat assessment indicates no potential habitat present
Rough-leaved Loosestrife Lysimachia asperulaefolia	No suitable habitat present	No effect	Habitat assessment indicates no potential habitat present

Seabeach Amaranth  Amaranthus pumilus	No suitable habitat present	No effect	Habitat assessment indicates no potential habitat present
Critical Habitat			
There is no critical habitat within the project limits, that is under the USFWS's jurisdiction			
Acknowledgement: I agree that the above decision about impacts in the immediate a		posed project is true. I used all of the p	rovided resources to make an informed
T Date:			

Signature /Title

10 December 2021

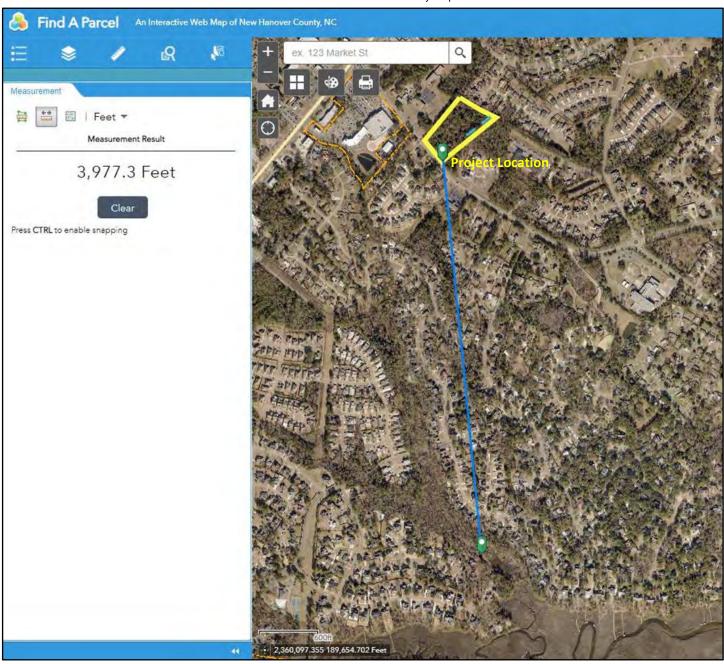
Date

### **Attachment 8**

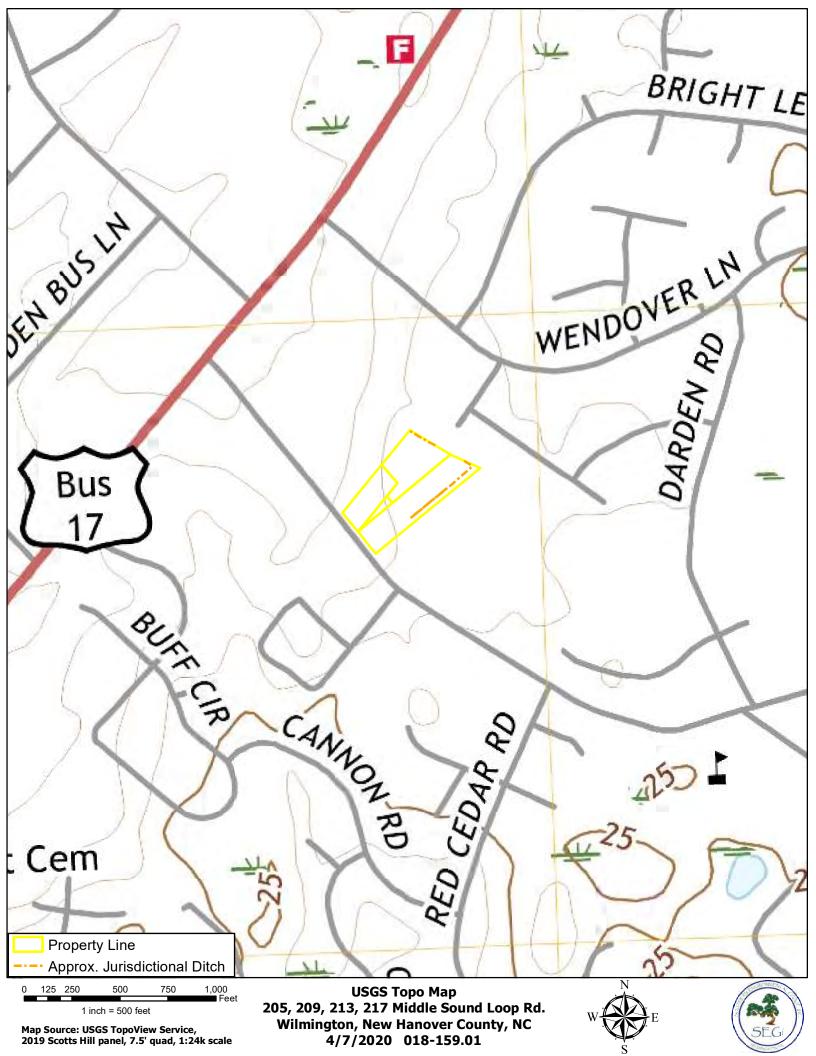
# **Supporting Documentation**

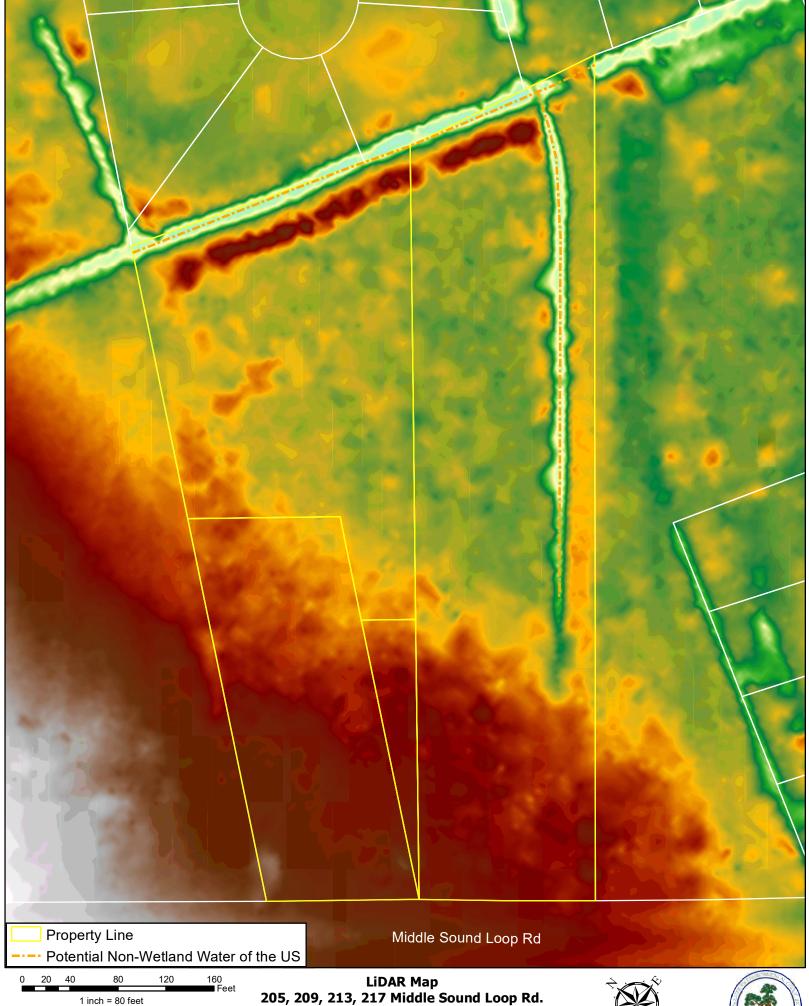


Distance to Nearest Saltwater Waterbody Map



Source: New Hanover County GIS Map



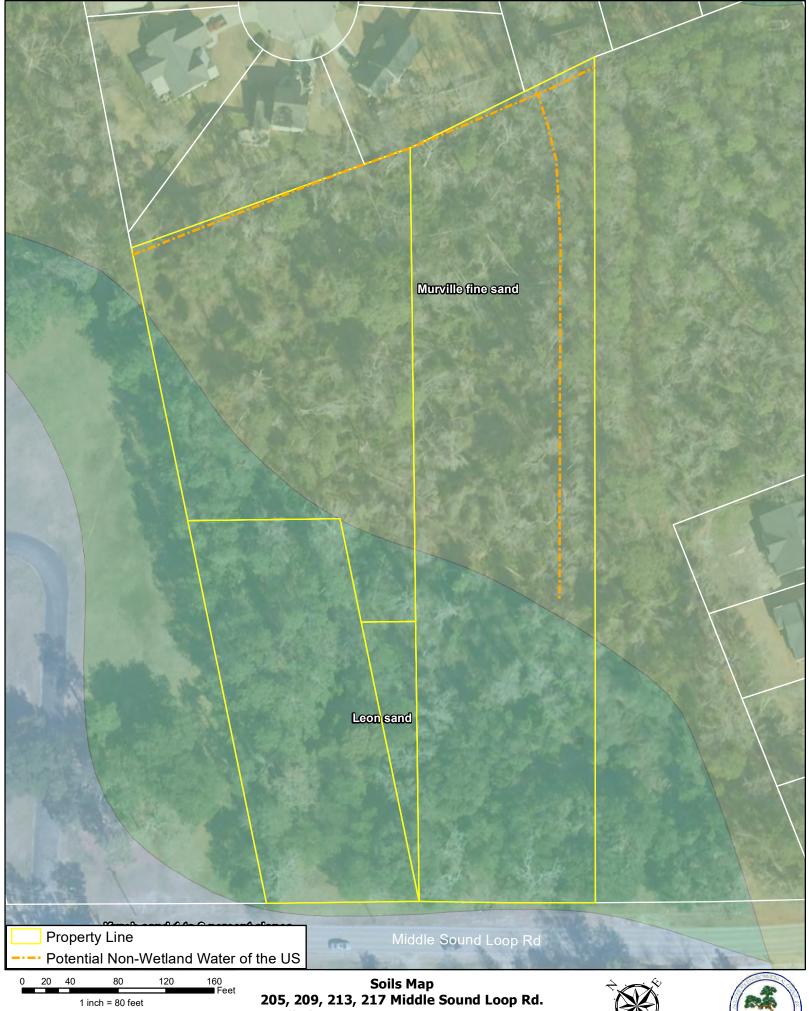


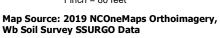
205, 209, 213, 217 Middle Sound Loop Rd. Wilmington, New Hanover County, NC 4/7/2020 018-159.01

Map Source: 2014 QL2 LiDAR DEM









Wilmington, New Hanover County, NC 4/7/2020 018-159.01





### **Attachment 13**

### **Existing Conditions Site Photos**



Photo 1: Looking east, from southwest corner of the property, down Middle Sound Loop Road



Photo 3: Looking west, at the intersection of Middle Sound Loop Road and Market Street



Photo 5: Looking south, across the street from the property



Photo 2: Looking west, from middle of the property, on Middle Sound Loop Road



Photo 4: Western adjacent property



Photo 6: Typical storm debris



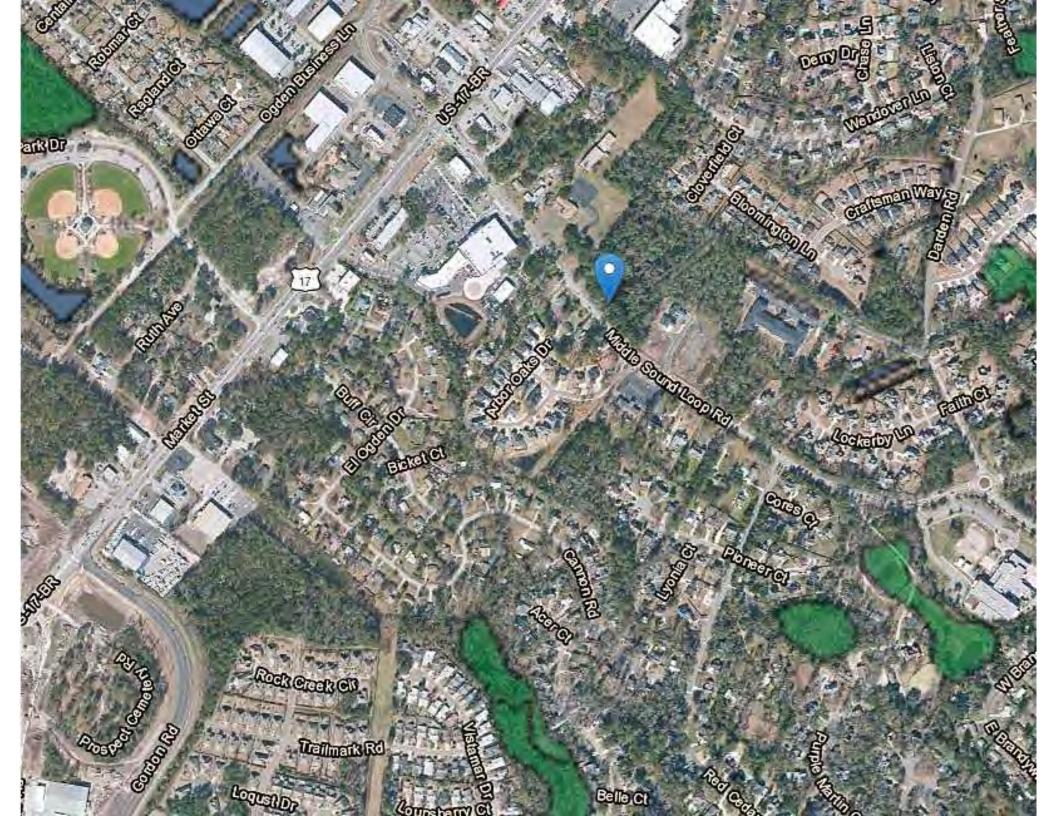
Photo 7: Typical understory

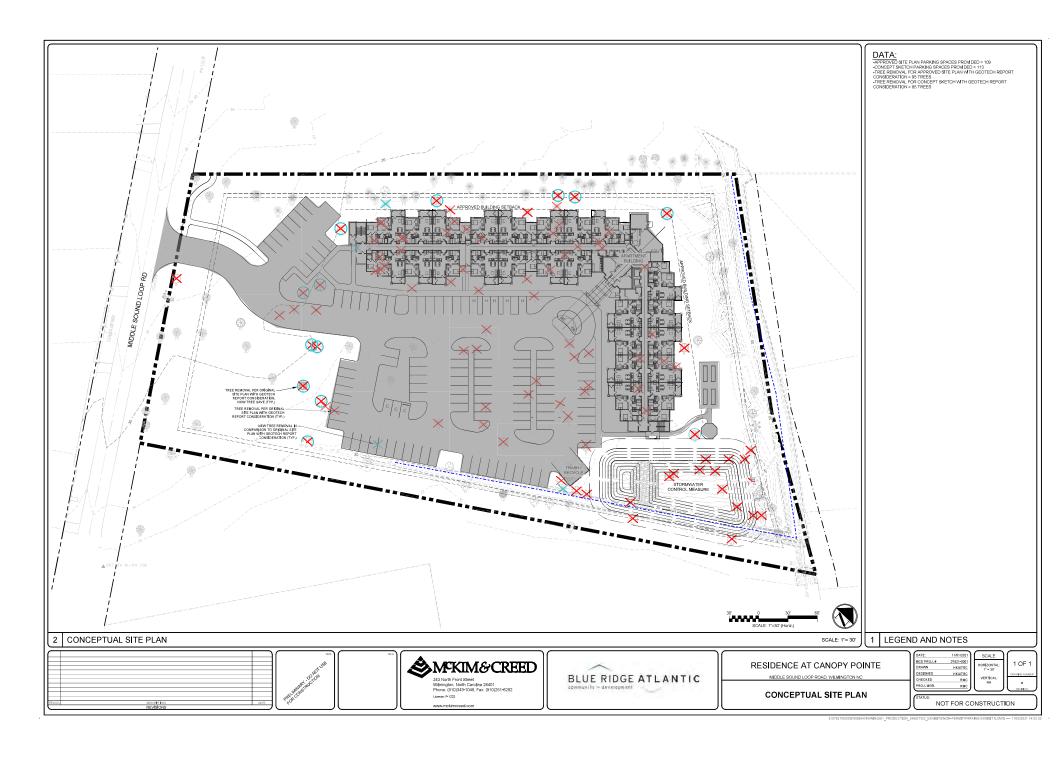


Photo 8: Typical understory



Photo 9: Ditch located on the eastern side of the property





# **ATTACHMENT 9:**

**Explosive and Flammable Hazards** 



# Thermal and Explosive Hazards

Project Name			Investigator(s)		Site V	Site Visit Date	
	Yes	I – Above Gr storage tanks vi e tanks 100-galle Yes	isible from the No	ge Tanks – Si site? No	te Review		
			List visible to	anks			
Tank Identifier	Tank Distance (ft)	Tank Size/Contents	Flammable? (Yes or No)	Pressurized? (Yes or No)	ASD <sup>1</sup> (ft) Thermal Radiation	ASD (ft) Blast Pressure	
		stance as defined in "Sit					
	res	n the ASD of an  roposed mitigati  Mitigation (a	No on strategies o				
e presence	ition with the	bove Ground he Local Planning or planned them	g. Building P	ublic Safety or I	ira Danautman	4 in diameter	
If yes	s, list the pr	oposed mitigation		reject the site?			
		Mitigation (at	tach additions	ıl documentatio	n		

### Attachment 19

NHC Fire Marshal AST Email

From: Johnson, Chris
To: Dana Lutheran

Cc: Evans, MaryBeth; Sills, Jim

Subject: RE: New submission from Contact Us

Date: Tuesday, March 15, 2022 8:09:16 AM

Hi Dana,

In receipt of your request, I reached out to Marybeth Evans who is the Deputy Fire Marshal in the area of this project. She completed a brief search of the properties surrounding 205 Middle Sound Loop Road and did not find any AST's however, our system is GIS and address based so without a list of addresses this cannot be completed with certainty. Anything related to a new construction project would fall under the jurisdiction of our Building Safety office. Jim Sills would be the direct contact for this office. Feel free to contact Jim at <a href="mailto:jsills@nhcgov.com">jsills@nhcgov.com</a> or Marybeth at <a href="mailto:marevans@nhcgov.com">marevans@nhcgov.com</a> if we can be of more assistance.

Best Regards, Chris

#### **Chris Johnson**

Administrative Support Coordinator New Hanover County - Fire Rescue (910) 798-7019 p | (910) 798-7052 f chjohnson@nhcgov.com 230 Government Center Drive, Suite 130 Wilmington, NC 28403 www.NHCgov.com

From: dlutheran=segi.us@webformsnhcgov.com <dlutheran=segi.us@webformsnhcgov.com > On

**Behalf Of** Dana Lutheran

**Sent:** Monday, March 14, 2022 2:31 PM **To:** Johnson, Chris <chjohnson@nhcgov.com> **Subject:** New submission from Contact Us

\*\* External Email: Do not click links, open attachments, or reply until you know it is safe \*\*

#### **Reason for Inquiry**

General Question (Ask a Firefighter)

#### Name

Dana Lutheran

#### **Address**

5315 South College Road, Suite E Wilmington, North Carolina 28412 United States Map It

#### **Phone**

(910) 228-1841

#### **Email**

dlutheran@segi.us

#### Message

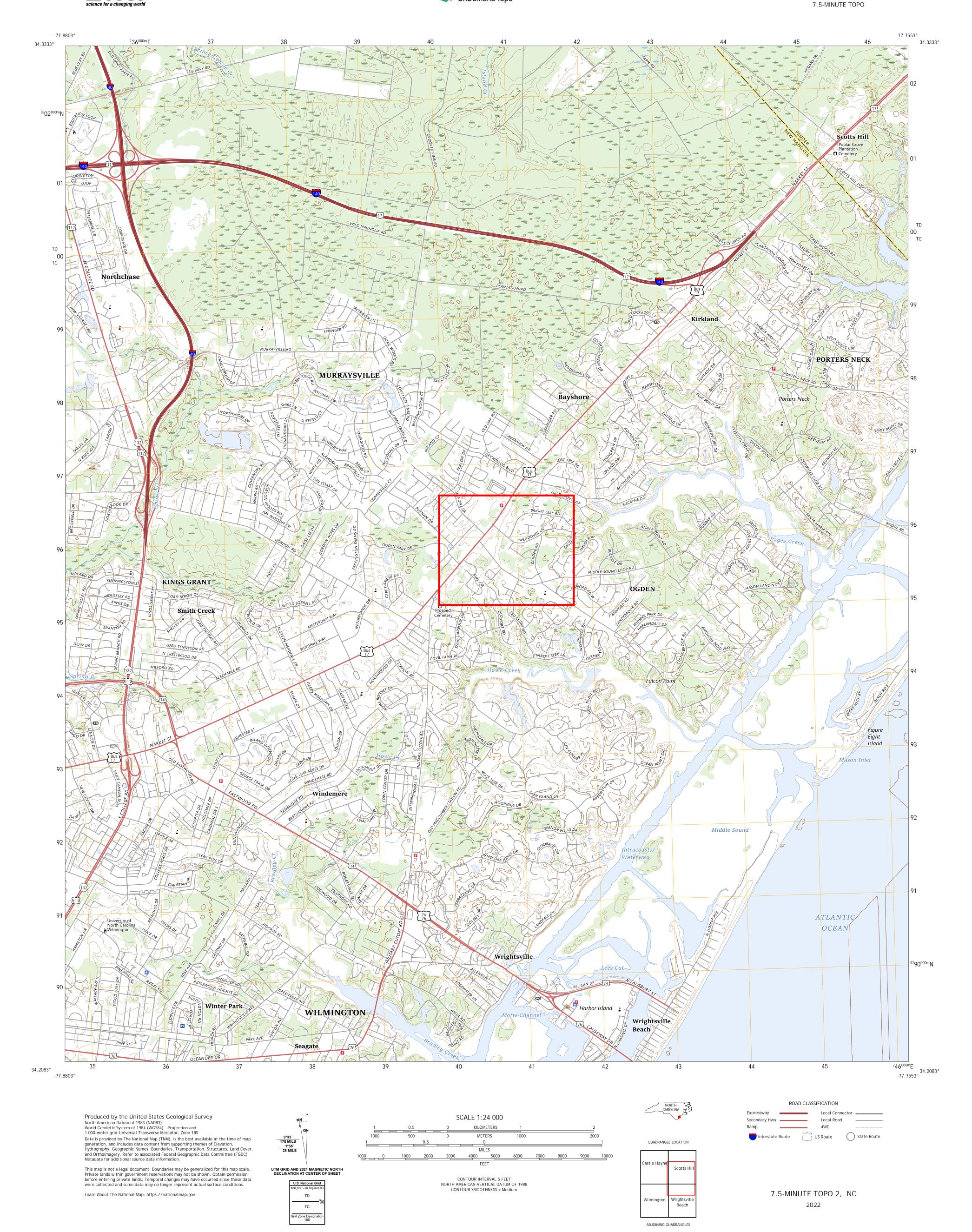
I am working on a HUD project, which I am required to determine the presence of known or proposed ASTs or explosive storage facilities within 1 mile of the project, located at 205 Middle Sound Loop Road. The following ASTs are exempt: stationary above ground containers that store natural gas and have floating tops; mobile conveyances (i.e., trucks, barges, etc.); ASTs of 1,000 gal or less in vol. that contain liquified petroleum gas and comply with the NFPA Code 58.

Please call me to discuss.

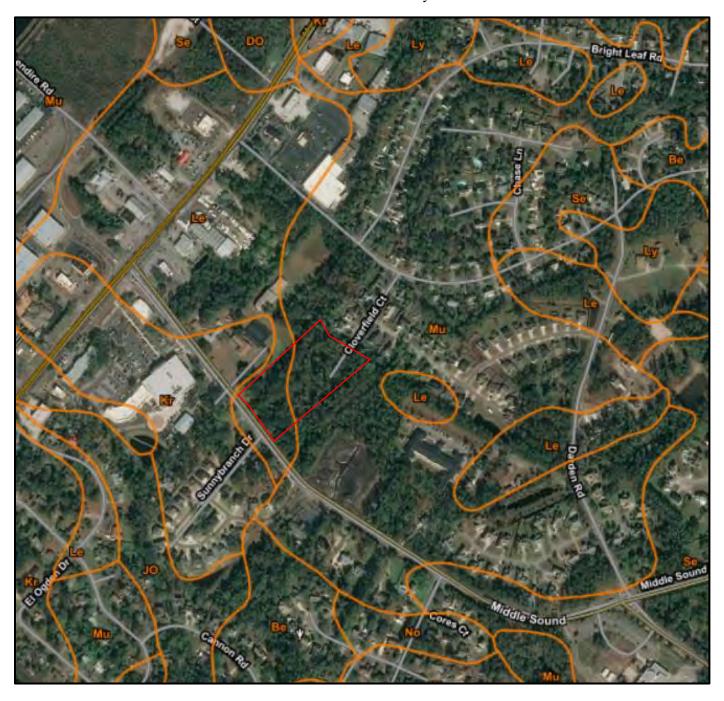
# **ATTACHMENT 10:**

**Farmlands Protection** 

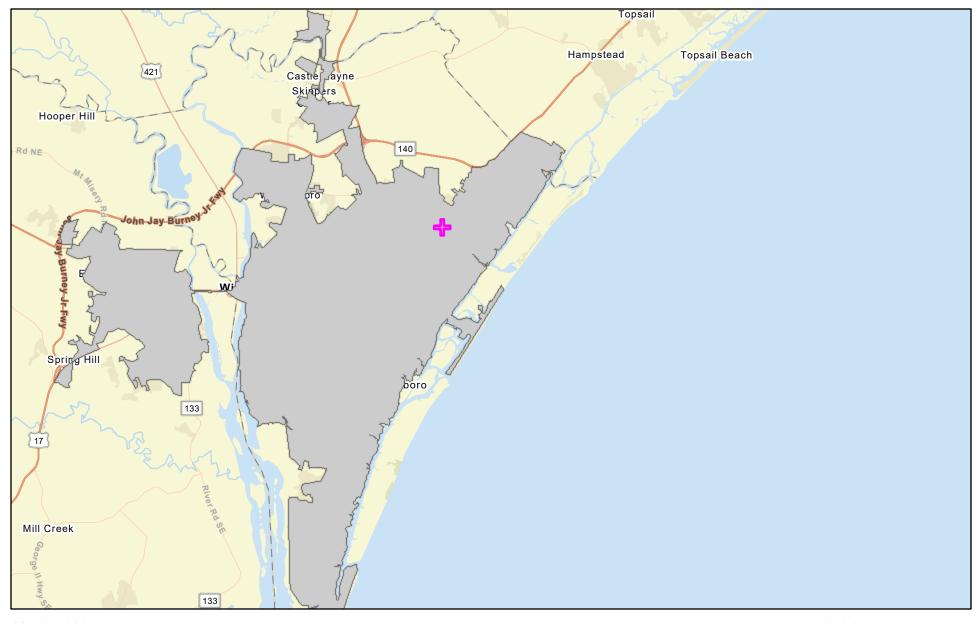




Attachment 21
USDA Soil Survey



# Residence at Canopy Pointe - Urbanized Area



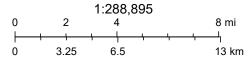
May 27, 2022

4

Search Result (point)



**Urbanized Areas** 



Esri, HERE, Garmin, SafeGraph, METI/NASA, USGS, EPA, NPS, USDA, EPA OEI



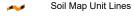
#### MAP LEGEND

### Area of Interest (AOI)

Area of Interest (AOI)

#### Soils

Soil Map Unit Polygons



Soil Map Unit Points

#### **Special Point Features**

Blowout

Borrow Pit 

\* Clay Spot

Closed Depression

Gravel Pit

**Gravelly Spot** 

Landfill ۵

Lava Flow

Marsh or swamp

Mine or Quarry

Miscellaneous Water

Perennial Water

Rock Outcrop

Saline Spot Sandy Spot

Severely Eroded Spot 0

Sinkhole

Slide or Slip

Sodic Spot

Spoil Area

â Stony Spot

00 Very Stony Spot

Wet Spot Other

Special Line Features

#### Water Features

Δ

Streams and Canals

#### Transportation

Rails ---

Interstate Highways

**US Routes** 

Major Roads

Local Roads

#### Background

Aerial Photography

#### MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15.800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: New Hanover County, North Carolina Survey Area Data: Version 23, Jan 21, 2022

Soil map units are labeled (as space allows) for map scales 1:50.000 or larger.

Date(s) aerial images were photographed: Nov 21, 2018—Nov 28. 2018

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

# **Map Unit Legend**

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Le	Leon sand	1.4	28.1%
Mu	Murville fine sand	3.6	71.9%
Totals for Area of Interest		5.1	100.0%

### **New Hanover County, North Carolina**

#### Le-Leon sand

#### **Map Unit Setting**

National map unit symbol: 3wrb Elevation: 20 to 160 feet

Mean annual precipitation: 40 to 55 inches Mean annual air temperature: 59 to 70 degrees F

Frost-free period: 200 to 280 days

Farmland classification: Farmland of unique importance

#### **Map Unit Composition**

Leon and similar soils: 80 percent

Estimates are based on observations, descriptions, and transects of

the mapunit.

#### **Description of Leon**

#### Setting

Landform: Flats on marine terraces

Down-slope shape: Linear Across-slope shape: Concave

Parent material: Sandy fluviomarine deposits and/or eolian sands

#### Typical profile

A - 0 to 3 inches: sand E - 3 to 15 inches: sand

Bh - 15 to 30 inches: fine sand BE - 30 to 33 inches: fine sand E' - 33 to 66 inches: fine sand B'h - 66 to 80 inches: fine sand

#### **Properties and qualities**

Slope: 0 to 2 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Poorly drained

Runoff class: Very low

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.20 to 1.98 in/hr)

Depth to water table: About 0 to 12 inches

Frequency of flooding: None Frequency of ponding: None

Available water supply, 0 to 60 inches: Low (about 3.8 inches)

#### Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 4w

Hydrologic Soil Group: A/D

Hydric soil rating: Yes

# **Data Source Information**

Soil Survey Area: New Hanover County, North Carolina

Survey Area Data: Version 23, Jan 21, 2022

### New Hanover County, North Carolina

#### Mu-Murville fine sand

#### **Map Unit Setting**

National map unit symbol: 3wrh Elevation: 20 to 160 feet

Mean annual precipitation: 40 to 55 inches Mean annual air temperature: 59 to 70 degrees F

Frost-free period: 200 to 280 days

Farmland classification: Farmland of unique importance

#### **Map Unit Composition**

Murville, undrained, and similar soils: 80 percent Murville, drained, and similar soils: 10 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

#### **Description of Murville, Undrained**

#### Setting

Landform: Depressions on marine terraces, flats on marine terraces

Down-slope shape: Concave Across-slope shape: Concave

Parent material: Sandy fluviomarine deposits and/or eolian sands

#### Typical profile

A - 0 to 8 inches: fine sand Bh - 8 to 45 inches: fine sand C - 45 to 80 inches: fine sand

#### **Properties and qualities**

Slope: 0 to 2 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Very poorly drained

Runoff class: Negligible

Capacity of the most limiting layer to transmit water (Ksat): High

(1.98 to 5.95 in/hr)

Depth to water table: About 0 inches

Frequency of flooding: None Frequency of ponding: Frequent

Available water supply, 0 to 60 inches: Low (about 4.8 inches)

#### Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 5w

Hydrologic Soil Group: A/D Hydric soil rating: Yes

#### **Description of Murville, Drained**

#### Setting

Landform: Depressions on marine terraces, flats on marine terraces

Down-slope shape: Concave Across-slope shape: Concave

Parent material: Sandy fluviomarine deposits and/or eolian sands

#### **Typical profile**

A - 0 to 8 inches: fine sand Bh - 8 to 45 inches: fine sand C - 45 to 80 inches: fine sand

#### **Properties and qualities**

Slope: 0 to 2 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Very poorly drained

Runoff class: Negligible

Capacity of the most limiting layer to transmit water (Ksat): High

(1.98 to 5.95 in/hr)

Depth to water table: About 0 inches

Frequency of flooding: None Frequency of ponding: None

Available water supply, 0 to 60 inches: Low (about 4.8 inches)

#### Interpretive groups

Land capability classification (irrigated): None specified Land capability classification (nonirrigated): 3w Hydrologic Soil Group: A/D Hydric soil rating: Yes

## **Data Source Information**

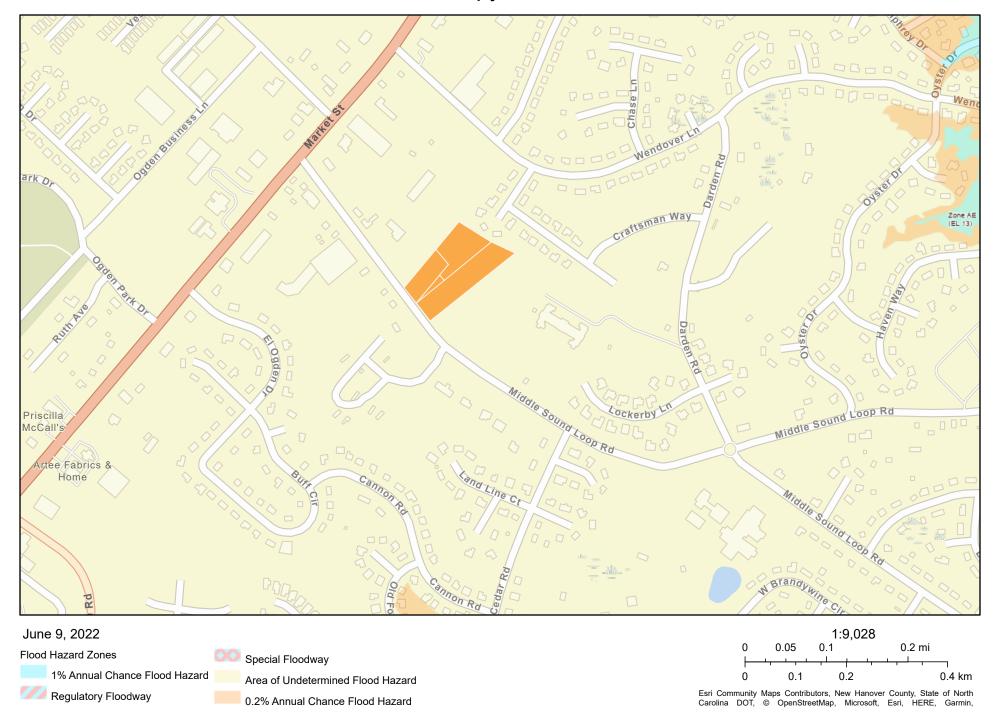
Soil Survey Area: New Hanover County, North Carolina

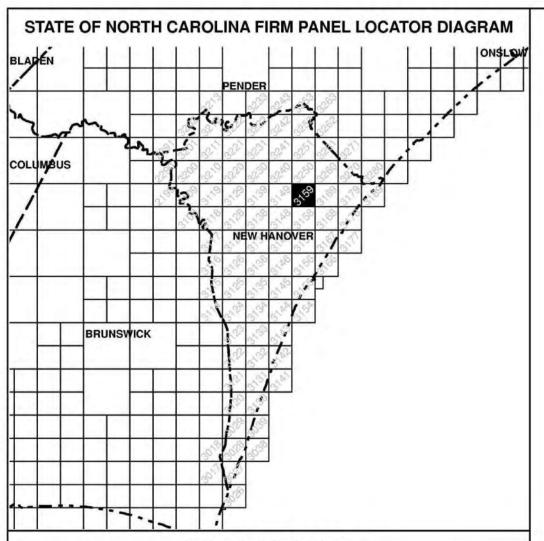
Survey Area Data: Version 23, Jan 21, 2022

# **ATTACHMENT 11:**

Floodplain Management

# Residence at Canopy Pointe - FEMA FIRM





#### DATUM INFORMATION

The **projection** used in the preparation of this map was the North Carolina State Plane (FIPSZONE 3200). The **horizontal datum** was the North American Datum of 1983, GRS80 ellipsoid. Differences in datum, ellipsoid, projection, or Universal Transverse Mercator zones used in the production of FIRMS for adjacent jurisdictions may result in slight positional differences in map features across jurisdictional boundaries. These differences do not affect the accuracy of this FIRM. All coordinates on this map are in U.S. Survey Feet, where 1 U.S. Survey Foot = 1200/3937 Meters.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988 (NAVD 88). These flood elevations must be compared to structure and ground elevations referenced to the same vertical datum. An average offset between NAVD 88 and the National Geodetic Vertical Datum of 1929 (NGVD 29) has been computed for each North Carolina county. This offset was then applied to the NGVD 29 flood elevations that were not revised during the creation of this statewide format FIRM. The offsets for each county shown on this FIRM panel are shown in the vertical datum offset table below. Where a county boundary and a flooding source with unrevised NGVD 29 flood elevations are coincident, an individual offset has been calculated and applied during the creation of this statewide format FIRM. See Section 6.1 of the accompanying Flood Insurance Study report to obtain further information on the conversion of elevations between NAVD 88 and NGVD 29. To obtain current elevation, description, and/or location information for bench marks shown on this map, please contact the North Carolina Geodetic Survey at the address shown below. You may also contact the Information Services Branch of the National Geodetic Survey at (301) 713-3242, or visit its website at http://www.ngs.noaa.gov.

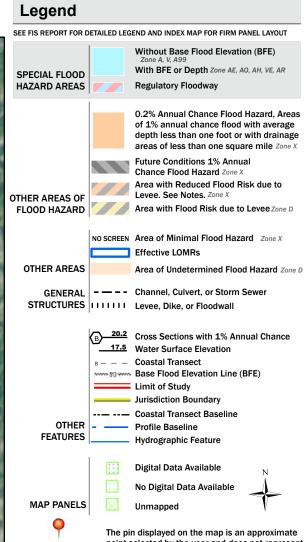
North Carolina Geodetic Survey 121 West Jones Street Raleigh, NC 27601 (919) 733-3836 http://www.ncgs.state.nc.us

county	Average	Vertical	Datum	Offset	Table
County			Vertical Da	atum Offse	et (ft)
NEW HANOVER			-0.95		
	Evernele: N	AVID on A	OVD 00	(0.05)	_



# National Flood Hazard Layer FIRMette





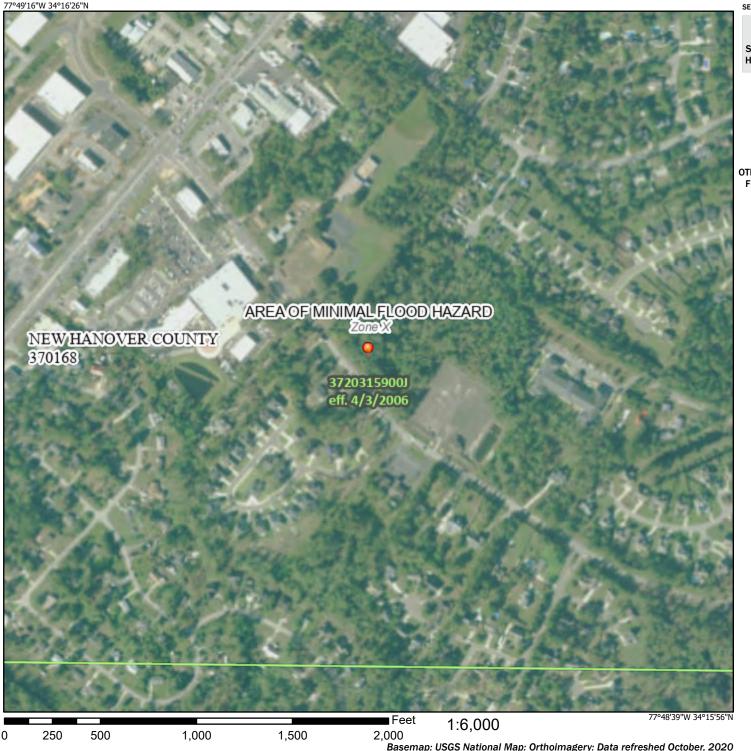
The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 12/3/2021 at 11:17 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

become superseded by new data over time.



# **ATTACHMENT 12:**

**Historic Preservation** 

#### Gievers, Andrea

**From:** Gievers, Andrea

Sent: Wednesday, December 8, 2021 11:48 AM

**To:** DCR - Environmental\_Review

**Cc:** Gledhill-earley, Renee

**Subject:** Section 106 Review HUD CDBG-DR - The Residence at Canopy Pointe

Attachments: NCORR SHPO No HP Affected Pkg RCP 12.8.21.pdf

#### Dear Ms. Gledhill-Earley:

Please find attached the request for your review *The Residence at Canopy Pointe Proposed Project* in accordance with Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations, 36 CFR Part 800. A general NEPA scoping package was sent today to the NC State Clearinghouse. NCORR respectfully requests your review of the proposed project described herein. In accordance with §800.4(d)(1)(i), your office has *thirty days* to object to this finding. If you have any questions or require additional information regarding this request, please feel free to contact Andrea Gievers at (845) 682-1700 or via email at <a href="mailto:Andrea.L.Gievers@Rebuild.NC.gov">Andrea.L.Gievers@Rebuild.NC.gov</a>. Thank you for your time and assistance.

Sincerely,

#### Andrea

Andrea Gievers, JD, MSEL, ERM
Environmental SME
Community Development
NC Office of Recovery and Resiliency
Andrea.L.Gievers@Rebuild.NC.Gov
(845) 682-1700



# **North Carolina Department of Public Safety**

## Office of Recovery and Resiliency

Roy Cooper, Governor Casandra Skinner Hoekstra, Interim Secretary

Laura H. Hogshead, Director

December 8, 2021

Ms. Renee Gledhill-Earley Environmental Review Coordinator NC State Historic Preservation Office 4617 Mail Service Center Raleigh, NC 27699-4617

Via email: Environmental.Review@ncdcr.gov renee.gledhill-earley@ncdcr.gov

RE: State Historic Preservation Office Request for Concurrence Section 106 Review - HUD CDBG-DR Program Proposed The Residence at Canopy Pointe 205 Middle Sound Loop Road Wilmington, NC 28411

#### Dear Ms. Gledhill-Earley:

In accordance with Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations, 36 CFR Part 800, we are providing information for your review and concurrence regarding the above-referenced project. The North Carolina Office of Recovery and Resiliency (NCORR), as a recipient of Community Development Block Grant – Disaster Recovery (CDBG-DR) funds from the United States Department of Housing and Urban Development (HUD), is serving as the responsible entity for compliance with the HUD environmental review procedures set forth in 24 CFR Part 58. NCORR is acting on behalf of HUD in providing the enclosed project information and request for consultation.

Area of Potential Effects (APE) under §800.16(d): We have defined the APE as the boundary of the Subject Property at 205 Middle Sound Loop Road, Wilmington, New Hanover County, NC 28411. The proposed project site is comprised of four contiguous parcels, (Tract 1 - R04410-001-007-000; Tract 2 - R04410-001-009-000; Tract 3 - R04410-001-010-000; and Tract 4 - R04410-001-008-000) that encompass approximately 4.77 acres (see attached New Hanover County GIS Map). The parcels have been conditionally zoned Multi-Family, medium density (see attached New Hanover County Zoning Map), and the county's Future Land Use Plan designates the property as residential (see attached). The proposed project location maps are included in the attachments for your review.

Mailing Address: Post Office Box 110465 Durham, NC 27709



Telephone: 984.833.5350 <u>www.ncdps.gov</u> www.rebuild.nc.gov The State of North Carolina was adversely impacted by the landfall of Hurricanes Matthew (October 8, 2016) and Florence (September 14, 2018). These hurricanes damaged or destroyed hundreds of homes worsening the affordable housing shortage. This proposed project will increase affordable housing inventory for low- and moderate-income families. Therefore, funding for the proposed project will be provided in part by the HUD CDBG-DR North Carolina Affordable Housing Development Fund Program for Hurricane Florence storm recovery activities in North Carolina.

Proposed Project Description: The Residence at Canopy Pointe is a proposed affordable housing community located at 205 Middle Sound Loop Road, Wilmington, New Hanover County, NC 28411. This newly constructed community entails constructing a three-story building that will provide 70 residential units, as well as a computer center, on the first floor, a movie room, on the second floor, and a multi-purpose room, on the third. Outdoor sitting areas and an exercise room are also part of the plan. The buildings and parking lot will be nestled into the existing property fabric, by *preserving as much vegetation as possible*, provide buffers to adjacent properties, and employing low impact design techniques, for stormwater management. The conceptual plan proposes to utilize a stormwater detention pond, which will treat collected runoff, from the added built upon area, before it discharges offsite and eventually into downstream receiving waters. It is important to note, that the Cape Fear Public Utility Authority have sewer and water lines in place, along Middle Sound Loop Road, thus there is no need to perform work outside the proposed project location. The proposed project will be located on property with street frontage on Middle Sound Loop Road, adjacent to Living Water Ministries, to the west, White Oaks Apartments, to the east, and The Fields at Wendover neighborhood, to the north (see attached New Hanover County GIS Map). The proposed project site plans are included in the attachments.

The site is relatively flat and densely wooded, with shrubs and woody vines making up the understory, while pines and Red Maple are the dominant tree species. Numerous trees have been blown over during recent hurricanes (i.e., Florence and Isaias). There are no snags within the project limits. There are no streams or wetlands within the project limits, but a man-made ditch extends into Tract 3, from north to south. The ditch does not hold water and is devoid of vegetation, due to shading. See attached photos, which illustrate the existing conditions.

Approximately 4.5 acres of the proposed project site will be disturbed, with approximately 2.3 acres being converted to built-upon area. Due to the proposed land disturbance exceeding 1 acre, a NC Division of Energy, Minerals and Land Resources NPDES NCG010000 permit is required and will ensure best management practices, such as installing silt fence, temporary sediment basins/traps and construction entrance, are installed prior undertaking land disturbance activities. The measures will be inspected at least every seven days and/or after a rain event that produces more than one inch of rain within a twenty four hour period. Non-potable water will be used to contain dust, during the construction process.

We have made a Finding of "No Historic Properties Affected" pursuant to 36 CFR 800.4(d)(1) based on the following:

A review of the Subject Property in the National Register of Historic Places, North Carolina State Historic Preservation Office's HPOWEB, and site review performed by Southern Environmental Group, Inc., identified no publicly recorded historic properties which are locally designated or listed in or eligible for inclusion in the State or National Register of Historic Places are located on or adjacent to the Subject Property. The Subject Property on historical aerial photographs shows two residential structures built between 1958 and 1969 on the southern portion of the property. By 2009, both structures were demolished, and the rubble removed from the property. The proposed development will be a multifamily apartment complex and, therefore, typical clearing and grading will take place as noted above on the Subject Property during construction. The HPOWeb results and Subject Property historical aerial photographs are included in the attachments.

Attached for your review are copies of relevant documents supporting our finding, along with photographs and a map showing the location of the Subject Property. This documentation satisfies requirements set forth at §800.11(d).

NCORR processes environmental reviews for proposed projects funded with HUD CDBG-DR on a case-by-case basis. A consultation request for the proposed project described herein will also be sent to the Catawba Indian Nation. In accordance with Section 101(d)(6)(B) of the NHPA of 1966, as amended (16 U.S.C. 470f), and its implementing regulations, 36 CFR Part 800, this letter serves as notification of the proposed action.

NCORR respectfully requests your review of the proposed project described herein. In accordance with §800.4(d)(1)(i), your office has *thirty days* to object to this finding. Please respond within this timeframe, otherwise we will assume that you concur with our finding. If you concur, please sign on the line below and return a copy of this letter by email to Andrea Gievers at Andrea.L.Gievers@Rebuild.NC.gov.

If you have any questions or require additional information regarding this request, please feel free to contact Andrea Gievers at (845) 682-1700 or via email at <a href="mailto:Andrea.L.Gievers@Rebuild.NC.gov">Andrea.L.Gievers@Rebuild.NC.gov</a>. Thank you for your time and assistance.

Sincerely,

Andrea Gievers, JD, MSEL, ERM Environmental Subject Matter Expert

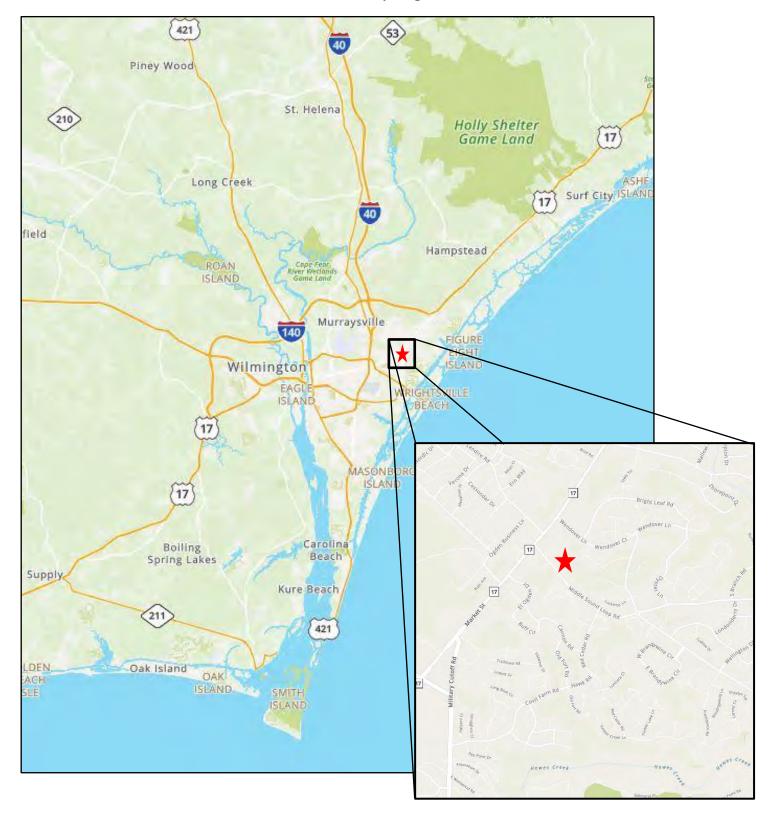
NCORR – Community Development

## **Proposed** The Residence at Canopy Pointe Attachments:

- 1. Vicinity Map
- 2. New Hanover County GIS Map
- 3. New Hanover County Zoning Map and Future Land Use Map
- 4. USGS Topographic Map and LiDAR Map
- 5. The Residence at Canopy Pointe Conceptual Plan
- 6. FEMA FIRMette Map
- 7. NC State Historic Preservation Office HPOWEB 2.0 Map
- 8. Historical Aerial Photo Packet
- 9. Existing Conditions Site Photographs

Concurrence:	
State Historic Preservation Officer	Date

Attachment 1
Vicinity Map



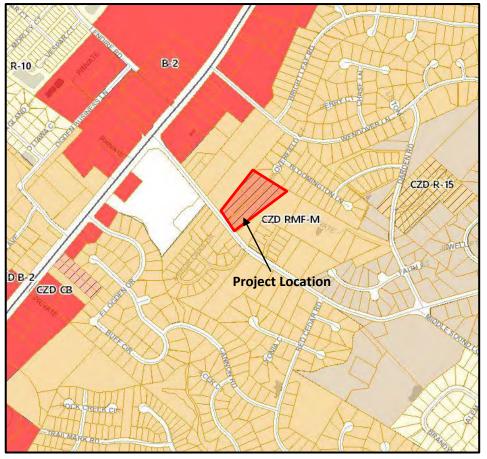
Attachment 2

Aerial Photograph



Attachment 3

New Hanover County Zoning Map and Future Land Use Plan

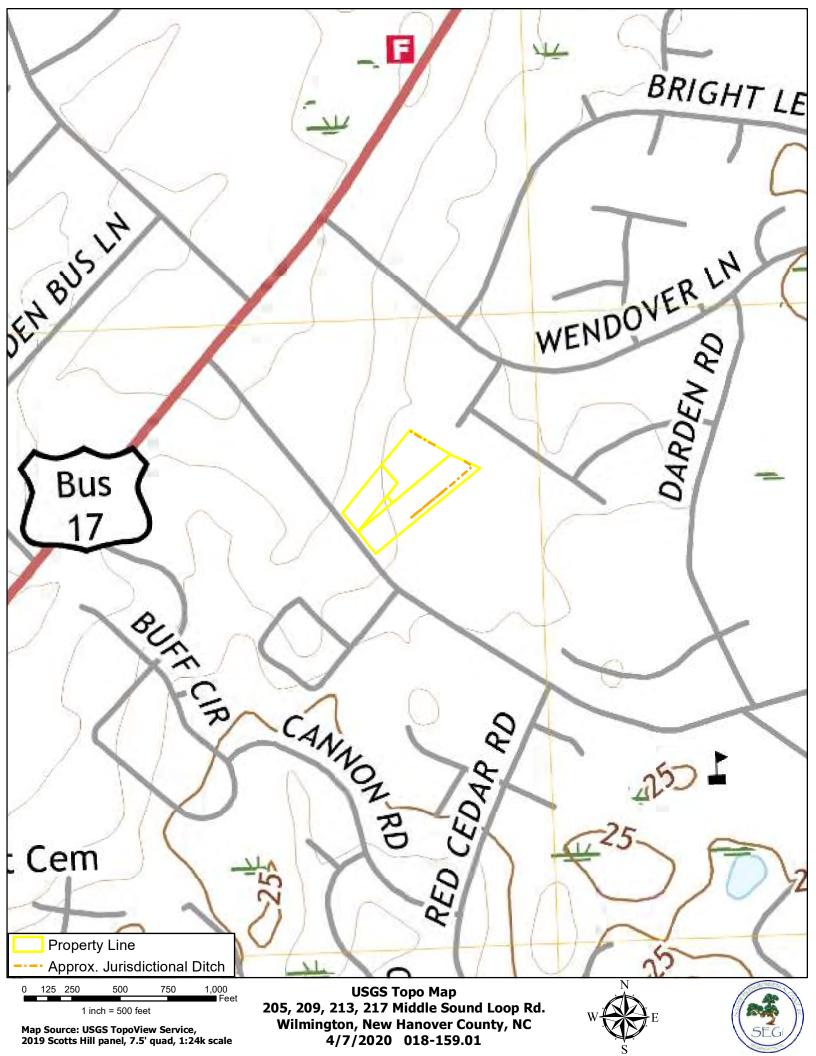


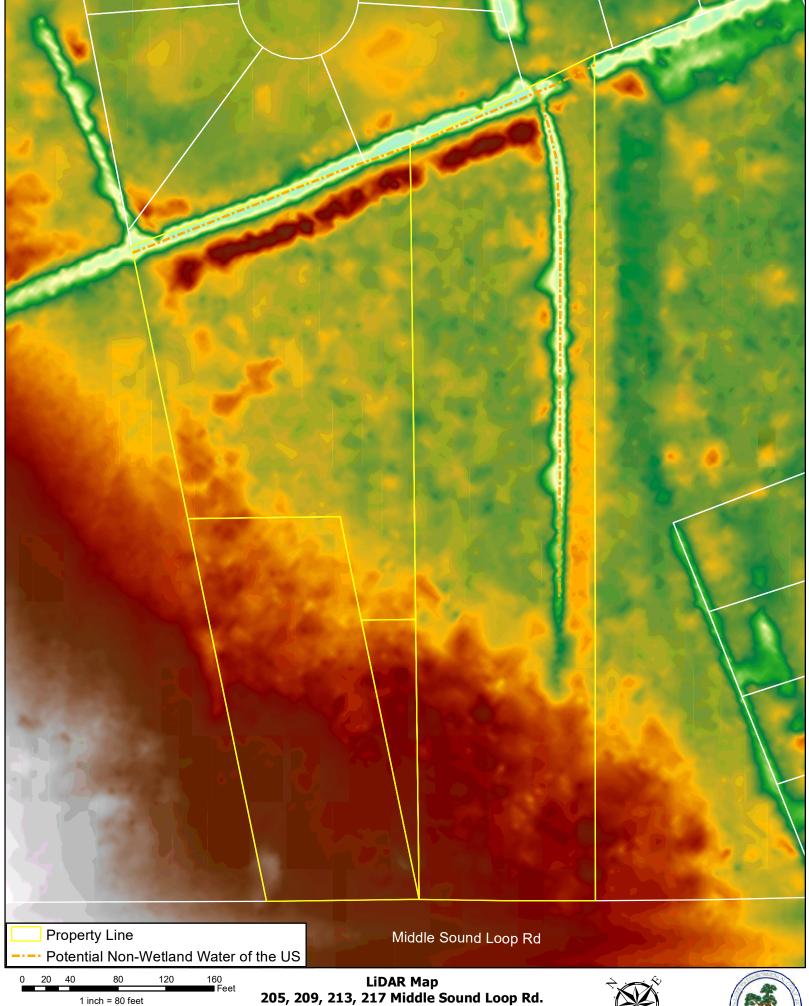
New Hanover County Zoning Map



New Hanover County Future Land Use Map

USGS Topographic Map & LiDAR





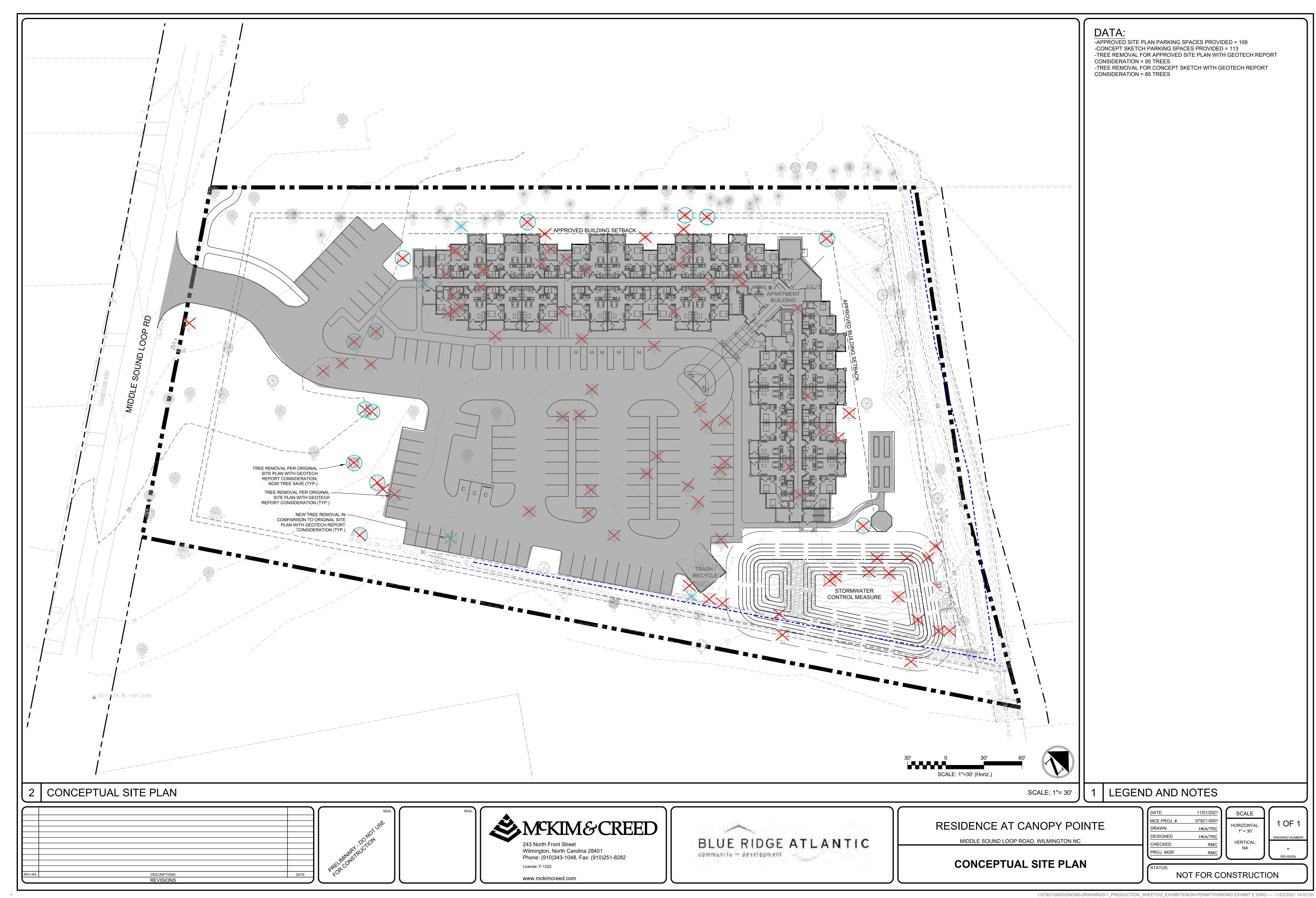
205, 209, 213, 217 Middle Sound Loop Rd. Wilmington, New Hanover County, NC 4/7/2020 018-159.01

Map Source: 2014 QL2 LiDAR DEM

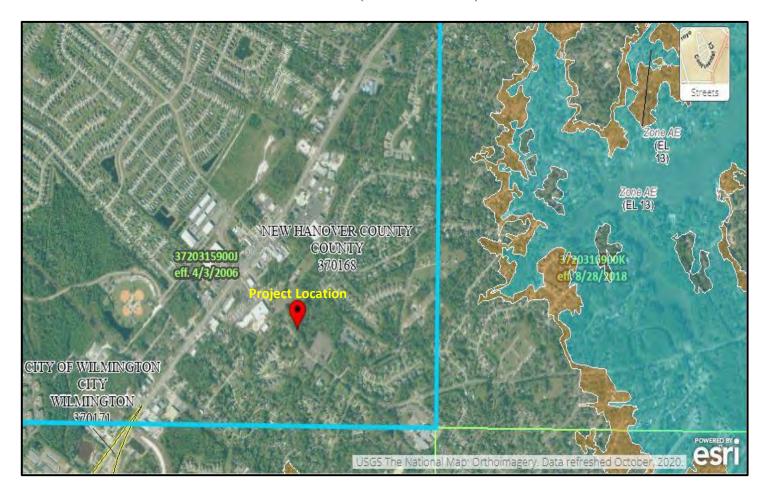




The Residences at Canopy Pointe Concept Plan

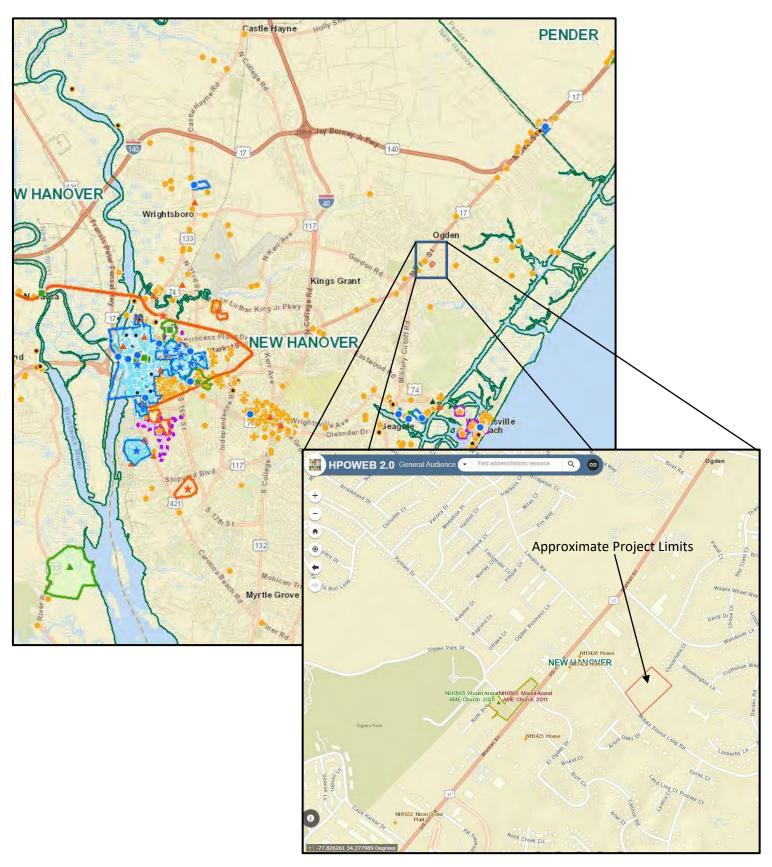


#### FEMA FIRMETTE Map 3720315900J (Effective 4/6/2006)



Attachment 7

NC State Historic Preservation Office HPOWEB 2.0 Map



## **Historical Aerial Photo Packet**

# The Residences at Canopy Pointe

217 MIDDLE SOUND LOOP RD WILMINGTON, NC 28411

Inquiry Number: 6771967.5

December 03, 2021

# The EDR Aerial Photo Decade Package



## **EDR Aerial Photo Decade Package**

12/03/21

Site Name: Client Name:

The Residences at Canopy Poi 217 MIDDLE SOUND LOOP R WILMINGTON, NC 28411 EDR Inquiry # 6771967.5 Southern Env. Group Inc. 5315 South College Road Wilmington, NC 28412 Contact: Dana Lutheran



Environmental Data Resources, Inc. (EDR) Aerial Photo Decade Package is a screening tool designed to assist environmental professionals in evaluating potential liability on a target property resulting from past activities. EDR's professional researchers provide digitally reproduced historical aerial photographs, and when available, provide one photo per decade.

#### Search Results:

<u>Year</u>	<u>Scale</u>	<u>Details</u>	Source
2016	1"=500'	Flight Year: 2016	USDA/NAIP
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1998	1"=500'	Acquisition Date: January 01, 1998	USGS/DOQQ
1993	1"=500'	Acquisition Date: February 03, 1993	USGS/DOQQ
1989	1"=500'	Flight Date: July 11, 1989	USGS
1983	1"=500'	Flight Date: March 13, 1983	NHAP
1975	1"=500'	Flight Date: April 01, 1975	USGS
1970	1"=500'	Flight Date: September 29, 1970	USGS
1969	1"=500'	Flight Date: April 08, 1969	USGS
1964	1"=500'	Flight Date: April 01, 1964	USGS
1958	1"=500'	Flight Date: January 01, 1958	USGS
1950	1"=500'	Flight Date: November 21, 1950	USGS
1938	1"=500'	Flight Date: March 25, 1938	USDA

When delivered electronically by EDR, the aerial photo images included with this report are for ONE TIME USE ONLY. Further reproduction of these aerial photo images is prohibited without permission from EDR. For more information contact your EDR Account Executive.

#### **Disclaimer - Copyright and Trademark Notice**

This Report contains certain information obtained from a variety of public and other sources reasonably available to Environmental Data Resources, Inc. It cannot be concluded from this Report that coverage information for the target and surrounding properties does not exist from other sources. NO WARRANTY EXPRESSED OR IMPLIED, IS MADE WHATSOEVER IN CONNECTION WITH THIS REPORT. ENVIRONMENTAL DATA RESOURCES, INC. SPECIFICALLY DISCLAIMS THE MAKING OF ANY SUCH WARRANTIES, INCLUDING WITHOUT LIMITATION, MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE. ALL RISK IS ASSUMED BY THE USER. IN NO EVENT SHALL ENVIRONMENTAL DATA RESOURCES, INC. BE LIABLE TO ANYONE, WHETHER ARISING OUT OF ERRORS OR OMISSIONS, NEGLIGENCE, ACCIDENT OR ANY OTHER CAUSE, FOR ANY LOSS OF DAMAGE, INCLUDING, WITHOUT LIMITATION, SPECIAL, INCIDENTAL, CONSEQUENTIAL, OR EXEMPLARY DAMAGES. ANY LIABILITY ON THE PART OF ENVIRONMENTAL DATA RESOURCES, INC. IS STRICTLY LIMITED TO A REFUND OF THE AMOUNT PAID FOR THIS REPORT. Purchaser accepts this Report "AS IS". Any analyses, estimates, ratings, environmental risk levels or risk codes provided in this Report are provided for illustrative purposes only, and are not intended to provide, nor should they be interpreted as providing any facts regarding, or prediction or forecast of, any environmental risk for any property. Only a Phase I Environmental Site Assessment performed by an environmental professional can provide information regarding the environmental risk for any property. Additionally, the information provided in this Report is not to be construed as legal advice.

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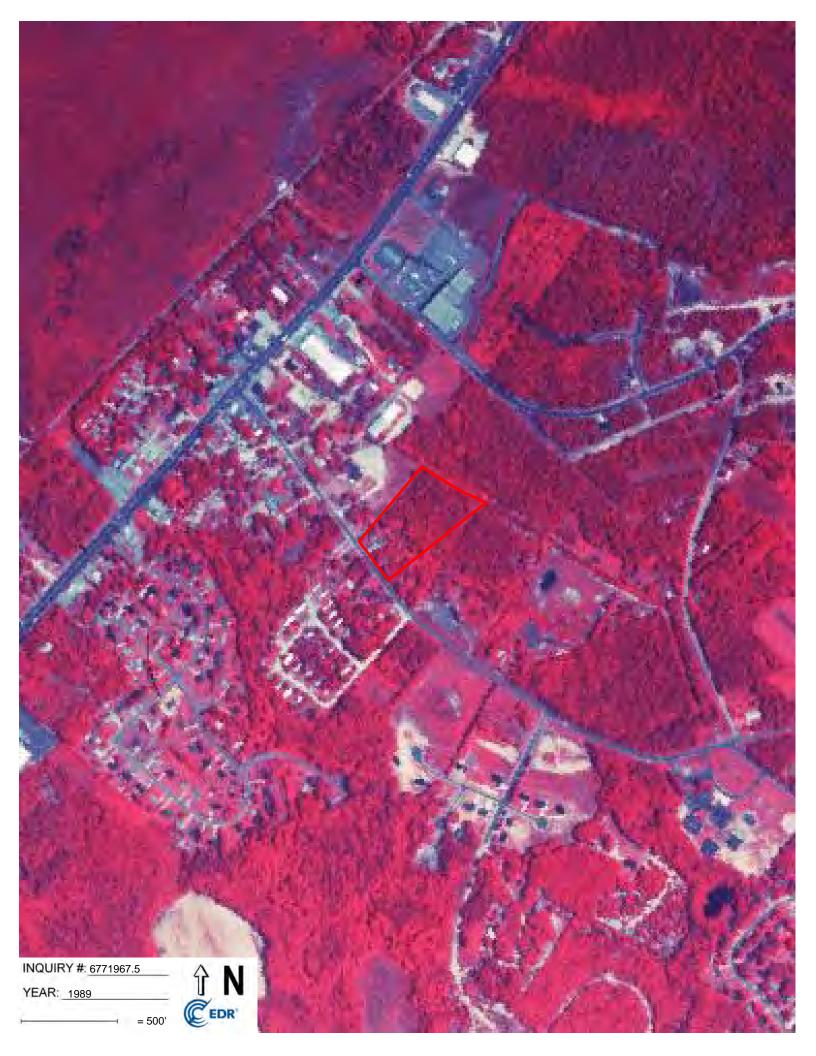










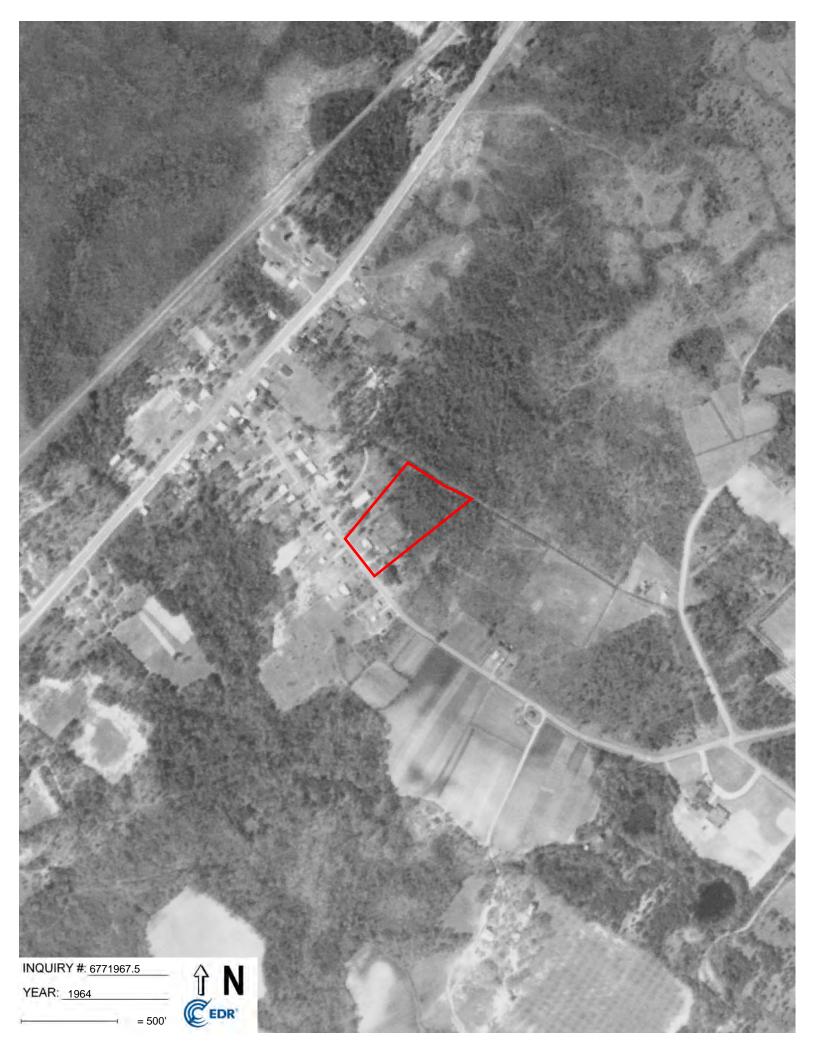


















# **Existing Conditions Site Photos**

# **Existing Conditions Site Photos**



Photo 1: Looking east, from southwest corner of the property, down Middle Sound Loop Road



Photo 3: Looking west, at the intersection of Middle Sound Loop Road and Market Street



Photo 5: Looking south, across the street from the property



Photo 2: Looking west, from middle of the property, on Middle Sound Loop Road



Photo 4: Western adjacent property



Photo 6: Typical storm debris



Photo 7: Typical understory



Photo 8: Typical understory



Photo 9: Ditch located on the eastern side of the property



#### North Carolina Department of Natural and Cultural Resources

#### **State Historic Preservation Office**

Ramona M. Bartos, Administrator

Governor Roy Cooper Secretary D. Reid Wilson Office of Archives and History Deputy Secretary, Darin J. Waters, Ph.D.

January 26, 2022

**MEMORANDUM** 

TO: Andrea Grievers

andrea.l.gievers@rebuild.nc.gov

Office of Recovery and Resiliency NC Department of Public Safety

FROM: Ramona M. Bartos Peller Ramona M. Bartos

Deputy State Historic Preservation Officer

SUBJECT: Construct The Residence at Canopy Pointe, 205 Middle Sound Loop Road, Wilmington,

New Hanover County, ER 21-3173

Thank you for your letter of December 8, 2021, regarding the above-referenced undertaking. We apologize for the delay and any inconvenience it may have caused. We have reviewed the submittal and offer the following comments.

We have conducted a review of the project and are aware of no historic resources which would be affected by the project. Therefore, we have no comment on the project as proposed.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

Thank you for your cooperation and consideration. If you have questions concerning the above comment, contact Renee Gledhill-Earley, environmental review coordinator, at 919-814-6579 or <a href="mailto:environmental.review@ncdcr.gov">environmental.review@ncdcr.gov</a>. In all future communication concerning this project, please cite the above referenced tracking number.



# STATE OF NORTH CAROLINA DEPARTMENT OF ADMINISTRATION

Roy Cooper Governor Pamela B. Cashwell Secretary

February 2, 2022

Andrea Gievers
The Residence at Canopy Pointe
c/o NC Department of Public Safety
Office of Recovery and Resiliency
Durham, NC 27709-

Re: SCH File # 22-E-4600-0126 Proposed project is for the construction of The Residence at Canopy Pointe. The proposed project involves the construction of a three-story building that will provide 70 residential units, as well as a computer center, on the first floor, a movie room, on the second floor, and a multi-purpose room,

#### Dear Andrea Gievers:

The above referenced environmental impact information has been submitted to the State Clearinghouse under the provisions of the National Environmental Policy Act. According to G.S. 113A-10, when a state agency is required to prepare an environmental document under the provisions of federal law, the environmental document meets the provisions of the State Environmental Policy Act. Attached to this letter for your consideration are comments made by the agencies in the review of this document.

If any further environmental review documents are prepared for this project, they should be forwarded to this office for intergovernmental review.

Should you have any questions, please do not hesitate to call.

Sincerely,

**CRYSTAL BEST** 

State Environmental Review Clearinghouse

Attachments

Mailing Address: NC DEPARTMENT OF ADMINISTRATION 1301 MAIL SERVICE CENTER RALEIGH, NC 27699-1301 Telephone: (919)807-2425 Fax: (919)733-9571 COURIER: #51-01-00

Email: state.clearinghouse@doa.nc.gov Website: www.ncadmin.nc.gov Location: 116 WEST JONES STREET RALEIGH, NORTH CAROLINA Control No.: 22-E-4600-0126 Date Received: 12/10/2021 **NEW HANOVER** Agency Response: 1/10/2022 County.: Review Closed: 1/10/2022 **DEVON BORGARDT CLEARINGHOUSE COORDINATOR DEPT OF NATURAL & CULTURAL RESOURCE Project Information** National Environmental Policy Act ping Type: Applicant: The Residence at Canopy Pointe Project Desc.: Proposed project is for the construction of The Residence at Canopy Pointe. The proposed project involves the construction of a three-story building that will provide 70 residential units, as well as a computer center, on the first floor, a movie room, on the second floor, and a multipurpose room, on the third. Outdoor sitting areas and an exercise room are also part of the plan. As a result of this review the following is submitted: No Comment Comments Below ✓ Documents Attached

Reviewed By: DEVON BORGARDT Date: 2/2/2022



#### North Carolina Department of Natural and Cultural Resources

#### **State Historic Preservation Office**

Ramona M. Bartos, Administrator

Governor Roy Cooper Secretary D. Reid Wilson Office of Archives and History Deputy Secretary, Darin J. Waters, Ph.D.

January 26, 2022

**MEMORANDUM** 

TO: Andrea Grievers

andrea.l.gievers@rebuild.nc.gov

Office of Recovery and Resiliency NC Department of Public Safety

FROM: Ramona M. Bartos Peller Ramona M. Bartos

Deputy State Historic Preservation Officer

SUBJECT: Construct The Residence at Canopy Pointe, 205 Middle Sound Loop Road, Wilmington,

New Hanover County, ER 21-3173

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We have conducted a review of the project and are aware of no historic resources which would be affected by the project. Therefore, we have no comment on the project as proposed.

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12/8/21, 10:13 AM TDAT



# Tribal Directory Assessment Information



#### Contact Information for Tribes with Interests in New Hanover County, North Carolina

	Tribal Name			County Name	
_	Catawba Indian Nation				
Contact Name		Title	N	lailing Address	Work Phone
Dr. Wenonah G. Haire		THPO and Catawba Cultural Center Executive Director	'	536 Tom Steven Road Rock Hill, SC 29730	(803) 328-2427 ext. 224
Bill Harris		Chief	-	96 Avenue of the Nations Rock Hill, SC 29730	(803) 366-4792
<b>▲</b>			<b>&gt;</b>		
1 - 1 of 1 results			« ( 1 ) » 10 <b>~</b>		

https://egis.hud.gov/tdat/



# North Carolina Department of Public Safety

## Office of Recovery and Resiliency

Roy Cooper, Governor Eddie M. Buffaloe, Jr., Secretary Laura H. Hogshead, Director

December 8, 2021

Chief Bill Harris Catawba Indian Nation 996 Avenue of the Nations Rock Hill, SC 29730

RE: Section 106 Review - HUD CDBG-DR Program Proposed The Residence at Canopy Pointe 205 Middle Sound Loop Road Wilmington, NC 28411

#### Dear Chief Bill Harris:

The North Carolina Office of Recovery and Resiliency (NCORR), as a recipient of Community Development Block Grant – Disaster Recovery (CDBG-DR) funds from the United States Department of Housing and Urban Development (HUD), is serving as the responsible entity for compliance with the HUD environmental review procedures set forth in 24 CFR Part 58. NCORR is acting on behalf of HUD in providing the enclosed project information and inviting this discussion with your Nation.

NCORR processes environmental reviews for proposed projects funded with HUD CDBG-DR on a case-by-case basis. In accordance with Section 101(d)(6)(B) of the National Historic Preservation Act (NHPA) of 1966, as amended (16 U.S.C. 470f), and its implementing regulations, 36 CFR Part 800, this letter serves as notification of the proposed action. This letter also serves as an invitation to discussion as a consulting party in this review to help identify historic properties in the proposed project area that may have religious and cultural significance to your Nation, and if such properties exist, to help assess how the proposed project might affect them. If the proposed project might have an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

Mailing Address: Post Office Box 110465 Durham, NC 27709



Phone: (984) 833-5350 www.ncdps.gov www.rebuild.nc.gov Area of Potential Effects (APE) under §800.16(d): We have defined the APE as the boundary of the Subject Property at 205 Middle Sound Loop Road, Wilmington, New Hanover County, NC 28411. The proposed project site is comprised of four contiguous parcels, (Tract 1 - R04410-001-007-000; Tract 2 - R04410-001-009-000; Tract 3 - R04410-001-010-000; and Tract 4 - R04410-001-008-000) that encompass approximately 4.77 acres (see attached New Hanover County GIS Map). The parcels have been conditionally zoned Multi-Family, medium density (see attached New Hanover County Zoning Map), and the county's Future Land Use Plan designates the property as residential (see attached). The proposed project location maps are included in the attachments for your review.

The State of North Carolina was adversely impacted by the landfall of Hurricanes Matthew (October 8, 2016) and Florence (September 14, 2018). These hurricanes damaged or destroyed hundreds of homes worsening the affordable housing shortage. This proposed project will increase affordable housing inventory for low- and moderate-income families. Therefore, funding for the proposed project will be provided in part by the HUD CDBG-DR North Carolina Affordable Housing Development Fund Program for Hurricane Florence storm recovery activities in North Carolina.

Proposed Project Description: The Residence at Canopy Pointe is a proposed affordable housing community located at 205 Middle Sound Loop Road, Wilmington, New Hanover County, NC 28411. This newly constructed community entails constructing a three-story building that will provide 70 residential units, as well as a computer center, on the first floor, a movie room, on the second floor, and a multi-purpose room, on the third. Outdoor sitting areas and an exercise room are also part of the plan. The buildings and parking lot will be nestled into the existing property fabric, by preserving as much vegetation as possible, provide buffers to adjacent properties, and employing low impact design techniques, for stormwater management. The conceptual plan proposes to utilize a stormwater detention pond, which will treat collected runoff, from the added built upon area, before it discharges offsite and eventually into downstream receiving waters. It is important to note, that the Cape Fear Public Utility Authority have sewer and water lines in place, along Middle Sound Loop Road, thus there is no need to perform work outside the proposed project location. The proposed project will be located on property with street frontage on Middle Sound Loop Road, adjacent to Living Water Ministries, to the west, White Oaks Apartments, to the east, and The Fields at Wendover neighborhood, to the north (see attached New Hanover County GIS Map). The proposed project site plans are included in the attachments.

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We have completed an initial review of this project in compliance with Section 106 of the NHPA and its implementing regulations 36 CFR Part 800. Based on our research of the Subject Property in the National Register of Historic Places, North Carolina State Historic Preservation Office's (NC SHPO) HPOWEB, and site review performed by Southern Environmental Group, Inc., no publicly recorded historic properties which are locally designated or listed in or eligible for inclusion in the State or National Register of Historic Places are located on or adjacent to the Subject Property. The HPOWeb results and site photographs are included in the attachments.

The proposed project information has been sent to the NC SHPO in accordance with Section 106 of the NHPA and its implementing regulations, 36 CFR Part 800. The Subject Property on historical aerial photographs shows two residential structures built between 1958 and 1969 on the southern portion of the property. By 2009, both structures were demolished, and the rubble removed from the property. The proposed development will be a multifamily apartment complex and, therefore, typical clearing and grading will take place as noted above on the Subject Property during construction. The proposed development will be a multifamily apartment complex and, therefore, typical clearing and grading will take place on the Subject Property during construction. The Subject Property historical aerial photographs are included in the attachments.

With this letter, NCORR respectfully submits for your review the attached documentation for the proposed project described herein. If the APE encompasses historic properties of religious or cultural significance to your Nation, please respond within 30 days of receipt of this letter indicating a desire to consult. If you have any concerns with potential impacts of the proposed project on historic properties, please note them in your response along with your preferred principal representative's point of contact. Please respond within this timeframe, otherwise we will assume that the proposed project will have no effect to historic properties of religious or cultural significance. Please respond via email at <a href="mailto:Andrea.L.Gievers@Rebuild.NC.gov">Andrea.L.Gievers@Rebuild.NC.gov</a> or in writing to the address listed below.

Ms. Andrea Gievers NCORR - Environmental ATTN: THPO Comments P.O. Box 110465 Durham, NC 27709

If you have any questions or require additional information regarding this request, please feel free to contact Andrea Gievers at (845) 682-1700 or via email at <a href="mailto:Andrea.L.Gievers@Rebuild.NC.gov">Andrea.L.Gievers@Rebuild.NC.gov</a>. Thank you for your time and assistance.

#### Sincerely,

Andrea Gievers, JD, MSEL, ERM NCORR Environmental Subject Matter Expert

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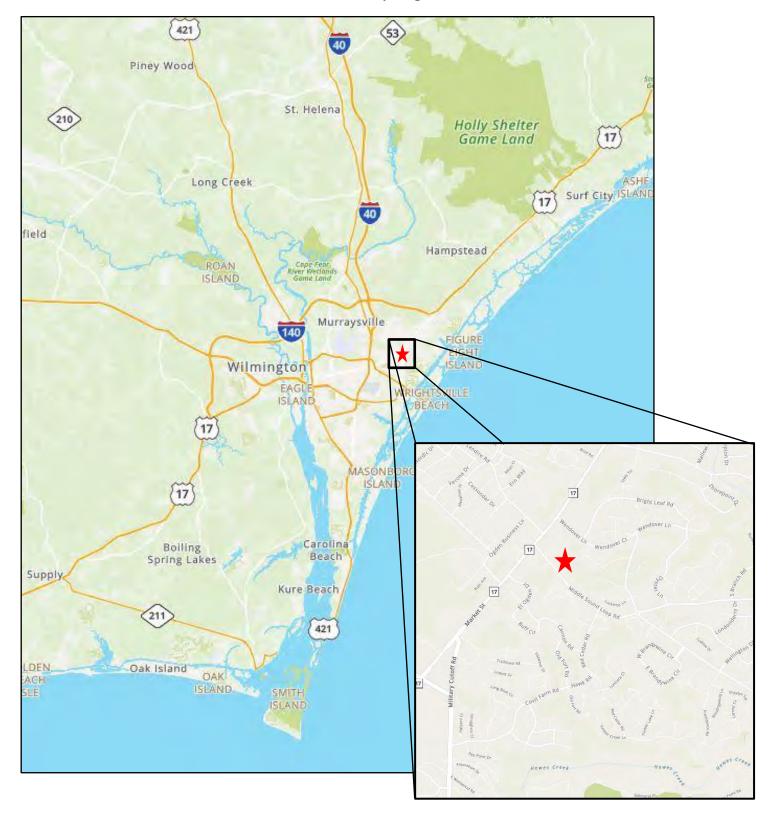
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andrea Sievers

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- 9. Existing Conditions Site Photographs

cc: Dr. Wenonah George Haire, THPO, Catawba Indian Nation, 1536 Tom Steven Road, Rock Hill, SC 29730

Attachment 1
Vicinity Map



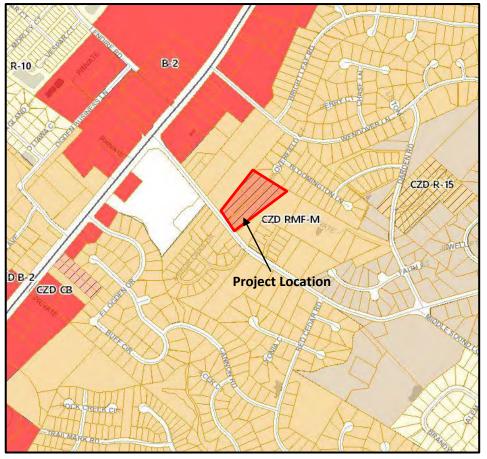
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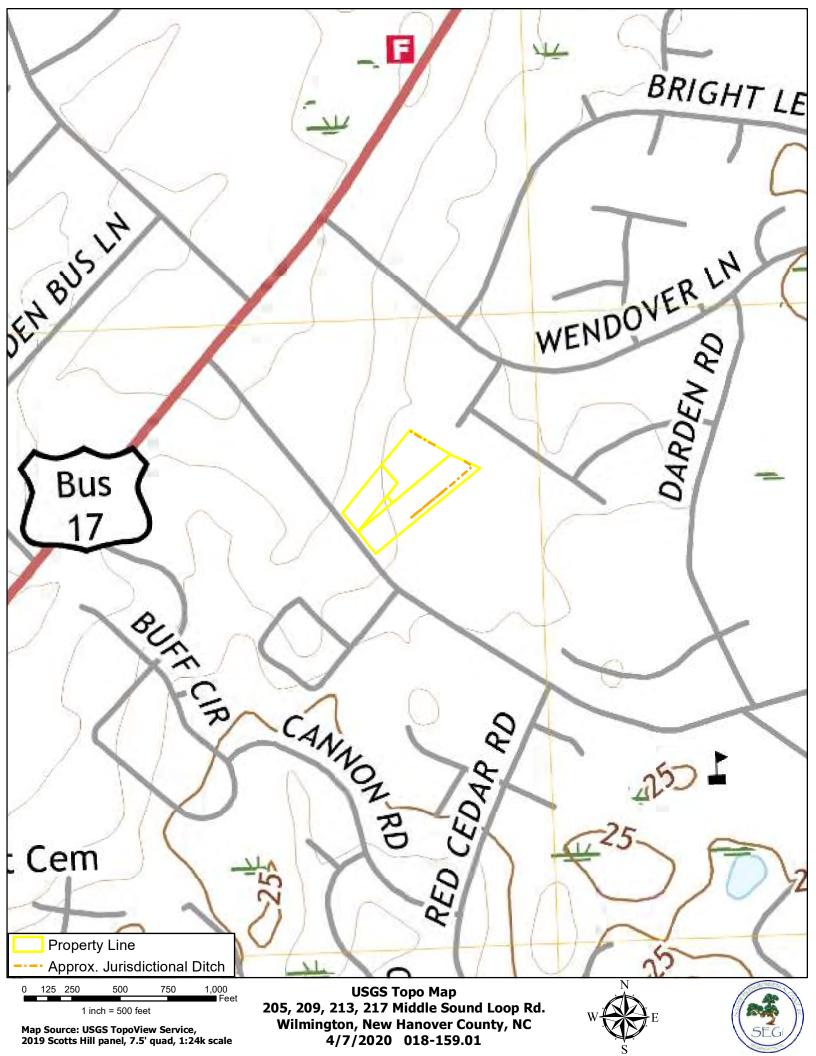


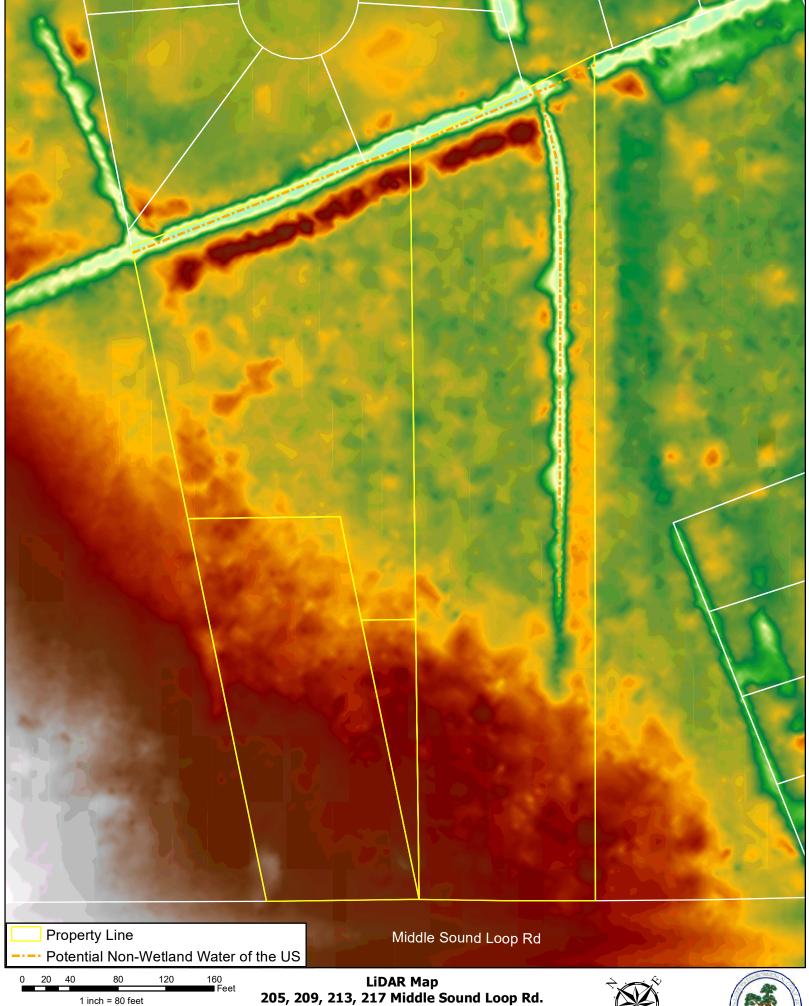
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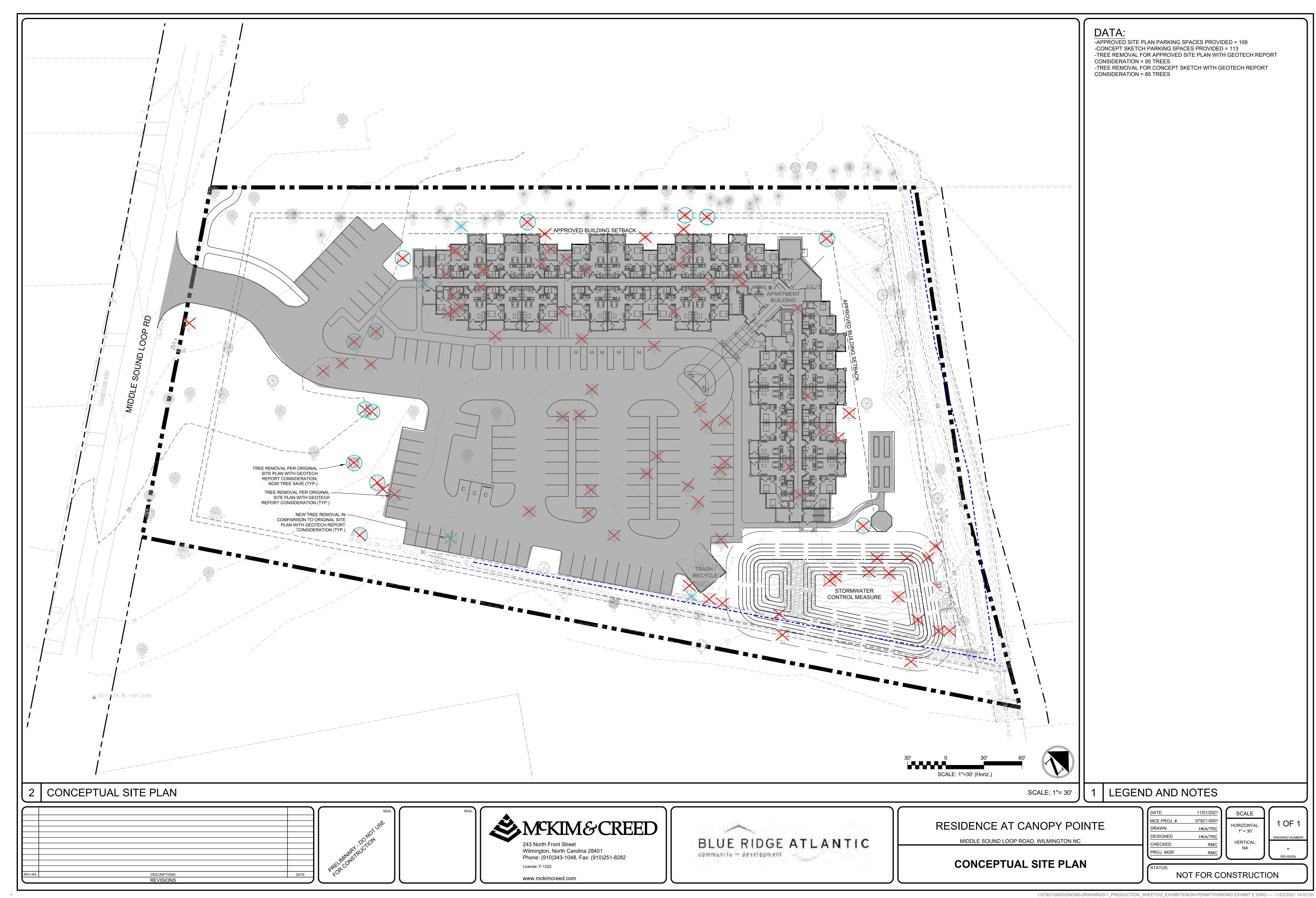
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Map Source: 2014 QL2 LiDAR DEM

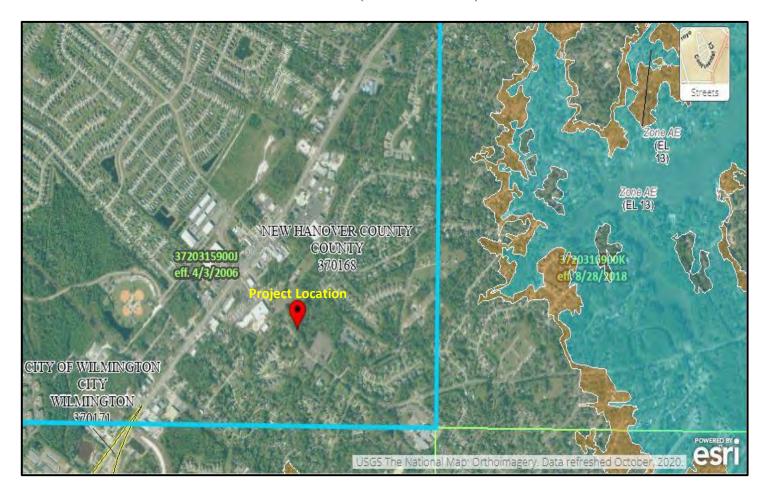




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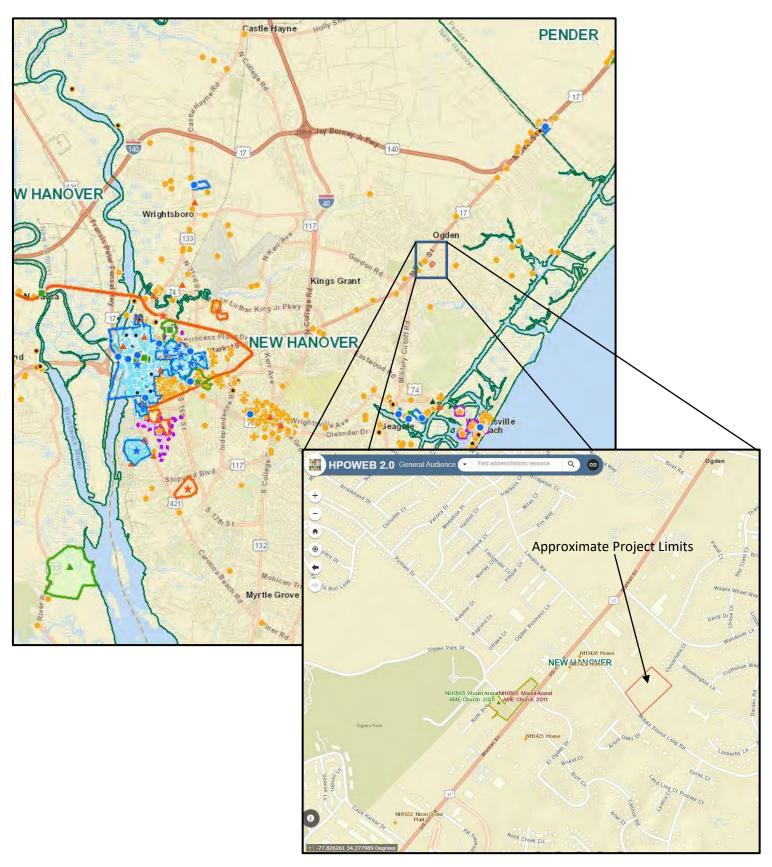


#### FEMA FIRMETTE Map 3720315900J (Effective 4/6/2006)



Attachment 7

NC State Historic Preservation Office HPOWEB 2.0 Map



#### **Historical Aerial Photo Packet**

## The Residences at Canopy Pointe

217 MIDDLE SOUND LOOP RD WILMINGTON, NC 28411

Inquiry Number: 6771967.5

December 03, 2021

# The EDR Aerial Photo Decade Package



#### **EDR Aerial Photo Decade Package**

12/03/21

Site Name: Client Name:

The Residences at Canopy Poi 217 MIDDLE SOUND LOOP R WILMINGTON, NC 28411 EDR Inquiry # 6771967.5 Southern Env. Group Inc. 5315 South College Road Wilmington, NC 28412 Contact: Dana Lutheran



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1989	1"=500'	Flight Date: July 11, 1989	USGS
1983	1"=500'	Flight Date: March 13, 1983	NHAP
1975	1"=500'	Flight Date: April 01, 1975	USGS
1970	1"=500'	Flight Date: September 29, 1970	USGS
1969	1"=500'	Flight Date: April 08, 1969	USGS
1964	1"=500'	Flight Date: April 01, 1964	USGS
1958	1"=500'	Flight Date: January 01, 1958	USGS
1950	1"=500'	Flight Date: November 21, 1950	USGS
1938	1"=500'	Flight Date: March 25, 1938	USDA

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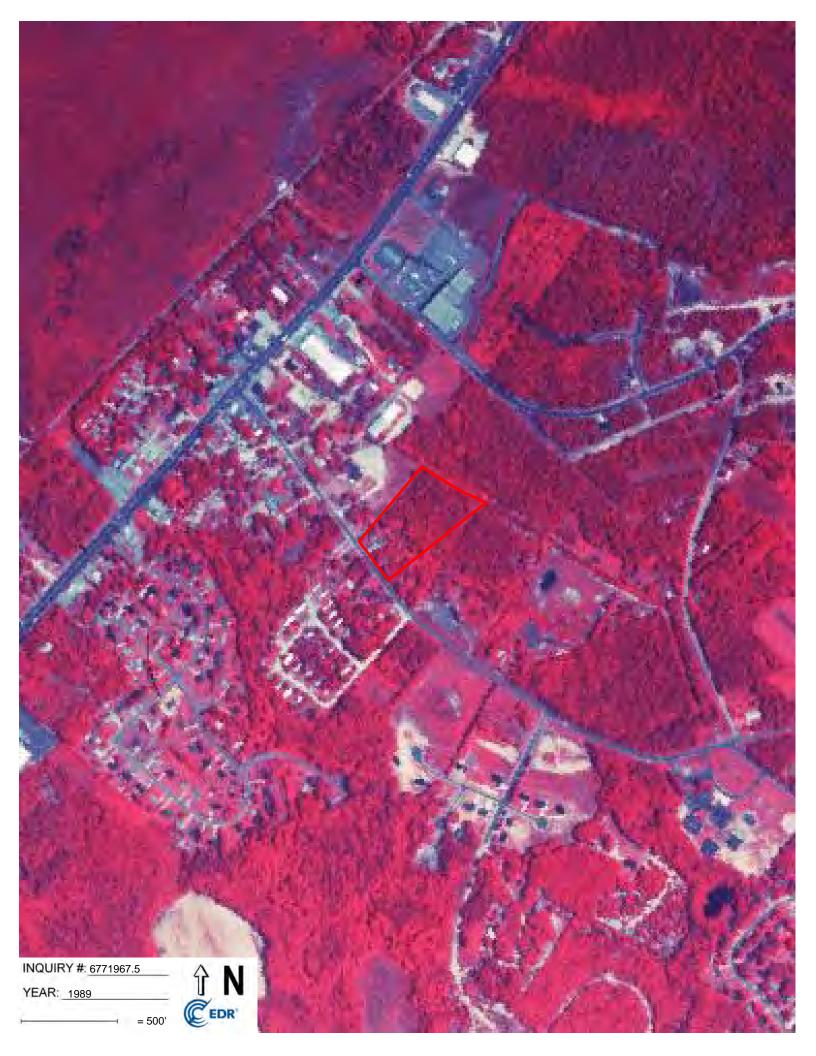










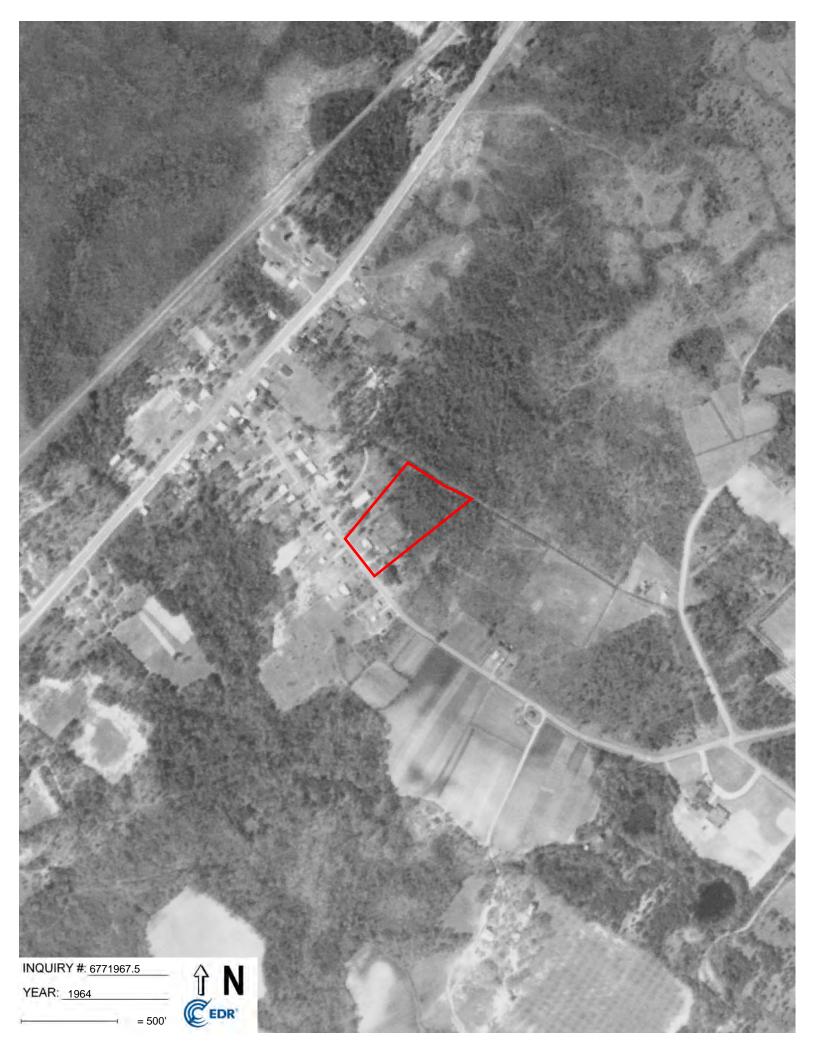


















# **Existing Conditions Site Photos**

## **Existing Conditions Site Photos**



Photo 1: Looking east, from southwest corner of the property, down Middle Sound Loop Road



Photo 3: Looking west, at the intersection of Middle Sound Loop Road and Market Street



Photo 5: Looking south, across the street from the property



Photo 2: Looking west, from middle of the property, on Middle Sound Loop Road



Photo 4: Western adjacent property



Photo 6: Typical storm debris



Photo 7: Typical understory



Photo 8: Typical understory



Photo 9: Ditch located on the eastern side of the property



# North Carolina Department of Public Safety

# Office of Recovery and Resiliency

Roy Cooper, Governor Eddie M. Buffaloe, Jr., Secretary Laura H. Hogshead, Director

December 8, 2021

Dr. Wenonah George Haire Tribal Historic Preservation Officer ATTN: THPO Archaeology Dept. Catawba Indian Nation 1536 Tom Steven Road Rock Hill, SC 29730

RE: Section 106 Review - HUD CDBG-DR Program Proposed The Residence at Canopy Pointe 205 Middle Sound Loop Road Wilmington, NC 28411

#### Dear Dr. Wenonah George Haire:

The North Carolina Office of Recovery and Resiliency (NCORR), as a recipient of Community Development Block Grant – Disaster Recovery (CDBG-DR) funds from the United States Department of Housing and Urban Development (HUD), is serving as the responsible entity for compliance with the HUD environmental review procedures set forth in 24 CFR Part 58. NCORR is acting on behalf of HUD in providing the enclosed project information and inviting this discussion with your Nation.

NCORR processes environmental reviews for proposed projects funded with HUD CDBG-DR on a case-by-case basis. In accordance with Section 101(d)(6)(B) of the National Historic Preservation Act (NHPA) of 1966, as amended (16 U.S.C. 470f), and its implementing regulations, 36 CFR Part 800, this letter serves as notification of the proposed action. This letter also serves as an invitation to discussion as a consulting party in this review to help identify historic properties in the proposed project area that may have religious and cultural significance to your Nation, and if such properties exist, to help assess how the proposed project might affect them. If the proposed project might have an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

Mailing Address: Post Office Box 110465 Durham, NC 27709



Phone: (984) 833-5350 www.ncdps.gov www.rebuild.nc.gov Area of Potential Effects (APE) under §800.16(d): We have defined the APE as the boundary of the Subject Property at 205 Middle Sound Loop Road, Wilmington, New Hanover County, NC 28411. The proposed project site is comprised of four contiguous parcels, (Tract 1 - R04410-001-007-000; Tract 2 - R04410-001-009-000; Tract 3 - R04410-001-010-000; and Tract 4 - R04410-001-008-000) that encompass approximately 4.77 acres (see attached New Hanover County GIS Map). The parcels have been conditionally zoned Multi-Family, medium density (see attached New Hanover County Zoning Map), and the county's Future Land Use Plan designates the property as residential (see attached). The proposed project location maps are included in the attachments for your review.

The State of North Carolina was adversely impacted by the landfall of Hurricanes Matthew (October 8, 2016) and Florence (September 14, 2018). These hurricanes damaged or destroyed hundreds of homes worsening the affordable housing shortage. This proposed project will increase affordable housing inventory for low- and moderate-income families. Therefore, funding for the proposed project will be provided in part by the HUD CDBG-DR North Carolina Affordable Housing Development Fund Program for Hurricane Florence storm recovery activities in North Carolina.

Proposed Project Description: The Residence at Canopy Pointe is a proposed affordable housing community located at 205 Middle Sound Loop Road, Wilmington, New Hanover County, NC 28411. This newly constructed community entails constructing a three-story building that will provide 70 residential units, as well as a computer center, on the first floor, a movie room, on the second floor, and a multi-purpose room, on the third. Outdoor sitting areas and an exercise room are also part of the plan. The buildings and parking lot will be nestled into the existing property fabric, by preserving as much vegetation as possible, provide buffers to adjacent properties, and employing low impact design techniques, for stormwater management. The conceptual plan proposes to utilize a stormwater detention pond, which will treat collected runoff, from the added built upon area, before it discharges offsite and eventually into downstream receiving waters. It is important to note, that the Cape Fear Public Utility Authority have sewer and water lines in place, along Middle Sound Loop Road, thus there is no need to perform work outside the proposed project location. The proposed project will be located on property with street frontage on Middle Sound Loop Road, adjacent to Living Water Ministries, to the west, White Oaks Apartments, to the east, and The Fields at Wendover neighborhood, to the north (see attached New Hanover County GIS Map). The proposed project site plans are included in the attachments.

The site is relatively flat and densely wooded, with shrubs and woody vines making up the understory, while pines and Red Maple are the dominant tree species. Numerous trees have been blown over during recent hurricanes (i.e., Florence and Isaias). There are no snags within the project limits. There are no streams or wetlands within the project limits, but a man-made ditch extends into Tract 3, from north to south. The ditch does not hold water and is devoid of vegetation, due to shading. See attached photos, which illustrate the existing conditions.

Approximately 4.5 acres of the proposed project site will be disturbed, with approximately 2.3 acres being converted to built-upon area. Due to the proposed land disturbance exceeding 1 acre, a NC Division of Energy, Minerals and Land Resources NPDES NCG010000 permit is required and will ensure best management practices, such as installing silt fence, temporary sediment

basins/traps and construction entrance, are installed prior undertaking land disturbance activities. The measures will be inspected at least every seven days and/or after a rain event that produces more than one inch of rain within a twenty four hour period. Non-potable water will be used to contain dust, during the construction process.

We have completed an initial review of this project in compliance with Section 106 of the NHPA and its implementing regulations 36 CFR Part 800. Based on our research of the Subject Property in the National Register of Historic Places, North Carolina State Historic Preservation Office's (NC SHPO) HPOWEB, and site review performed by Southern Environmental Group, Inc., no publicly recorded historic properties which are locally designated or listed in or eligible for inclusion in the State or National Register of Historic Places are located on or adjacent to the Subject Property. The HPOWeb results and site photographs are included in the attachments.

The proposed project information has been sent to the NC SHPO in accordance with Section 106 of the NHPA and its implementing regulations, 36 CFR Part 800. The Subject Property on historical aerial photographs shows two residential structures built between 1958 and 1969 on the southern portion of the property. By 2009, both structures were demolished, and the rubble removed from the property. The proposed development will be a multifamily apartment complex and, therefore, typical clearing and grading will take place as noted above on the Subject Property during construction. The proposed development will be a multifamily apartment complex and, therefore, typical clearing and grading will take place on the Subject Property during construction. The Subject Property historical aerial photographs are included in the attachments.

With this letter, NCORR respectfully submits for your review the attached documentation for the proposed project described herein. If the APE encompasses historic properties of religious or cultural significance to your Nation, please respond within 30 days of receipt of this letter indicating a desire to consult. If you have any concerns with potential impacts of the proposed project on historic properties, please note them in your response along with your preferred principal representative's point of contact. Please respond within this timeframe, otherwise we will assume that the proposed project will have no effect to historic properties of religious or cultural significance. Please respond via email at <a href="mailto:Andrea.L.Gievers@Rebuild.NC.gov">Andrea.L.Gievers@Rebuild.NC.gov</a> or in writing to the address listed below.

Ms. Andrea Gievers NCORR - Environmental ATTN: THPO Comments P.O. Box 110465 Durham, NC 27709

If you have any questions or require additional information regarding this request, please feel free to contact Andrea Gievers at (845) 682-1700 or via email at <a href="mailto:Andrea.L.Gievers@Rebuild.NC.gov">Andrea.L.Gievers@Rebuild.NC.gov</a>. Thank you for your time and assistance.

## Sincerely,

Andrea Gievers ID MSFI

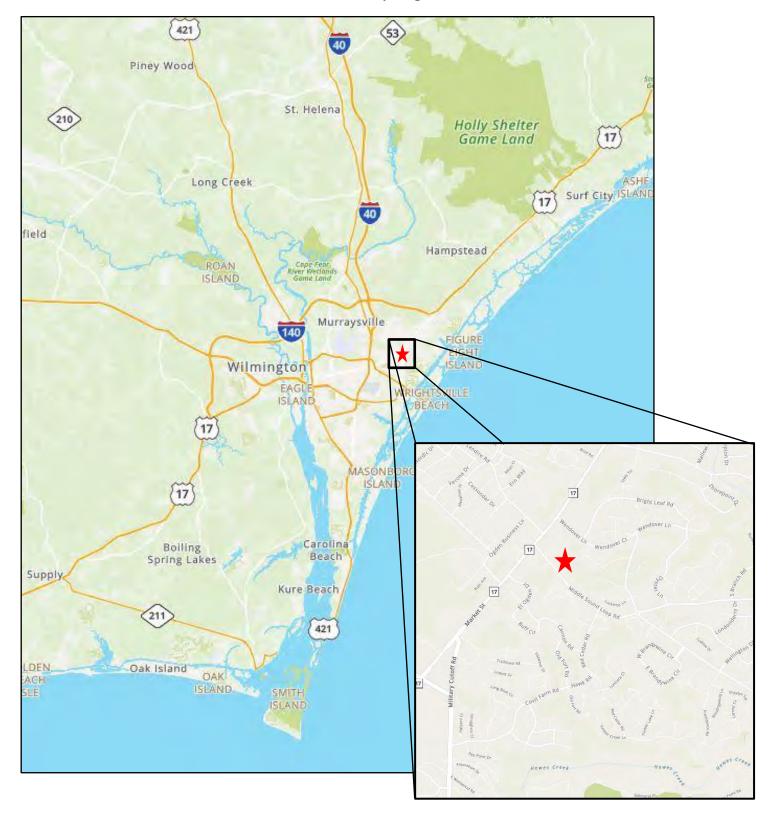
Andrea Gievers, JD, MSEL, ERM NCORR Environmental Subject Matter Expert

# **Proposed** The Residence at Canopy Pointe Attachments:

- 1. Vicinity Map
- 2. New Hanover County GIS Map
- 3. New Hanover County Zoning Map and Future Land Use Map
- 4. USGS Topographic Map and LiDAR Map
- 5. The Residence at Canopy Pointe Conceptual Plan
- 6. FEMA FIRMette Map
- 7. NC State Historic Preservation Office HPOWEB 2.0 Map
- 8. Historical Aerial Photo Packet
- 9. Existing Conditions Site Photographs

cc: Chief Bill Harris, Catawba Indian Nation, 996 Avenue of the Nations, Rock Hill, SC 29730

Attachment 1
Vicinity Map



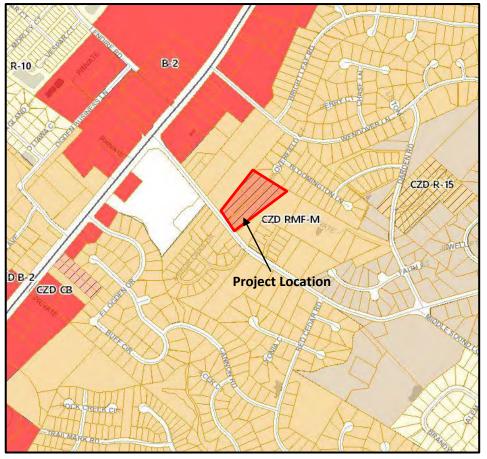
Attachment 2

Aerial Photograph



Attachment 3

New Hanover County Zoning Map and Future Land Use Plan

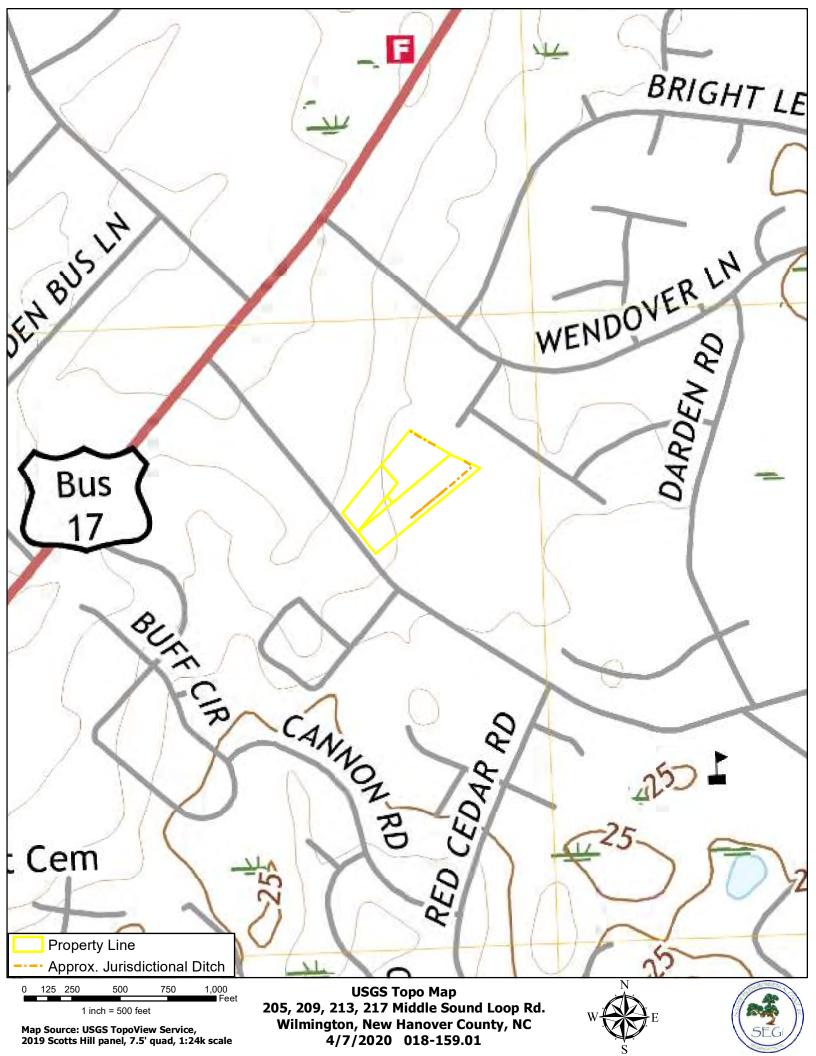


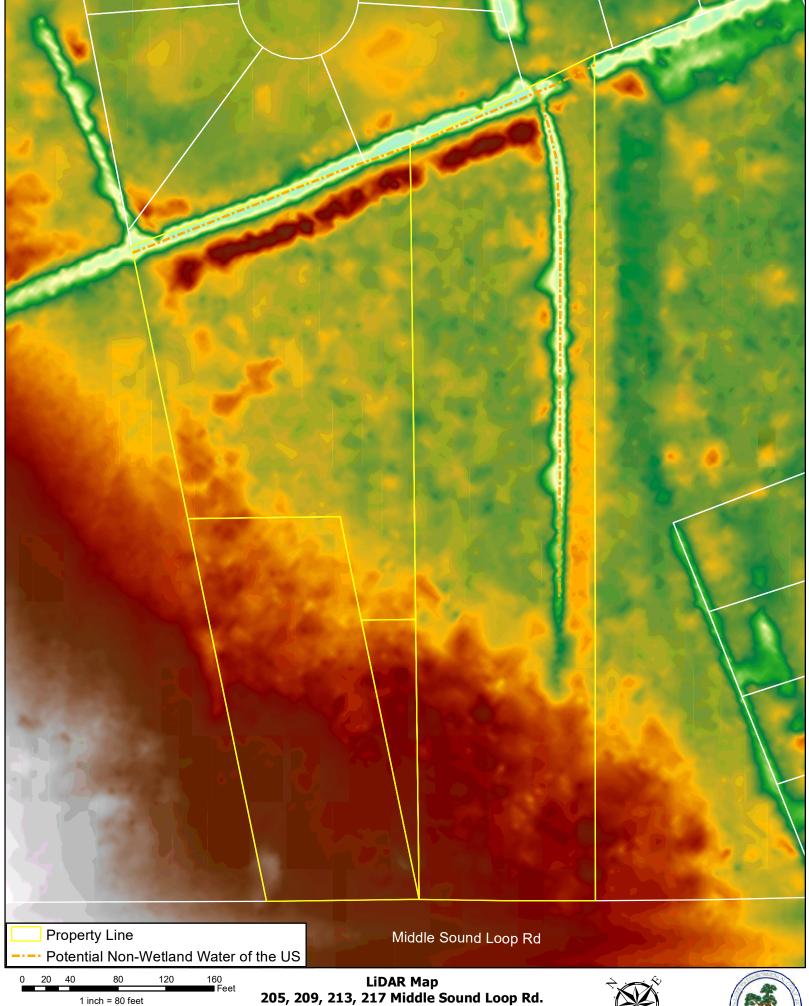
New Hanover County Zoning Map



New Hanover County Future Land Use Map

USGS Topographic Map & LiDAR





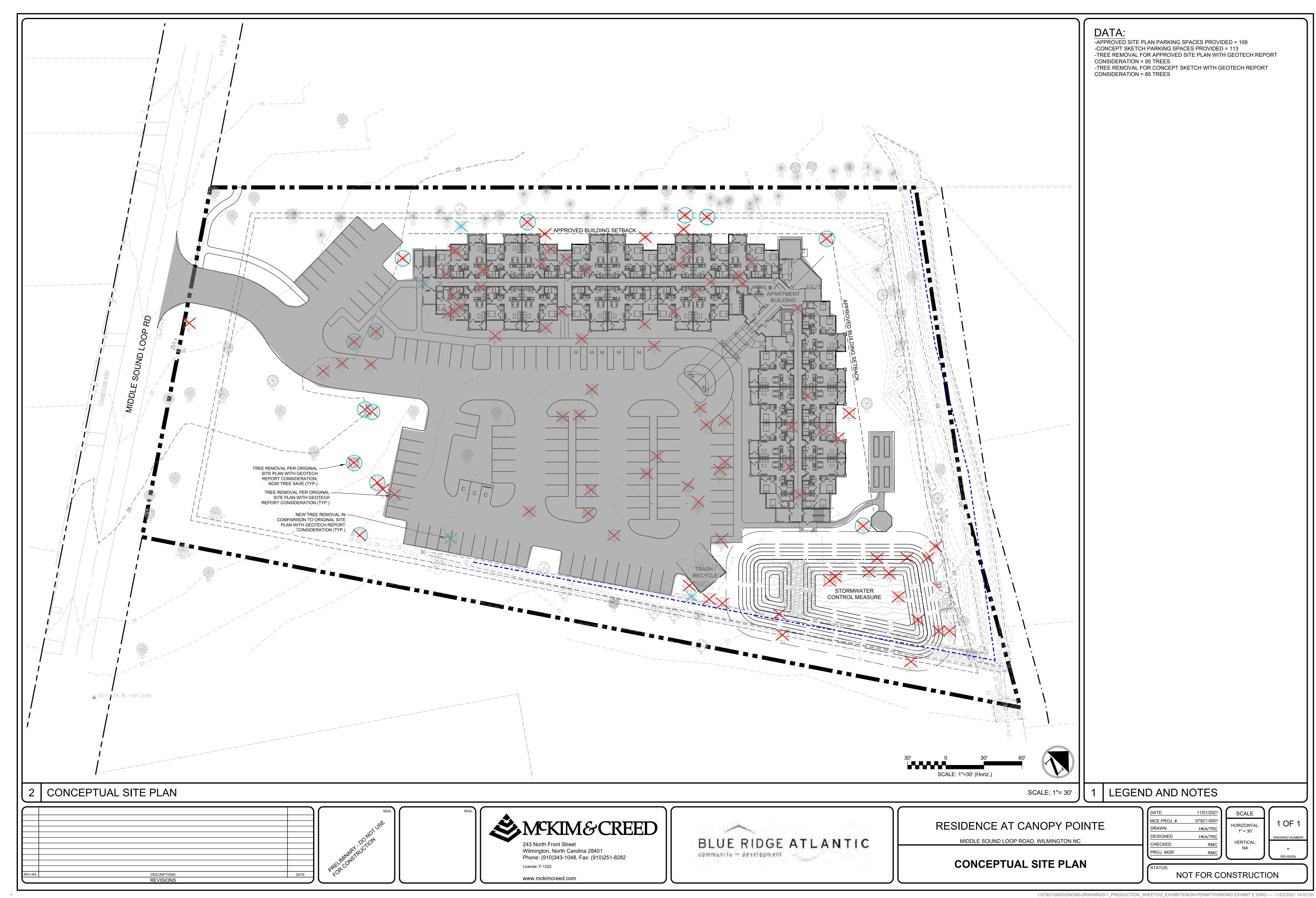
205, 209, 213, 217 Middle Sound Loop Rd. Wilmington, New Hanover County, NC 4/7/2020 018-159.01

Map Source: 2014 QL2 LiDAR DEM

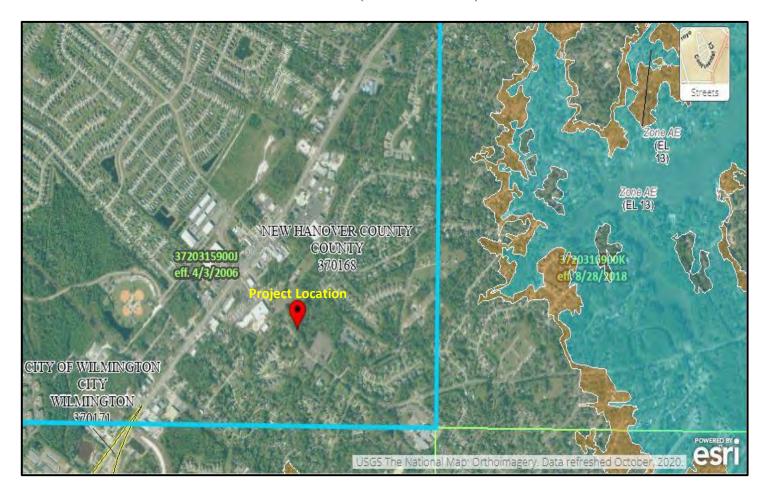




The Residences at Canopy Pointe Concept Plan

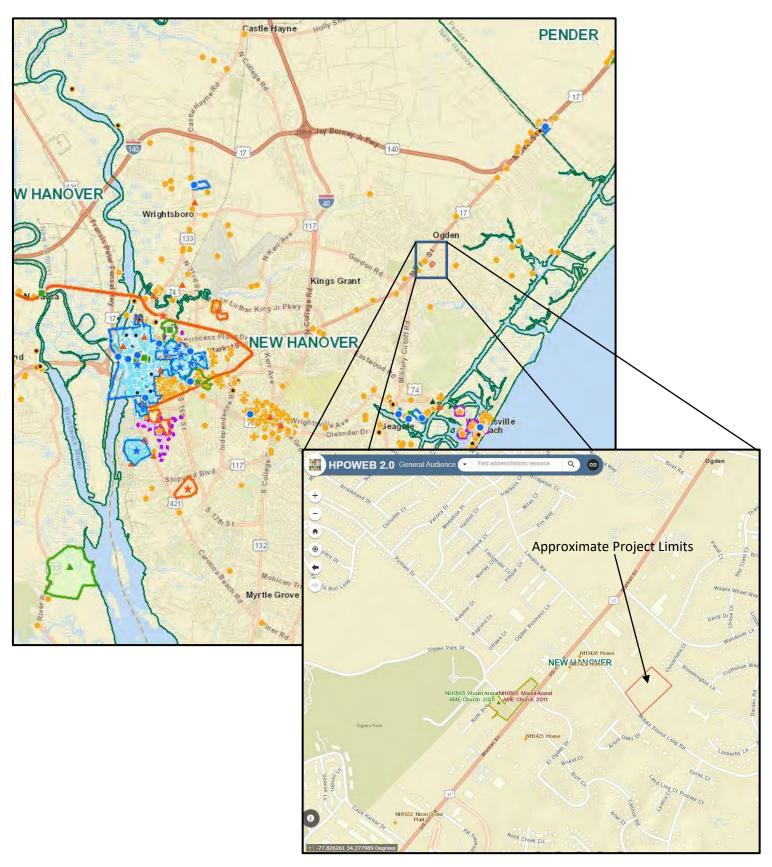


#### FEMA FIRMETTE Map 3720315900J (Effective 4/6/2006)



Attachment 7

NC State Historic Preservation Office HPOWEB 2.0 Map



#### **Historical Aerial Photo Packet**

# The Residences at Canopy Pointe

217 MIDDLE SOUND LOOP RD WILMINGTON, NC 28411

Inquiry Number: 6771967.5

December 03, 2021

# The EDR Aerial Photo Decade Package



#### **EDR Aerial Photo Decade Package**

12/03/21

Site Name: Client Name:

The Residences at Canopy Poi 217 MIDDLE SOUND LOOP R WILMINGTON, NC 28411 EDR Inquiry # 6771967.5 Southern Env. Group Inc. 5315 South College Road Wilmington, NC 28412 Contact: Dana Lutheran



Environmental Data Resources, Inc. (EDR) Aerial Photo Decade Package is a screening tool designed to assist environmental professionals in evaluating potential liability on a target property resulting from past activities. EDR's professional researchers provide digitally reproduced historical aerial photographs, and when available, provide one photo per decade.

#### Search Results:

<u>Year</u>	<u>Scale</u>	<u>Details</u>	Source
2016	1"=500'	Flight Year: 2016	USDA/NAIP
2012	1"=500'	Flight Year: 2012	USDA/NAIP
2009	1"=500'	Flight Year: 2009	USDA/NAIP
2006	1"=500'	Flight Year: 2006	USDA/NAIP
1998	1"=500'	Acquisition Date: January 01, 1998	USGS/DOQQ
1993	1"=500'	Acquisition Date: February 03, 1993	USGS/DOQQ
1989	1"=500'	Flight Date: July 11, 1989	USGS
1983	1"=500'	Flight Date: March 13, 1983	NHAP
1975	1"=500'	Flight Date: April 01, 1975	USGS
1970	1"=500'	Flight Date: September 29, 1970	USGS
1969	1"=500'	Flight Date: April 08, 1969	USGS
1964	1"=500'	Flight Date: April 01, 1964	USGS
1958	1"=500'	Flight Date: January 01, 1958	USGS
1950	1"=500'	Flight Date: November 21, 1950	USGS
1938	1"=500'	Flight Date: March 25, 1938	USDA

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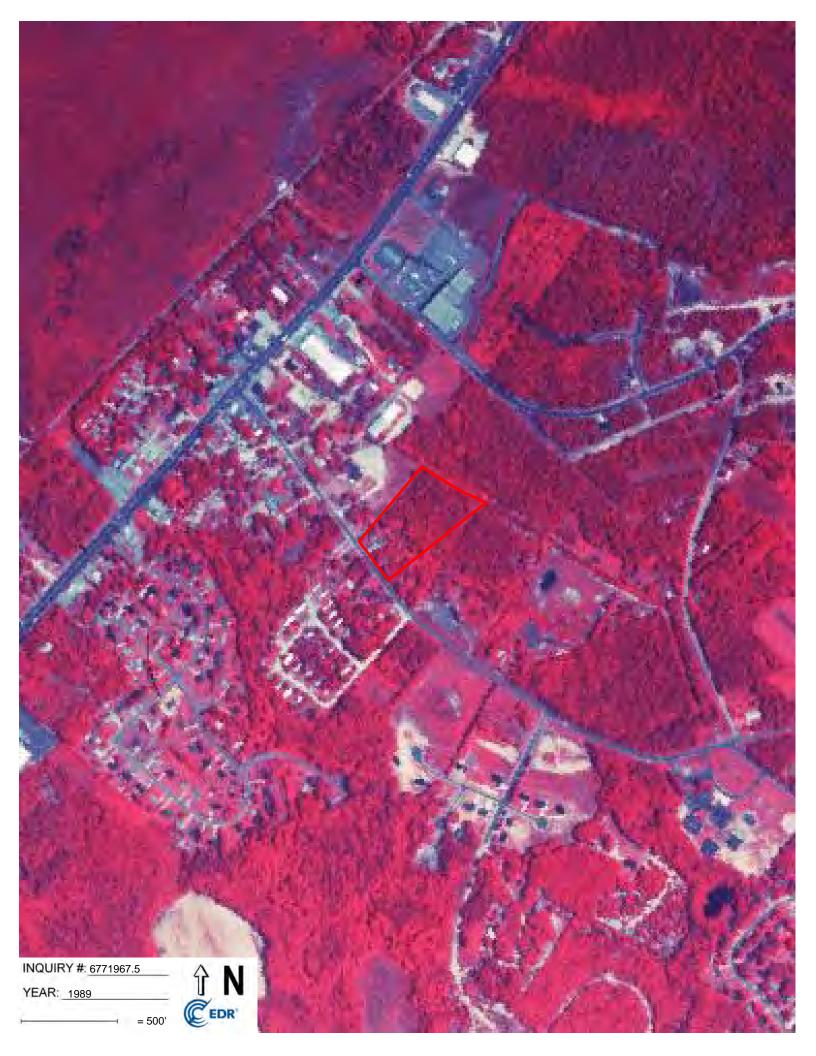










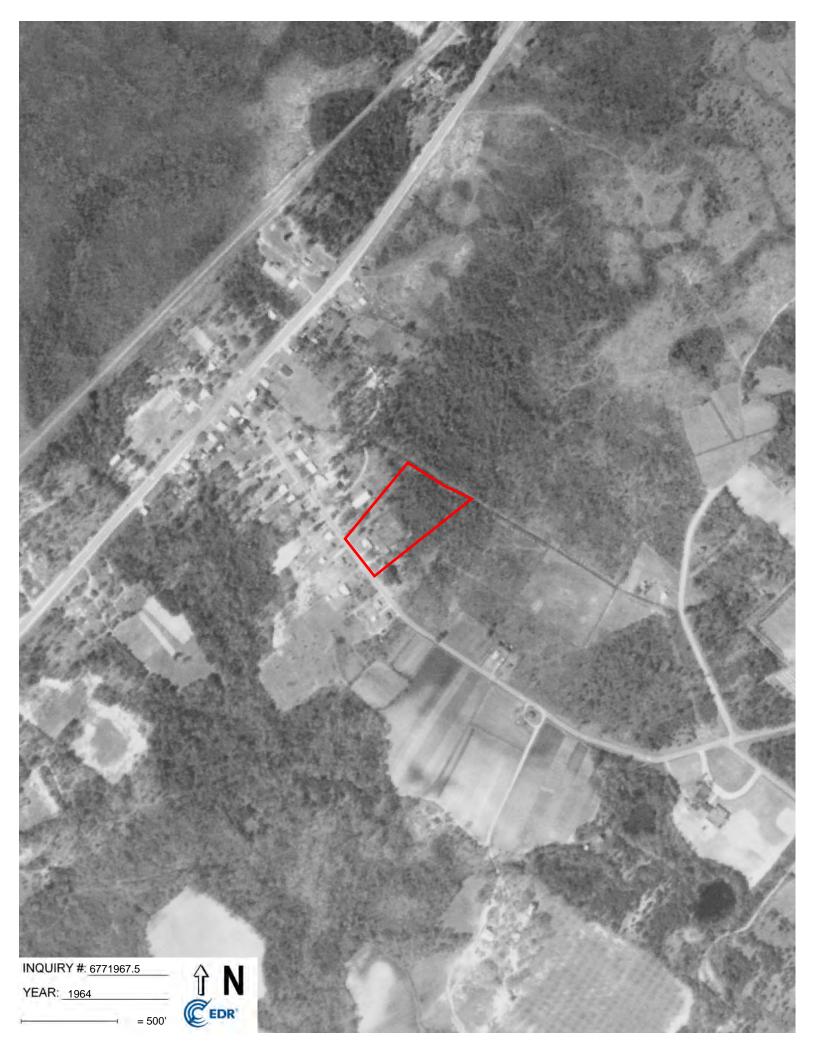


















#### **Attachment 9**

### **Existing Conditions Site Photos**

#### **Attachment 9**

#### **Existing Conditions Site Photos**



Photo 1: Looking east, from southwest corner of the property, down Middle Sound Loop Road



Photo 3: Looking west, at the intersection of Middle Sound Loop Road and Market Street



Photo 5: Looking south, across the street from the property



Photo 2: Looking west, from middle of the property, on Middle Sound Loop Road



Photo 4: Western adjacent property



Photo 6: Typical storm debris



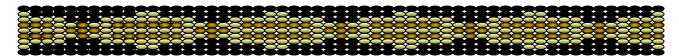
Photo 7: Typical understory



Photo 8: Typical understory



Photo 9: Ditch located on the eastern side of the property



Office 803-328-2427 Fax 803-328-5791

January 13, 2022,

Attention: Andrea L. Gievers

**NCORR** 

P.O. Box 110465 Durham, NC 27709

Re. THPO # TCNS # Project Description

Proposed The Residence at Canopy Pointe – 205 Middle Sound Loop Road,

2022-1119-5 Wilmington, NC 28411

Dear Ms. Gievers,

The Catawba have no immediate concerns with regard to traditional cultural properties, sacred sites or Native American archaeological sites within the boundaries of the proposed project areas. However, the Catawba are to be notified if Native American artifacts and / or human remains are located during the ground disturbance phase of this project.

If you have questions please contact Caitlin Rogers at 803-328-2427 ext. 226, or e-mail Caitlin.Rogers@catawba.com.

Sincerely,

Wenonah G. Haire

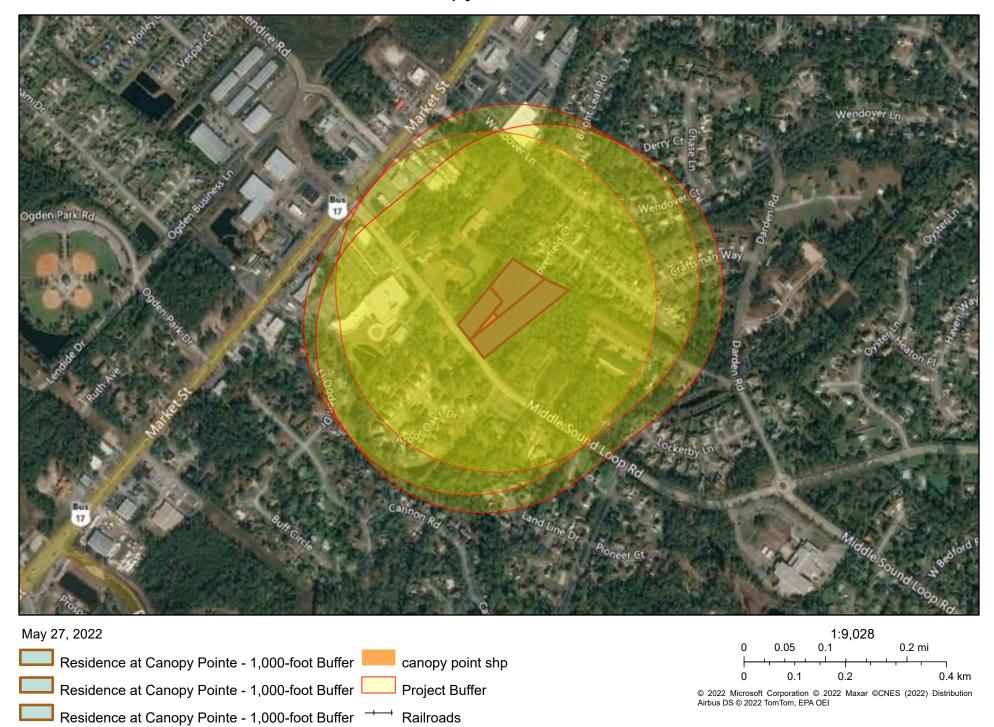
Tribal Historic Preservation Officer

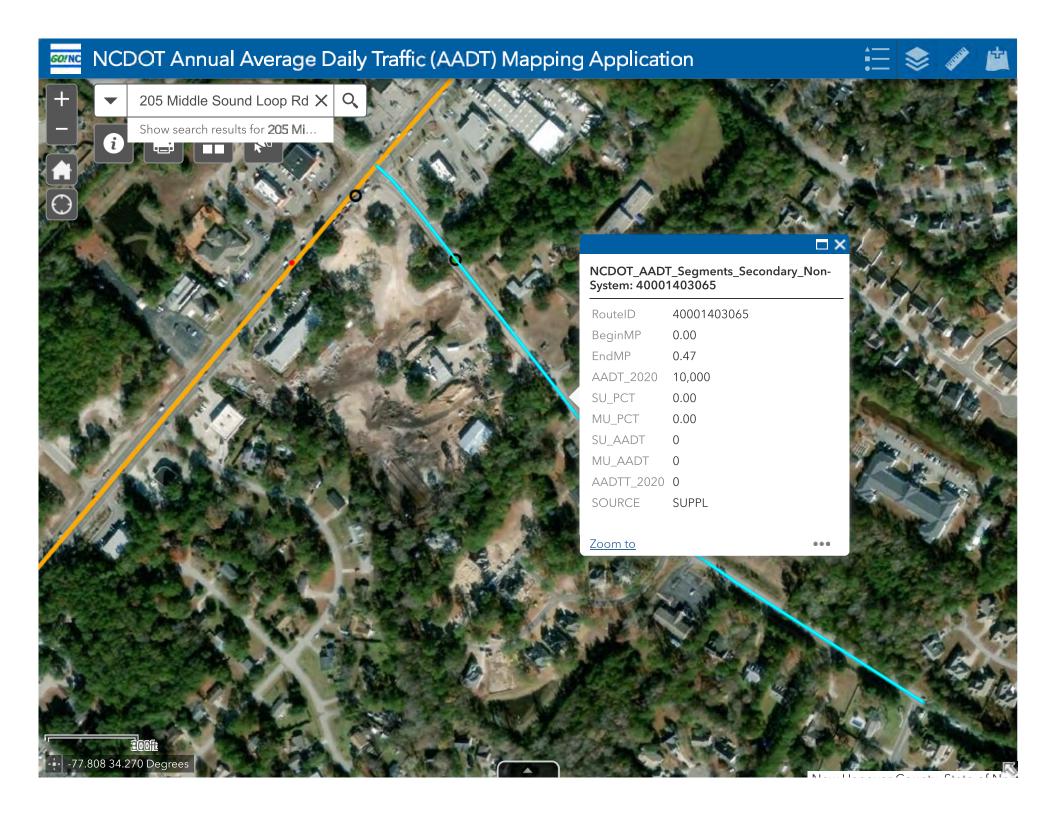
Cattle Rogers for

## **ATTACHMENT 13:**

**Noise Abatement and Control** 

## Residence at Canopy Pointe - 1,000-foot Buffer





RAMEY KEMP & ASSOCIATES, INC. 5808 Faringdon Place, Suite 100 Raleigh, NC 27609 Phone: 919-872-5115 www.rameykemp.com

February 5, 2020

Abigail Lorenzo Senior Transportation Planner Wilmington Urban Area Metropolitan Planning Organization (WMPO) 305 Chestnut Street, 4<sup>th</sup> Floor Wilmington, North Carolina 28401

Subject: Trip Generation Letter

Middle Sound Loop Senior Apartments - Wilmington, North Carolina

Dear Ms. Lorenzo:

This letter provides trip generation information prepared by Ramey Kemp & Associates, Inc. (RKA) for the proposed Middle Sound Loop Senior Apartments located on Middle Sound Loop Road just west of Sunnybranch Road in Wilmington, North Carolina.

The proposed development is anticipated to consist of a 72 attached senior adult housing dwelling units.

Average weekday daily, AM peak hour trips, and PM peak hour trips for the proposed development were estimated using methodology contained within the 10<sup>th</sup> Edition of the ITE *Trip Generation Manual*. Traffic volumes for Senior Adult Housing - Attached (ITE Code 252) were generated utilizing ITE equations [for the peak hour adjacent street traffic] and dwelling units as the independent variable. Refer to Table 1 for a breakdown of the trip generation for the proposed development.

**Table 1: Site Trip Generation** 

Land Use (ITE Code)	Independent Variable	Average Weekday Daily Traffic (vpd)	AM Peak Hour Trips (vph)		PM Peak Hour Trips (vph)	
			Enter	Exit	Enter	Exit
Senior Adult Housing - Attached (252)	72 Dwelling Units	264	5	9	11	9

It is estimated the proposed development will generate 264 daily trips (in and out) during a typical 24-hour weekday period with 14 total trips (5 entering and 9 exiting) generated during the AM peak hour and 20 total trips (11 entering and 9 exiting) during the PM peak hour.

The expected daily and peak hour trip generation are well below the WMPO's [1,000 vpd daily and 100 vph] and NCDOT's [3,000 vpd] thresholds; therefore, a Traffic Impact Analysis (TIA) should not be warranted based on each agency's guidelines.

If you should have any questions, please feel free to contact me at (336) 725-5470.

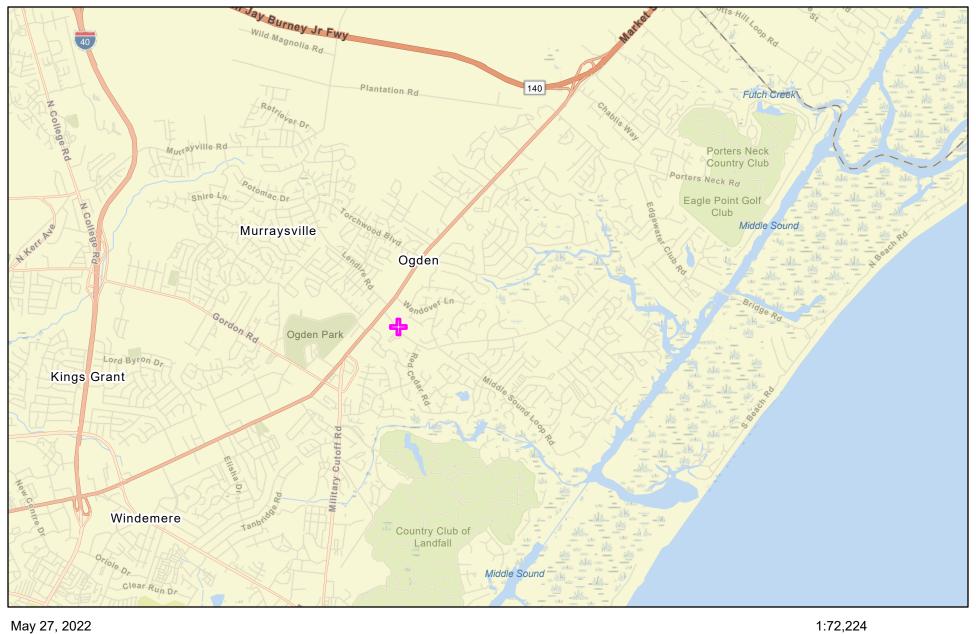
Sincerely,

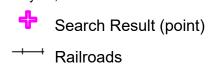
Ramey Kemp and Associates, Inc.

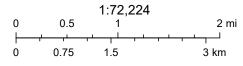
Attachments: Site Plan



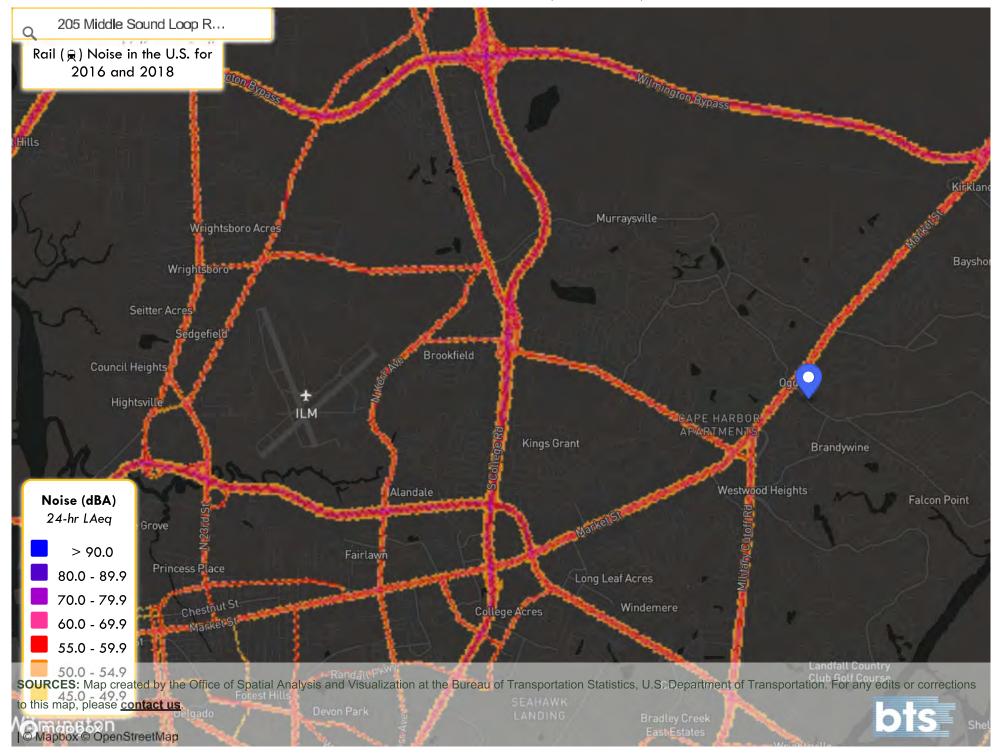
## Residence at Canopy Pointe - Railroads

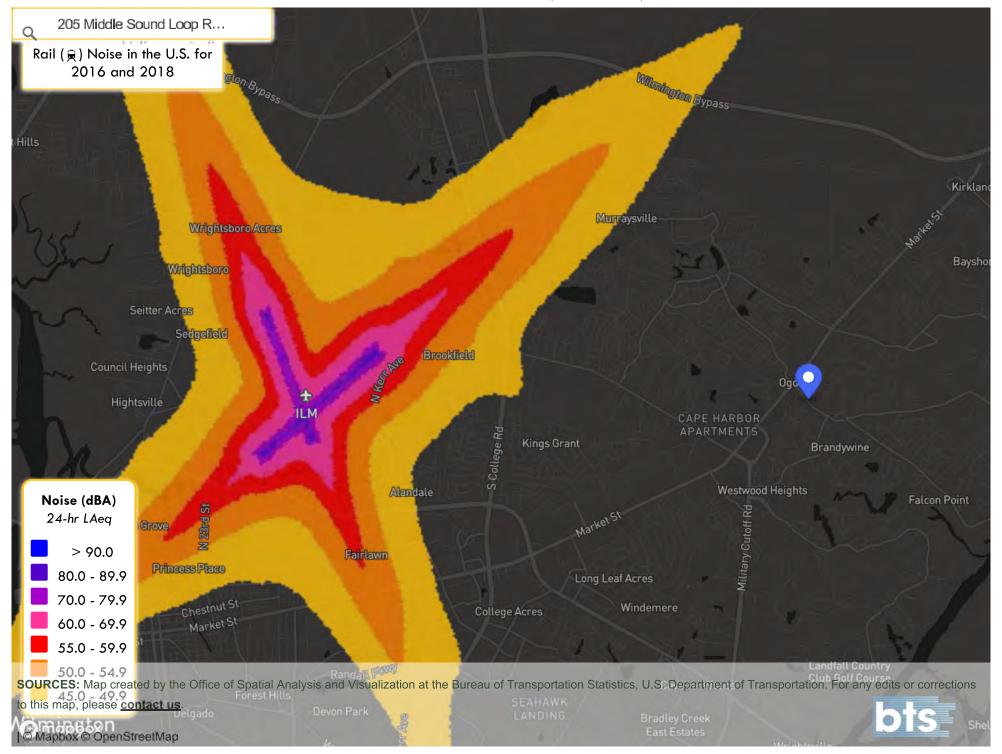






State of North Carolina DOT, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, USDA, EPA OEI





## **ATTACHMENT 14:**

**Sole Source Aquifers** 

Attachment 24
Sole Source Aquifer Map



## **ATTACHMENT 15:**

**Wetlands Protection** 



## Canopy Pointe WSI Map



Lake

Riverine

February 6, 2020

Wetlands

Estuarine and Marine Deepwater

Estuarine and Marine Wetland

Freshwater Emergent Wetland

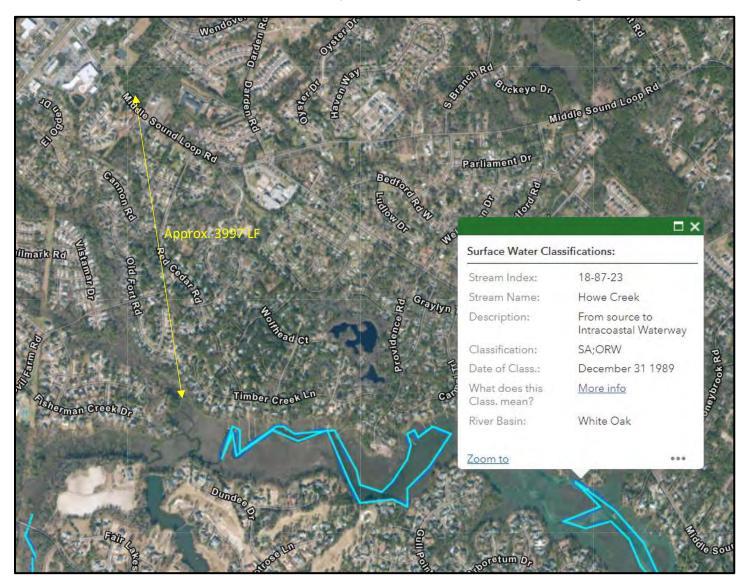
Freshwater Forested/Shrub Wetland

Planning Beshwatter Pp. d2020 ITEM: 4 - 7 - 15 This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Manner web site

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper

Attachment 11

Distance to Nearest Waterbody and NCDWR Water Classification Map



#### Electronically Transmitted U.S. ARMY CORPS OF ENGINEERS

WILMINGTON DISTRICT

Action Id. SAW-2021-02208 County: New Hanover U.S.G.S. Quad: NC-Scotts Hill

#### NOTIFICATION OF JURISDICTIONAL DETERMINATION

**BHC Properties LLC** Requestor:

**Harold Chappell** 

Address: P.O. Box 431

Wrightsville Beach, NC 28480

E-mail: haroldc@nexthomecapefear.com

Size (acres) Nearest Town Wilmington <u>4.77</u> Howe Creek River Basin **Onslow Bay** Nearest Waterway **USGS HUC** 03020302 Coordinates Latitude: 34.27050

Longitude: -77.81546

Location description: The project area is located at 205, 209, 213, and 217 Middle Sound Loop Road in Ogden.

#### **Indicate Which of the Following Apply:**

Α.	Preliminary Determination
	There appear to be <b>waters</b> on the above described project area/property, that may be subject to Section 404 of the Clean Water Act (CWA)(33 USC § 1344) and/or Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403). The <b>waters</b> have been delineated, and the delineation has been verified by the Corps to be sufficiently accurate and reliable. The approximate boundaries of these waters are shown on the enclosed delineation map dated <u>4/7/2020</u> . Therefore this preliminary jurisdiction determination may be used in the permit evaluation process, including determining compensatory mitigation. For purposes of computation of impacts, compensatory mitigation requirements, and other resource protection measures, a permit decision made on the basis of a preliminary JD will treat all waters and wetlands that would be affected in any way by the permitted activity on the site as if they are jurisdictional waters of the U.S. This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process (Reference 33 CFR Part 331). However, you may request an approved JD, which is an appealable action, by contacting the Corps district for further instruction.
	There appear to be <b>waters</b> on the above described project area/property, that may be subject to Section 404 of the Clean Water Act (CWA)(33 USC § 1344) and/or Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403). However, since the <b>waters</b> have not been properly delineated, this preliminary jurisdiction determination may not be used in the permit evaluation process. Without a verified wetland delineation, this preliminary determination is merely an effective presumption of CWA/RHA jurisdiction over all of the <b>waters</b> at the project area, which is not sufficiently accurate and reliable to support an enforceable permit decision. We recommend that you have the <b>waters</b> on your project area/property delineated. As the Corps may not be able to accomplish this wetland delineation in a timely manner, you may wish to obtain a consultant to conduct a delineation that can be verified by the Corps.
B.	Approved Determination
	There are Navigable Waters of the United States within the above described project area/property subject to the permit requirements of Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403) and Section 404 of the Clean Water Act (CWA)(33 USC § 1344). Unless there is a change in law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
	There are <b>waters</b> on the above described project area/property subject to the permit requirements of Section 404 of the Clean Water Act (CWA) (33 USC § 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.   We recommend you have the <b>waters</b> on your project area/property delineated. As the Corps may not be able to accomplish
	this wetland delineation in a timely manner, you may wish to obtain a consultant to conduct a delineation that can be verified by the Corps.

The waters on your project area/property have been delineated and the delineation has been verified by the Corps. The

approximate boundaries of these waters are shown on the enclosed delineation map dated **DATE**. We strongly suggest you have

#### SAW-2021-02208

this delineation surveyed. Upon completion, this survey should be reviewed and verified by the Corps. Once verified, this survey will provide an accurate depiction of all areas subject to CWA jurisdiction on your property which, provided there is no change in the law or our published regulations, may be relied upon for a period not to exceed five years.
The waters have been delineated and surveyed and are accurately depicted on the plat signed by the Corps Regulatory Official
identified below on <u>DATE</u> . Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
There are no waters of the U.S., to include wetlands, present on the above described project area/property which are subject to the permit requirements of Section 404 of the Clean Water Act (33 USC 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
The property is located in one of the 20 Coastal Counties subject to regulation under the Coastal Area Management Act (CAMA). You should contact the Division of Coastal Management in <b>Morehead City</b> , <b>NC</b> , <b>at (252) 808-2808</b> to determine their requirements.

Placement of dredged or fill material within waters of the US, including wetlands, without a Department of the Army permit may constitute a violation of Section 301 of the Clean Water Act (33 USC § 1311). Placement of dredged or fill material, construction or placement of structures, or work within navigable waters of the United States without a Department of the Army permit may constitute a violation of Sections 9 and/or 10 of the Rivers and Harbors Act (33 USC § 401 and/or 403). If you have any questions regarding this determination and/or the Corps regulatory program, please contact Brad Shaver at 910-251-4611 or brad.e.shaver@usace.army.mil.

#### C. Basis For Determination: Basis For Determination: See the preliminary jurisdictional determination form dated 10/19/2021.

**D.** Remarks: Desktop determination.

#### E. Attention USDA Program Participants

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

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

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

US Army Corps of Engineers South Atlantic Division Attn: Mr. Philip A. Shannin Administrative Appeal Review Officer 60 Forsyth Street SW, Floor M9 Atlanta, Georgia 30303-8803

**AND** 

PHILIP.A.SHANNIN@USACE.ARMY.MIL

#### SAW-2021-02208

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by **Not applicable**.

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

Digitally signed by Brad Shaver Date: 2021.10.20 08:01:49
-04'00'

Date of JD: 10/19/2021 Expiration Date of JD: Not applicable

The Wilmington District is committed to providing the highest level of support to the public. To help us ensure we continue to do so, please complete our Customer Satisfaction Survey, located online at <a href="https://regulatory.ops.usace.army.mil/customer-service-survey/">https://regulatory.ops.usace.army.mil/customer-service-survey/</a>.

Copy Furnished(electronic):

**SEGI attn: David Scibetta** 

Blue Ridge Atlantic attn: Samuel Weldon

	NOTIFICATION OF ADMINISTRA REQUI	TIVE APPEAL OPTIONS ANI EST FOR APPEAL	D PROCI	ESS AND
Appl	icant: BHC Properties LLC, Harold Chappell	File Number: <b>SAW-2021-02208</b>		Date: <u>10/19/2021</u>
Attac	ched is:		See Sect	ion below
	INITIAL PROFFERED PERMIT (Standard Permit	or Letter of permission)		A
	PROFFERED PERMIT (Standard Permit or Letter of	of permission)		В
	PERMIT DENIAL			С
	APPROVED JURISDICTIONAL DETERMINATION	ON		D
$\boxtimes$	PRELIMINARY JURISDICTIONAL DETERMINA	ATION		Е

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

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

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

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

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final
  authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your
  signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all
  rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the
  permit.
- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein,
  you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of
  this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days
  of the date of this notice.
- **C: PERMIT DENIAL:** You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.
- **D: APPROVED JURISDICTIONAL DETERMINATION:** You may accept or appeal the approved JD or provide new information.
- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers
  Administrative Appeal Process by completing Section II of this form and sending the form to the district engineer. This form
  must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD. SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.) ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record. POINT OF CONTACT FOR QUESTIONS OR INFORMATION: If you have questions regarding this decision and/or the If you only have questions regarding the appeal process you may appeal process you may contact: also contact: MR. PHILIP A. SHANNIN District Engineer, Wilmington Regulatory Division Attn: Brad Shaver ADMINISTRATIVE APPEAL REVIEW OFFICER Wilmington Regulatory Office CESAD-PDS-O 60 FORSYTH STREET SOUTHWEST, FLOOR M9 **U.S Army Corps of Engineers** 69 Darlington Avenue ATLANTA, GEORGIA 30303-8803 Wilmington, North Carolina 28403 PHONE: (404) 562-5136; FAX (404) 562-5138

RIGHT OF ENTRY: Your signature below grants the right	of entry to Corps of Engineers po	ersonnel, and any government
consultants, to conduct investigations of the project site during	ing the course of the appeal proce	ess. You will be provided a 15-day
notice of any site investigation, and will have the opportunity	y to participate in all site investig	gations.
	Date:	Telephone number:
notice of any site investigation, and will have the opportunit		

EMAIL: PHILIP.A.SHANNIN@USACE.ARMY.MIL

For appeals on Initial Proffered Permits send this form to:

Signature of appellant or agent.

District Engineer, Wilmington Regulatory Division, Attn: Brad Shaver, 69 Darlington Avenue, Wilmington, North Carolina 28403

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

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

# Electronically Transmitted U.S. ARMY CORPS OF ENGINEERS

WILMINGTON DISTRICT

Action Id. SAW-2021-02208 County: New Hanover U.S.G.S. Quad: NC-Scotts Hill

#### GENERAL PERMIT (REGIONAL AND NATIONWIDE) VERIFICATION

Permittee: Blue Ridge Atlantic, Inc.

Sam Weldon

Address: 2018 Eastwood Road

Wilmington, NC 28403

E-mail: <u>samweldon@blueridgeatlatic.com</u>

Size (acres)4.77Nearest TownWilmingtonNearest WaterwayHowe CreekRiver BasinOnslow BayUSGS HUC03020302CoordinatesLatitude: 34.27050

Longitude: -77.81546

Location description: The project is located at 205, 209, 213, and 217 Middle Sound Loop Road in Ogden.

Description of projects area and activity: <u>This verification authorizes the discharge of fill into 0.06 of an acre of open water ditch (non-stream) for the construction of an apartment complex.</u>

Applicable Law(s): ⊠ Section 404 (Clean Water Act, 33 USC 1344)

☐ Section 10 (Rivers and Harbors Act, 33 USC 403)

Authorization: Nationwide-18

#### SEE ATTACHED NWP GENERAL, REGIONAL, AND/OR SPECIAL CONDITIONS

Your work is authorized by the above referenced permit provided it is accomplished in strict accordance with the attached Conditions, your application signed and dated 1/10/2022, and the enclosed plans Residence at Canopy Pointe, Conceptual Site Plan dated 11/1/2021. Any violation of the attached conditions or deviation from your submitted plans may subject the permittee to a stop work order, a restoration order, a Class I administrative penalty, and/or appropriate legal action.

This verification will remain valid until the expiration date identified below unless the nationwide and/or regional general permit authorization is modified, suspended or revoked. If, prior to the expiration date identified below, the nationwide and/or regional general permit authorization is reissued and/or modified, this verification will remain valid until the expiration date identified below, provided it complies with all requirements of the modified nationwide permit. If the nationwide and/or regional general permit authorization expires or is suspended, revoked, or is modified, such that the activity would no longer comply with the terms and conditions of the nationwide permit, activities which have commenced (i.e., are under construction) or are under contract to commence in reliance upon the nationwide and/or regional general permit, will remain authorized provided the activity is completed within twelve months of the date of the nationwide and/or regional general permit's expiration, modification or revocation, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend or revoke the authorization.

Activities subject to Section 404 (as indicated above) may also require an individual Section 401 Water Quality Certification. You should contact the NC Division of Water Resources (telephone 919-807-6300) to determine Section 401 requirements.

For activities occurring within the twenty coastal counties subject to regulation under the Coastal Area Management Act (CAMA), prior to beginning work you must contact the N.C. Division of Coastal Management Morehead City, NC, at (252) 808-2808.

This Department of the Army verification does not relieve the permittee of the responsibility to obtain any other required Federal, State or local approvals/permits. If there are any questions regarding this verification, any of the conditions of the Permit, or the Corps of Engineers regulatory program, please contact **Brad Shaver** at 910-251-4611or **brad.e.shaver@usace.army.mil**.

Brad Shaver Date: 2022.01.18 14:00:10

Corps Regulatory Official: -05'00' Date: 01/18/2022

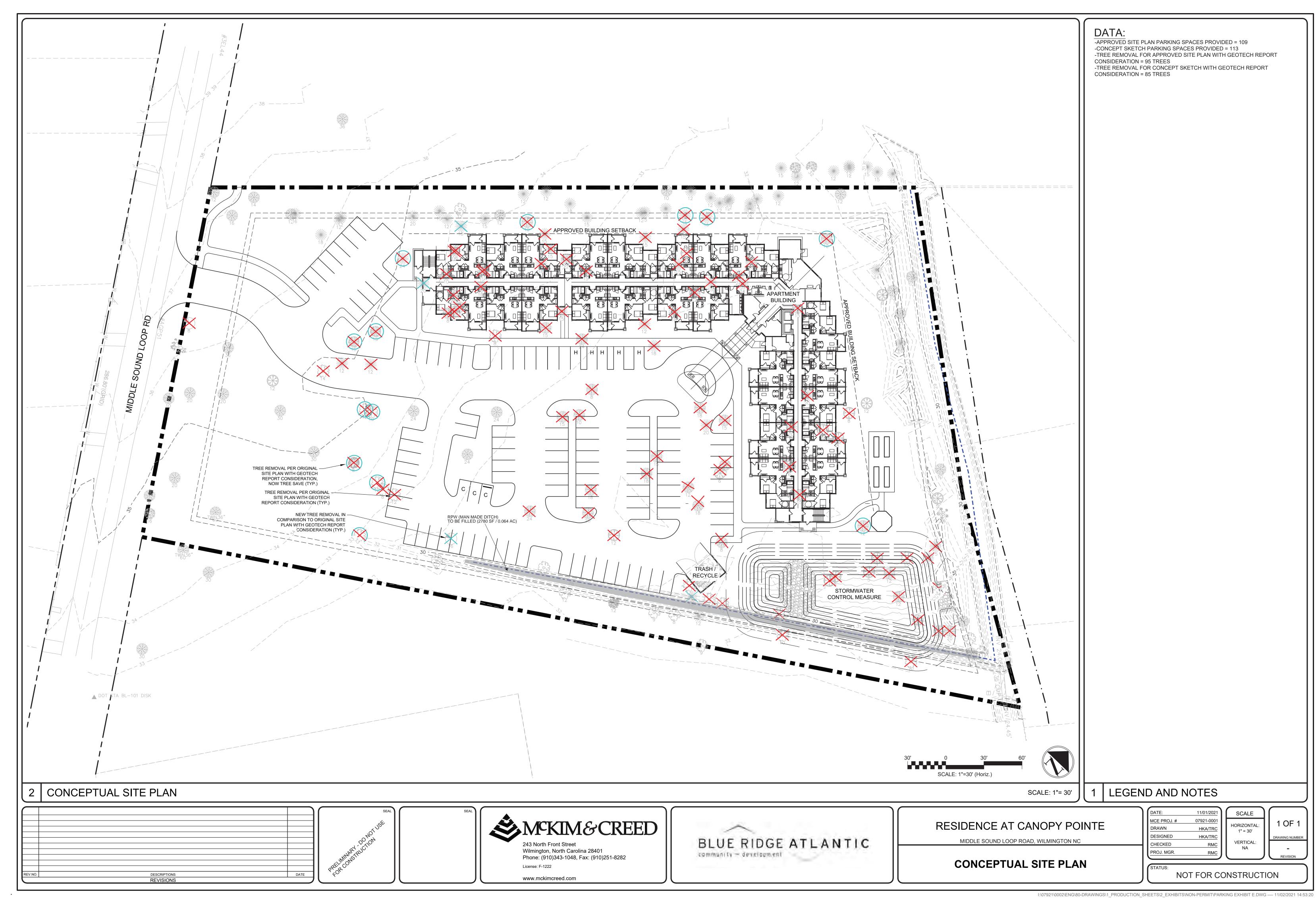
Expiration Date: <u>3/18/2022</u>

The Wilmington District is committed to providing the highest level of support to the public. To help us ensure we continue to do so, please complete the Customer Satisfaction Survey located at <a href="https://regulatory.ops.usace.army.mil/customer-service-survey/">https://regulatory.ops.usace.army.mil/customer-service-survey/</a>
Copy furnished(electronic):

BHC Properties LLC attn: Harold Chappell

SEGI attn: Dana Lutheran

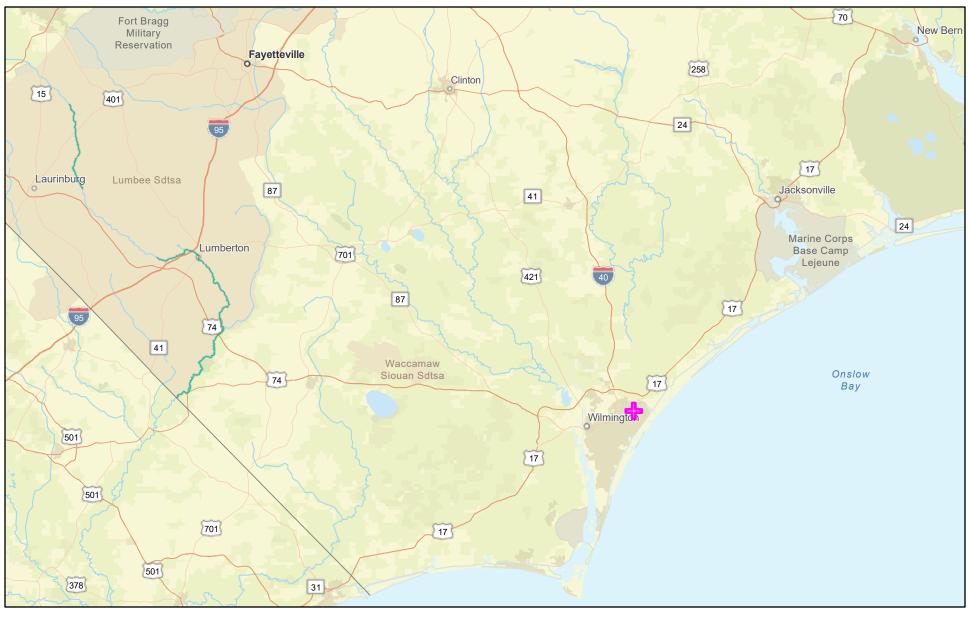
Action ID Number: <u>SAW-2021-02208</u>	County: New Hanover
Permittee: Blue Ridge Atlantic, Inc., Sam Weldon	
Project Name: Residence at Canopy Pointe	
Date Verification Issued: <u>01/18/2022</u>	
Project Manager: <u>Brad Shaver</u>	
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9	•
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	e e e e e e e e e e e e e e e e e e e
,,gvv.,, 1,	or
brad.e.shave	r@usace.army.mil
Engineers representative. Failure to comply with a result in the Corps suspending, modifying or revol	any terms or conditions of this authorization may king the authorization and/or issuing a Class I
ject Name: Residence at Canopy Pointe  e Verification Issued: 01/18/2022  ject Manager: Brad Shaver  on completion of the activity authorized by this permit and any mitigation required by the permit, this certification and return it to the following address:  US ARMY CORPS OF ENGINEERS  WILMINGTON DISTRICT  Attn: Brad Shaver  Wilmington Regulatory Office  U.S Army Corps of Engineers  69 Darlington Avenue  Wilmington, North Carolina 28403	
C' (P)	
Signature of Permittee	Date



## **ATTACHMENT 16:**

**Wild and Scenic Rivers** 

## Residence at Canopy Pointe - Wild Scenic River Map

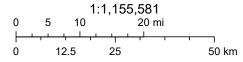


May 26, 2022

4

Search Result (point)

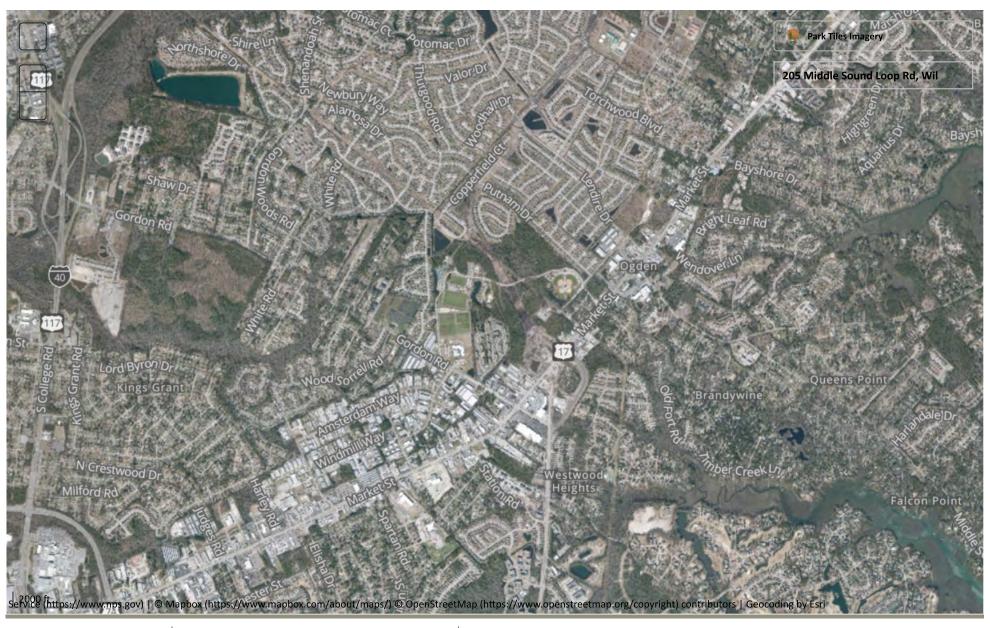
Wild and Scenic Rivers



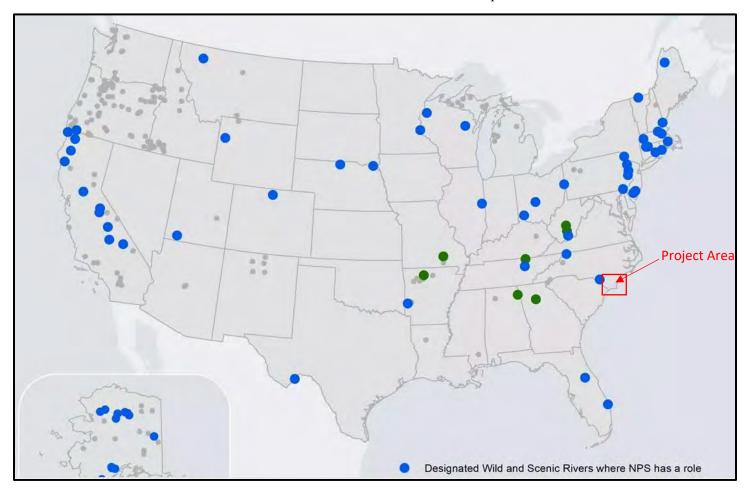
Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS

National Park Service U.S. Department of the Interior

This is a listing of more than 3,200 free-flowing river segments in the U.S. that are believed to possess one or more ...



Attachment 25
USFWS Wild and Scenic Rivers Map









NATIONAL SYSTEM MANAGEMENT RESOURCES PUBLICATIONS CONTACT US 50 YEARS SITE INDEX

#### **NORTH CAROLINA**

North Carolina has approximately 37,853 miles of river, of which 144.5 miles are designated as wild & scenic—less than 4/10ths of 1% of the state's river miles.

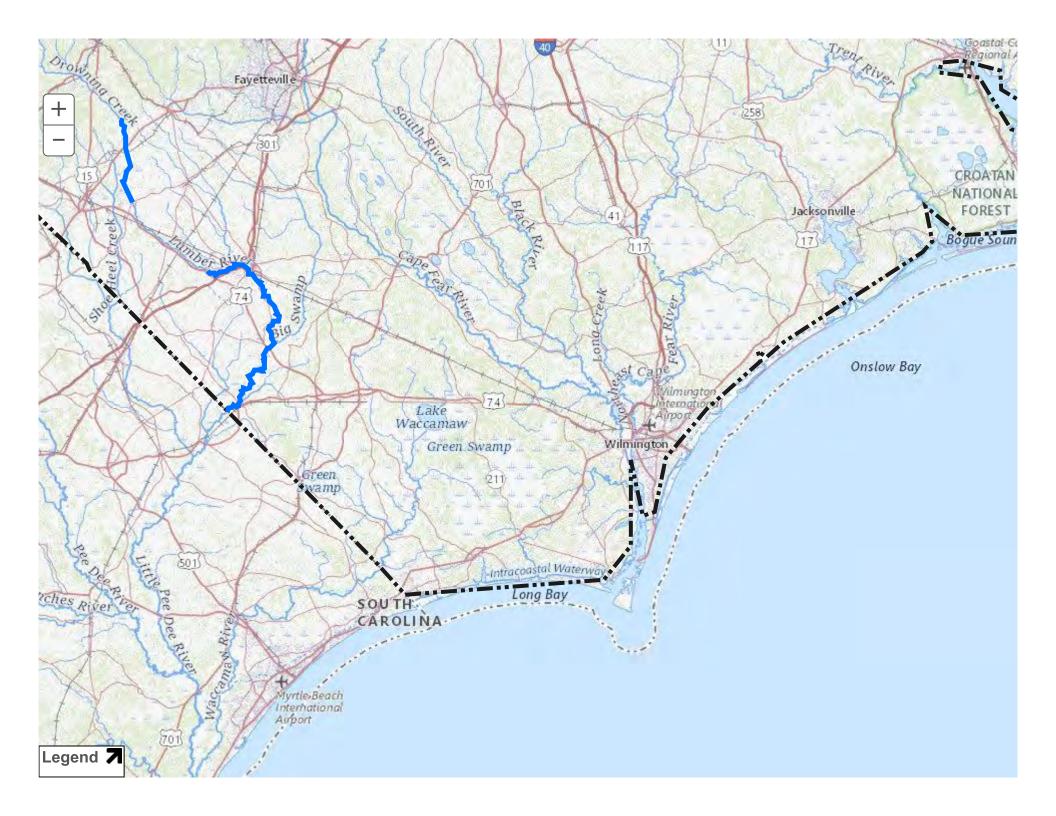


Choose A State ➤ Go Choose A River ➤ Go

Rivers of the Southeast define diversity, from bayous and rivers pushed by the tides to clear mountain streams with world-class whitewater.

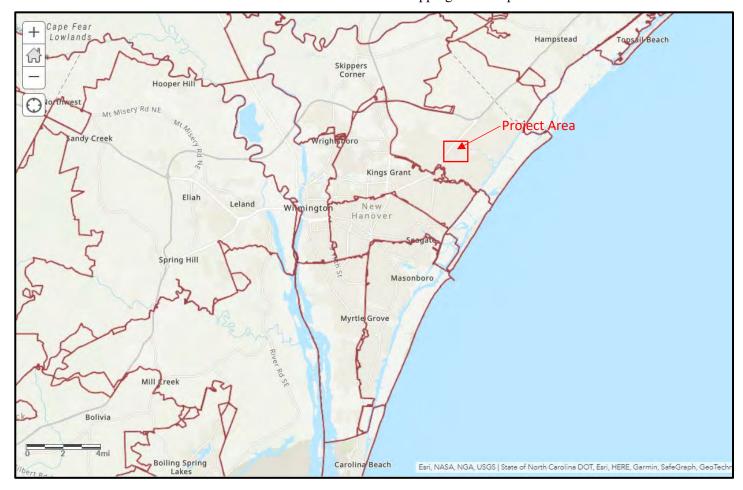
+ View larger map

**Chattooga River** Horsepasture River **Lumber River New River** Wilson Creek



Attachment 26

EPA Environmental Justice Mapping Tool Map



## **ATTACHMENT 17:**

**Environmental Justice** 



## **EJSCREEN ACS Summary Report**



Location: User-specified point center at 34.270106, -77.816314

Ring (buffer): 1-miles radius

Description: Residence at Canopy Pointe

Summary of ACS Estimates	2015 - 2019
Population	5,729
Population Density (per sq. mile)	2,396
People of Color Population	887
% People of Color Population	15%
Households	2,516
Housing Units	2,578
Housing Units Built Before 1950	37
Per Capita Income	43,572
Land Area (sq. miles) (Source: SF1)	2.39
% Land Area	97%
Water Area (sq. miles) (Source: SF1)	0.08
% Water Area	3%

70 Trace: 7 trea			
	2015 - 2019 <b>ACS Estimates</b>	Percent	MOE (±)
Population by Race			
Total	5,729	100%	854
Population Reporting One Race	5,635	98%	1,773
White	5,068	88%	845
Black	342	6%	372
American Indian	3	0%	33
Asian	111	2%	155
Pacific Islander	0	0%	17
Some Other Race	112	2%	351
Population Reporting Two or More Races	94	2%	269
Total Hispanic Population	340	6%	514
Total Non-Hispanic Population	5,389		
White Alone	4,842	85%	780
Black Alone	342	6%	372
American Indian Alone	3	0%	33
Non-Hispanic Asian Alone	108	2%	155
Pacific Islander Alone	0	0%	17
Other Race Alone	0	0%	18
Two or More Races Alone	94	2%	269
Population by Sex			
Male	2,656	46%	597
Female	3,073	54%	518
Population by Age			
Age 0-4	379	7%	212
Age 0-17	1,202	21%	375
Age 18+	4,527	79%	698
Age 65+	782	14%	255

May 26, 2022 1/3



### **EJSCREEN ACS Summary Report**



Location: User-specified point center at 34.270106, -77.816314

Ring (buffer): 1-miles radius

Description: Residence at Canopy Pointe

	2015 - 2019 <b>ACS Estimates</b>	Percent	MOE (±)
Population 25+ by Educational Attainment			
Total	4,086	100%	553
Less than 9th Grade	63	2%	126
9th - 12th Grade, No Diploma	116	3%	136
High School Graduate	921	23%	340
Some College, No Degree	883	22%	420
Associate Degree	327	8%	191
Bachelor's Degree or more	1,777	43%	316
Population Age 5+ Years by Ability to Speak English			
Total	5,350	100%	786
Speak only English	4,969	93%	771
Non-English at Home <sup>1+2+3+4</sup>	381	7%	369
<sup>1</sup> Speak English "very well"	187	3%	164
<sup>2</sup> Speak English "well"	86	2%	205
<sup>3</sup> Speak English "not well"	61	1%	131
⁴Speak English "not at all"	47	1%	168
3+4Speak English "less than well"	108	2%	213
<sup>2+3+4</sup> Speak English "less than very well"	194	4%	295
Linguistically Isolated Households*			
Total	56	100%	168
Speak Spanish	48	85%	168
Speak Other Indo-European Languages	0	0%	17
Speak Asian-Pacific Island Languages	9	15%	34
Speak Other Languages	0	0%	17
Households by Household Income			
Household Income Base	2,516	100%	321
< \$15,000	219	9%	212
\$15,000 - \$25,000	144	6%	137
\$25,000 - \$50,000	548	22%	311
\$50,000 - \$75,000	540	21%	306
\$75,000 +	1,065	42%	274
Occupied Housing Units by Tenure			
Total	2,516	100%	321
Owner Occupied	1,934	77%	258
Renter Occupied	582	23%	310
Employed Population Age 16+ Years			
Total	4,684	100%	674
In Labor Force	3,287	70%	628
Civilian Unemployed in Labor Force	98	2%	155
Not In Labor Force	1,397	30%	371

**Data Note:** Datail may not sum to totals due to rounding. Hispanic population can be of anyrace.

N/A means not available. **Source:** U.S. Census Bureau, American Community Survey (ACS)

May 26, 2022 2/3

<sup>\*</sup>Households in which no one 14 and over speaks English "very well" or speaks English only.



## **EJSCREEN ACS Summary Report**



Location: User-specified point center at 34.270106, -77.816314

Ring (buffer): 1-miles radius

Description: Residence at Canopy Pointe

	2015 - 2019 <b>ACS Estimates</b>	Percent	MOE (±)
opulation by Language Spoken at Home*			
otal (persons age 5 and above)	2,827	100%	492
English	2,712	96%	503
Spanish	18	1%	55
French	4	0%	92
French Creole	N/A	N/A	N/A
Italian	N/A	N/A	N/A
Portuguese	N/A	N/A	N/A
German	12	0%	36
Yiddish	N/A	N/A	N/A
Other West Germanic	N/A	N/A	N/A
Scandinavian	N/A	N/A	N/A
Greek	N/A	N/A	N/A
Russian	N/A	N/A	N/A
Polish	N/A	N/A	N/A
Serbo-Croatian	N/A	N/A	N/A
Other Slavic	N/A	N/A	N/A
Armenian	N/A	N/A	N/A
Persian	N/A	N/A	N/A
Gujarathi	N/A	N/A	N/A
Hindi	N/A	N/A	N/A
Urdu	N/A	N/A	N/A
Other Indic	N/A	N/A	N/A
Other Indo-European	35	1%	92
Chinese	28	1%	106
Japanese	N/A	N/A	N/A
Korean	0	0%	17
Mon-Khmer, Cambodian	N/A	N/A	N/A
Hmong	N/A	N/A	N/A
Thai	N/A	N/A	N/A
Laotian	N/A	N/A	N/A
Vietnamese	0	0%	17
Other Asian	4	0%	20
Tagalog	0	0%	17
Other Pacific Island	N/A	N/A	N/A
Navajo	N/A	N/A	N/A
Other Native American	N/A	N/A	N/A
Hungarian	N/A	N/A	N/A
Arabic	0	0%	17
Hebrew	N/A	N/A	N/A
African	N/A	N/A	N/A
Other and non-specified	4	0%	20
Total Non-English	115	4%	704

**Data Note:** Detail may not sum to totals due to rounding. Hispanic popultion can be of any race. N/A means not available. **Source:** U.S. Census Bureau, American Community Survey (ACS) 2015 - 2019.

\*Population by Language Spoken at Home is available at the census tract summary level and up.

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### **EJSCREEN Census 2010 Summary Report**



Location: User-specified point center at 34.270106, -77.816314

Ring (buffer): 1-miles radius

Description: Residence at Canopy Pointe

Summary		Census 2010
Population		5,14
Population Density (per sq. mile)		2,154
People of Color Population		70-
% People of Color Population		14%
Households		2,24
Housing Units		2,38
Land Area (sq. miles)		2.39
% Land Area		97%
Water Area (sq. miles)		0.0
% Water Area		3%
Population by Race	Number	Percent
Total Total	5,148	
Population Reporting One Race	5,052	98%
White	4,548	88%
Black	311	6%
American Indian	19	0%
Asian	75	1%
Pacific Islander	3	0%
Some Other Race	97	2%
Population Reporting Two or More Races	96	2%
Total Hispanic Population	227	4%
Total Non-Hispanic Population	4,921	96%
White Alone	4,444	86%
Black Alone	306	6%
American Indian Alone	13	0%
Non-Hispanic Asian Alone	74	1%
Pacific Islander Alone	2	0%
Other Race Alone	6	0%
Two or More Races Alone	75	1%
Population by Sex	Number	Percent
Male	2,526	49%
Female	2,622	51%
Population by Age	Number	Percen
Age 0-4	348	7%
Age 0-17	1,246	24%
Age 18+	3,902	76%
Age 65+	523	10%
Households by Tenure	Number	Percen
Total	2,246	
Owner Occupied	1,694	75%
Renter Occupied	552	25%

**Data Note:** Detail may not sum to totals due to rounding. Hispanic population can be of any race. **Source:** U.S. Census Bureau, Census 2010 Summary File 1.

# **ATTACHMENT 18:**

**Z**oning

# CITY OF WILMINGTON CITY COUNCIL'S ORGANIZATIONAL MEETING JUNE 7, 2022 6:30 PM

### City Hall, Council Chambers - 102 North 3rd St Wilmington, NC

### **AGENDA**

This is an unofficial record

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~ To view the video for any of the agenda items or motions below, click on the item or motion. Supporting documents are also clickable. ~

INVOCATION: Rev. Jermaine Armour, Pastor, St. Luke A. M. E. Zion Church

### **PLEDGE OF ALLEGIANCE**

### **PRESENTATIONS**

Proclamation Recognizing Vaughn Hagerty

Proclamation Recognizing Researchers from NC State and U.S. EPA

### **CONSENT AGENDA**

**C1.** Approval of Minutes of the Agenda Briefing on May 16, 2022 and the Regular Meeting on May 17, 2022

<u>Supporting Documents</u>

C2. Resolution Authorizing the City Manager to Enter into a Multi-year Janitorial Services Contract with Top to Bottom House Cleaning, LLC of Wilmington, North Carolina in the Amount of \$83,460 Per Year and a Multi-year Janitorial Services Contract with Self-Rising Cleaning Service Corporation of Wilmington, North Carolina in the Amount of \$193,388 Per Year

Supporting Documents

**C3.** Resolution Approving the Amended Financial Management Policies for the City of Wilmington

**Supporting Documents** 

Motion to approve passed 6-0.

Motion to approve passed 6-0.

### **PUBLIC INFORMATION**

### **PUBLIC HEARINGS**

PH1. Ordinance Directing the Housing Inspector to Vacate, Close, and Repair or Demolish the Dwelling at 910 Campbell Street as Unfit for Human Habitation Pursuant to Article V, Chapter 16 of the City Code and Directing that a Notice be Placed Thereon Prohibiting Its Use or Occupancy [Land Use Action] (Continued from April 19, 2022)

### **Supporting Documents**

Motion to approve passed 5-1.

Motion to waive second reading failed 5-1.

**PH2.** Ordinance Of the City Council to Extend the Corporate Limits of The City of Wilmington, North Carolina [Land Use Action]

### **Supporting Documents**

Motion to approve passed 6-0.

Motion to waive second reading passed 6-0.

PH3. Ordinance Amending the Official Zoning Map of the City to Initially Zone Property Containing 4.82 Acres of Land Located at 205, 209, 213 & 217 Middle Sound Loop Road to MD-17(CD), High-density Multiple-dwelling Residential District (Conditional District) for a 72-unit Multi-dwelling, Affordable, Senior Housing Development [Land Use Action]

### <u>Supporting Documents</u>

Motion to approve passed 6-0.

Motion to waive second reading passed 6-0.

**PH4.** Ordinance Amending the Official Zoning Map of the City to Rezone Property Containing 1.89 Acres of Land Located at 1441 Eastwood Road from CB (CD), Community Business (Conditional District) to RB (CD), Regional Business (Conditional District), to Allow for an Indoor Recreation Facility as a Permitted Use [Land Use Action]

### Supporting Documents

~ To view the video for any of the agenda items or motions below, click on the item or motion. Supporting documents are also clickable. ~

Motion to approve passed 6-1.

Motion to waive second reading passed 7-0.

PH5. Ordinance Amending the Land Development Code, Chapter 18 for Various

Amendments and Clean-up Items related to Permitted uses, Landscaping, Frontage standards, Dimensional and Design standards, Measurements and Definitions, and Administrative Provisions [Land Use Action]

### Supporting Documents

Motion to approve passed 7-0.

Motion to waive second reading passed 7-0.

**PH6.** Public Hearing on the Draft 5 YEAR Consolidated Plan CDBG/HOME [Public Hearing Only]

**Supporting Documents** 

### **ORDINANCES**

**O1.** Ordinance for Supplemental Appropriation of Proceeds in the Amount of \$162,688 from the Sale of Optimist Park for Permanent Supportive Housing

### <u>Supporting Documents</u>

Motion to approve passed 7-0.

Motion to waive second reading passed 7-0.

**O2.** Ordinance Making an Appropriation of \$234,735 for the Riverwalk Visitor Information Center Renovation Project [Budget Impact - \$234,735 Appropriation]

### Supporting Documents

Motion to approve passed 7-0.

Motion to waive second reading passed 7-0.

**O3.** Ordinance Appropriating \$50,000 for a Riverwalk Tidal Marsh Extension Feasibility Study Funded by a \$10,000 Property Owner Contribution and \$40,000 from Council Contingency

### Supporting Documents

Motion to approve passed 7-0.

Motion to waive second reading passed 7-0.

**O4.a.** Ordinance Making Supplemental Appropriation in the Amount of \$573,440 to the Transportation Bond Racine Drive Intersection Improvements; \$503,440 from the Transportation Bond's Contingency: Bike/Ped Project Funds and \$70,000 from the Pedestrian/Bike Improvements

### **Supporting Documents**

Motion to approve passed 7-0.

Motion to waive second reading passed 7-0.

**O4.b.** Resolution Authorizing the Award of a Construction Contract in the Amount of \$625,376.09 to Morgan Trucking and General Construction, Inc. for the Transportation Bond Racine Drive Intersection Improvements

### <u>Supporting Documents</u>

Motion to approve passed 7-0.

**O5.a.** Ordinance Making Appropriations to the General Fund for the Fiscal Year Beginning July 1, 2022 (Continued from May 17, 2022) (First Reading Only)

### **Supporting Documents**

Motion to adopt as amended failed 2-5.

Motion to approve passed 6-1.

**O5.b.** Ordinance Making Appropriations to the Grant Projects, Financial Plans, Enterprise Funds, Debt Service Fund, and Special Tax District for the Fiscal Year Beginning July 1, 2022 (Continued from May 17, 2022) (First Reading Only)

### **Supporting Documents**

Motion to approve ) passed 7-0.

**O5.c.** Ordinance Making Appropriations to the Capital Projects Funds for the Fiscal Year Beginning July 1, 2022 (Continued from May 17, 2022) (First Reading Only)

### <u>Supporting Documents</u>

Motion to approve passed 7-0.

**O6.** Ordinance Amending Various Chapters of the City of Wilmington Fee Schedule for the Fiscal Year Beginning July 1, 2022 (Continued from May 17, 2022) (First Reading Only)

### Supporting Documents

Motion to approve passed 6-1.

### RESOLUTIONS

**R1.** Resolution Removing the Wilmington Urban Area Metropolitan Planning Organization Executive Director (aka Transportation Planning Manager)

Position from the City of Wilmington's Wage and Salary Scales, i.e., Position Classification System Effective with Passage of the Resolution

### <u>Supporting Documents</u>

Motion to approve passed 7-0.

### Items to be brought to Council by the City Manager

Motion to approve Waive Council's Rules passed 6-0.

Ordinance for Supplemental Appropriation in the Amount of \$1,650,000 from the General Fund Unassigned Fund Balance to be Available to Assist Wilmington Housing Authority with Capital Improvement Housing Remediation (Walk On Item)

Motion to approve passed 7-0.

Motion to waive second reading passed 7-0.

Resolution Authorizing the City Manager to Enter into Funding Agreements with the Wilmington Housing Authority (Walk On Item)

Motion to approve passed 7-0.

Items to be brought to Council by the City Attorney

Items to be brought to Council by the City Clerk

Items to be brought to Council by Council Members

### CITY OF WILMINGTON REGULAR CITY COUNCIL MEETING MINUTES TUESDAY, MAY 3, 2022

The Council of the City of Wilmington met in regular session on the above date at 6:30 p.m. at City Hall, Council Chambers, 102 North 3<sup>rd</sup> Street, Wilmington, North Carolina.

Those present were: Mayor Bill Saffo, presiding; Mayor Pro-Tem Margaret Haynes; Councilmembers Charlie Rivenbark, Neil Anderson, Clifford Barnett, Sr., Kevin Spears, and Luke Waddell; City Manager Tony Caudle, Assistant City Attorney Shawn Evans, and City Clerk Penelope Spicer-Sidbury. City Attorney John Joye was absent.

Chaplain Joshua Lee, Wilmington Police Department, gave the invocation, followed by the Pledge of Allegiance to the Flag.

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### **PRESENTATIONS**

Mayor Saffo and Council recognized UNCW Chancellor Jose V. Sartarelli and presented a Proclamation honoring his Retirement. Mayor Saffo and Chancellor Sartarelli made brief remarks.

Mayor Saffo presented a Proclamation Naming May 21-27, 2022 as Safe Boating Week to Mr. Otis J. White, Commander of the Local Power Squadron Chapter. Mr. White made brief remarks.

Mayor Saffo presented a Proclamation Naming May 2022 as Bicycle Awareness Month to Ms. Abby Lorenzo, WMPO Deputy Director.

Ms. Laura Mortell, Budget Director presented the City Manager's FY2023 Recommended Budget. She stated the development of the budget began in November of 2021 with a work session and continued with two other work sessions in January and March of 2022. She reviewed the strategies used in developing the budget, which included: a property tax adjustment tied to employee retention and attraction, acceleration of transportation projects, inclusionary City government, optimistic estimates of sales tax revenues, strategic use of fund balance, continuing core services with limited additions, prioritizing enhancements based on key strategic priorities, and continuing affordable housing initiatives.

Ms. Mortell stated that the economic drivers that framed the budget included \$31 million in federal assistance that was directed to the City, inflation and the related disruptions in supplies, shifts in the labor market, and international unrest. She stated that some of the local economic challenges are that the City's human capital has been stretched thin throughout all departments and supplies are beginning to dwindle, while ongoing costs are increasing. She stated that revenue trend disruptions, including hurricanes, stimulus packages, and legislative changes related to internet sales, make it difficult to predict revenues when developing the budget. She stated on a positive note, that the increase to the Local Government Employees' Retirement System contribution was not as much as it has been in previous years, and also the health insurance premiums will remain flat.

Ms. Mortell stated the total budget is just over \$251 million. She reviewed the sources of revenues and the City's expenditures as percentages of the total budget. She noted that property taxes make up 34.2% of the City's revenues and Public Safety accounts for 24.7% of the City's expenditures. She stated the budget increased by roughly \$18 million and she reviewed the categories and associated amounts where funding was increased. She stated that the Workforce budget priority, which mainly consists of the City's compensation study, received the largest increase at \$7.2 million. She stated that service improvement results and maintaining infrastructure each were

# REGULAR COUNCIL MEETING MINUTES Page 2

MAY 3, 2022

increased by approximately \$3 million, and affordable housing was increased by \$2 million

Ms. Mortell stated one of the most important aspects of this budget is the priority placed on workforce compensation. She stated the cost to implement the compensation study is \$7.25 million and that moving forward with second year of a three year plan to bring Council's stipend to market rate will cost \$28,000.

Ms. Mortell stated the budget includes increasing a current part-time position with the City's Diversity, Equity, and Inclusion Office to full-time, as well as funding for a Disparity Study. She stated the Wilmington Fire Department will also continue its Youth Academy which will focus on recruiting marginalized population that traditionally do not apply for these roles.

Ms. Mortell stated the budget includes funds geared towards accelerating Transportation projects, including a new Paralegal position to help with right-of-way acquisitions, new Senior Project Manager positions, and software expansion.

Ms. Mortell stated that WAVE Transit will receive an additional 3% on top of their normal 3%, equaling \$46,000 to help fund route design improvements. She stated \$16,000 has also been budgeted in the Parking fund for expanded trolley service at Riverfront Park during concert events, in order to help disburse the crowds in a safe and orderly fashion.

Ms. Mortell stated there is a focus on Public Safety and Wellness in the community and funding is included for the RiverLights Fire Station, set to open in July 2023. She stated increased funding is also included for Wilmington Police Department's Downtown Task Force and Gun Crime Investigator positions. Ms. Mortell stated five officers will be added to the Downtown Task Force, with three funded from the General Fund and two funded from the Municipal Services District (MSD) fund. Ms. Mortell stated a new Construction Inspector position will meet the high demand of construction assignments and will ensure that the public infrastructure is receiving the necessary attention to detail and quality. Ms. Mortell stated the budget includes funding for a Senior Maintenance Specialist to provide relief to the large Facilities Staff workload.

Ms. Mortell stated the budget continues to support the need for affordable housing and includes an increase to the property tax rate of one cent, equaling \$2.15 million. She stated the City has received federal funding to provide the community's low-to-moderate income citizens with suitable housing services since 1975. She stated the Community Development and Housing Administration budget is increasing by 10% in FY2023, mainly due to the addition of a Housing Counselor position. She stated unused funding has been shifted to the Owner Occupied Rehabilitation program. She stated the Home Ownership Pool/Gap Financing program will receive an additional \$600,000, for a total of \$1.6 million. She stated the budget also includes \$1.5 million in restricted fund balance that is available for affordable housing projects, to be used at the direction of City Council. She stated the City's total contribution for affordable housing in FY2023 is \$3.6 million.

Ms. Mortell stated there will be a 10% funding increase for outside agencies, compared to FY2022. She stated three of the Economic Development agencies were shifted from the competitive process to service contracts totaling \$337,000.

Ms. Mortell stated the assessed property values are at \$21.7 billion, which is just over \$49 million, or 0.22% from last year. She stated reasons for the lack of growth are Brownsfield Agreement properties with tax exemptions and appeals of the reevaluation of property values conducted last year. She stated the recommended budget recommends a property tax adjustment of 1.42 cents, bringing the rate from 38.08 cents to 39.50 cents. She stated the increase equals 3.73% and would generate \$3,053,146 in revenues. She stated the impact for the single family residential home

median assessed value of \$268,500 would be an increase of \$3 per month, or \$38 per vear.

Ms. Mortell stated that sales tax revenues are the most difficult to forecast, because of their dependency on consumer confidence and the economy. She stated that sales tax revenues are currently coming in higher than expected and Staff is budgeting optimistically, based on recent trends. She stated some slowing is expected so growth is projected at 5% over FY2022. Ms. Mortell stated the General Fund budget is balanced at \$130.4 million.

Ms. Mortell stated there are changes being requested in the Municipal Service District (MSD) funds. She stated the MSD fund was established in 2016 to provide services above and beyond what is provided to the rest of the City. She stated a one cent adjustment is included in the budget, from 5.47 cents to 6.47 cents per \$100 of assessed value. She stated that one cent equals \$81,825 and the funds will support the addition of two downtown police officers. She stated the MSD Advisory Committee does not support the recommended increase. She stated using the single family residential median assessed value of \$268,500, the increase would equal \$27 per year, or approximately \$2 per month. She stated the sales tax for the MSD is budgeted similarly to sales tax revenues for the General Fund. She stated they are based on the two year trends and for the entire year, the total should be roughly \$222,000.

Ms. Mortell stated that the MSD fund is balanced at \$781,306 and includes \$184,000 for the downtown police officers. She noted that the funding for the vehicles for these officers will come out of the General Fund, just in case they are needed for use outside of the MSD area. She stated MSD professional services contract cost remained flat at \$562,000.

Ms. Mortell stated the Enterprise Funds are also responding to the economic conditions affecting the General Fund. She stated the Stormwater Fund is balanced at \$14 million and includes a 1% increase, from \$8.43 to \$8.51. She stated the Recycling and Trash Fund is balanced at \$11 million and includes a 5% increase across the board. She stated the Parking Fund is balanced at \$6.5 million with various fee adjustments that are supported by the Downtown Parking Advisory Committee. She stated the Municipal Golf Course Fund is balanced at \$1.9 million and includes a \$2 green fee adjustment that is supported by the Rate Study completed last year and by the Golf Course Advisory Committee. She stated the recommended budget includes shifting the indirect costs paid by the Golf Course Fund into a dedicated Golf Course Capital Improvement Plan fund.

Ms. Mortell stated the next steps are to publish the recommended budget on the City's website and run highlights on GTV-8. She stated that copies will be available in the City Manager's Office, the City Clerk's Office, and at the downtown New Hanover County Library. She reviewed the budget timeline and stated the Public Hearing will be held on May 17, 2022. She stated a work session will be scheduled for May 27, 2022 and adoption of the budget will occur in June.

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### **CONSENT AGENDA**

Items on the Consent Agenda were acted upon and unanimously adopted on motion of Councilmember Barnett, seconded by Councilmember Spears as presented as follows:

**Adopted** Resolution to Declare a Fire Safety Training Trailer as Surplus Property and Authorize Its Donation to Western Carteret Fire and EMS Department

**Adopted** Resolution Authorizing the City Manager to Enter into an Agreement to Purchase 40 Sets of Firefighting Coats and Pants from NAFECO of Decatur, AL for \$137,581 Through the NPPGov Government Cooperative Buying Agreement

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### **PUBLIC INFORMATION**

There were no speakers signed up to speak.

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### **PUBLIC HEARINGS**

Public Hearing was held on Ordinance Amending the Official Zoning Map of the City to Rezone Property Containing 3.29 Acres of Land Located at 1610 Tiburon Drive from O&I (CD), Office & Institutional (Conditional District) to a New O&I (CD), Office & Institutional (Conditional District) to Allow for a Restaurant.

Mr. Brian Chambers, Senior Planner gave the Staff Report and stated that the site is located at the southeast corner of Tiburon Drive and Independence Boulevard. He stated it is approximately 3.29 acres in size and is currently vacant. He showed Council an aerial map of the site and photographs of the existing conditions on the subject property and on adjacent properties.

Mr. Chambers stated that in July of 2011, Council rezoned the property from R-15, Residential and MF-M, Multi-family to Office and Institutional District, Conditional District, O&I (CD) for the Live Oak Bank professional office park. The conditional district allows for a maximum building square footage across the entire site and limited uses to banking, business services, and medical/professional offices. He stated the current conditional district master plan would allow for 34,000 square feet of non-residential space on this property. He stated the Applicant is proposing to rezone the site from the existing O&I (CD) to a new O&I (CD) for a new restaurant use.

Mr. Chambers stated that traffic data indicates that Independence Boulevard at this location is operating within its designed capacity and there would not be a substantial increase of traffic with the proposed use, as compared to the allowable build out under the current zoning. He stated that a Traffic Impact Analysis was completed and approved and determined there would be no off-site improvements required. He stated that access to the site would be provided by two full driveways on Tiburon Drive and that the Cross City Trail runs along the frontage of Independence Boulevard. He stated that a five foot sidewalk will be required along Tiburon Drive and will run the distance of the property when linked to a mid-block crossing at Live Oak Bank.

Mr. Chambers stated that a buffer will be required along the southern property line and the Applicant has proposed a 20-foot wide undisturbed buffer. He stated that any protected trees within the required streetscape and any trees or shrubs within the transitional buffer must be retained. He stated that due to the proximity to single dwelling residential areas, no amplified sound would be permitted on this site.

Mr. Chambers showed Council elevations provided by the Applicant. He stated the site has been identified as a Greenfield Site and a Multi-use Place Area of Opportunity and as a Mixed Use Place/Mixed Use Center on the Comprehensive Plan Growth Strategies Map. He stated the plan encourages infill that enhances the desired character of the surrounding area, improves access to goods, services, and amenities, and improves the overall quality of life. He stated the Plan calls for pedestrian-oriented commercial development that is designed at a height, mass, scale, and form that is appropriate and provides a suitable transition. He stated the proposed zoning would add a compatible commercial use that would add to services available in this neighborhood and the use provides a suitable transition between the residential areas and existing commercial and office uses.

Staff believes the request is consistent with the Comprehensive Plan, is reasonable, and is in the public interest. Staff recommends conditional approval of the request. He stated the Planning Commission voted unanimously to recommend approval of the rezoning.

Mr. Joe Taylor, Attorney for the Applicant, Covey, LLC spoke to Council and stated that members of the development team were available to answer questions. He stated Mr. Chambers did a good job reviewing the request and provided a good Staff Report. He stated that Planning Commission voted unanimously to recommend approval, with the conditions suggested by Staff. He stated the conditions are all acceptable to the Applicant.

Mr. Taylor stated the Covey site is part of the original Live Oak Bank professional campus and sits in a current O&I (CD). The Applicant is requesting to remove it from the current O&I Conditional District and put it into a new O&I Conditional District with only one permitted use, which is the restaurant that must be built according to the submitted site plan. He stated that one of the goals listed in the City's Comprehensive Plan is to locate restaurants closely in residential areas. He stated the site embraces walking and Live Oak Bank employees and residents of nearby apartment complexes will be able to access this site through the Cross City Trail. He stated the design is for a neighborhood, walkable restaurant. He stated that this use will be less intrusive than a three-story, 36,000 square foot office building, which is currently permitted.

Mr. Taylor stated the project is consistent with the Comprehensive Plan and the Land Development Code. He stated the restaurant will use only half of the allowable buildable square footage under the current zoning and will use less than half of the 98,000 square feet of impervious surface that is currently permitted. He stated that many significant trees will be saved under the current proposal and that the current request has 21% less parking, because of the walkability. He stated the restaurant use will generate only half of the daily trips proposed for the three-story office building use. He read from the Staff Report, which stated that the restaurant will allow for compatible commercial use that would add to the services available to the surrounding neighborhoods and provides a suitable transition between the existing residential areas and office developments.

Ms. Christine Hughes, 1843 Hawthorne Road, spoke to Council in support of the request. She stated it is unusual for someone to come forward with a less intense request for development than is currently permitted and that she is pleased to see this proposal come forward. She stated that  $\frac{1}{4}$  of a mile is generally the accepted distance that people are willing to walk to a destination and by her calculations this restaurant will be within a  $\frac{1}{4}$  mile of 200 residential units and 650 office workers. She stated that putting commercial uses within walking/biking distance of residential uses mitigates traffic impacts.

Ms. Hughes stated this site is well connected to the Cross City Trail and the proposal is consistent with the City's Comprehensive Plan. She stated the trips generated for the restaurant use will be less than those permitted under the current zoning. She stated it will integrate non-office uses into the Live Oak Bank campus, which brings to life the mixed use concept outlined in the Comprehensive Plan. She stated this site would not be completely built out and there will be a number of preserved trees. She stated that Staff and the Planning Commission supported this request and she hopes Council will do the same.

Mr. Ralph Nesbitt, President of the Independence East Homeowners' Association, spoke to Council in support of this request. He stated Independence East, which is approximately 45 homes, is directly next door to the site. He stated they are very excited about this proposal, as it will be a neighborhood concept. He stated it will enhance their neighborhood and they hope Council will support this project.

Ms. Rachel McCrae, 2308 Sterling Place spoke to Council in support of this request. She stated she grew up in this area and her father built Hanover Center. She stated this is a perfect site for a restaurant and she is happy to see all the pieces fall into place. She stated the employees for this restaurant will be well taken care of and she is very excited for it to open.

Mr. James Smith, 54 Pelican Drive, Wrightsville Beach, stated he is Vice President of the company that currently owns the site, but stated that he has no personal gain if this request is approved or not. He spoke to Council in support of the request and stated that he wanted to remind Council of the work put into having mixed use developments. He stated this will be a great use for this site and he hopes Council will approve it.

Mrs. Penelope Spicer-Sidbury, City Clerk advised Council that the following written comments were submitted for this Item:

- Ms. Patricia Horne, 216 South Front Street, wrote that she supported the new restaurant, as it will be a much needed addition to this neighborhood.
- Mr. Calvin Wells, 1905 Ashbrook Drive, wrote that there has never been a fine dining restaurant in this area and that he and his wife are excited about this restaurant being within a mile of their house. He stated this restaurant will be a wonderful addition to the City. He stated they know the manager from Linville, and they run a wonderful restaurant.
- Mr. Kent Anderson, 1919 London Lane, wrote that he shops at Hanover Center and Independence Mall often. He stated there are a number of fast food options in the area, with limited sit-down, higher quality restaurants. He stated this restaurant will improve the overall shopping experience and will incrementally benefit those retailers in the immediate area.
- Mr. Dave Austin, 3711-B Reston Court, wrote that he was concerned about placing a restaurant between two housing communities. He stated a restaurant will add a great deal of noise at nights and on the weekends. He stated that adding traffic to Independence Boulevard is also a concern. He stated that while the owner of this restaurant has promised to be a good neighbor, there is no guarantee that will hold for the next owner. He stated there are better areas for this restaurant to locate.
- Mr. Benjamin Vann, 122 North 7<sup>th</sup> Street, wrote that he was extremely excited to have this restaurant in the Wilmington area. He stated after seeing their concept and attention to detail, he feels this restaurant will be a massive success.
- Mr. Michael McGinty, 313 Ann Street, wrote that he was in support of the proposal and stated it seems to be a perfect use for the space and the plans promise a good experience.
- Ms. Christa Preville, 7210-E Creek's Edge Drive, wrote that this restaurant is a much needed addition to the mid-town area. She stated this is a nice, high-end restaurant and many people will love the quality.
- Mr. Ben Wells, who lives in Forest Hills, wrote that this location will be great for a restaurant. He stated in this area there are not many restaurant choices that are not either chains, in shopping centers, or downtown. He stated the site plans are beautiful and the restaurant will be a good addition to the area.

Everyone being given an opportunity be heard, the Public Hearing was closed.

Following further consideration, Mayor Pro-Tem Haynes moved approval of the Ordinance and read the Consistency & Reasonable Statement as follows:

I move to approve the proposed amendment to rezone the property located at 1610 Tiburon Drive from an existing O&I(CD), Office & Institutional (Conditional District) to a new O&I(CD), Office & Institutional (Conditional District) for a restaurant use and find it to be consistent with the relevant policies in the Comprehensive Plan, based on the application materials, and the information provided at the public hearing and in the staff report, and to find Approval of the rezoning request is reasonable and in the public interest

for the following reason(s): The proposed rezoning would allow for a compatible commercial use that would add to the services available to the surrounding neighborhood.

The motion was seconded by Councilmember Waddell and carried unanimously. A Second Reading of the Ordinance was waived on the motion of Councilmember Rivenbark, seconded by Councilmember Anderson, and carried unanimously.

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Public Hearing was held on Ordinance Amending the Official Zoning Map of the City to Rezone Property Containing 3.07 Acres of Land Located at 5500 Wrightsville Avenue from CB, Community Business and O&I, Office & Institutional District to MD-17(CD), High density multiple dwelling residential district (Conditional District) for a 32-unit Townhome Development.

Mr. Jeff Walton, Associate Planner gave the Staff Report and stated that the Applicant is seeking to rezone the property to MD-17 for a 32-unit townhome development. He showed Council an aerial photograph of the site, as well as photographs of the existing conditions at the subject site and on adjacent properties. He stated the property is a wooded site that borders Wrightsville Park and French Road. He stated the property is currently vacant and is split zoned Community Business (CB) and Office and Institutional (O&I).

Mr. Walton stated that in 2001 a portion of the property was rezoned from O&I to CB, although no site plan was ever submitted. He stated for the current request, the site plan shows that the townhouse units will be set along Wrightsville Avenue and French Road, with parking in the rear yards. He stated there will be two driveways on Park Avenue, with no new driveways on Wrightsville Avenue or French Road. He stated for parking, the Applicant is proposing 78 spaces, with 66 standard spots, ten compact spots, and two spots for electric vehicles. He stated that French Road is a 50 foot wide unimproved public road that abuts the site to the west. He stated the Land Development Code (LDC) will require improvements and paving, to include the installation of curb, gutter, and sidewalks or a drainage swale and pedestrian access along the subject property's frontage. He stated the final improvements will be determined during the formal Technical Review Committee (TRC) process.

Mr. Walton stated the site is located within an identified Neighborhood Node Mixed-Use Center and within a High-Density Area of Opportunity in the Comprehensive Plan. He stated the Neighborhood Node area promotes uses such as small scale retail, office, or new development within a mixed-use product. He stated the Plan calls for small commercial/mixed use centers within a central location for the surrounding residential areas.

He stated the Wrightsville Avenue 2030 Plan Recommended Land Use Map supports maintaining a commercial zoning designation at this location. He stated that while Staff would support additional residential uses along this corridor, the inclusion of a commercial use on this site is encouraged. Staff believes this request is not consistent with the Comprehensive Plan and the Wrightsville Avenue 2030 Plan. Staff believes the request is not reasonable, is not in the public interest, and recommends denial. He stated if Council chooses to approve this request, Staff has provided proposed conditions in the Staff Report. He stated the Planning Commission voted to unanimously recommend this request for approval.

Councilmember Waddell stated that this request is filling a need for missing middle housing in this area and there is no need to oversaturate the retail/commercial market. Councilmember Barnett stated that previously Staff stated they were on the fence with this recommendation and inquired if that was still the case. Mr. Walton responded that Staff feels this is a "soft" denial where the Plan says that commercial would be suitable here, but looking at market trends along Wrightsville Avenue, a townhome development could also be suitable.

Mr. Matt Nichols, attorney for the Applicant, ZAC, LLC and the Zimmer Development Company, stated the proposed conditional residential rezoning is better than the current commercial zoning, which has no conditions. He stated the property is unusually shaped and has a U-shaped frontage on Wrightsville Avenue. He stated the property is currently split zoned, which is less than ideal. He stated if the property were redeveloped under the commercial zoning, it would likely not require Council approval and would be by-right commercial development. He stated the property is currently vacant and having a commercial development here would be challenging, because of the shape of the site. He stated the property is largely surrounded by residential uses. He showed Council photographs of the area surrounding the site.

Mr. Nichols stated one of the concerns was not putting a driveway on Wrightsville Avenue and pointed out that a commercial development would likely want that, because of the frontage. He stated that French Avenue does not lend itself to commercial development and is largely a residential, suburban setting.

Mr. Nichols showed Council the proposed site plan and highlighted the surrounding residential and driveway cuts on Park Avenue. He stated the trip generation for the townhome development will be significantly less than is permitted under a by-right commercial build out, based on numbers provided in the Staff Report. He stated the proposed density is consistent with the surrounding area at 10.4 units per acre. He showed Council renderings of the proposed townhouses and the landscape plan proposed for the site. He stated that approximately 147 existing trees will be preserved on site. He stated that the Planning Commission voted unanimously to recommend approval of the request.

Mr. Nichols stated that the 2021 Housing Needs Assessment showed there is a housing shortage in the City, particularly in the area of missing middle housing. He stated the City has identified middle housing to include duplexes, triplexes, quadraplexes, and townhomes and City policies encourage this type of development.

Mr. Nichols showed a photograph identifying the commercial uses in the area and stated there is no need for additional commercial uses on this site. He stated the site is within walking distance of a full-service grocery store and is close to two mixed use centers. He stated there are a number of benefits to this conditional zoning request.

In response to Councilmember Spears' inquiry, Mr. Nichols stated that he does not believe the nearby apartment complex has vehicular access through French Road. He stated when he looked at the site plan for the apartment complex project, there was a pedestrian connection required by Council, but he does not know if that has been installed. Councilmember Spears stated that he was trying to factor the traffic from this development added to the traffic from the apartment complex into his decision. Mr. Nichols responded that the site is currently vacant and generates no traffic right now. However, under the current zoning, there could be significantly more traffic than what is being proposed.

A question/answer and discussion period was held.

Councilmember Rivenbark stated that if the previously required pedestrian access has not been installed on French Road, it will force people to go out onto Oleander Drive to get around and get to Park Avenue. Mr. Brian Chambers, Senior Planner, stated that Staff would follow up on whether that condition has been met for that project.

Mrs. Penelope Spicer-Sidbury, City Clerk advised Council that there were no written comments submitted for this Item.

There being no one present to speak in favor or opposition, the Public Hearing was closed.

Following further consideration, Councilmember Rivenbark moved approval of the Ordinance and read the Consistency & Reasonable Statement as follows:

I move to approve the proposed amendment to rezone the property located at 5500 Wrightsville Avenue from CB, Community Business and O&I, Office & Institutional District to MD-17(CD), High-density multiple-dwelling residential district (Conditional District) for a 32-unit townhome development and find it to be consistent with the relevant policies in the Comprehensive Plan, based on the application materials, and the information provided at the public hearing and in the staff report, and to find Approval of the rezoning request is reasonable and in the public interest for the following reason(s): The proposed rezoning would provide additional housing options and be compatible with the surrounding area.

The motion was seconded by Councilmember Waddell and carried unanimously. A Second Reading of the Ordinance was waived on the motion of Councilmember Anderson, seconded by Councilmember Barnett, and carried unanimously.

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Public Hearing was held on Ordinance Amending the Official Zoning Map of the City to Rezone Property Containing 3.32 Acres of Land Located at 6261 & 6265 Wrightsville Avenue from R-15, Moderate-density Single-dwelling District to R-5(CD), Medium-density Mixed Residential District (Conditional District) for a 14-lot Residential Subdivision.

Mr. Jeff Walton, Associate Planner gave the Staff Report and stated the request is to rezone the site to R-5, Conditional District (CD) for a 14-lot residential subdivision. He stated the site is located on Wrightsville Avenue, near Rogers Avenue. He showed Council photographs of the existing conditions on the subject site and on the adjacent properties. He stated the Applicant is proposing a 14-lot subdivision of single-family detached housing, including the construction of a 40-foot public street that will connect Rogers and Wrightsville Avenues. He stated the proposed lot sizes range from 5,800 square feet to 8,600 square feet. He stated that on March 16, 2022, the Design Adjustment Committee approved a 14-lot conventional subdivision with an adjustment to the curve design for the proposed public street. He stated the Land Development Code (LDC) will require paving and improvements to Rogers Avenue, to include the installation of curb, gutter, and sidewalks or a drainage swale and pedestrian access easement on the southern portion of Rogers Avenue. He stated those details would be determined though the formal technical review process.

Mr. Walton stated the site is located within a Neighborhood Scale Infill Development Area of Opportunity on the Comprehensive Plan's Growth Strategies Map. The Plan promotes small-lot infill development with a particular emphasis on neighborhood character. He stated that although the lots will be smaller in size, the proposed project is consistent with existing residential development pattern in the area. He stated the new road will provide connectivity and will provide a second access for Rogers Avenue.

Mr. Walton stated that the Wrightsville Avenue 2030 Plan supports maintaining existing residential land uses and that this rezoning would allow for redevelopment that is compatible with the surrounding neighborhood.

Mr. Walton stated that at the Planning Commission hearing on this Item, the Commission amended Condition 5 that would prohibit duplex units and detached accessory dwelling units on the site. At the time, the Applicant agreed, but since that time, has withdrawn their consent to the condition. The Applicant has instead recommended a condition that only prohibits duplexes, but permits both attached and detached accessory dwelling units.

Staff believes the request is consistent with the Comprehensive Plan and the Wrightsville Avenue 2030 Plan. He stated the request is reasonable, is in the public interest and Staff recommends conditional approval.

In response to Councilmember Anderson's inquiry, Mr. Walton stated the Applicant wants the ability to have a detached accessory unit. He stated there are regulations in the LDC that governs accessory units. He stated for a detached accessory unit, the maximum size is 900 square feet.

Councilmember Waddell inquired as to the reasoning behind added unheated square footage into the total. Mr. Brian Chambers, Senior Planner responded that the 900 square feet applies to detached units and for an internal accessory unit the maximum size is limited to 30% of the size of the primary building square footage. He stated he does not see where the 900 feet for a detached unit is split between heated and unheated areas. He stated if a unit was over an existing garage, the square footage of the spaces would be added together. Councilmember Waddell stated he did not want to derail the discussion on this project, but he feels it warrants additional discussion.

Ms. Cindee Wolf spoke to Council on behalf of the Applicant and stated that the subject parcel is located on Wrightsville Avenue, but also has frontage along Rogers Avenue. She stated that while the Wrightsville Avenue 2030 Plan encourages retaining single-family uses, the Comprehensive Plan identifies this parcel within an Area of Opportunity for infill. She stated the zoning along this stretch is a mixture of single-family and multi-family residential uses and this project fits into that mix. She stated the proposed 14-lot subdivision preserves the single-family character of the area and orients the homes on lots 1, 2, 13, and 14 to address the residential streetscape of Wrightsville Avenue while minimizing driveway conflicts. She stated the proposal provides interconnectivity and improvements to Rogers Avenue for better vehicular circulation and access for emergency vehicles.

Ms. Wolf stated that during the Planning Commission there was discussion over the nuances of detached and attached accessory dwellings. She mistakenly agreed to the limiting provision of allowing only internal or attached accessory dwelling units. She stated that after discussions with her client, it was determined that allowing attached and detached will permit the possibility of having a yard in the back of the units.

Ms. Wolf stated the proposed rezoning is consistent, reasonable, and is in the public interest. She requested that Council concur with the Planning Commission's recommendation to approve the rezoning to the R-5(CD) district, with the elimination of Condition Number 7, which would result in permitting either an attached or detached accessory dwelling.

A question/answer and discussion period was held.

In response to Councilmember Barnett's inquiry, Ms. Wolf stated that she did not believe the accessory units would be rentals and added that restrictive covenants of the community could control that point. She stated it does provide missing middle housing, but in this type of community, it would most likely be family-specific.

In response to Councilmember Waddell's inquiry about Planning Commission's restriction on detached accessory units, Ms. Wolf stated there was opposition to the proposal at the Planning Commission meeting. She believes that the way the conversation was directed, it was perceived by some as potential college student rental housing.

Ms. Catherine McFeeters, 136 Rogers Avenue, spoke to Council in opposition to the rezoning and stated that her property is across the corner from the subject property. She stated that Rogers Avenue is a dead end, potholed, dirt road with a 13 foot wide driving surface for most of its quarter mile length. She stated it is impossible for two vehicles driving in opposite directions to pass each other on this

road. She stated it floods when it rains and has three foot deep drainage ditches on the southern side of the road and a precarious ingress/egress at Wrightsville Avenue. She stated currently the City has no plans to improve Rogers Avenue, and the only road improvement associated with this rezoning is for the last 300 feet.

Ms. McFeeters stated the additional traffic burden for Wrightsville Avenue and Rogers Avenue will make a bad situation worse. She stated that her neighborhood has become a target for developers because of its identification in the Comprehensive Plan as a Neighborhood Scale Infill Development Area. She stated the Plan states such infill development should be consistent and compatible with the surrounding neighborhood. She stated nothing about this rezoning request is consistent or compatible with the Comprehensive Plan.

Ms. McFeeters stated the only criteria the rezoning meets is single-family. She stated compared to the existing neighborhood, the sizes of the proposed lots are very small, while the sizes of the proposed houses are very large. She stated it was only at the Planning Commission that they learned the developer intends to also include accessory units on the very small lots. She stated the R-15 definition in the LDC states that it is intended to accommodate existing neighborhoods with moderate sized lots, which is what exists currently. She stated that R-5 districts are intended for compact, walkable neighborhoods and permit a variety of residential types. She stated that R-5 zoning is too extreme for this area and does not fit in with the existing urban character of this neighborhood.

Ms. McFeeters stated that this rezoning will drastically change the fabric of her neighborhood and will impose on her quality of life. She stated that no one she has spoken with supports this project and the Applicant should be directed to come back with a more reasonable proposal.

In response to Councilmember Barnett's inquiry about improvements to Rogers Avenue, Mr. Tony Caudle, City Manager stated that there will be money in the FY2023 budget, once adopted, that will allocate funds towards paving dirt roads, but he does not believe Rogers Avenue is on the list of roads to be paved during the year.

Mr. Darby Frank, 154 Rogers Avenue, spoke to Council in support of the rezoning and stated that Rogers Road has been neglected and needs to be improved. He stated he believes this project will improve the ingress and egress of Rogers Avenue, as well as the overall aesthetics of the area.

Mr. John Lothes, 144 Rogers Avenue, spoke to Council in opposition to the rezoning and stated there is no plan to pave Rogers Avenue. He stated that coming here today he saw the traffic on Wrightsville Avenue back up to the proposed Lefler Cottages. He stated that Council just approved another project that will add 32 units to Wrightsville Avenue. He stated that people that cannot get out on Wrightsville Avenue will use Rogers Avenue coming out of this development. He stated that allowing accessory units will double the number of units from 14 to 28. He stated there is no set timeline for the project and there could be construction for a decade. He asked that Council not support this rezoning request.

Mr. Don Lefler, 15 Myrtle Court, Wrightsville Beach, stated he and his wife have owned this property for 13 years. He stated his intent was to move from Wrightsville Beach to somewhere with more land. He stated he felt there was a better use for the property rather than having a single house. He stated that when he was thinking about developing this property he did not envision connecting to Rogers Avenue. However, after speaking with Ms. Wolf he understood that the City would be interested in having a second access for Rogers Avenue. He stated another key part of the site's geography is that there is a drainage ditch, but that no drainage easement was secured. He stated that the drainage issues and not the paving costs are what has held up the improvements to Rogers Avenue. He stated with this project, he believes they have provided a solution to the drainage issues, which could in turn make the City more willing to pave the rest of Rogers Avenue. He stated they have no interest in doubling the number of units by having accessory dwelling units, but only to include the

possibility of green space. He stated they would be willing to include covenants to restrict using the accessory buildings as rental units.

Mr. Caudle advised Council that the \$250,000 allocation for paving roads could make Rogers Avenue a candidate for surfacing. In response to Councilmember Rivenbark's inquiry, Mr. Caudle stated that would include paving, but not curb and gutter. Mr. Caudle stated the swales would remain in place to address stormwater issues. In response to Councilmember Rivenbark's inquiry about runoff, Ms. Wolf stated the detention pond would be permitted for the runoff from new street and the impervious surface on the 14 lots. She stated that offsite drainage would end up being a public easement across the back of lots 3, 4, 5, and 6. She stated they have already hired an engineer for a preliminary basin study. She stated during TRC it was discussed that the City would possibly do some capital improvement to bring the ditch straight down beside Lot No. 1. She stated there is already a culvert installed at Wrightsville Avenue. She stated the permit criteria is for a 25-year storm and with the grades, everything will flow away from Rogers Avenue. She stated this is an opportunity, on the developer's dime, to improve part of Rogers Avenue.

Councilmember Anderson inquired about the setbacks in the R-5 zoning district. Ms. Wolf stated they were changed from 20 foot front setbacks and are now at 10 feet, because the preference is to put the parking at the back of a lot. She stated the side setbacks are seven feet and the rear setback is 15 feet. She stated the height is restricted to 35 feet in residential districts.

In response to Councilmember Spears' inquiry, Ms. Wolf stated the surrounding areas are zoned R-15. She stated for this project they have preserved the single-family aspect, but many of the lots in the area are 10,000 to 15,000 square feet. She stated for R-15 lots, the minimum is 80 feet wide and 15,000 square feet. She stated for this project the minimum is 60 to 65 foot wide and most of these lots are in the 6,000 to 7,000 square foot range. She stated the dotted line on the provided map indicates the envelope of the building, which includes the lawn area and foundation plantings. She stated it does not indicate the actual size of the dwelling.

Councilmember Barnett inquired about the intention for the accessory dwellings. Ms. Wolfe responded that the intention is to have restrictive covenants that could include, among other things, a prohibition against renting out the accessory units.

Mrs. Penelope Spicer-Sidbury, City Clerk advised Council that there were no written comments submitted for this Item.

Everyone being given an opportunity be heard, the Public Hearing was closed.

Following further consideration, Councilmember Barnett moved approval of the Ordinance.

Councilmember Spears stated that he feels Council is often in a bind when decisions like this come before them, considering the Comprehensive Plan and what an area should look like, as compared to what gets adopted. He stated it seems like in some instances there is conflict between what is said and what is actually done. He would like to figure out how to be more consistent with what Council adopts and brings to the community. He stated it is impossible to fix the housing issue while fixing the issue of overdevelopment in the City. He stated in those situations he wants to base his decision on input from the community.

Mayor Saffo stated the housing assessment stated that more housing is needed and accessory dwelling units were a way to provide that. He stated that when development was occurring in the 1960s and 1970s, a lot was based on having septic tanks, which were required to be 100 feet from each other, and the lots were much bigger. He stated the need for larger lots are not as great in today's environment. He stated that infill development involves compromise and Council should take into consideration what the citizens have asked for, which is walkability and connectivity. He

stated another issue is the unpaved roads in the City from annexation areas and there should be significant steps taken to address that issue. He agreed with Councilmember Spears that it is complicated and can be a balancing act. He stated that based on information from Staff and Planning Commission, he feels that going with single-family and allowing the accessory structures is the right way to go in this instance.

Councilmember Waddell asked to clarify the motion on the floor and whether it is for the Ordinance as written, or if the intent is to eliminate Condition Number Seven. Councilmember Barnett clarified that his motion was to approve the Amended Ordinance that eliminated Condition Number Seven. Mayor Saffo noted that Mayor Pro-Tem Haynes, as the second to the original motion, accepted the friendly amendment to the motion.

Councilmember Rivenbark stated that before 1950 there was not a Zoning Ordinance and when it was instituted the land was zoned R-20. He stated it may look like the City is rezoning everything, but in reality they are rezoning it to the appropriate district. He stated that in order to address the housing shortage, projects like this that are replacing two houses with 14 units, are a smart move.

Mayor Pro-Tem Haynes stated that this project is in line with the Comprehensive Plan. She stated the analysis shows strong or modest support all down the line, with no areas of nonsupport. She stated the Comprehensive Plan was based on the citizens' input.

Councilmember Spears stated that the previous Item was an example where Staff recommended denial, but Council adopted the rezoning. Mayor Saffo stated that to that point, the Staff concerns and comments were based on wanting a commercial used in the development. He stated the concern is that there is not as much demand for retail/commercial spaces. He stated that Staff should research and bring forward options in order to provide flexibility with certain criteria in those situations. Mr. Chambers agreed and stated that is something Staff will look into further.

Councilmember Barnett read the Consistency & Reasonable Statement as follows:

I move to approve the proposed amendment to rezone the property located at 6261 & 6265 Wrightsville Avenue from R-15, Moderate-density single-dwelling district to R-5(CD), Medium-density mixed residential district (Conditional District) for a 14-lot residential subdivision and find it to be consistent with the relevant policies in the Comprehensive Plan, based on the application materials, and the information provided at the public hearing and in the staff report, and to find Approval of the rezoning request is reasonable and in the public interest for the following reason(s): The proposed rezoning would be consistent with surrounding uses and compatible with the surrounding neighborhood.

The motion was seconded by Mayor Pro-Tem Haynes and carried unanimously. A Second Reading of the Ordinance was waived on the motion of Councilmember Waddell, seconded by Councilmember Barnett, and carried unanimously.

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Public Hearing was held on Ordinance Amending the Official Zoning Map of the City to Rezone Property Containing 1.01 Acres of Land Located at 5737 Market Street from RB, Regional Business to CS(CD), Commercial Services (Conditional District) to Allow a Three Story, Indoor, Self-Storage Facility.

Mr. Jeff Walton, Associate Planner gave the Staff Report and stated the Applicant is requesting to rezone this property to Commercial Services, Conditional District, CS(CD) for a 95,700 square foot, three-story, indoor self-storage facility. He showed Council an aerial photograph of the site and photographs of the existing conditions on the property and on adjacent properties.

Mr. Walton stated the Applicant proposes to subdivide the parcel into two lots and provide a 40-foot wide private access utility public drainage easement for access to the rear vacant tract to the north. He stated that one pedestrian connection is proposed from Market Street to the building. The Applicant removed three parking spaces in order to allow for streetscape improvements along Market Street.

Mr. Walton stated that the North Carolina Department of Transportation (NCDOT) has a widening project planned along the subject site and it is in the design phase. He stated a raised concrete median is proposed, which will eliminate all left turns in and out of the project. He stated construction is expected to begin in 2029.

Mr. Walton stated the site was identified in the Comprehensive Plan as a Live/Work Innovation Zone Area of Opportunity and along a Major Corridor/Regional Parkway. He stated the Comprehensive Plan supports redevelopment of existing underutilized properties. He stated the proposed rezoning is consistent with the Comprehensive Plan. Staff believes the request is reasonable, is in the public interest, and recommends conditional approval.

Councilmember Rivenbark commented that this use will reduce the number of trips that would have been permitted under Regional Business, RB zoning. Mr. Walton agreed and stated the significant reduction in the trips was noted in the Staff Report.

Ms. Cindee Wolf spoke to Council on behalf of the Owner and developer and stated the request is for a three story self-storage facility with climate controlled interior spaces. She stated there is a need for these facilities and the storage industry is booming. She stated market research indicated that people like to store their items within three miles of their homes and this location fits that criteria for a number of homes in the area.

Ms. Wolf showed Council the site layout and general architectural style of the proposed facility. She stated the updated Land Development Code (LDC) now has more specific conditions for self-storage facilities and for streetscapes. She stated those details will be worked out through the City's Technical Review Committee (TRC). She stated this project is consistent with the Comprehensive Plan and is in the public interest as the use is a low-traffic generator and the design takes into account the future NCDOT widening project. She stated shared access for the two parcels by a single driveway intersection reduces traffic conflicts and improves vehicular safety. She stated that sensible development of services where they are needed fosters sustainable growth and land efficiency. She stated the developer has accepted the conditions recommended by Staff for this project.

Mrs. Penelope Spicer-Sidbury, City Clerk advised Council that there were no written comments submitted for this Item.

There being no one present to speak in favor or opposition, the Public Hearing was closed.

Following further consideration, Councilmember Anderson moved approval of the Ordinance and read the Consistency & Reasonable Statement as follows:

I move to approve the proposed amendment to rezone the property located at 5737 Market Street from RB, Regional Business to CS(CD), Commercial Services (Conditional District) for a three-story, indoor, self-storage facility and find it to be consistent with the relevant policies in the Comprehensive Plan, based on the application materials, and the information provided at the public hearing and in the staff report, and to find Approval of the rezoning request is reasonable and in the public interest for the following reason(s): The proposed rezoning would be compatible with the existing development pattern found along this segment of the Market Street corridor.

The motion was seconded by Councilmember Barnett and carried unanimously. A Second Reading of the Ordinance was waived on the motion of Councilmember Rivenbark, seconded by Councilmember Barnett, and carried unanimously.

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Public Hearing was held on Ordinance Amending the Official Zoning Map of the City to Rezone Property Containing 1.56 Acres of Land Located at 6756 Market Street from CS (CD), Commercial Services (Conditional District) to RB, Regional Business District.

Mr. Brian Chambers, Senior Planner gave the Staff Report and stated that the site is located on the south side of Market Street, between Old Dairy Road and Station Road. He stated the request is to rezone the rear portion of the property, which totals 1.56 acres from CS (CD), Commercial Services, Conditional District, to RB, Regional Business District. He stated the site contains an existing hardware store, Stevens ACE Hardware. He showed Council an aerial map of the site and photographs of the existing conditions on the site and on adjacent properties. He stated the site is surrounded by commercial uses to the north, east, and west, and by single-dwelling uses to the south, across an unimproved right-of-way.

Mr. Chambers stated that in July of 2021 Council approved a rezoning of the rear portion of the property from RB to CS (CD) to allow for a 5,725 square foot building to be used for mini-warehousing. He stated the project has not been constructed and the Applicant is requesting to revert to the previous zoning of RB due to construction cost and the time associated with the project.

Mr. Chambers stated that the Comprehensive Plan identifies this site as within a High-density Transition Area of Opportunity and is located along a Major Corridor. He stated the Plan encourages quality site planning so that infill development is compatible with the existing built environment. He stated the rezoning would allow for the site to revert to its previous classification, thereby bringing the site under a common zoning designation. He stated the rezoning is limited to the rear of the site, which is existing commercial property, and therefore would have minimal impacts on adjacent uses.

Staff believes the request is consistent with the Comprehensive Plan. He stated that Staff believes the request is reasonable, is in the public interest, and recommends approval. He stated the Planning Commission voted unanimously to recommend approval of the request.

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Mayor Saffo was not seated and Mayor Pro-Tem Haynes presided.

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Mrs. Penelope Spicer-Sidbury, City Clerk advised Council that there were no written comments submitted for this Item.

There being no one present to speak in favor or opposition, the Public Hearing was closed.

Following further consideration, Councilmember Spears moved approval of the Ordinance and read the Consistency & Reasonable Statement as follows:

I move to approve the proposed amendment to rezone the property located at 6756 Market Street from CS(CD), Commercial Services (Conditional District) to RB, Regional Business District and find it to be consistent with the relevant policies in the Comprehensive Plan, based on the application materials, and the information provided at the public hearing and in the staff report, and to find Approval of the rezoning request is reasonable and in the public interest for the following reason(s): The proposed rezoning would be consistent with the surrounding area and would bring the site under a common zoning designation.

The motion was seconded by Councilmember Waddell and carried unanimously. A Second Reading of the Ordinance was waived on the motion of Councilmember Anderson, seconded by Councilmember Barnett, and carried unanimously.

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Public Hearing was held on Ordinance Amending the Official Zoning
Map of the City to Rezone Property Containing 1.23 Acres of Land Located at 109
& 111 Giles Avenue from R-10, Residential to R-5(CD), Residential (Conditional
District) for Two Residential Lots Containing Quadruplex Structures.

Mr. Patrick O'Mahoney, Associate Planner gave the Staff Report and stated that the request is to rezone this property from R-10, Residential to R-5(CD), Residential, Conditional District. He stated the site is located on the east side of Giles Avenue, contains 1.23 acres, and is currently vacant. He showed Council an aerial map of the site and photographs of the existing conditions on the site and on adjoining properties.

Mr. O'Mahoney stated the site is currently zoned R-10, Residential and is bordered by residential zoning to the north and south, with CB, Community Business zoning to the west, and O&I (CD), Office & Institutional, Conditional District zoning to the east. He stated the subject parcels were originally rezoned as part of a conditional district rezoning from R-15, Residential to MF-L (CD), Multiple-family zoning for a 28-unit residential project that was never constructed. He stated that as part of the Land Development Code (LDC) update, the site was rezoned to R-10, Residential, effective December 1, 2021.

Mr. O'Mahoney showed Council the proposed site plan and stated the request is to rezone the property to R-5 (CD) for two residential lots, with a quadraplex on each lot. He stated the units will be two-story and will be served by a shared driveway with direct access to Giles Avenue. He stated under the current R-10 zoning, there is development potential for five residential units on the site.

Mr. O'Mahoney showed Council elevations provided by the Applicant. He stated the site is located within a Greenfield Site as a Multi-use Place Area of Opportunity and is near a Mixed Use Place/Mixed Use Center, as identified on the Comprehensive Plan's Growth Strategies Map. He stated this designation promotes a variety of building types that are accessible to individuals of all incomes, needs, and preferences. He stated the site is also located within the plan boundary of the Seagate Neighborhood Plan, which supports low density multi-family uses at this location, as well as commercial and office uses that are consistent with the surrounding neighborhood. He stated the proposed rezoning would allow for compatible infill near the commercial corridor on Oleander Drive.

Staff believes the request is consistent with the Comprehensive Plan and the Seagate Neighborhood Plan. Staff believes the request is reasonable, is in the public interest, and recommends conditional approval. The Planning Commission unanimously recommended approval of the request.

Ms. Cindee Wolf spoke to Council on behalf of the Owners and stated that the Seagate neighborhood is transitioning with redevelopment of antiquated structures and the infill of vacant lots. She stated the Seagate neighborhood has been positive in their support of this project. She stated the site is an attractive location for residential use and is in proximity to the River to Sea bike trail and planned multi-use pathways on Greenville Avenue. She stated that rezoning this property to R-5 to allow for a slightly higher density of residential development would be consistent with the transitioning uses from the Oleander Drive commercial corridor to the quieter residential streetscapes.

Ms. Wolf stated that townhome communities are in demand due to proximity to services, affordability factors, and lifestyle demands. She stated this project will have eight attached two-story single-family dwellings, with enough space for two-car garages. She stated the master bedrooms will be downstairs, which will be an attractive

feature to an aged demographic. She stated the dwellings will have a common driveway from Giles Avenue. She stated that an Owners' Association would be created for the upkeep and maintenance of common areas. She stated there will be landscaping buffers and street trees along Giles Avenue. She showed Council a rendering of the general architectural style intended for the project. She stated they will provide a porch on the façade of the building that faces Giles Avenue. She stated the project is consistent with the Comprehensive Plan and has received positive support from the neighborhood.

Mrs. Penelope Spicer-Sidbury, City Clerk advised Council that there were no written comments submitted for this Item.

There being no one present to speak in favor or opposition, the Public Hearing was closed.

Following further consideration, Councilmember Barnett moved approval of the Ordinance and read the Consistency & Reasonable Statement as follows:

I move to approve the proposed amendment to rezone the property located at 109 & 111 Giles Avenue from R-10, Residential to R-5(CD), Residential (Conditional District) for two lots, containing two quadruplex residential structures and find it to be consistent with the relevant policies in the Comprehensive Plan, based on the application materials, and the information provided at the public hearing and in the staff report, and to find Approval of the rezoning request is reasonable and in the public interest for the following reason(s): The proposed rezoning would allow for additional density and lot sizes in a manner that is consistent with the surrounding neighborhood.

The motion was seconded by Councilmember Anderson and carried unanimously. A Second Reading of the Ordinance was waived on the motion of Councilmember Rivenbark, seconded by Councilmember Anderson and carried unanimously.

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Mayor Saffo resumed presiding.

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### **ORDINANCES**

Ordinance to De-obligate the Diesel Emissions Reduction Grant (DERA) Contract Appropriation Amount of \$637,970 was considered.

Mr. Rick Porter, Superintendent of Recycling and Trash stated this Ordinance will de-obligate funds awarded in February of 2021 to purchase an electric trash vehicle. He stated that the manufacturer had significant impacts from the pandemic and economic conditions and is unable to meet the grant deadline. Staff is requesting to return funds to the N.C. Department of Environmental Quality (NCDEQ) so that they may use them for other projects.

Following further consideration, Councilmember Waddell moved approval of the Ordinance, seconded by Councilmember Spears and the motion carried unanimously. A Second Reading of the Ordinance was waived on the motion of Councilmember Waddell, seconded by Councilmember Anderson, and carried unanimously.

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Ordinance Appropriating \$511,484 for Refund of Short Term Lodging Registrations Collected Since Program Inception and Accrued Interest was considered.

Mr. Shawn Evans, Assistant City Attorney stated the North Carolina Court of Appeals (COA) recently handed down a decision in the case of *Schroeder vs. City of Wilmington*, and at the request of Council, Staff is presenting this update to the public.

Mr. Evans stated the trial court in this case held that the City's entire Short Term Lodging Ordinance was invalid and also denied the Schroeders' constitutional claims, resulting in appeals by both parties. He stated the COA issued a unanimous decision which upheld part of the City's Ordinance and voided part of it.

Mr. Evans stated that the parts of the Ordinance that were upheld include a ban in certain districts, parking requirements based on the number of bedrooms, insurance requirements, bedroom maximums, ground floor restrictions in the Central Business District, the requirement for an identified local manager, compliance with all laws, and nuisance related regulations.

Mr. Evans stated the COA determined that the sections of the Ordinance related to registration and related postings, the 400 foot separation requirement and 2% cap, and provisions requiring proof of a shared parking agreement were void and unenforceable. He noted that the requirement for off-site parking is valid, but under the current Ordinance, an applicant would have to submit supporting documentation and the Court held that portion was invalid.

Mr. Evans stated the City has published guidance documents and Staff is working on amendments to the City Code to bring the Short Term Lodging regulations into compliance with the Court's order. The City will also refund the registration fees collected, including any convenience charges, with 6% interest. He stated Staff is already working on the refund process and the checks will be finalized by the end of June and mailed to the registered parties.

Mr. Evans stated there was an inquiry at yesterday's Agenda Briefing meeting about fines collected for Short Term Lodging violations. In response, Staff determined that \$9,300 in fines was collected and will be refunded. He stated there were other fines that were assessed, but not collected, and those assessments would be voided.

Councilmember Waddell commended Staff and the previous Council for holding the fees in reserve until the court case was decided. He stated that private property rights should be the cornerstone of government decision making.

Following further consideration, Councilmember Spears moved approval of the Ordinance, seconded by Councilmember Anderson, and the motion carried unanimously. A Second Reading of the Ordinance was waived on motion of Councilmember Rivenbark, seconded by Councilmember Anderson, and carried unanimously.

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### **RESOLUTIONS**

Resolution Certifying Sufficiency of the Annexation Petition for Property Located at 205, 209, 213 & 217 Middle Sound Loop Road was considered.

Mr. Tony Caudle, City Manager advised Council that they received a revised Resolution for this Item earlier today.

Mr. Jeff Walton, Associate Planner gave the Staff Report and stated that this Item is the Resolution Certifying Sufficiency of the Annexation Petition and Item R2 is the Resolution Establishing the Annexation Public Hearing. He stated the property is off of Middle Sound Loop Road and showed Council an aerial map of the site. He stated the Applicant intends to construct a 72-unit affordable senior housing development. He stated that rezoning and the required permitting through New Hanover County has been approved for this project, making it a shovel-ready County project. He stated a more formal presentation and discussion of the project will be made at the Annexation Public Hearing.

Following further consideration, Councilmember Barnett moved approval of the revised Resolution, seconded by Councilmember Waddell, and the motion carried unanimously.

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Resolution Establishing a Public Hearing for Annexation of Property Located at 205, 209, 213 & 217 Middle Sound Loop Road was considered.

Mr. Tony Caudle, City Manager stated this Resolution sets the Public Hearing for the Annexation.

Following further consideration, Councilmember Waddell moved approval of the Resolution, seconded by Councilmember Barnett, and the motion carried unanimously.

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### ADDITIONAL ITEMS

Mr. Shawn Evans, Assistant City Attorney, advised Council that Mr. John Joye, City Attorney apologized for being absent and advised he was out with an illness. He stated Mr. Joye is feeling better and plans to return to work later this week.

Mr. Tony Caudle, City Manager stated that last week the City hosted the North Carolina League of Municipalities (NCLM) Annual Conference and it was a resounding success. He stated he appreciated Council's attendance at those events. He also thanked Staff who worked during the event and added that the City has received nothing but rave reviews. He specifically thanked the City's Co-Coordinators for event, Mr. Thom Moton, Deputy City Manager, and Mrs. Penelope Spicer-Sidbury, City Clerk.

Councilmember Barnett stated that May is Mental Health Awareness Month and he encourages everyone to check on their friends. He reminded everyone to remember to vote. He commended Staff for the work they did last week during the NCLM Conference.

Councilmember Rivenbark reminded everyone that Sunday is Mother's Day.

Councilmember Spears congratulated Staff for a job well during the NCLM Conference. He also wished his daughter a Happy 4<sup>th</sup> Birthday.

Mayor Saffo stated there was a tremendous turnout for the Honor Flight last Friday, with 85 veterans, including four from World War II. He stated he appreciated the support the community showed to these veterans.

Mayor Saffo stated that the NCLM has been in existence for over 100 years and this is the first time the Annual Conference has been held in Wilmington. He thanked the Convention Center Staff and General Manager Ms. Fredia Brady for a job well done. He thanked City Staff for their outstanding work during the Conference and stated he heard nothing but kudos to the City for the event.

### **ADJOURNMENT**

There being no further business to discuss, the meeting adjourned at 9:39 P.M.

Respectfully Submitted,

Penelope Spicer-Sidbury, CMC/MMC/NCCMC City Clerk

THE ABOVE MINUTES ARE NOT A VERBATIM RECORD OF THE PROCEEDINGS. THE ENTIRE PROCEEDINGS ARE RECORDED ON TAPES 1, 2, AND 3, AND ARE INCLUDED AS PART OF THIS OFFICIAL RECORD.



## **NEW HANOVER COUNTY**

### **ENGINEERING**

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

Jim Iannucci, PE, CFM, County Engineer

April 14, 2022

McKim & Creed, Inc. 243 North Front Street Wilmington, NC 28409 Attn: Mr. Trae Livick

RE: The Residence at Canopy Pointe

Dear Mr. Livick:

We have reviewed the application and submittal package for the above referenced project and have issued an "Authorization to Construct". Any deviations from the approved plans will require re-submission.

The approval issued by the County is that the application and supporting documents are complete and in accordance with the requirements of the ordinance. Nothing whatsoever in the approval should be construed as or be deemed to create additional duties on the part of the County of New Hanover that are the responsibilities of the Owner and the design professional.

If there is a need for a change in ownership, an "Ownership Change Form" must be submitted and a fee of \$100.00 will be required.

Please be advised, if the land disturbing exceeds one acre, the project will need a Sedimentation & Erosion Control Permit prior to the disturbance.

Please note: Upon completion of the construction required by the "Authorization-To-Construct", the design professional's certification must be delivered to the County.

If you have any questions regarding the foregoing information, please contact our office.

Sincerely.

Galen M. Jamison, PE Chief Project Engineer New Hanover County

GMJ/pdj

cc:

File #831-04/14/22

ENERGOV # STMW-22-0003

lum Jania

# NEW HANOVER COUNTY BOARD OF COMMISSIONERS REQUEST FOR BOARD ACTION MEETING DATE: 6/15/2020

Regular

**DEPARTMENT:** Planning **PRESENTER(S):** Brad Schuler, Senior Planner

**CONTACT(S):** Brad Schuler; Wayne Clark, Planning & Land Use Director

SUBJECT:

### **Public Hearing**

Rezoning Request (Z20-06) - Request by Blue Ridge Atlantic Community Development on Behalf of the Property Owners, BHC Properties, LLC, to Rezone Approximately 4.77 Acres of Land Located at 205 and 217 Middle Sound Loop Road, from R-15, Residential District, to (CZD) RMF-M, Residential Multi-Family Moderate Density District, in Order to Develop 72 Senior Living Multi-Family Dwelling Units

### **BRIEF SUMMARY:**

The applicant is proposing to rezone approximately 4.77 acres from R-15 to (CZD) RMF-M in order to construct a senior living apartment complex consisting of 72 units.

The residents of the proposed development will be restricted to 55 years of age and older. The 72 units will be located within one 3-story building with a proposed height of 42 feet. The proposed building and driveway location have been positioned to save existing large trees along Middle Sound Loop Road.

The site is located near the Ogden commercial node, east of the intersection of Market Street and Middle Sound Loop Road, and will have direct access to Middle Sound Loop Road.

As currently zoned, the subject site would be permitted a maximum of 12 dwelling units under the performance residential standards. A detached single-family home typically generates about one trip during the PM peak hour. As a result of their classification as attached Senior Adult Housing, the proposed 72 senior living apartments are estimated to generate about 14 trips in the AM peak and 20 trips in the PM peak. Therefore, the proposal would result in an estimated increase of 5 trips in the AM peak and 8 trips in the PM peak.

If approved, the rezoning will increase the permitted residential density from the current by-right 2.5 units per acre (10.2 du/ac with a Special Use Permit) to 15 units per acre. This transition is appropriate for the area because the site is located directly adjacent to an area designated as an Urban Mixed Use node that provides for a variety of commercial uses and a residential density of 16 - 36+ units per acre. The site is located near the entrance to the Middle Sound area and has direct access to Middle Sound Loop Road. The proposed use will be an age restricted, low income tax credit facility that has a lower impact on traffic and schools than typical multi-family developments. Similar to the nearby White Oaks development, the proposed senior apartments will provide an appropriate transition from the more intense commercial node at Market Street into the Middle Sound community.

The 2016 Comprehensive Plan classifies the property as General Residential, however, the site abuts the Urban Mixed Use place type and is abutting a religious institution and is nearby to the Publix shopping Center. While at a higher density than generally recommended for General Residential areas, the proposed development, which is located in a transitional area between the General Residential and Urban Mixed Use places, is generally **CONSISTENT** with the Comprehensive Plan's intent to transition between higher intensity uses and existing residential areas, to preserve

natural areas, and to provide for a range of housing types, opportunities, and choices.

The Planning Board considered this application at their March 5, 2020 meeting. At the meeting, one person spoke in opposition to the request citing concerns regarding drainage. The Planning Board recommended approval (6-0) with the following conditions:

- 1. The residents will be restricted to 55 years of age and older.
- 2. In addition to the County's tree retention standards, the property owner shall retain and preserve all trees as illustrated on the proposed conceptual site plan unless:
  - The tree has been proven to directly affect the installation, or cause damage to, any required infrastructure (i.e. water/sewer lines, stormwater, etc.);
  - The tree is proven to be dead, dying, or severely damaged; or
  - o The tree is in an unsafe condition that may cause harm to the residents or general public.
- 3. The proposed conceptual plan shall be modified prior to the Board of Commissioners meeting to increase the rear setback along the northeastern property line.
- 4. A pedestrian pathway shall be provided within the property connecting the building to the street along the driveway to help facilitate future access to the businesses located within the Ogden commercial node.

In response to the Planning Board's conditions 3 and 4, the applicant has updated the conceptual plan to increase the rear setback and added a sidewalk connection from the proposed driveway to the western property line at the abutting church property. The rear setback was increased from a minimum of 51 feet to a minimum of 73 feet.

#### **RECOMMENDED MOTION AND REQUESTED ACTIONS:**

Since the Planning Board meeting, the applicant has updated the conceptual site plan to address the third and fourth conditions recommended by the Board. Therefore, these conditions are not included in staff's suggested motion because they are included in the proposal and will be required if approved.

Staff recommends approval of this application and suggests the following motion:

I move to **APPROVE** the proposed rezoning to a (CZD) RMF-M district. I find it to be **CONSISTENT** with the purposes and intent of the Comprehensive Plan because the proposal provides an orderly transition between higher intensity uses and existing residential areas, preserves natural areas, and provides a range of housing types. I also find **APPROVAL** of the rezoning request is reasonable and in the public interest because the proposal would benefit the community by providing diverse housing options and will preserve existing large tress on the site.

### **[Optional]** Note any conditions to be added to the district:

- 1. The residents will be restricted to 55 years of age and older.
- 2. In addition to the County's tree retention standards, the property owner shall retain and preserve all trees as illustrated on the proposed conceptual site plan unless:
  - The tree has been proven to directly affect the installation, or cause damage to, any required infrastructure (i.e. water/sewer lines, stormwater, etc.);
  - The tree is proven to be dead, dying, or severely damaged; or
  - The tree is in an unsafe condition that may cause harm to the residents or general public.

#### Alternative Motion for Denial

I move to **DENY** the proposed rezoning to a CZD RMF-M district. While I find it to be **CONSISTENT** with the purposes and intent of the Comprehensive Plan because the proposal provides an orderly transition between higher intensity uses and existing residential areas and provides a range of housing types. I find **DENIAL** of the rezoning request is reasonable and in the public interest because the proposal is not

consistent with the desired character of the surrounding community and the density will adversely impact the adjacent neighborhoods.

### **COUNTY MANAGER'S COMMENTS AND RECOMMENDATIONS: (only Manager)**

Recommend approval as presented by staff.

### **COMMISSIONERS' ACTIONS:**

Approved 5-0 with conditions recommended by staff.

### SCRIPT for Zoning Map Amendment Application (Z20-06)

Request by Blue Ridge Atlantic Community Development on behalf of the property owner, BHC Properties, LLC, to rezone approximately 4.77 acres of land located at 205 and 217 Middle Sound Loop Road, from R-15, Residential District, to (CZD) RMF-M, Residential Multi-Family Moderate Density District, in order to develop 72 Senior Living multi-family dwelling units.

- This is a public hearing. We will hear a presentation from staff. Then the applicant and any
  opponents will each be allowed 15 minutes for their presentation and additional 5 minutes for
  rebuttal.
- 2. Conduct Hearing, as follows:
  - a. Staff presentation
  - b. Applicant's presentation (up to 15 minutes)
  - c. Opponent's presentation (up to 15 minutes)
  - d. Applicant's rebuttal (up to 5 minutes)
  - e. Opponent's rebuttal (up to 5 minutes)
- 3. Close the public hearing
- 4. Board discussion
- Vote on the application. The motion should include a statement saying how the change is, or
  is not, consistent with the land use plan and why approval or denial of the rezoning request is
  reasonable and in the public interest.

### **Example Motion of Approval**

I move to **APPROVE** the proposed rezoning to a (CZD) RMF-M district. I find it to be **CONSISTENT** with the purposes and intent of the Comprehensive Plan because the proposal provides an orderly transition between higher intensity uses and existing residential areas, preserves natural areas, and provides a range of housing types. I also find **APPROVAL** of the rezoning request is reasonable and in the public interest because the proposal would benefit the community by providing diverse housing options and will preserve existing large trees on the site.

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  - c. The tree is in an unsafe condition that may cause harm to the residents or general public.

Alternative	Motion	for D	enial

I move to **DENY** the proposed rezoning to a CZD RMF-M district. While I find it to be **CONSISTENT** with the purposes and intent of the Comprehensive Plan because the proposal provides an orderly transition between higher intensity uses and existing residential areas and provides a range of housing types. I find **DENIAL** of the rezoning request is reasonable and in the public interest because the proposal is not consistent with the desired character of the surrounding community and the density will adversely impact the adjacent neighborhoods.

Alternative Motion for Approval/Denial:  I move to [Approve/Deny] the proposed rezoning to a conditional RMF-M district. I fit be [Consistent/Inconsistent] with the purposes and intent of the Comprehensive Plan b [insert reasons]	
also find [Approval/Denial] of the rezoning request is reasonable and in the public because [insert reasons]	interest

### NEW HANOVER COUNTY PLANNING BOARD REQUEST FOR BOARD ACTION MEETING DATE: 3/5/2020

Regular

**DEPARTMENT:** Planning **PRESENTER(S):** Brad Schuler, Senior Planner

**CONTACT(S):** Ron Meredith, Brad Schuler, Senior Planner

SUBJECT:

### **Public Hearing**

Rezoning Request (Z20-06) - Request by Blue Ridge Atlantic Community Development on behalf of the property owners, BHC Properties, LLC, to rezone approximately 4.77 acres of land located at 205 and 217 Middle Sound Loop Road, from R-15, Residential District, to (CZD) RMF-M, Residential Multi-Family Moderate Density District, in order to develop 72 Senior Living multi-family dwelling units.

### **BRIEF SUMMARY:**

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The site is located near the Ogden commercial node, east of the intersection of Market Street and Middle Sound Loop Road, and will have direct access to Middle Sound Loop Road.

As currently zoned, the subject site site would be permitted a maximum of 12 dwelling units under the performance residential standards. A detached single-family home typically generates about one trip during the PM peak hour. As a result of their classification as attached Senior Adult Housing, the proposed 72 senior living apartments are estimated to generate about 14 trips in the AM peak and 20 trips in the PM peak. Therefore, the proposal would result in an estimated increase of 5 trips in the AM peak and 8 trips in the PM peak.

The 2016 Comprehensive Plan classifies the property as General Residential, however, the site abuts the Urban Mixed Use place type and is abutting a religious institution and is nearby to the Publix shopping Center. While at a higher density than generally recommended for General Residential areas, the proposed development, which is located in a transitional area between the General Residential and Urban Mixed Use places, is generally **CONSISTENT** with the Comprehensive Plan's intent to transition between higher intensity uses and existing residential areas, to preserve natural areas, and to provide for a range of housing types, opportunities, and choices.

### STRATEGIC PLAN ALIGNMENT:

Good GovernanceEffective County ManagementDeliver quality service at the right time

RECOMMENDED MOTION AND REQUESTED ACTIONS:

Planning Board - March 5, 2020 ITEM: 4

### Staff recommends approval and suggests the following motion:

I move to **APPROVE** the proposed rezoning to a (CZD) RMF-M district. I find it to be **CONSISTENT** with the purposes and intent of the Comprehensive Plan because the proposal provides an orderly transition between higher intensity uses and existing residential areas, preserves natural area, and provides a range of housing types. I also find **APPROVAL** of the rezoning request is reasonable and in the public interest because the proposal would benefit the community by providing diverse housing options and will preserve existing large trees on the site.

### [Optional] Note any conditions to be added to the district:

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  - The tree is proven to be dead, dying, or severely damaged; or
  - The tree is in an unsafe condition that may cause harm to the residents or general public.

### **Alternative Motion for Denial**

I move to **DENY** the proposed rezoning to a CZD RMF-M district. While I find it to be **CONSISTENT** with the purposes and intent of the Comprehensive Plan because the proposal provides an orderly transition between higher intensity uses and existing residential areas and provides a range of housing types. I find **DENIAL** of the rezoning request is reasonable and in the public interest because the proposal is not consistent with the desired character of the surrounding community and the density will adversely impact the adjacent neighborhoods.

**COUNTY MANAGER'S COMMENTS AND RECOMMENDATIONS: (only Manager)** 

Planning Board - March 5, 2020

ITEM: 4

### SCRIPT for Zoning Map Amendment Application (Z20-06)

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- This is a public hearing. We will hear a presentation from staff. Then the applicant and any opponents will each be allowed 15 minutes for their presentation and additional 5 minutes for rebuttal.
- 2. Conduct Hearing, as follows:
  - a. Staff presentation
  - b. Applicant's presentation (up to 15 minutes)
  - c. Opponent's presentation (up to 15 minutes)
  - d. Applicant's rebuttal (up to 5 minutes)
  - e. Opponent's rebuttal (up to 5 minutes)
- 3. Close the public hearing
- 4. Board discussion
- Vote on the application. The motion should include a statement saying how the change is, or is not, consistent with the land use plan and why approval or denial of the rezoning request is reasonable and in the public interest.

### **Example Motion of Approval**

I move to **APPROVE** the proposed rezoning to a (CZD) RMF-M district. I find it to be **CONSISTENT** with the purposes and intent of the Comprehensive Plan because the proposal provides an orderly transition between higher intensity uses and existing residential areas, preserves natural areas, and provides a range of housing types. I also find **APPROVAL** of the rezoning request is reasonable and in the public interest because the proposal would benefit the community by providing diverse housing options and will preserve existing large trees on the site.

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  - b. The tree is proven to be dead, dying, or severely damaged; or
  - c. The tree is in an unsafe condition that may cause harm to the residents or general public.

Planning Board - March 5, 2020 ITEM, 4 - 1 - 1

In the public interest because the proposal is not consistent with the desired character of the surrounding community and the density will adversely impact the adjacent neighborhoods.  Alternative Motion for Approval/Denial:  I move to [Approve/Deny] the proposed rezoning to a conditional RMF-M district. I find it to be [Consistent/Inconsistent] with the purposes and intent of the Comprehensive Plan because [insert reasons]				
			also find [App because [insert	proval/Denial] of the re reasons]

I move to **DENY** the proposed rezoning to a CZD RMF-M district. While I find it to be **CONSISTENT** with the purposes and intent of the Comprehensive Plan because the proposal provides an orderly transition between higher intensity uses and existing residential areas and provides a range of housing types. I find **DENIAL** of the rezoning request is reasonable and

**Alternative Motion for Denial** 

## STAFF REPORT FOR **Z20-06**CONDITIONAL ZONING DISTRICT APPLICATION

APPLICATION SUMMARY	
Case Number: Z20-06	
Request:	
Rezoning to the Residential Multi-Family Mode	rate Density Zoning District (RMF-M)
Applicant:	Property Owner(s):
Christoper L. Elsenzimmer of Blue Ridge Atlantic Community Development	BHC Properties, LLC
Location:	Acreage:
205 & 217 Middle Sound Loop Rd	4.77
PID(s):	Comp Plan Place Type:
R04410-001-008-000, R04410-001-007- 000, R04410-001-009-000, and R04410- 001-010-000	General Residential
Existing Land Use:	Proposed Land Use:
Undeveloped	Multi-Family
Current Zoning:	Proposed Zoning:
R-15	(CZD) RMF-M



SURROUNDING AREA		
	LAND USE	ZONING
North	Single-Family Residential	R-15
East	Undeveloped, Multi-Family Residential, and Single-Family Residential	R-15, R-15 Additional Dwelling Allowance (8.92 du/ac)
South	Single-Family Residential	R-15
West	Religious Institution	R-15

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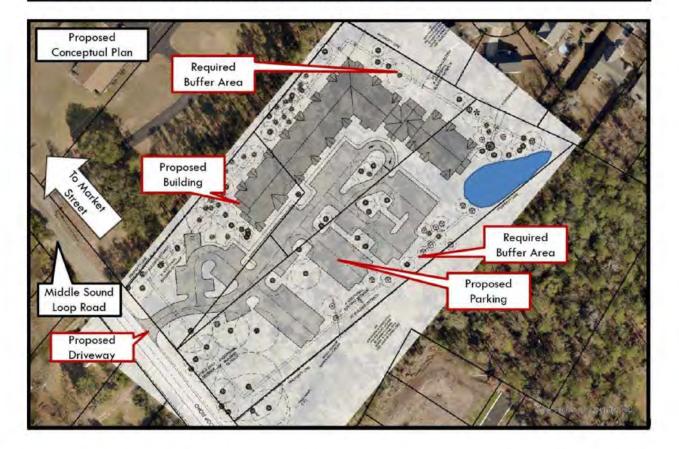


ZONING HISTORY		
May 18, 1970 and July 7, 1972	Initially zoned R-15 (Area 3 and Area 8B)	

COMMUNITY SERVICES		
Water/Sewer	Water and sewer will be provided by CFPUA. Specific design will be determined during site plan review.	
Fire Protection	New Hanover County Fire Services, New Hanover County Ogden Fire District Station 16	
Schools	Castle Hayne Elementary, Ogden Elementary, Noble Middle, and Laney (No impacts expected due to age restricted condition)	
Recreation	Ogden Park, Parkwood Recreation Area, Smith Creek Park ,Smith Creek Park Preserve, and Kings Grant Park	

CONSERVATION, HISTORIC, & ARCHAEOLOGICAL RESOURCES		
Conservation	Conservation resource maps indicate that swamp forest wetlands may be present on the site. The location of wetlands will be verified and any impacts addressed through the TRC review process when any specific developments are proposed.	
Historic	No known historic resources	
Archaeological	No known archaeological resources	

### **APPLICANT'S PROPOSED CONCEPTUAL SITE PLAN**



- The applicant proposes to construct a multi-family development that will consist of up to 72 units, located within one building. The residents will be restricted to age 55 and above.
   The proposed building will be 3 stories with a maximum height of 42 feet.
- The proposed building and driveway location have been positioned to save existing large trees along Middle Sound Loop Road.
- The Unified Development Ordinance requires opaque buffers to be provided along property lines of attached housing developments that abut detached or duplex residential uses and undeveloped residentially zoned land within the General Residential place type.
- The stormwater pond will be located in the northeastern portion of the site.
- The applicant is proposing to design the stormwater facilities for the project to handle up to a 25-year event.

### **ZONING CONSIDERATIONS**

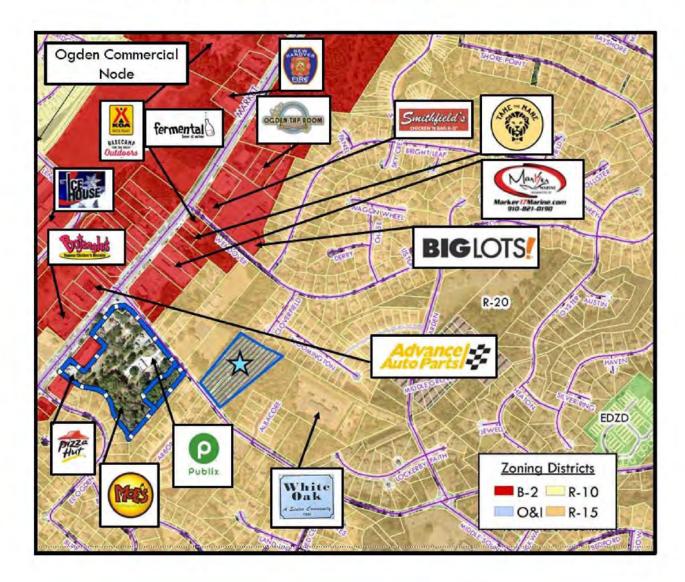
- Under the current zoning, R-15, the subject site would be permitted a maximum of 12 dwellings at a density of 2.5 du/ac. The proposed 72 units equates to a density of 15.1 du/ac.
- The proposed rezoning would increase the number of allowable units on the site by 60 units.
  However, impacts from senior living apartments are generally less than other multi-family housing (i.e., traffic, noise, schools).

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Planning Board - March 5, 2020 ITEM: 4 - 2 - 3

- The site is located near the Market/Middle Sound commercial node, east of the intersection of Market Street and Middle Sound Loop Road.
- This node contains several commercial businesses including, but not limited to, retail
  establishments (Publix and Big Lots shopping centers), restaurants (Odgen Tap Room,
  Smithfields BBQ, Denny's, Bojangles), personal services (Tame The Mane, The Corner Buzz,
  dry cleaners), specialty restaurants (Casa Blanca Coffee, Starbucks), and craft beer
  establishments (Fermental Wine & Beer, The Sour Barn).



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### TRANSPORTATION

- Access is provided to the subject property by Middle Sound Loop Road.
- As currently zoned, the estimated total trips associated with 12 single-family homes is about 9 in the AM peak and 12 in the PM peak.
- As a result of their classification as attached Senior Adult Housing, the proposed 72 senior living apartments are estimated to generate about 14 trips in the AM peak and 20 trips in the PM peak. Therefore, the proposal would result in an estimated increase of 5 trips in the AM peak and 8 trips in the PM peak.

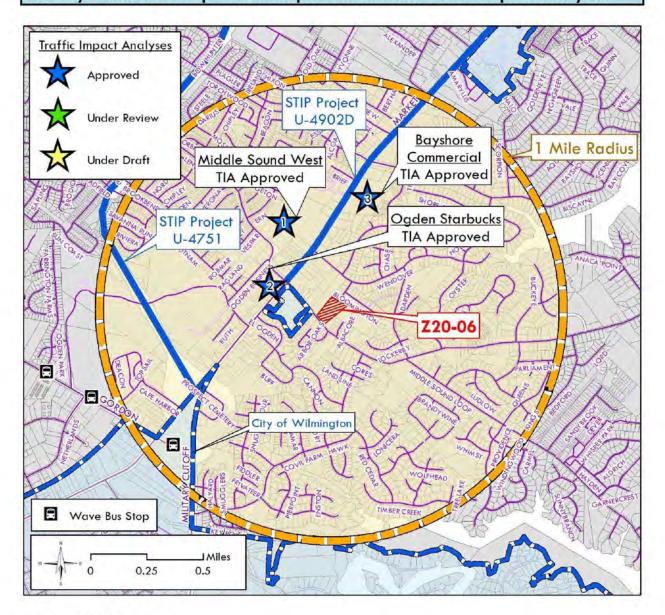
	Intensity	Approx. Peak Hour Trips
Existing Development:	Undeveloped	0 AM / 0 PM
Typical Development under Current Zoning:	12 single-family homes	9 AM / 12 PM
Proposed Development under Proposed (CZD) RMF-M Zoning:	72 age restricted units	14 AM / 20 PM

- While the proposal does not meet the 100 peak hour trip threshold to require a Traffic Impact Analysis, traffic impacts are analyzed and improvements may be required by NCDOT during the driveway permitting process.
- A recent Traffic Impact Analysis conducted for a proposed mixed-use project on Lendire Road found that the adjacent intersection of Middle Sound Loop Road and Market Street operates at an overall acceptable Level of Service (LOS) of D during the peak hours and is expected to operate at a LOS of E during those hours in 2021.
- While volume to capacity ratio, based on average daily trips, can provide a general idea of the function of adjacent roadways, the delay vehicles take in seconds to pass through intersections is generally considered a more effective measure when determining the Level of Service of a roadway. Recent daily traffic counts for Middle Sound Loop Road in the vicinity of the site indicate the average traffic volumes currently exceed the capacity of the road. However, the proposed development is not expected to significantly impact traffic more than when compared to a development under the existing zoning.

### Traffic Counts - August 2018

Road	Location	Volume	Capacity	V/C
Middle Sound Loop Middle Sound Loop	200 Block (directly in front of the site)	12,412	9,600	1.29

### **Nearby Planned Transportation Improvements and Traffic Impact Analyses**



### **Nearby NC STIP Projects:**

- STIP Project U-4751 (Military Cutoff Extension)
  - Project to extend Military Cutoff from Market Street to I-140.
  - The project is currently under construction and is expected to be completed by early-2023.
  - The extension of Military Cutoff will run about 1.15 miles west of the subject site. Lendire Road/Brittany Lakes Drive, Torchwood Boulevard, and Putnam Drive/Bradfield Court will connect to the Military Cutoff extension, allowing access to neighborhoods west Market Street.
  - The project will also install a sidewalk and multi-use path along the extension of Military Cutoff and the sections of Market Street included in the project.

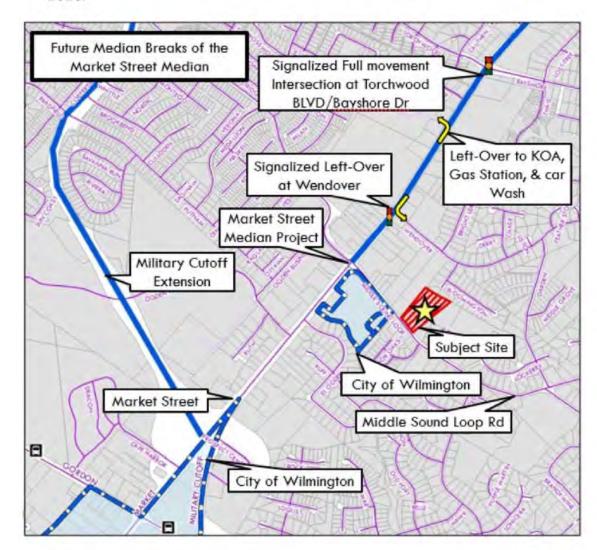
Z20-06 Staff Report PB 3.5.2020

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- Installation of an additional exclusive eastbound right-turn lane on Lendire Road at Market Street is required as part of the Ogden Starbucks development. The installation of this improvement will be coordinated with the Military Cutoff Extension project.
- NCDOT also intends to perform widening and striping of Lendire Road in 2020. The
  widening will consist of the addition of 4 feet of asphalt to each side of the road
  for a total widening of 8 feet. The widening of the road will be from Ogden Business
  Lane to the Military Cutoff extension right-of-way.

### STIP Project U-4902D (Market Street Median)

- Project to install a center median and pedestrian accessways along Market Street from Middle Sound Loop Road to Marsh Oaks Drive. The pedestrian accessways will consist of a 10-foot multi-use path on the eastern side of the street, and a 5foot sidewalk on the western side of the street.
- The project is currently under construction and is expected to be completed in early-2023.



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### **Nearby Traffic Impact Analyses:**

Traffic Impact Analyses are completed in accordance with the WMPO and NCDOT standards. Approved analyses must be re-examined by NCDOT if the proposed development is not completed by the build out date established within the TIA.

Proposed Development	Land Use/Intensity	TIA Status
1. Middle Sound West	<ul> <li>288 multi-family units</li> <li>Small office with 32 employees</li> </ul>	<ul><li>Approved August 14, 2019</li><li>2021 Build Out Year</li></ul>

The TIA required improvements be completed at certain intersections in the area. The notable improvements consisted of:

• Installation of a westbound right-turn lane at the site's access on Lendire Road.

### Nearby Proposed Developments included within the TIA:

Ogden Starbucks

Development Status: Special Use Permit request under review.

Proposed Development	Land Use/Intensity	TIA Status
2. Ogden Starbucks	<ul> <li>2,200 square foot coffee shop with drive thru</li> </ul>	<ul><li>Approved May 10, 2019</li><li>2021 Build Out Year</li></ul>

The TIA required improvements be completed at certain intersections in the area. The notable improvements consisted of:

 Installation of an additional exclusive eastbound right-turn lane on Lendire Road at Market Street (improvement installation to be coordinated with the Military Cutoff Extension project U-4751). Modification of the signal timing at the same intersection to incorporate the new dual right-turn lanes.

### Nearby Proposed Developments included within the TIA:

None

**Development Status: Complete,** however the installation of right-turn lane will be completed with the Military Cutoff extension project.

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3. Bayshore Commercial Development	<ul> <li>20,000 square feet of Medical/Dental Office</li> <li>70,000 square feet of Shopping Center</li> <li>8,000 square feet of High Turnover Sit Down Restaurant</li> <li>4,000 square feet of Fast Food Restaurant</li> </ul>	<ul> <li>TIA approved September 11, 2019</li> <li>2022 Build Out Year</li> </ul>
--	---	--

The TIA requires improvements be completed at certain intersections in the area. The notable improvements consisted of:

- Installation of an additional westbound left turn lane on Bayshore Drive to Market Street
- Extension of existing northbound right turn lane on Market Street from Bayshore Drive to the site's access points

Nearby Proposed Developments included within the TIA:

None

Development Status: The property is zoned B-2, which allows for this development byright. However, no site plan or permit application have been submitted to County staff for review at this time.

### **ENVIRONMENTAL**

- The property does not contain any Special Flood Hazard Areas or Natural Heritage Areas.
- Existence of wetlands will be verified during the development review process for the site.
- The property is within the Howe Creek (SA;ORW) watershed and the Pages Creek (SA;HQW) Watershed.
- Per the Classification of Soils in New Hanover County for Septic Tank Suitability, Class III (severe limitation, however, the site is expected to be served by CFPUA water and sewer.

### 2016 COMPREHENSIVE LAND USE PLAN

The New Hanover County Future Land Use Map provides a general representation of the vision for New Hanover County's future land use, as designated by place types describing the character and function of the different types of development that make up the community. These place types are intended to identify general areas for particular development patterns and should not be interpreted as being parcel specific.

Z20-06 Staff Report PB 3.5.2020

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Future Land Use Map Place Type	General Residential
Place Type Description	Focuses on lower-density housing and associated civic and commercial services. Typically, housing is single-family or duplexes. Commercial uses should be limited to strategically located office and retail spaces, while recreation and school facilities are encouraged throughout. Types of uses include single-family residential, low-density multi-family residential, light commercial, civic, and recreational.
Analysis	The subject property is located near the intersection of Market Street and Middle Sound Loop Road, near the Ogden Market Place shopping center. It is situated between Living Water Ministries Church to the west and an undeveloped lot to the east, with single family homes located to the north and across Middle Sound Loop Road to the south of the property.  The overall project density of 15 units per acre is considered moderate according to the range of densities outlined in the Comprehensive Plan. While that is higher than the 0-6 units per acre recommended for General Residential, it is in line with the bordering Urban Mixed Use place type, which is intended for moderate to high (16+ units per acre) residential density. Additionally, the site layout concentrates a majority of the housing units along the western Urban Mixed Use border with approximately only a quarter of the units along the northern property line where the project is closer to existing single family houses.
	By placing the majority of the density along the adjacent Urban Mixed Use property, the requested CZD RMF-M zoning could assist in providing an orderly transition between the regional business district along Market Street, properties anticipated for higher intensity uses, and existing lower density residential areas. It also supports a range of housing opportunities and choices in the area, as the proposed project is intended, and will be conditioned, to provide affordable age-restricted homes.  In addition, the design of this project orients the building along the northern and western side of the property in an effort to preserve a majority of the

Z20-06 Staff Report PB 3.5.2020

Page 10 of 11

	significant trees. The existing natural vegetation in the required buffer along the property boundaries will remain undisturbed, as well, to aid in providing an appropriate buffer between the proposed development and existing residences.
Consistency Recommendation	While at a higher density than generally recommended for General Residential areas, the proposed development, which is located in a transitional area between the General Residential and Urban Mixed Use places, is generally <b>CONSISTENT</b> with the Comprehensive Plan's intent to transition between higher intensity uses and existing residential areas and providing a range of housing types, opportunities, and choices.

### STAFF RECOMMENDATION

The proposed (CZD) RMF-M rezoning is generally **CONSISTENT** with the 2016 Comprehensive Plan because the proposal has potential to assist in providing an orderly transition between the regional business district along Market Street, properties anticipated for higher intensity uses, and existing lower density residential areas. It also supports a range of housing opportunities and choices in the area.

Therefore, staff recommends approval of this application and suggests the following motion:

I move to **APPROVE** the proposed rezoning to a (CZD) RMF-M district. I find it to be **CONSISTENT** with the purposes and intent of the Comprehensive Plan because the proposal provides an orderly transition between higher intensity uses and existing residential areas, preserves natural areas, and provides a range of housing types. I also find **APPROVAL** of the rezoning request is reasonable and in the public interest because the proposal would benefit the community by providing diverse housing options and will preserve existing large tress on the site.

[Optional] Note any conditions to be added to the district:

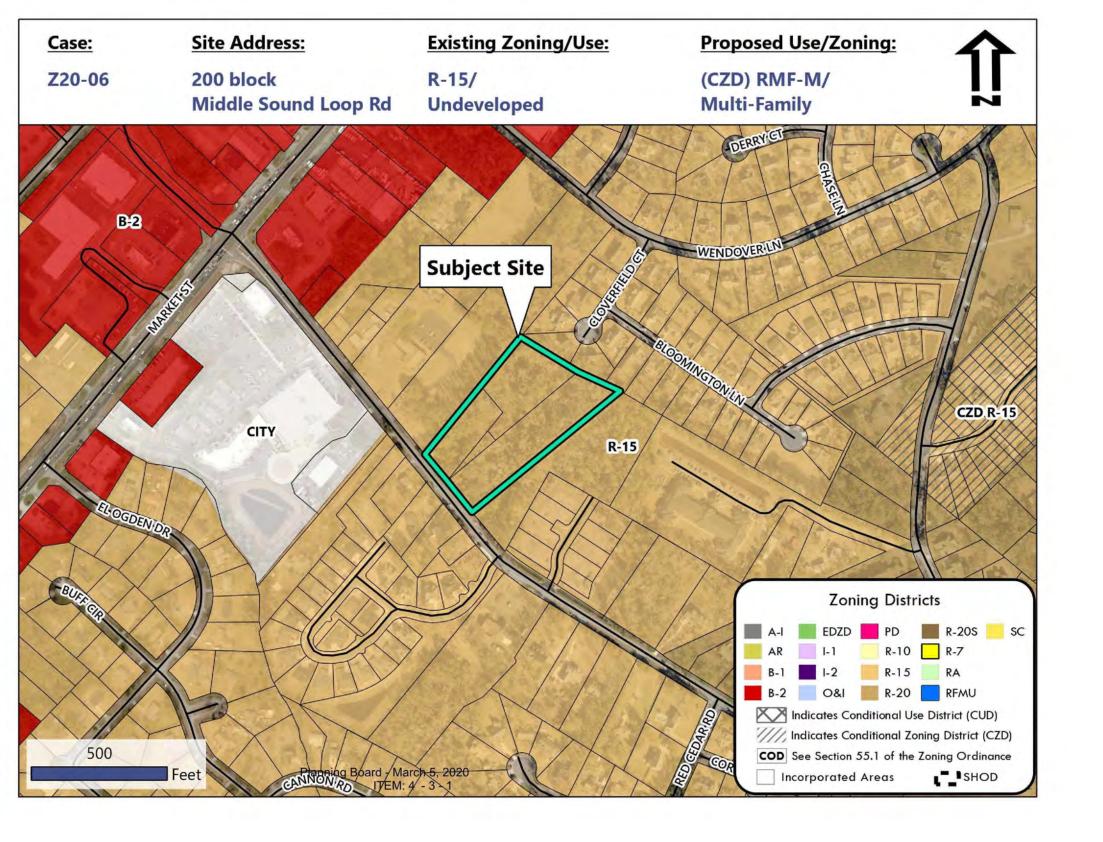
- 1. The residents will be restricted to 55 years of age and older.
- 2. In addition to the County's tree retention standards, the property owner shall retain and preserve all trees as illustrated on the proposed conceptual site plan unless:
  - The tree has been proven to directly affect the installation, or cause damage to, any required infrastructure (i.e. water/sewer lines, stormwater, etc.);
  - b. The tree is proven to be dead, dying, or severely damaged; or
  - The tree is in an unsafe condition that may cause harm to the residents or general public.

### **Alternative Motion for Denial**

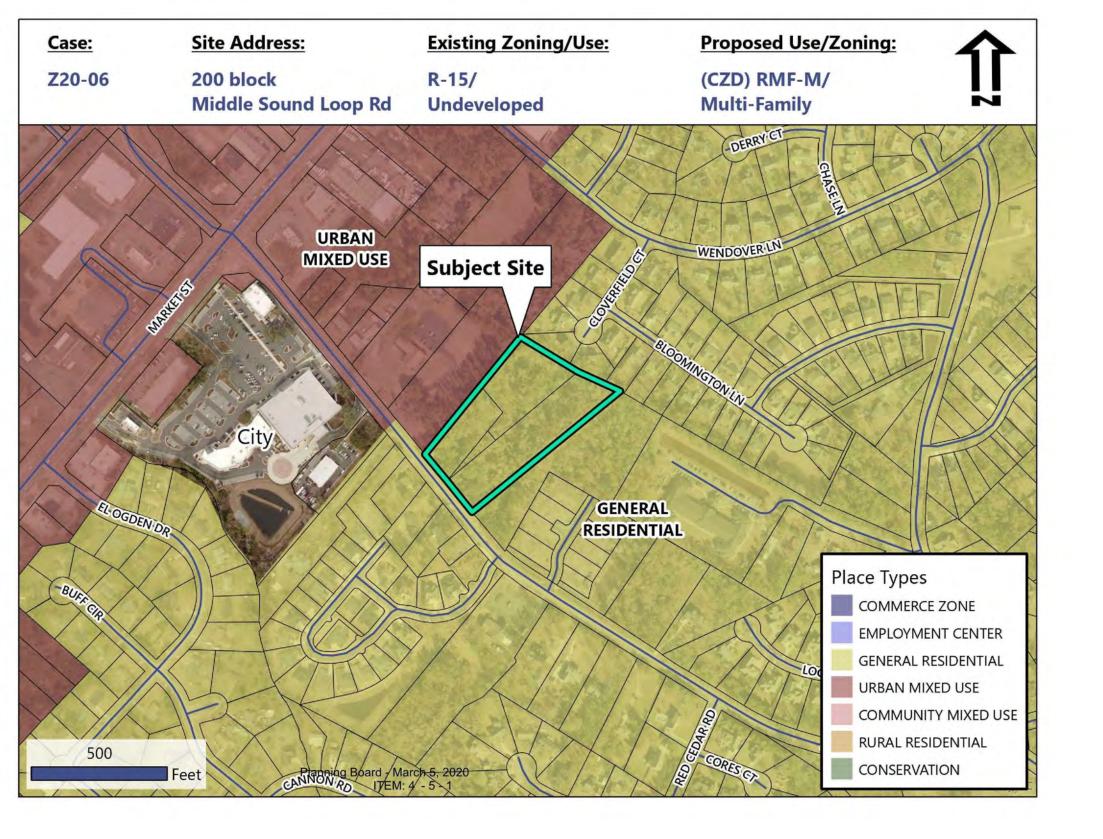
I move to **DENY** the proposed rezoning to a CZD RMF-M district. While I find it to be **CONSISTENT** with the purposes and intent of the Comprehensive Plan because the proposal provides an orderly transition between higher intensity uses and existing residential areas and provides a range of housing types. I find **DENIAL** of the rezoning request is reasonable and in the public interest because the proposal is not consistent with the desired character of the surrounding community and the density will adversely impact the adjacent neighborhoods.

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# APPLICANT MATERIALS

Planning Board - March 5, 2020 ITEM: 4 - 6 - 1

Planning Board - March 5, 2020 ITEM: 4 - 6 - 2

### **NEW HANOVER COUNTY**

DEPARTMENT OF PLANNING & LAND USE 230 Government Center Drive, Suite 110 Wilmington, North Carolina Telephone (910) 798-7165 FAX (910) 798-7053 planningdevelopment.nhcgov.com



### CONDITIONAL ZONING DISTRICT

### **Application**

Applicant/Agent Information	Property Owner(s)  If different than Applicant/Agent
Name	Owner Name
Christopher L. Eisenzimmer, CPA	BHC Properties, LLC
Company	Owner Name 2
Blue Ridge Atlantic Community Development	
Address	Address
2018 Eastwood Road	P.O. Box 431
City, State, Zip	City, State, Zip
Wilmington, NC 28403	Wrightsville Beach, NC 28480
Phone	Phone
(910) 338-3349	(910) 256-3528
Email	Email
chris.e@blueridgeatlantic.com	Haroldc@nexthomecapefear.com
Subject Property Information	

205 & 217 Middle Sound Loop Road

### Parcel Identification Number(s)

R04410-001-007-000, R04410-001-008-000, R04410-001-009-000, R04410-001-010-000

### Total Parcel(s) Acreage

4.77

### Existing Zoning and Use(s)

R-15 (Single Family Residential)

### **Future Land Use Classification**

FLUP = General Residential; Proposed Zoning = CZ-RMF-M (Conditional Zoning, Residential Multi-Family - Moderate Density)

Application Tracking Information	(Staff Only)			
Case Number	Date/Time received:	Received by:		

Planning Board - March 5, 2020 Page 3 of 7
ITEM: 4 - 7 - Conditional Zoning District Application - Updated 5/2017

# Proposed Conditional Zoning District: CZ-RMF-M Total Acreage of Proposed District: 4.77 Only uses allowed by right in the corresponding General Use District are eligible for consideration within a Conditional Zoning District. Please list the uses that will be allowed within the proposed Conditional Zoning District, the purpose of the district, and a project narrative (please provide additional pages if needed). The project will consist of a proposed 72-unit Senior Living Apartment Community adjacent to Middle Sound Loop Road in Wilmington, NC. The project is within the New Hanover County Planning and Zoning District. To achieve the project as desired, a Conditional Zoning District approval from R-15 to RMF-M (Residential Multi-Family — Moderate Density) is necessary. The Conditional Zoning District process is pursuant to the recently adopted New Hanover County Unified Development Ordinance (the "UDO") under Article 3: Zoning Districts, section 3.2.13 RMF-M; Article 5: General Development Standards; Article 7: Stormwater Management; Article 8: Erosion and Sedimentation Control; Article 9: Flood Damage Prevention; and Article 10: Administrative Procedures, section 10.3.3 Conditional Zoning. Only uses permitted under RMF-M are allowed within this Conditional Zoning District. Please see the attached Project Narrative for Residence at Canopy Pointe, Senior Living Apartment Community.

Proposed Zoning, Use(s), & Narrative

### Proposed Condition(s)

Within a Conditional Zoning District, additional conditions and requirements which represent greater restrictions on the development and use of the property than the corresponding General Use District regulations may be added. These conditions may assist in mitigating the impacts the proposed development may have on the surrounding community. Please list any conditions proposed to be placed on the Conditional Zoning District below. Staff, the Planning Board, and Board of Commissioners may propose additional conditions during the review process.
Residence at Canopy Pointe is not proposing any additional conditions to our CZ-RMF-M request.

### Traffic Impact

Please provide the estimated number of trips generated for the proposed use(s) based off the most recent version of the Institute of Transportation Engineers (ITE) Trip Generation Manual. A Traffic Impact Analysis (TIA) must be completed for all proposed developments that generate more than 100 peak hour trips, and the TIA must be included with this application.

ITE Land Use: Senior Adult Housing - Attached (252)

Trip Generation Use and Variable (gross floor area, dwelling units, etc.): 72-units

AM Peak Hour Trips: Enter (5), Exit (9)

PM Peak Hour Trips: Enter (11), Exit (9)

### CONSIDERATION OF A CONDITIONAL ZONING DISTRICT

The Conditional Zoning District procedure is established to address situations where a particular land use would be consistent with the New Hanover County Land Use Plan and the Zoning Ordinance objective and where only a specific use or uses is proposed. The procedure is intended primarily for use with transitions between zoning districts of very dissimilar character where a particular use or uses, with restrictive conditions to safeguard adjacent land uses, can create a more orderly transition benefiting all affected parties and the community-at-large. The applicant must explain, with reference to attached plans (where applicable), how the proposed Conditional Use Zoning District meets the following criteria.

- 1. How would the requested change be consistent with the County's policies for growth and development? (For example: the Comprehensive Plan and applicable small area plans)
  - The project is within the General Residential Classification, the proposed CZ-RFM-M is consistent with the policies under Gen Res for density, promoting environmentally responsible growth, fiscally responsible growth, encourages a walkable community, and provides a range of housing type in the area.
- 2. How would the requested Conditional Zoning District be consistent with the property's classification on the Future Land Use Map located within the Comprehensive Plan?

  Residence at Canopy Pointe is within the "General Residential" Classification under the FLUP. Plan NHC states that General Residential is appropriate for single and mulit-family residential. It also encourages mixed-income (diversity in housing) projects which begins to address the affordable housing diversity needed in NHC. There is not a small area plan that covers this property.
- 3. What significant neighborhood changes have occurred to make the original zoning inappropriate, or how is the land involved unsuitable for the uses permitted under the existing zoning?
  With the Market Street Development pattern commercial and institutional uses are adjacent and across the street. These services are needed in close proximity to multi-family projects, and the multi-family provides a transitional buffer to the current R-15 zoning. Multi-family and higher density projects are constructed to the east of this property.

Planning Board - March 5, 2020 Page 5 of 7
ITEM: 4 - 7 - 2 Onditional Zoning District Application - Updated 5/2017

### **APPLICATION REQUIREMENTS**

Staff will use the following checklist to determine the completeness of your application. Please verify all of the listed items are included and confirm by initialing under "Applicant Initial". If an item is not applicable, mark as "N/A". Applications must be complete in order to process for further review.

Re	quired Information	Applicant Initial	Staff Initial
1	Complete Conditional Zoning District application.	×	
2	Application fee – (\$600 for 5 acres or less, \$700 for more than 5 acres. An additional \$300 fee must be provided for applications requiring TRC review).	×	
3	Community meeting written summary.	x	
4	Traffic impact analysis (for uses that generate more than 100 peak hour trips).	×	-
5	Legal description (by metes and bounds) or recorded survey Map Book and Page reference of the property requested for rezoning.	x	
6	Site Plan including the following elements:		
	<ul> <li>Tract boundaries and total area, location of adjoining parcels and roads.</li> <li>Proposed use of land, structures and other improvements. For residential uses, this shall include number, height and type of units and area to be occupied by each structure and/or subdivided boundaries. For non-residential uses, this shall include approximate square footage and height of each structure, an outline of the area it will occupy and the specific purpose for which it will be used.</li> <li>Development schedule including proposed phasing.</li> <li>Traffic and Parking Plan to include a statement of impact concerning local traffic near the tract, proposed right-of-way dedication, plans for access to and from the tract, location, width and right-of-way for internal streets and location, arrangement and access provision for parking areas.</li> <li>All existing and proposed easements, reservations, required setbacks, rights-of-way, buffering and signage.</li> <li>The one hundred (100) year floodplain line, if applicable.</li> <li>Location and sizing of trees required to be protected under Section 62 of the Zoning Ordinance.</li> <li>Any additional conditions and requirements, which represent greater restrictions on development and use of the tract than the corresponding General Use District regulations or other limitations on land which may be regulated by State law or Local Ordinance.</li> <li>Any other information that will facilitate review of the proposed change (Ref. Article VII, as applicable).</li> </ul>	×	
7	1 hard copy of ALL documents AND 8 hard copies of the site plan. Additional hard copies may be required by staff depending on the size of the document/site plan.	×	
8	1 PDF digital copy of ALL documents AND plans.	x	

### ACKNOWLEDGEMENT AND SIGNATURES

By my signature below, I understand and accept all of the conditions, limitations and obligations of the Conditional Zoning District zoning for which is being applied. I understand that the existing official zoning map is presumed to be correct. I understand that I have the burden of proving why this requested change is in the public interest. I certify that this application is complete and that all information presented in this application is accurate to the best of my knowledge, information, and belief.

If applicable, I also appoint the applicant/agent as listed on this application to represent me and make decisions on my behalf regarding this application during the review process. The applicant/agent is hereby authorized on my behalf to:

1. Submit an application including all required supplemental information and materials;

2. Appear at public hearings to give representation and commitments; and

3. Act on my behalf without limitations with regard to any and all things directly or indirectly connected with or arising

out of this application. BUC PROPERTIES LLC
BY RIN Chappill member /mg

Signature of Applicant/Agent

**Print Name** 

NOTE: Form must be signed by the owner(s) of record. If there are multiple property owners a signature is required for each owner of record.

If an applicant requests delay of consideration from the Planning Board or Board of County Commissioners before notice has been sent to the newspaper (approximately 2-3 weeks before the hearing), the item will be calendared for the next meeting and no fee will be required. If delay is requested after notice has been sent to the newspaper, the Board will act on the request at the scheduled meeting and are under no obligation to grant the continuance. If the continuance is granted, a fee in accordance with the adopted fee schedule as published on the New Hanover County Planning website will be required.



Planning Board - March 5, 2020 ITEM: 4 - 7 - Sonditional Zoning District Application - Updated 5/2017

- 1. How would the requested change be consistent with the County's policies for growth and development? The subject property is located within the New Hanover County growth node known as "Kirkland/Porters Neck, just off the intersection of Market Street and Middle Sound Loop Road in Ogden. This growth node will focus on more density, redevelopment and increased building height. This area is designated for General Residential, Community Mixed-Use and Urban Mixed-Use which propose a wide range of single and multi-family residential uses, commercial uses and retail uses. The design of the project proposes a land use that would be acceptable under the Community / Urban Mixed-Use place type.
- 2. How would the requested Conditional Zoning District be consistent with the property's classification on the Future Land Use Map located within the Comprehensive Plan?

  Per the Future Land Use Map, the subject property does fall into the General Residential category however, it abuts right the Urban Mixed-Use designated area. Given this, a senior independent living facility which would have minimal impact of traffic and is designed in an environmentally cognizant manner would be an acceptable conforming use for the subject property. As stated above, the subject property is within a growth node in Ogden which does provide consistency with the Future Land Use Map in a way of encouraging higher density and has the best opportunity to become commercial, service, and housing hubs. Further the proposed project would be designed in such a way to preserve the Live Oaks Trees to the best extent possible which would allow the site to maintain as much of its green and general residential character as possible.
- 3. What significant neighborhood changes have occurred to make the original zoning inappropriate, or how is the land involved unsuitable for the uses permitted under the existing zoning? The original zoning in place reflects a lower residential density than the Future Land Use Plan projects in the commercial/residential corridor right off the Market Street and Middle Sound Loop Road intersection. A significant neighborhood change that makes the R-15 zoning inappropriate is the new commercial development, Ogden Marketplace as well as the continued progress of re-development in the immediate area of the site. As a byproduct, this creates somewhat of a "new Urbanism" character which promotes more walkable communities and in turn assists in alleviating traffic issues by less need for auto travel. The conditional rezoning to RMF-M allows for a maximum of 17 units/ acre which would promote a higher density use for the subject property and aligns with the County's growth node on redevelopment and increased building height and/or walkable community. The higher intensive land use and increase in density would be much more suitable and blend well with the new commercial development Ogden Marketplace which is diagonal of the subject property.

Planning Board - March 5, 2020 ITEM: 4 - 7 - 6



ENGINEERS SURVEYORS ALAUNERS

February 6, 2020

079210001(40)

Ron Meredith, Associate Planner New Hanover County Department of Planning & Land Use 230 Government Center Drive, Suite 110 Wilmington, NC 28405

RE:

Project Narrative: Conditional Zoning District RMF-M Residence at Canopy Pointe a Senior Living Community 205 & 217 Middle Sound Loop Road Wilmington, NC

### PROJECT NARRATIVE - Residence at Canopy Pointe

The **Residence at Canopy Pointe** will consist of a proposed 72-unit Senior Living Apartment Community adjacent to Middle Sound Loop Road in Wilmington, NC. The project is within the New Hanover County Planning and Zoning District. To achieve the project as desired, a Conditional Zoning District approval from R-15 to CZ-RMF-M (Residential Multi-Family – Moderate Density) is necessary. The Conditional Zoning District process is pursuant to the recently adopted New Hanover County Unified Development Ordinance (the "UDO").

Developed by Blue Ridge Atlantic, Residence at Canopy Pointe exemplifies the type of mixed income apartment development that New Hanover County is encouraging in our community. Residence at Canopy Pointe will be nestled into the existing property fabric by preserving as much vegetation as possible, provide buffers to adjacent properties, and employ low impact design techniques for stormwater management.

The single building is a 3-story, 42-foot tall structure accommodating 72 Senior Living Apartments (mixture of 1 and 2-bedrooms). The site plan is arranged with the building tucked into the northwest corner of the property to provide as much buffer and tree preservation along Middle Sound Loop Road as is practical while meeting the minimum design guidelines provided by the county. Parking ratios meet the minimum number required to limit impervious surface, or built upon area, which reduces the overall stormwater impact. The 100-year FEMA flood line does not extend on this property nor are there jurisdictional wetlands on-site.

A Transportation Consultant (Ramey-Kemp & Associates) provided a traffic summary report providing the details of this project's traffic impacts to surrounding roadways. A

Wilmington, NC 28401

Acres a series

Fox 910.251,8282

710 343 1048

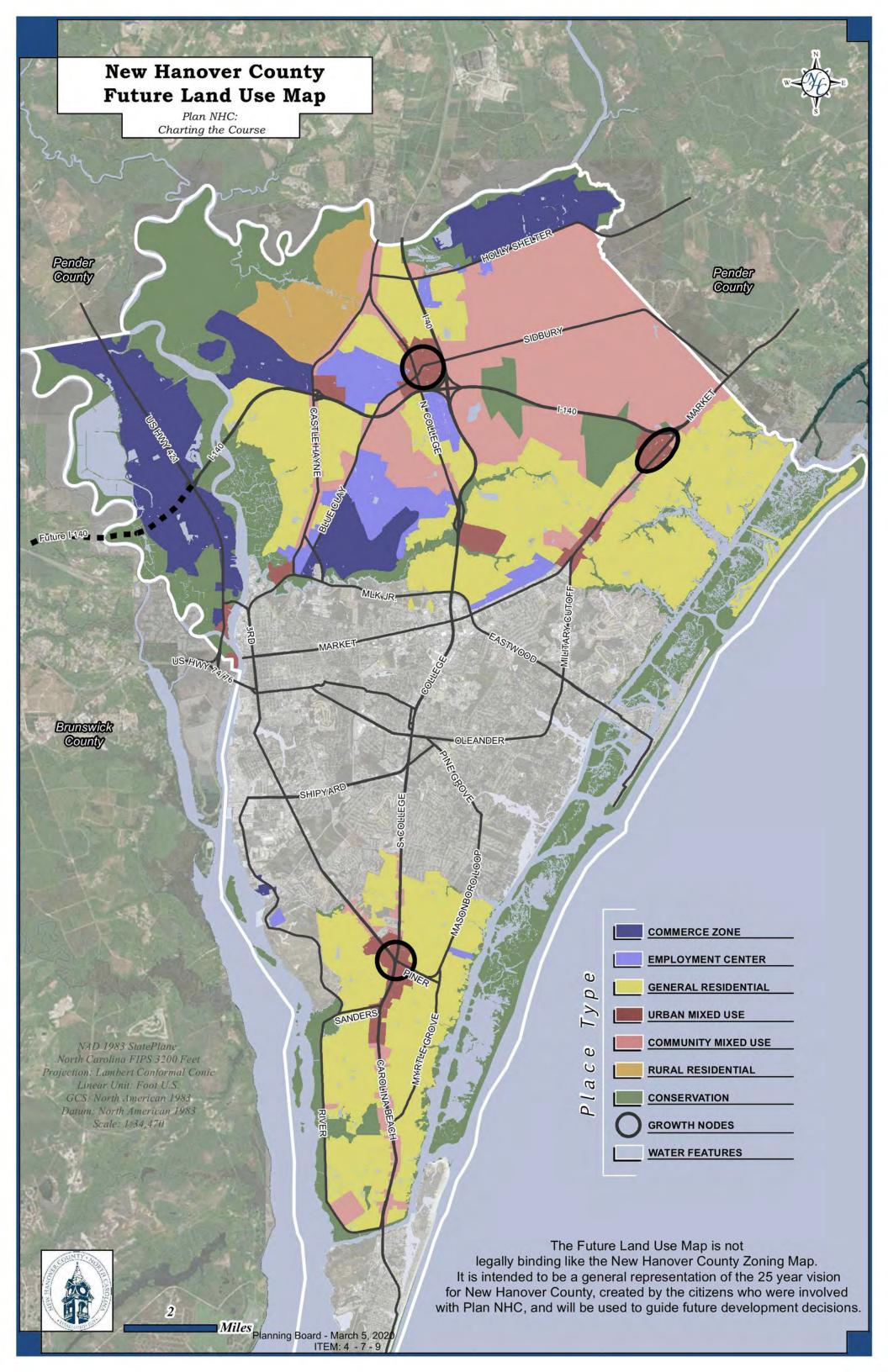
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Planning Board - March 5, 2020 ITEM: 4 - 7 - 7 Residence at Canopy Pointe Project Narrative Page 2

Traffic Impact Analysis (the "TIA") is not warranted based on the traffic engineer's report and criteria established by NHC, NCDOT, and the Wilmington MPO. As a senior living apartment community, it will have less traditional peak hour trips and more off-peak trips into and out of the community. The traditional peak hour trips in and out of the community are less than 11 trips in the AM and PM peak hours. Total daily trips during a 24-hour period are 264 trips. See the traffic letter report by Ramey-Kemp & Associates included in this submittal package.

We request a Conditional Zoning ("CZ") within the Residential Multi-Family, Moderate Density ("RMF-M") be applied to the *Residence at Canopy Pointe*. The NHC Future Land use Plan describes this property a "General Residential" and multi-family is an appropriate use and transition to traditional single-family residential. There exists directly east of the property a multi-family apartment community and a higher density residential development. This project meets the spirit and intent of the policies for growth and development provided by New Hanover County.





### GENERAL RESIDENTIAL







### **DEFINITION**

This placetype provides opportunity for lower-density housing and associated civic and commercial services. Housing is typically single-family or duplexes, with setbacks on all sides. Block sizes are large, at  $\frac{1}{4}$  to  $\frac{1}{2}$  mile wide. Commercial uses should be limited to office and retail spaces in carefully located areas where neighborhood character will be enhanced, while recreation and school facilities are

encouraged throughout. Access to areas outside these residential areas is provided by arterial roadways, but still allowing for interconnection between other placetypes. However, limiting cul-de-sacs is encouraged to promote better internal circulation and minimizing high-volume traffic roads within the area. Flooding hazard avoidance should be taken into consideration when abutting coastal areas.

### **EXAMPLE AREAS**

Middle Sound Myrtle Grove Castle Hayne Porter's Neck Wrightsboro Masonboro Loop

### **DESIRED USES**

Types of Uses / Projects

Single-Family Residential

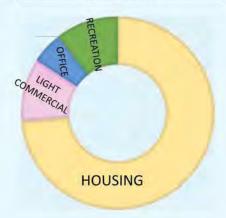
Low-Density Multi-Family Residential

Light Commercial

Civic

Recreational





### Typical Zoning Categories

Low Density Residential

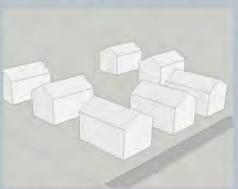
Medium Density Residential

Office & Institutional

Planned Unit Development

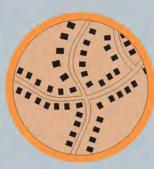
### **DEVELOPMENT INTENSITY**

Massing / Scale Recommendations



Use	Number of Stories	Ideal Density		
Office	1-2	Low		
Retail	1-2	Low		
Planned Development	1-3	Medium		
Low- Density Multi-Family	1-3	2-6 du/acre		
Single-Family Residential	1-3	1-6 du/acre		

### • Urban Design Recommendations



### Street Pattern:

Warped Grid & Limited Cul-de-sacs

Block Length:

1000 - 2500 ft

### Setbacks:

Residential: Away from street or in line with existing development

Non-residential: Away from the

### Pedestrian Amenities:

Sidewalks, Street Trees, Open Space, Shade

### MODE CHOICES

Transportation Infrastructure Recommendations

4-6 ft sidewalks (some areas)
Street lamps
Crosswalks at schools,
busy intersections



Arterial, collector & local roads
2-4 travel lanelanning Board - Mach p. 1020
On and off-street parking ITEM: 4 10
Vanpool commuting



On-road wide outside lane Greenways & multi-use paths

### URBAN MIXED USE





### DEFINITION

This placetype provides access to a mix of residential, office, and retail uses at higher densities. Multi-family residential uses are preferred, though higher-density single family developments will not be prohibited. Mixed uses are encouraged in the same footprint in a vertical pattern, but they can also be adjacent, or separated by lower traffic local and collector roads in a horizontal pattern. This placetype can include big box retail that has included appropriate urban design features. These areas place an emphasis on multimodalism through the requirement of sidewalks on all non-local streets, crosswalks at all intersections, dedicated bicycle lanes or wide outside lanes, and bus access. Types of uses include office, retail, mixed use, small recreation, single-family and multi-family residential.

### **EXAMPLE AREAS**

Ogden

Kirkland

Monkey Junction

CFCC North Campus Area

### **DESIRED USES**

Types of Uses / Projects

Retail

Office

Mixed Use

Single & Multi-Family Residential

**Small Recreational** 

### Mix of Uses



### Typical Zoning Categories

Moderate to High-Density Residential

Mixed Use

Office & Institutional

Commercial

### **DEVELOPMENT INTENSITY**

Massing / Scale Recommendations



Use	Number of Stories	Ideal Density		
Office	3-7	Moderate/ High		
Retail	1-3	Low/Moderate		
Planned Development	2-7	Moderate/ High		
Residential	2-5	Moderate/ High		
Commercial/ Mixed Use	2-7	Moderate/ High		

### Urban Design Recommendations



Street Pattern: Arterial & local; grid or partial grid

Block Length: 200 - 800 ft

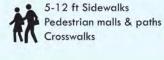
Setbacks:

Varies

**Pedestrian Amenities:** Sidewalks, street trees, street furniture, shade trees, bike racks, lighting, crosswalks, plazas, pedestrian malls

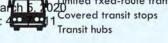
### **MODE CHOICES**

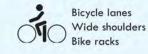
Transportation Infrastructure Recommendations





Arterial, collector & local roads
2-4 travel lanelanning Board - March 5, 2020
11 Covered transit stops On-street, off-street & garage EM: 1 Transit hubs parking





### **COMMUNITY MIXED USE**



### DEFINITION

This placetype focuses on small-scale, compact, mixed use development patterns that serve multimodal travel and act as an attractor for county residents and visitors. These areas share several qualities with higher-intensity mixed use, including a combination of retail with office and housing above, wider sidewalks and an emphasis on streetscaping. However,

these centers are generally small, no more than a few square blocks. Civic uses, particularly recreation and public gathering places are encouraged here. Lower denisity single family development may be acceptable when limitations to mixed use development exists. Ideally, large-scale, lower density commercial and industrial developments are prohibited.

### **EXAMPLE AREAS**

Castle Hayne

Sidbury Road

Carolina Beach Road

NorthChase

### **DESIRED USES**

Types of Uses / Projects

Office

Retail

Mixed Use

Multi-family Residential

Single-Family Residential

Recreational

# Mix of Uses RECREATION OFFICE MIXED USE RETAIL HOUSING

### Typical Zoning Categories

Moderate Density Residential

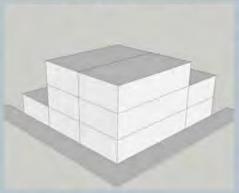
Commercial

Office & Institutional

Mixed Use

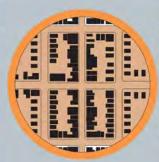
### **DEVELOPMENT INTENSITY**

Massing / Scale Recommendations



Use	Number of Stories	Ideal Density
Office	1-2	Moderate
Retail	1-2	Low/Moderate
Mixed Use	2-3	Moderate
Multi-Family Residential	2-3	Moderate (12-15 du/acre)
Single-Family Residential	1-3	Moderate (±8 du/acre)*

### Urban Design Recommendations



Street Pattern: Grid or radial

Block Length:

200 - 500 ft

Setbacks:

Residential: Near sidewalk Non-residential: At sidewalk

Pedestrian Amenities:

Sidewalks, street & shade trees, street furniture, bike racks

### MODE CHOICES

Transportation Infrastructure Recommendations





Arterial & collector roads Planning Board - Marth 5, 2020 Fixed-route transit 2-4 travel lanes On and off street parking



Bicycle lane / shoulder

Bicycle parking

### General Residential

This place type focuses on lower-density housing and associated civic and commercial services. Housing for the area is typically single-family or duplexes. Commercial uses should be limited to strategically located office and retail spaces, while recreation and school facilities are encouraged throughout. Access to areas outside these residential areas are provided by arterial roadways, but still allow for interconnection between other place types. Limiting cul-de-sacs is encouraged to promote better internal circulation and minimize high-volume traffic roads within the area. Types of uses include single-family residential, low-density multi-family residential, light commercial, civic, and recreational.

The areas applicable for this place type are Middle Sound, Myrtle Grove, Castle Hayne, Piner Road, Porter's Neck, Gordon Road, Wrightsboro, and Masonboro Loop. Pedestrian amenities should include sidewalks, street and shade trees, and open space.

Building height could range from one to three stories. The ideal density for multi- and single-family residential is low (ranging up to approximately eight units per acre). Density within the General Residential place type may be limited by flood plain, wetlands, or other natural or manmade features and generally should be consistent with nearby communities.

The following goals from Chapter 3: Framing the Policy will be promoted within the General Residential place type:

- · Promote environmentally responsible growth.
- · Promote fiscally responsible growth.
- · Increase recycling and reduction of solid waste
- Increase public safety by reducing crime through the built environment;
- Integrate multi-modal transportation into mixed land uses that encourage safe, walkable communities.
- · Preserve and protect water quality and supply.
- Increase physical activity and promote healthy, active lifestyles.
- Ensure New Hanover County remains in attainment for air quality, in support of clean air and improved public health outcomes to support of continued growth.
- · Increase access to affordable and convenient healthy foods.
- · Provide for a range of housing types, opportunities and choices.
- · Revitalize commercial corridors and blighted areas through infill and redevelopment.
- Conserve and enhance our unique sense of place to attract individuals, companies and organizations.
- Actively promote high quality educational and diverse cultural opportunities for New Hanover County residents and visitors.

PLAN NHC 2016 VISUALIZING THE FUTURE 5

### STRATEGIC PLAN FOCUS AREA: SUPERIOR EDUCATION AND WORKFORCE

### Strategic Plan Objective: Prepare all students to be successful in a 21st century world

Goal XIV: Actively promote high quality education and diverse cultural opportunities for New Hanover County residents and visitors.

Desired Outcome: High quality education and diverse opportunities that sustain the economic vitality of our community and enrich the lives of current and future residents.

	Implementation Strategies	Implementation Guidelines
A.	Work with New Hanover County Public Schools as well as community stakeholders and institutions to support high quality pre-K, primary, and secondary educational opportunities to meet current and future needs of County residents.	XIV.A.1 Encourage schools to locate in areas where they provide the maximum benefit to adjoining neighborhoods.  XIV.A.2 Plan and locate schools to allow for future expansion and to ensure better and shared use of the facilities and campus.
В.	Form diverse partnerships to maximize utilization and improve access to recreational and cultural opportunities and assets for New Hanover County residents and visitors.	XIV.B.1 Where development projects include protect- ed cultural resources, encourage promotion of the resource as an asset to the development.
C.	Partner with New Hanover County Schools, UNCW, CFCC, and economic development stakeholders to develop and promote educational programs that support the full range of skill sets employers need and target specific economic development opportunities within New Hanover County.	Guidelines are not part of this strategy.

### Strategic Plan Objective: Enhance the self-su ciency of individuals and families

Goal XV: Provide for a range of housing types, opportunities, and choices.

Desired Outcome: Citizens are not overburdened with the costs or availability of housing, but have a diverse range of options that are affordable at different income levels.

Implementation Strategies	Implementation Guidelines		
Enhance and update incentives to reduce development costs to private developers such as density bonuses when work force housing is included in development proposals.	XV.A.1 Explore an ordinance allowing accessory dwelling units that are compatible with existing neighborhoods.  XV.A.2 Encourage a mixture of uses in an effort to provide diversity of housing choice.  XV.A.3 Review zoning regulations where appropriate to accommodate populations with special needs such as the elderly and disabled.  XV.A.4 Incentivize, through the development process, the inclusion of diverse housing choices and opportunities in urban and community mixed use areas so that safe and conveniently located communities are available regardless of age or income.		
B. Consider creating an affordable housing task force to define affordability and work with private sector to provide it.	Guidelines are not part of this strategy.		
C. Strategically work with developers experienced in providing affordable and subsidized housing through federal and state programs and locate affordable housing developments in areas of highest need.	XV.C.1 Encourage a mixture of housing types near employment centers.		

PLAN NHC 2016 BUILDING THE FUTURE 15

Planning Board - March 5, 2020 ITEM: 4 - 7 - 14



### Canopy Pointe WSI Map



Lake

Riverine

February 6, 2020

Wetlands

Estuarine and Marine Deepwater

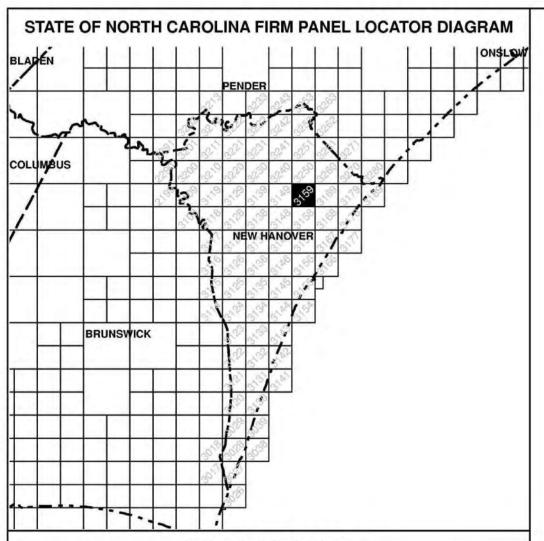
Estuarine and Marine Wetland

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

Planning Beshwatter Pp. d2020 ITEM: 4 - 7 - 15 This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Manner web site

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper



### DATUM INFORMATION

The **projection** used in the preparation of this map was the North Carolina State Plane (FIPSZONE 3200). The **horizontal datum** was the North American Datum of 1983, GRS80 ellipsoid. Differences in datum, ellipsoid, projection, or Universal Transverse Mercator zones used in the production of FIRMS for adjacent jurisdictions may result in slight positional differences in map features across jurisdictional boundaries. These differences do not affect the accuracy of this FIRM. All coordinates on this map are in U.S. Survey Feet, where 1 U.S. Survey Foot = 1200/3937 Meters.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988 (NAVD 88). These flood elevations must be compared to structure and ground elevations referenced to the same vertical datum. An average offset between NAVD 88 and the National Geodetic Vertical Datum of 1929 (NGVD 29) has been computed for each North Carolina county. This offset was then applied to the NGVD 29 flood elevations that were not revised during the creation of this statewide format FIRM. The offsets for each county shown on this FIRM panel are shown in the vertical datum offset table below. Where a county boundary and a flooding source with unrevised NGVD 29 flood elevations are coincident, an individual offset has been calculated and applied during the creation of this statewide format FIRM. See Section 6.1 of the accompanying Flood Insurance Study report to obtain further information on the conversion of elevations between NAVD 88 and NGVD 29. To obtain current elevation, description, and/or location information for bench marks shown on this map, please contact the North Carolina Geodetic Survey at the address shown below. You may also contact the Information Services Branch of the National Geodetic Survey at (301) 713-3242, or visit its website at http://www.ngs.noaa.gov.

North Carolina Geodetic Survey 121 West Jones Street Raleigh, NC 27601 (919) 733-3836 http://www.ncgs.state.nc.us

county	Average	Vertical	Datum	Offset	Table
County			Vertical Da	atum Offse	et (ft)
NEW HANOVER			-0.95		
	Evernele: N	AVID on A	OVD 00	(0.05)	



RAMEY KEMP & ASSOCIATES, INC. 5808 Faringdon Place, Suite 100 Raleigh, NC 27609 Phone: 919-872-5115 www.rameykemp.com

February 5, 2020

Abigail Lorenzo Senior Transportation Planner Wilmington Urban Area Metropolitan Planning Organization (WMPO) 305 Chestnut Street, 4<sup>th</sup> Floor Wilmington, North Carolina 28401

Subject: Trip Generation Letter

Middle Sound Loop Senior Apartments - Wilmington, North Carolina

Dear Ms. Lorenzo:

This letter provides trip generation information prepared by Ramey Kemp & Associates, Inc. (RKA) for the proposed Middle Sound Loop Senior Apartments located on Middle Sound Loop Road just west of Sunnybranch Road in Wilmington, North Carolina.

The proposed development is anticipated to consist of a 72 attached senior adult housing dwelling units.

Average weekday daily, AM peak hour trips, and PM peak hour trips for the proposed development were estimated using methodology contained within the 10<sup>th</sup> Edition of the ITE *Trip Generation Manual*. Traffic volumes for Senior Adult Housing - Attached (ITE Code 252) were generated utilizing ITE equations [for the peak hour adjacent street traffic] and dwelling units as the independent variable. Refer to Table 1 for a breakdown of the trip generation for the proposed development.

**Table 1: Site Trip Generation** 

Land Use (ITE Code)	Independent Variable	Average Weekday Daily Traffic (vpd)	AM Peak Hour Trips (vph)		PM Peak Hour Trips (vph)	
			Enter	Exit	Enter	Exit
Senior Adult Housing - Attached (252)	72 Dwelling Units	264	5	9	11	9

It is estimated the proposed development will generate 264 daily trips (in and out) during a typical 24-hour weekday period with 14 total trips (5 entering and 9 exiting) generated during the AM peak hour and 20 total trips (11 entering and 9 exiting) during the PM peak hour.

The expected daily and peak hour trip generation are well below the WMPO's [1,000 vpd daily and 100 vph] and NCDOT's [3,000 vpd] thresholds; therefore, a Traffic Impact Analysis (TIA) should not be warranted based on each agency's guidelines.

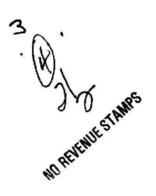
If you should have any questions, please feel free to contact me at (336) 725-5470.

Sincerely,

Ramey Kemp and Associates, Inc.

Attachments: Site Plan







FOR REGISTRATION REGISTER OF DEEDS
REBECCA P. SMITH
NEW HANOVER COUNTY, NC
2005 DEC 20 04:17:19 PM
BK:4954 PG:2329-2333 FEE:\$23.00

INSTRUMENT # 2005075180

Drawn by: A.A. Saffo Saffo Law Firm, P.C. 1508 Military Cutoff Road, Suite 203 Wilmington, NC 28403

Parcel No.: R04410-001-010-000

The attorney preparing this instrument has made no record search or title examination as to the property herein conveyed unless the same is shown by his written signed opinion on title.

RETURNED TO THOMAS A LEACH

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

WARRANTY DEED

THIS DEED, made and entered into this 15th day of December, 2005, by and between SUSAN N. MORGAN (f/k/a Susan N. Anderson) and husband, GEORGE RALPH MORGAN, and EVA N. LIGHTNER and husband, JAMES J. LIGHTNER, JR., hereinafter the GRANTORS; and BHC Properties, LLC, a North Carolina limited liability company with its principal office located at: Po Box 431, Walghtstille Beach, NC, hereinafter the GRANTEE;

## WITNESSETH:

WHEREAS, the real property hereinafter described was acquired by Katie Belle Koonce Newkerk by deeds recorded in Book 645 at Page 542, Book 761 at Page 533 and Book 1313 at Page 946 of the New Hanover County Registry; and

WHEREAS, Katie Bell Koonce Newkerk died testate on the 28<sup>TH</sup> day of July, 2002, leaving a Last Will and Testament which was duly probated and whose Estate was administered by Affidavit of Collection in the office of the Clerk of Superior Court for New Hanover County in file

no. 02-E-527; and

WHEREAS, under Article V of her Will, Katie Bell Koonce Newkerk devised her

residuary estate in equal shares to and among her children; and

WHEREAS, Susan N. Morgan and Eva N. Lightner are the daughters of Katie Bell Koonce

Newkerk;

NOW, THEREFORE, the GRANTORS, for and in consideration of the sum of TEN

DOLLARS AND NO/100THS (\$10.00) DOLLARS and other valuable consideration, receipt of

which is hereby acknowledged, have bargained and sold and by these presents do bargain, sell and

convey unto the GRANTEE, its successors and assigns, all of their right, title and interest in and to

that certain tract or parcel of land lying and being in the County of New Hanover, North Carolina,

as more particularly described as follows:

BEING ALL of TRACT #1, containing 2.837 Acres +\-, as shown on map entitled "Division for KATIE BELL NEWKERK" recorded in Map Book 34 at Page 226 of

the New Hanover County Registry.

TO HAVE AND TO HOLD the aforesaid tract or parcel of land, together with all privileges

and appurtenances thereunto belonging, to it the said GRANTEE and its successors and assigns in

fee simple forever.

And the said GRANTORS covenant with the GRANTEE that the Grantors, are seized of

said lands in fee simple and have the right to convey the same in fee simple, that the same are free

and clear of all encumbrances except as herein set forth; and except for current year's ad valorem

taxes, zoning and land use ordinances, utility easements and rights of way of record, and restrictions

of record, and that they will warrant and defend the title herein conveyed against the lawful claims

of all persons whomsoever.

Planning Board - March 5, 2020

ITEM: 4 - 7 - 20

IN TESTIMONY WHEREOF, the GRANTORS have hereunto set their hands and seals the day and year first above written.

SUSAN N. MORGAN (f/k/a Susan N. Anderson)

GEORGE RALPH MORGAN

Gal Lilitur (SEAL)

EVA N. LIGHTNER

(SEAL)

JAMES J. LIGHTNER, JR.

STATE OF NORTH CAROLINA COUNTY OF <u>NEW HANGVER</u>

I, JACKSE WATSON a Notary Public of the County and State aforesaid, do hereby certify that SUSAN N. MORGAN and husband GEORGE RALPH MORGAN, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and official stamp or seal, this the \_\_\_\_\_ day of December, 2005.

Notary Public

My Commission Expires: 11-26-2006

(AFFIX NOTARIAL SEAL)

## STATE OF NORTH CAROLINA COUNTY OF NEW HANDYER

I, JACHIE WALSOM a Notary Public of the County and State aforesaid, do hereby certify that EVA N. LIGHTNER and husband, JAMES J. LIGHTNER, JR., personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and official stamp or seal, this the 19th day of December, 2005.

My Commission Expires: 13-36-3006
(AFFIX NOTARIAL SEAL)



## REBECCA P. SMITH REGISTER OF DEEDS, NEW HANOVER 216 NORTH SECOND STREET

## WILMINGTON, NC 28401

Filed For Registration:

12/20/2005 04:17:19 PM

Book:

RE 4954 Page: 2329-2333

**Document No.:** 

2005075180

DEED 5 PGS \$23.00

Recorder:

SCOTT, NANCY A

State of North Carolina, County of New Hanover

YELLOW PROBATE SHEET IS A VITAL PART OF YOUR RECORDED DOCUMENT. PLEASE RETAIN WITH ORIGINAL DOCUMENT AND SUBMIT FOR RE-RECORDING.

\*2005075180\*

2005075180





FOR REGISTRATION REGISTER OF DEEDS
NEW HANOVER COUNTY, NC
2005 DEC 20 04:17:19 PM
BK:4954 PG:2319-2323 FEE:\$23.00
NC REV STAMP:\$500.00
INSTRUMENT # 2005075178

## NORTH CAROLINA GENERAL WARRANTY DEED

ExciseTax:\$500		
Parcel Identifier No. R4410-001-007-000 & Verified by	County on the day of	of ,20
R04410-001-009-000 & R04410-001-008-000		
Mail/Box to: Thomas A. Leach, Attorney at Law		
This instrument was prepared by & returned to: Thomas A. Leach, At	torney at Law	
Brief description for the Index: 3 Parcel on Middle Sound Loop Road	đ	
THIS DEED made this 23rd day of September, 2005, by and between		
GRANTOR	GRANTEE	
Maury Walton Koonce, and wife	BHC Properties, LLC	
Frances Clemmons Koonce	P. O. Box 431	
1	Wrightsville Beach, NO	28480
The designation Grantor and Grantee as used herein shall include said singular, plural, masculine, feminine or neuter as required by context.	parties, their heirs, successors, and	assigns, and shall include
WITNESSETH, that the Grantor, for a valuable consideration paid by the by these presents does grant, bargain, sell and convey unto the Grantee City of Wilmington, Township, New Hanov follows:		arcel of land situated in the
See Exhibit "A" attached for Legal Description		
The property hereinabove described was acquired by Grantor by instru	ment recorded in Book 1402 Page 2	<u>232</u> .
A map showing the above described property is recorded in Plat Book	2 Page <u>78</u> .	
TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all prefee simple.	rivileges and appurtenances thereto b	pelonging to the Grantee in
{00054464.DOC}NC Bar Association Form No. 3 © 1976, Revised © 1977, 2002		

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

IN WITNESS WHEREOF, the Grantor has duly executed	the foregoing as of the day and year first above written.
	Maury Walter Koonce
(Entity Name)	Majory Walton Roonce
Ву:	French Cleman Komer (SEAL)
Title:	Frances Clemmons Koonce
Ву:	(SEAL)
By:	
P <sub>ere</sub>	STALL.
By:	(SEAL)
State of North Carolina - County of New Hanover	
I the undersioned Notary Public of the County and State	aforesaid, certify that Maury Walton Koonce and wife Frances
Clemmons Koonce, personally appeared before me this day and acl	
purposes therein expressed. Witness my hand and Notarial stamp of	
	0
My Commission Expires: 12-26-2006	Jackie Watson
	NOZITY PUBLIC
State of North Carolina - County of	STRAKE WAYOU
I, the undersigned Notary Public of the County and State a came before me this day and acknowledged that he is the North Carolina or corporation/limited liability co inapplicable), and that by authority duly given and as the act of such	mpany/general partnership/limited gamership (strike through the ch entity, _he signed the foregoing instrument in its name on its
behalf as its act and deed. Witness my hand and Notarial stamp or	seal, this day of, 20
My Commission Expires:	THE OWNER OF THE OWNER OWNER OF THE OWNER OW
<u> </u>	Notary Public
State of North Carolina - County of	
I, the undersigned Notary Public of the County and State afor	esaid, certify that
Witness my hand and Notarial stamp or seal, this day of	
My Commission Expires:	
	Notary Public
The foregoing Certificate(s) of	is/are
certified to be correct. This instrument and this certificate are duly reg	gistered at the date and time and in the Book and Page shown on the
first page hereof.  Register of Deeds for	County
	y/Assistant - Register of Deeds

 $\{00054464.DOC\}NC$  Bar Association Form No. 3 © 1976, Revised © 1977, 2002 Printed by Agreement with the NC Bar Association - 1981

## **EXHIBIT "A"**

## TRACT 1 - Parcel # R04410-001-007-000

In the subdivision known as "Ogden Place", located near the Seven Mile Post of Market Street Road, lying on the Middle Sound Road, and being a part of Farm or Lot #22, according to the official plan of "Ogden Place" which plan was prepared by J. L. Becton, C. E., July, 1924, and registered in Map Book 2, at Page 78, in the Office of the Register of Deeds of New Hanover County, and more particularly bounded and described as follows; BEGINNING at the Northwest corner of said Farm or Lot #22, according to said map, and running thence from a stake at said corner, South 35 degrees 35 minutes East, 127 feet along the eastern line of Middle Sound Road (the same being the Western line of said Farm or Lot # 22), to a stake in said line; thence North 43 degrees 25 minutes East, 348 feet to a stake; thence North 35 degrees 35 minutes West, 127 feet to a stake in the Northern line of said Farm or Lot #22; thence South 43 degrees 25 minutes West, 348 feet along said northern line of said Farm #22, to the Beginning; containing approximately 1 acre, more or less. The said one acre of land being a part of Farm or Lot #22, which was conveyed by deed from D. R. Foster, et ux, et al, to G. W. Koonce and wife, January 12, 1927, and recorded in Book 176, at Page 399, New Hanover County Registry, reference to which deed and above mentioned plan or map of "Ogden Place is hereby made for a more particular description.

BEING the same lands as that described in Deed Book 1402 at Page 232 of the New Hanover County Registry.

## TRACT 2 - Parcel # R04410-001-008-000

BEGINNING at a point in the dividing line between lots 20 and 22 of Ogden Place Subdivision, according to a map recorded in Map Book 2 at Page 78, New Hanover County Registry, said point being located North 44 degrees 45 minutes East, and along the aforementioned lot line 325.05 feet from the eastern right-of-way line of Middle Sound Road (said road being 60 feet wide and said right-of-way being 30 feet from the centerline thereof), and continuing thence North 44 degrees 45 minutes East 231.75 feet to a point on the Eastern side of an old canal; thence South 53 degrees 14 minutes East 247.0 feet to a point on the western side of the aforesaid canal; thence South 55 degrees 45 minutes West 395.0 feet to a point at the northeastern corner of Katie B. Newkerk's eastern line to a point in the Southern line of the G. R. Koonce line as per deed recorded in Book 368 at Page 113, New Hanover County Registry; thence North 44 degrees 45 minutes East, and along the Koonce Southern line, 87.71 feet, to the Koonce Southeast corner; thence North 34 degrees 15 minutes West 127.0 feet, and along the Koonce Eastern line, to the point of BEGINNING. The same being a Northern part of Lot # 22 of Ogden Place.

Being the same lands as that described in Deed Book 1313 at Page 950 and Deed Book 761 at Page 532 of the New Hanover County Registry.

## TRACT 3 Parcel # R04410-001-009-000

BEGINNING at a point in the Eastern right-of-way of the Middle Sound Road (said road being 60 feet wide and said point being 30 feet from the center-line thereof), said beginning point also being located S 3415 E, and along the right-of-way of the Middle Sound Road 127.0 feet from the Northwest corner of lot no. 22 of the Ogden Place Subdivision according to a map on record in Map Book 2 at Page 78 of the New Hanover County Registry, and running thence, N 44 – 45 E, and along the Southern line of a tract of land conveyed to G. R. Koonce by G. W. Koonce by deed recorded in Book 368 at Page 113 of the New Hanover Registry, 237.24 feet; thence, S 34-15 E. 45.24 feet (this line being the line that will exist by the prolongation of the most eastern line of a tract conveyed to Katie B. Newkerk by G. W. Koonce in Book 645 at Page 542 of the Registry aforesaid); thence, S 55-45 W, 233.0 feet to the Eastern right-of-way of the Middle Sound Road, and to the point of beginning. The same being a Western part of the Koonce to Newkerk conveyance aforementioned.

BEING the same land as that described in Deed Book 761 Page 530 of the New Hanover County Registry.



# REBECCA P. SMITH REGISTER OF DEEDS, NEW HANOVER 216 NORTH SECOND STREET

## WILMINGTON, NC 28401

Filed For Registration:

12/20/2005 04:17:19 PM

Book:

RE 4954 Page: 2319-2323

**Document No.:** 

2005075178

DEED 5 PGS \$23.00

NC REAL ESTATE EXCISE TAX:

\$500.00

Recorder:

SCOTT, NANCY A

State of North Carolina, County of New Hanover

YELLOW PROBATE SHEET IS A VITAL PART OF YOUR RECORDED DOCUMENT. PLEASE RETAIN WITH ORIGINAL DOCUMENT AND SUBMIT FOR RE-RECORDING.

\*2005075178\*

2005075178

# REPORT OF COMMUNITY MEETING REQUIRED BY NEW HANOVER COUNTY FOR CONDITIONAL ZONING DISTRICT REZONING REQUEST

To: <u>Department of Planning & Land Use</u>

Re: Residence at Canopy Pointe

Case No.: <u>To Be Assigned</u>

Location: 205 Middle Sound Loop Road

Proposed Zoning: RMF-M (Residential Multi-Family – Moderate Density)

The undersigned hereby certifies that written notice (invitation) of a community meeting on the above rezoning application was given to the adjacent owners set forth on the attached list via USPS certified mail on <u>January 24</u>, <u>2020</u>.

The meeting was held at the following time and place: <u>Tuesday, February 4th, 2020; 5:00 PM –</u> 8:00 PM at The Covenant Church, 210 Station Road, Wilmington, NC 28405

The persons in attendance at the meeting were: <u>Please see attached Sign-In sheets</u>. <u>In addition to the guests</u>, the following development team representatives were present: Sam Weldon, <u>Joe Taylor</u>, <u>Rick Moore</u>, <u>Kathryn Espinoza</u>, <u>Emily McArthur</u>, <u>Brock Daniel</u>, <u>Derek Shrewsberry</u>, <u>Jay Clapp and Tara Murphy</u>

In summary of the community meeting, our team felt that there was a lot of support for the project and its merits related to mixed-income housing for senior apartments. Several attendees stated they are willing to attend the Planning Board and County Commissioners Public Hearings to express their support of the project. We are following up with these individuals to discuss this in more detail.

Comments were discussed related to tree preservation, stormwater management, and transportation. With implementation of the County's Tree Preservation Ordinance the large oaks and other hardwoods onsite are being designed into the project. We are locating these trees by specific location, size, species, and tree canopy for use in site planning. The county's stormwater ordinance provides the avenue for collection, treatment and disposal while limiting flooding events. Based on information prepared by our transportation engineer a traffic study is not warranted, however we will be very cognizant of our traffic entering and exiting the project. With senior apartments the daily traffic does not follow the traditional peak hour movements and as such limits direct impacts on Middle Sound Loop Road.

Eighteen (18) adjacent neighbors attended the community meeting out of the 60+ certified mail invites and the county's sunshine list email posting. The meeting had a positive tone with respectful, thoughtful questions and comments from the attendees. We feel that our team heard the comments and will take them under advisement during the next steps of the planning process.

The following comments were received at the meeting:

## 1. Project Support

- Several people that would be qualified tenants for the project which are living in Ogden area expressed interest in getting on waitlist as soon as possible
- b. Over abundant support for elderly living that is reasonably priced for elderly individuals and in a great location was immense.
- c. Seniors of the Ogden area continued to reiterate throughout entire meeting this is a great step in the right direction for Wilmington and New Hanover County as the need for this type of product continues to outgrow production.
- d. Several stakeholders are planning to address their positive comments at the Planning Board and County Commissioners Public Hearings.

## 2. Trees and Buffers

- Neighbors expressed interest in having trees adjacent to the Middle Sound Loop Road right of way retained to the extent possible.
  - Reply: The site plan as presented has pushed the building and parking as far north on the property as possible to provide a buffer adjacent to Middle Sound Loop Road.
- Neighbors expressed interest in maintaining large trees on site to the extent possible especially any large live oaks and magnolias.
  - Reply: These trees are located on the southern part of the property in the "buffer" area along Middle Sound Loop Road.
- One neighbor recommended an arborist be consulted with regard to the big trees on site.
  - Reply: An arborist would be consulted only if there are diseased or poor health/condition trees exist that would otherwise be required for preservation to determine how practical preservation would be.

## 3. Traffic and Transportation

- a. The issue of increased traffic on Middle Sound Loop and Market Street was discussed.
  - Reply: Based on a report provided by Ramey-Kemp & Associates, a TIA is not warranted for the project. The proposed use as senior apartments only generates 264 total trips per 24-hour day with less than 11 entering and exiting during the traditional peak hour times.
- Concerns were voiced with regard to an ambulance trying to turn left into the development as vehicles are trying to get to Market Street.
  - Reply: As with all emergency situations on-road motorists are to yield for emergency vehicles. This condition applies to each and every development or single-family lot in New Hanover County.

c. Will there be a multi-use trail on Middle Sound Loop Road?
Reply: New Hanover County Planning Staff and the Wilmington MPO / NCDOT will need to address any proposed MUP on Middle Sound Loop Road.

## 4. Stormwater

a. Several neighbors indicated concern about the potential for flooding, some indicated that there is flooding that occurs at the Cloverfield Court /Wendover Lane intersection during stronger storms.

Reply: We will provide the required stormwater management on-site for our project. This will reduce the site's post-development runoff to be equal or less than the 25-year pre-developed condition. The situation discussed is north of the project and not within our purview to remedy.

- A neighbor indicated that "fairly recently" White Oak Apartments had to clean out the ditch on their property at their cost.
  - Reply: Unfortunate, but necessary in certain situations.
- A neighbor indicated a "box" at the corner of our property and another at Darden Street may need repair or replacement.
   Reply: We will investigate the existing stormwater structure and provide comments and discussion with the NHC Stormwater Engineer.
- A neighbor asked if the ditches will be cleaned out to help with drainage from Market Street.

Reply: Middle Sound Loop Road is an NCDOT road. NCDOT should be consulted along with NHC Stormwater Engineering related to ditch cleanout to Market Street.

## 5. General

- a. A neighbor expressed concern about the potential for an open field (adjacent to the subject property) to be used by residents with dogs and asked if there would be a pet policy for the residents of the proposed apartment facility. Reply: Our project will be situated and design for the enjoyment of its residents. This may include a dog park for exercise and provisions for dog waste.
- b. One neighbor inquired as to the maximum number of residents that will be allowed per unit.
  - Reply: Without physical lease documents a maximum number of residents per unit cannot be determined. Suffice it to say that a 1-bedroom unit would house 2-residents, and a 2-bedroom may house up to 4-residents.
- c. One neighbor expressed concern for the wildlife that may be impacted. Reply: We are providing the required 20% Open Space on-site and providing tree preservation peer the NHC Unified Development Ordinance. An undeveloped parcel exists east of the project site and natural creeks and streams remain for wildlife corridors within the area.
- Several neighbors expressed concern about activities on an adjacent singlefamily rental property.
  - Reply: This was a general comment and has no bearing or effect on the proposed project.

e. One neighbor indicated he would like to see all minimum requirements be exceeded including the size of parking spaces since this was to be an age qualified development.

Reply: We are providing a site plan enough in size and design to meet the needs of our project's residents. To artificially "exceed" all minimum requirements is unnecessary as the county's rules and regulations take these matters into consideration. By contrast, we have not requested any variance to reduce the minimum requirements.

## 6. Rezoning Processes

a. Next step in the process is the Planning Board meeting and public hearing.

As a result of the meeting, the following changes were made to the rezoning petition:

No immediate changes to the rezoning petition were deemed necessary as a result of the Community Meeting. See the Reply's provided above to each comment.

Date: <u>02.05.2020</u>

Applicant: McKim & Creed, Inc.

By: <u>Tara S. Murphy, PLA/PMP</u>

Encl: Copy of Invitation
Exhibits (as presented at the meeting)
List of Recipients (and associated Exhibit Map)
List of those that were not able to be contacted and reason(s) why
Sign-In Sheets (roster of the persons in attendance at the meeting)

## The Residence at Canopy Pointe

SIGN-IN SHEET	
Project: The Residence at Canopy Pointe	Meeting Date: Tuesday, February 4, 2020 Meeting Time: 5 PM-8 PM
Purpose: Community Meeting	Place/Room: The Covenant Church 210 Station Road, Wilmington
Name	Address/Contact Information
1. Lori Schumache	1009 Anchors Brend Way whom co
2. Rick Chocker	141 MIDDLE SOUND CP Rp 28411
3. Priss Endo	7414 Lucky Fish Lin 28411
4. Jon Mason Landine Mas	20 MLK 28411
5. In BOAJEN	7186 Anban DAW In Wilmighus 28411
6. JOSH MILIZAY.	330 MILITRA COTOFF RO, Wilmyton, Ne.
7. Ran Merchth	NA
8. Bob Parr	6706 Falcon Pointe Rd 2841/ 9110-409
9. SHIM CHESHINE	ICheshire P WMTORDAN, COM
10. Seth Speight	SSperte wmjordon. com 910679
11. Wendy DuBose	Werdy Ldubose @yahov. com
12. Michael Worner	Att MWRVARY 6913. com
13. Pat Stewart	white OAK APT #127
14. Esther Murphy	white OAK APT *127 edm 1958@ gmails com
15. Agen Albarto	209 Bloompager La Wilm No 24411
16. (Carolu Valelar)	3519/1/d of 5 tol lead
17. Kevin Mugno	4514 Huntsman CT
18. Jillian Newberg	TANASANNANTERDADANA J MUGNOO 9@gmail.co
19.	
20.	
21.	
22.	
23.	
24.	
25.	



ENGINEERS SURVEYORS PLANNERS

#### COMMUNITY MEETING INVITATION

## Dear Neighbor:

Please join us on <u>Tuesday February 4, 2020</u> from 5:00 to 8:00 p.m. at The Covenant Church (210 Station Road, Wilmington, NC 28405) to learn more about <u>Residence at Canopy Pointe</u>, a proposed senior living apartment development located at 205 Middle Sound Loop Road in Wilmington. The project will be located on approximately 5 acres with street frontage on Middle Sound Loop Road, adjacent to Living Water Ministries to the west, White Oaks Apartments to the east, and The Fields at Wendover neighborhood to the north.

Developed by Blue Ridge Atlantic Community Development, Residence at Canopy Pointe exemplifies the type of mixed income apartment development that the County is encouraging in our community. Residence at Canopy Pointe will be nestled into the existing property fabric by preserving as much vegetation as possible, provide buffers to adjacent properties, and employ low impact design techniques for stormwater management.

On behalf of Blue Ridge Atlantic Community Development, McKim & Creed is submitting a request to New Hanover County to rezone the Middle Sound Loop property from R-15 to Conditional Zoning District RMF-M (Residential Multi-Family — Medium Density). Representatives from Blue Ridge Atlantic Community Development, McKim & Creed and the development team look forward to meeting you at the February 4, 2020 community meeting.

Tuesday February 4, 2020, 5:00 – 8:00 p.m.
The Covenant Church (210 Station Road, Wilmington, NC 28405)

Sincerely,

Cc:

MCKIM & CREED, INC.

248 North From Street

Wilmington, NC 28401

Richard M. Collier, PE Regional Manager / Asst VP

Enclosure: Residence at Canopy Pointe - Site Exhibit

710 343 1048

Chris Eisenzimmer Sam Weldon Joe Taylor

Fox 910.251,8282

www mckimcread com

Planning Board - March 5, 2020

ITEM: 4 - 7 - 34

Number	Owner	Owner_Address	Owner_City	Sent Invite Certifived Mail	Received Certified Mail	No Return Receipt Received
1	ADAMS GEORGE FAMILY TRUST	85 VAN REYPEN ST PH 7TH FLO	JERSEY CITY, NJ 7306	24-Jan-20		1
2	AIKMAN MARK S M ELAINE	7120 ARBOR OAKS DR	WILMINGTON, NC 28411	24-Jan-20	28-Jan-20	
3	ALBRIGHT ADAM ELIZABETH	209 BLOOMINGTON LN	WILMINGTON, NC 28411	24-Jan-20	29-Jan-20	
4	AMH NC PROPERTIES LP	30601 AGOURA RD SUITE 200PT	AGOURA HILLS, CA 91301	24-Jan-20	1-Feb-20	
5	BALLOU BRADLEY CHRISTIN	209 BOXELDER WAY	WILMINGTON, NC 28411	24-Jan-20		1
6	BARNES LARRY A JR JONI L	220 WENDOVER LN	WILMINGTON, NC 28405	24-Jan-20	7	1
7	BHC PROPERTIES LLC	PO BOX 431	WRIGHTSVILLE BEACH, NC 28480	24-Jan-20		1
8	BIGGS FRANCES E HRS	214 MIDDLE SOUND LOOP RD	WILMINGTON, NC 28411	24-Jan-20		1
9	BLANCHARD BUILDING & PROPERTIES INC	4143 DONNELLY LN	WILMINGTON, NC 28409	24-Jan-20		1
10	BOBBINS STEVEN R	208 BLOOMINGTON LN	WILMINGTON, NC 28411	24-Jan-20		1
11	CARROLL PATRICK M ETAL	224 BLOOMINGTON LN	WILMINGTON, NC 28411	24-Jan-20	h = = = = =	1
12	CHURCH OF GOD IN WILMINGTON	695 GRAY SQUIRREL DR	WILMINGTON, NC 28409	24-Jan-20	28-Jan-20	
13	CLARK PAUL E DONNA M	7204 CLOVERFIELD CT	WILMINGTON, NC 28411	24-Jan-20	29-Jan-20	
14	COVIL CECIL THOMAS	129 MIDDLE SOUND LOOP RD	WILMINGTON, NC 28411	24-Jan-20		1
15	COVIL 1 M	PO BOX 6969	SYRACUSE, NY 13217	24-Jan-20	1-Feb-20	
16	COVIL SHIRLEY	129 MIDDLE SOUND LOOP RD	WILMINGTON, NC 28411	24-Jan-20	28-Jan-20	
17	DE LA CRUZ FRANCISCO R JENNIFER	205 BOXELDER WAY	WILMINGTON, NC 28411	24-Jan-20		1
18	DEGENITO JOHN	160 DELAWARE AVE	OAKHURST, NJ 7755	24-Jan-20	28-Jan-20	
19	FERRELL STEPHANIE M ETAL	205 BLOOMINGTON LN	WILMINGTON, NC 28411	24-Jan-20		1
20	FODRIE ELIZABETH ASHLEY	7200 CLOVERFIELD CT	WILMINGTON, NC 28411	24-Jan-20	28-Jan-20	
21	FRANCIS BRYCE C REBECCA A	7216 CLOVERFIELD CT	WILMINGTON, NC 28411	24-Jan-20		1
22	GESLER KAREN R	7191 ARBOR OAKS DR	WILMINGTON, NC 28411	24-Jan-20	29-Jan-20	
23	GRANT ROBERT	1588 LANGLEY DR	LONGS, SC 29568	24-Jan-20	[ ]	1
24	GURGANUS WILLIAM P	216 BLOOMINGTON LN	WILMINGTON, NC 28411	24-Jan-20	March 19	1
25	HALL VALERIE G MURPHY W	220 BLOOMINGTON LN	WILMINGTON, NC 28411	24-Jan-20	29-Jan-20	
26	HALPERN OGDEN LLC	5200 ROSWELL RD	ATLANTA, GA 30342	24-Jan-20	27-Jan-20	
27	HANKINS MELODY S ETAL	225 BLOOMINGTON LN	WILMINGTON, NC 28411	24-Jan-20	28-Jan-20	
28	HANSEN VICTORIA J	208 BOXELDER WAY	WILMINGTON, NC 28411	24-Jan-20		1
29	HOWELL SUSAN H	7128 ARBOR OAKS DR	WILMINGTON, NC 28411	24-Jan-20		1
30	HUBIS ANTHONY PAUL JR FRANCES HARRELSON	8017 SIDBURY RD	WILMINGTON, NC 28411	24-Jan-20	N	1
31	JON MASON & ASSOCIATES LLC	PO BOX 10284	WILMINGTON, NC 28404	24-Jan-20		1
32	LEWIS KATHERINE E	7184 ARBOR OAKS DR	WILMINGTON, NC 28411	24-Jan-20	29-Jan-20	
33	LOGAN DEVELOPERS INC	PO BOX 4408	GREENSBORO, NC 27404	24-Jan-20	28-Jan-20	U = = =
34	LOGAN DEVELOPERS INC	60 GREGORY RD SUITE 1	LELAND, NC 28451	24-Jan-20		1
35	LUTHER CHRISTOPHER SHANNA	7187 ARBOR OAKS DR	WILMINGTON, NC 28411	24-Jan-20	1-Feb-20	
36	MCCABE TODD B	212 BLOOMINGTON LN	WILMINGTON, NC 28411	24-Jan-20	28-Jan-20	
37	MCCALL JOHN DORTCH	226 MIDDLE SOUND LOOP RD	WILMINGTON, NC 28405	24-Jan-20		1
38	MOWERY KELLY R	204 BOXELDER WAY	WILMINGTON, NC 28411	24-Jan-20		1
39	NABORS ROBERT L SUSAN JEAN	7209 CLOVERFIELD CT	WILMINGTON, NC 28411	24-Jan-20	28-Jan-20	
40	NEWBERG ANDREW J JILLIAN C	1311 ELEMENT WAY	WILMINGTON, NC 28412	24-Jan-20	28-Jan-20	- A
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WILMINGTON, NC 28411

24-Jan-20

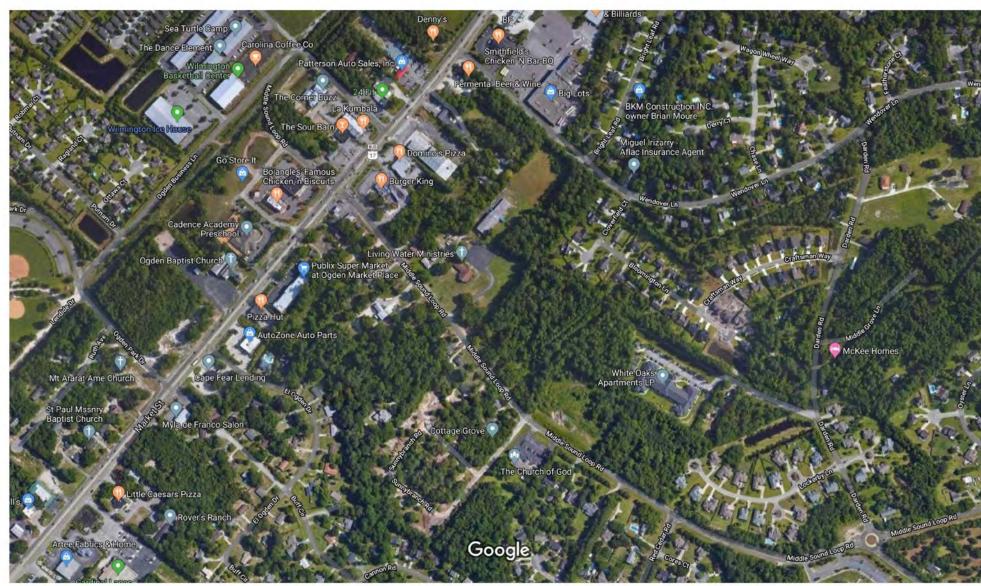
Planning Board - March 5, 2020 ITEM: 4 - 7 - 35

7217 CLOVERFIELD CT

41 NEWTON JOHN K HRS

		1.0		Total Mailed	Total Received	Total No Receipt
		4: 4:		60	28	32
60	WINSLOW TAMMY C	437 VALLEY MEADE DR	KERNERSVILLE, NC 27284	24-Jan-20	28-Jan-20	
59	WHITE OAK APARTMENTS LP	7235 DARDEN RD	WILMINGTON, NC 28411	24-Jan-20		1
58	WHITE FRANCES ANN	213 BLOOMINGTON LN	WILMINGTON, NC 28411	24-Jan-20	28-Jan-20	
57	WENDOVER SOUTH HOA INC	5022 WRIGHTSVILLE AVE	WILMINGTON, NC 28403	24-Jan-20	29-Jan-20	
56	WENDOVER SOUTH HOA	PO BOX 4127	WILMINGTON, NC 28406	24-Jan-20		1
55	VESLIGAJ BRENDA MARIE	7213 CLOVERFIELD CT	WILMINGTON, NC 28411	24-Jan-20	29-Jan-20	
54	TRAVIS KEITH W KATHRYN M	204 BLOOMINGTON LN	WILMINGTON, NC 28411	24-Jan-20		1
53	STRONG ROGER O ELISA M	7132 ARBOR OAKS DR	WILMINGTON, NC 28411	24-Jan-20	1	1
52	STRICKLAND JOHN ILA	7212 CLOVERFIELD CT	WILMINGTON, NC 28411	24-Jan-20	28-Jan-20	
51	STANTON WILLIAM A ELIZABETH C	216 WENDOVER LN	WILMINGTON, NC 28411	24-Jan-20		1
50	SAN MIGUEL CRISTINA K JORGE L	7124 ARBOR OAKS DR	WILMINGTON, NC 28411	24-Jan-20		1
49	RODERICK MARION LEE JR MEAGAN M	200 MIDDLE SOUND LOOP RD	WILMINGTON, NC 28411	24-Jan-20		1
48	RACKLEY OGDEN LLC	118 MIDDLE SOUND LOOP RD	WILMINGTON, NC 28411	24-Jan-20	27-Jan-20	
47	PURCELL RICHARD V MICHELLE L	300 MIDDLE SOUND LOOP RD	WILMINGTON, NC 28405	24-Jan-20	28-Jan-20	
46	PERMENTER MORRIS JACKSON	3106 JOY PL	WILMINGTON, NC 28409	24-Jan-20		1
45	PARRISH CAROLYN B	PO BOX 54	HAMPSTEAD, NC 28443	24-Jan-20	28-Jan-20	
44	PARNELL JOHN C	228 BLOOMINGTON LN	WILMINGTON, NC 28411	24-Jan-20		1
43	OGDEN COMMUNITY ADVENT TRUSTEE	141 MIDDLE SOUND LOOP RD	WILMINGTON, NC 28411	24-Jan-20		1
42	OGDEN ADVENT CHRISTIAN CHURCH	141 MIDDLE SOUND LOOP RD	WILMINGTON, NC 28411	24-Jan-20	29-Jan-20	1 - A -

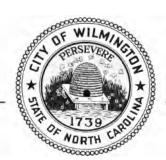
## Google Maps Residence at Canopy Pointe (205 Middle Sound Loop Road)



Imagery ©2020 Maxar Technologies, New Hanover County, NC, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2020 200 ft



**ITEM PH3** 



## CITY of WILMINGTON North Carolina

P.O. BOX 1810 28402 OFFICE OF THE CITY MANAGER (910) 341-7810 | FAX (910)341-5839 TDD (910)341-7873

6/7/2022

City Council City Hall Wilmington, North Carolina 28401

Dear Mayor and Councilmembers:

Attached for your consideration is an ordinance approving a conditional district zoning request of 4.82 acres located at 205, 209, 213 & 217 Middle Sound Loop Road. The proposal is to initially zone the newly annexed site to City of Wilmington MD-17(CD), High-density multiple-dwelling residential district (Conditional District) for a 72-unit multi-family, affordable, senior housing development. An accompanying case summary follows the ordinance.

On June 15, 2020, the New Hanover County Board of Commissioners approved a request to rezone the subject site from R-15, Residential District to RMF-M(CZO), Conditional Residential Multi-Family Low Density District for a 72-unit multi-family, senior housing development. On April 14, 2022, New Hanover County Engineering and Planning & Land Use issued Commercial Site Plan Approval for construction of the project. The approved site plan is considered vested under the New Hanover County regulations. Construction could begin at any time regardless of annexation or the initial city zoning application. On March 3, 2022, a voluntary annexation request was submitted by the applicant to be considered at the June 7, 2022 City Council meeting.

The comprehensive plan encourages responsible growth of the city's population through redevelopment, infill, and appropriate new development and annexation. The site is adjacent to many commercial businesses along Market Street as well as a full-service grocer across Middle Sound Loop Road. Staff recommends conditional approval of initial zoning of property.

The applicant hosted a community meeting as required by New Hanover County on February 4, 2020, and several nearby property owners were in attendance. The City's Planning Commission held a public hearing regarding this conditional district rezoning on May 4, 2022. Public comments were accepted via an online form on the city's website in advance of the Planning Commission meeting. Over 180 public comments were received via the online public comment form for this item and were provided to the members of planning commission (see attachment 8). After discussion, the commission voted 7-0 in favor of recommending conditional approval of the proposed zoning assignment with the conditions outlined in the case summary.

If approved, the site would be assigned a conditional zoning district that would align with the proposed 72-unit multi-family, affordable, senior housing development. If the request is not approved, the newly annexed property would become unzoned after 60 days of the effective date of the annexation if another city zoning designation is not assigned.

Passage of the attached Ordinance is recommended.

Respectfully submitted,

Anthony N. Caudle, City Manager

## **Ordinance**



City Council City of Wilmington North Carolina

**Date:** 6/7/2022

Introduced By: Anthony N. Caudle, City Manager

Ordinance Amending the Official Zoning Map of the City to Initially Zone Property Containing 4.82 Acres of Land Located at 205, 209, 213 & 217 Middle Sound Loop Road to MD-17(CD), High-density Multiple-dwelling Residential District (Conditional District) for a 72-unit Multi-dwelling, Affordable, Senior Housing Development (CD-24-522)

## **LEGISLATIVE INTENT/PURPOSE:**

WHEREAS, NCGS §§ 160D-102, 160D-108(d), 160D-603, and 160D-702 authorizes local governments to change or modify zoning boundaries within their jurisdiction; and

WHEREAS, the amendment set out below is made in accordance with NCGS § 160D-601 and Article 7, Division 1, and 2 of the City of Wilmington Land Development Code.

## THEREFORE, BE IT ORDAINED:

**SECTION 1:** The Official Zoning Maps of the City of Wilmington are hereby amended to initially zone the hereinafter described tract of land to MD-17(CD), High-density multiple-dwelling residential district (Conditional District), said tract being more particularly described as follows:

Being all or portions of the properties being in the City of Wilmington Township, New Hanover County, North Carolina, said tract being all or portions of the property described in Deed Book 4954 Pages 2319, and Deed Book 4954 Page 2329 and Map Book 34 Pages 226 of the New Hanover County Register of Deeds and shown on a map titled "Recombination Survey for Blue Ridge Atlantic Community Development" dated February 07, 2020, and being more fully described as follows:

Commencing at a 1" pinch top pipe found and shown as the POB on said map, said pipe also being on the northeastern right of way of Middle Sound Loop Road (60' Public R/W) a common corner with Ogden Advent Baptist Church (Deed Book 1144 Page 452), said pipe

also being North 66°59'18" East a distance of 52.22 feet from a rebar and cap with NC Grid NAD 83 coordinates of North 191410.26 feet and East 2357510.09 feet, said rebar and cap also being North 39°23'14" West a distance of 286.79 feet from another rebar and cap with NC Grid NAD 83 coordinates of North 191188.60 feet and East 2357692.07 feet; said pipe being the **Point of Beginning**.

Thence from the **Point of Beginning**; and leaving said right of way and with said common line North 39°53'35" East, a distance of 554.84 feet to a 5/8" rebar set on the common line for The Fields At Wendover Cloverfield Court Map (Book 39 Page 71); thence with said common line South 58°46'36" East, a distance of 246.75 feet to a 1" pinched top pipe; thence continuing South 65°22'03" East, a distance of 171.38 feet to a 1" open end pipe on the common line with Jon Mason & Associates, LLC (Deed Book 4645 Page 933 and Map Book 46 Page 63); thence with said line South 50°52'34" West, a distance of 414.90 feet to a 5/8" rebar found; thence continuing South 50°52'34" West, a distance of 289.02 feet to a 1" open end pipe at the northeastern right of way of Middle Sound Loop Road; thence with said right of way North 39°01'39" West, a distance of 153.48 feet to a 1" pinched top pipe; thence North 39°01'39" West, a distance of 126.90 feet to the **Point of Beginning**. Containing 209,794 Sq. Ft. or 4.82 Acres all as shown on a map titled "Recombination Survey for Blue Ridge Atlantic Community Development" dated February 07, 2020.

**SECTION 2:** The following rules, regulations, and conditions shall apply to the property described in this ordinance:

- 1. The use and development of the property shall comply with all applicable federal, state or local law, ordinance or regulation, as well as any condition stated below. In the event of a conflict, the more stringent requirement or higher standard shall apply.
- 2. Approval of this conditional district zoning request does not constitute technical approval of the site plan.
- 3. If, for any reason, any condition for approval is found to be illegal or invalid or if the applicant should fail to accept any condition following approval, a modification of the approved condition district zoning shall be required.
- 4. The use and development of the subject property shall be in substantial compliance with the site plan and application as submitted and accepted by City Council at their 6/7/22 business meeting.
- 5. All protected trees located within any required building setbacks shall be retained. Preservation of existing trees shall be included in the overall design of the project such as additional landscape islands and preservation along the perimeter of the site.
- 6. Any freestanding sign(s) on the site shall be monument style with landscaping around the base of the sign; no pole signs shall be permitted.
- 7. A five-foot wide sidewalk shall be installed along the entire frontage of the subject site along Middle Sound Loop Road. Street trees at a rate of one tree per 50 feet shall be installed within the existing right-of-way.

- 8. A plat showing all required drainage and access easements shall be reviewed by city staff and recorded at the Register of Deeds prior to issuance of final zoning approval.
- 9. Proper dedication of public easements shall require an easement plat (or legal description) and a deed of easement. The easement plat or legal description shall be prepared by a licensed surveyor. A title policy for the property is necessary to prepare the document. These documents shall be submitted to the project planner for distribution to the pertinent city departments. Recordation of both the easement plat and the deed of easement is required prior to the issuance of a Certificate of Occupancy. Two weeks shall be allowed for deed preparation.
- 10. The following shall occur prior to issuance of a certificate of occupancy or operation of the permitted facility:
  - a. As-built drawings for all stormwater management facilities shall be submitted to the City of Wilmington Engineering Division.
  - b. An Engineer's certification shall also be submitted, along with all supporting documentation that specifies, under seal that the as-built stormwater measures, controls and devices are in compliance with the approved stormwater management plans.
  - c. A final inspection is required by City of Wilmington Engineering personnel.
- 11. Prior to a final inspection, a walkthrough with City Construction Management staff shall take place to verify completeness of site work in right(s)-of-way. Any material test reports and stormwater videos as required shall be submitted prior to and approved by City Engineering.
- 12. No construction activity shall occur within the North Carolina Department of Transportation (NCDOT) right-of-way until all NCDOT permits have been issued and received by the City. All improvements required shall be installed and approved by NCDOT prior to issuance of a certificate of occupancy.
- 13. The use shall be limited to a 72-unit multiple-dwelling, affordable, senior housing development. The residents shall be restricted to 55 years of age and older.

**SECTION 3:** The City Clerk and the Planning Director are hereby authorized and directed under the supervision of the City Manager to change the Zoning Maps on file in the office of the City Clerk and the Planning Department to be in conformance with this ordinance.

**SECTION 4:** That any person violating the provisions of this ordinance, including the approved site plan, shall be subject to the penalties set forth in Section 18-648 of the City of Wilmington Land Development Code.

**SECTION 5:** Any prior rezoning(s) related to this property that are in conflict with this ordinance are hereby repealed to the extent of such conflict.

**SECTION 6:** If any section, subsection, paragraph, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 7:** That this ordinance shall be effective on July 1, 2022, and conditioned upon the City's receipt of written acceptance by the Applicant of all conditions adopted by the City.

Adopted at a	meeting		
on2	022	Bill Saffo, Mayor	
ATTEST:		APPROVED AS TO FORM:	
Penelope Spicer-Sidbury, City	Clerk	City Attorney	



## CASE SUMMARY City Council

## Conditional District Rezoning June 7, 2022

## CD-24-522

Jeff Walton, 910-341-3260, jeff.walton@wilmingtonnc.gov

Staff recommendation	Conditional Approval
Planning Commission Recommendation	5/4/22; Conditional Approval, 7-0
City Council Action	6/7/22; Scheduled for Legislative Hearing

## Reauest

Request					
Address	205, 209, 213 & 217 Middle Sound Loop Road				
Acreage	4.82 +/- acres				
Request	Initial zoning of property to City of Wilmington MD-17(CD), High-density multiple-dwelling residential district (Conditional District) for a 72-unit multiple-dwelling, affordable, senior housing development				
Applicant / Agent	Blue Ridge Atlantic Samuel W. Weldon, CPA Chris Eisenzimmer 1630 Military Cutoff Road, Suite 104 Wilmington, NC 28403	sweldon@blueridgeatlantic.com chris.e@blueridgeatlantic.com (910) 232-3334			
Owner	BHC Properties, LLC Harold Chappell P.O. Box 431 Wrightsville Beach, NC 28480	haroldc@nexthomecapefear.com (910) 256-3528			







Current Land Use & Zoning

Aerial Map

Surrounding Area	North	South	East	West
Zoning	R-15 (County)	R-15 (County)	R-15 (County)	R-15 (County)
Current Land Use	Residential- single dwelling, vacant	Residential- single dwelling, vacant	Residential- single dwelling, vacant	Religious institution, vacant

Land Planning Data

Applicable Plans/Policies	Create Wilmington Comprehensive Plan
CAMA Land Use	<ul> <li>Urban</li> </ul>

## Case Overview

## **ANALYSIS**

## 1. Zoning history

- On June 15, 2020, the New Hanover County Board of Commissioners approved a
  request to rezone the subject site from R-15, Residential District to RMF-M(CZO),
  Conditional Residential Multi-Family Low Density District for a 72-unit multi-family senior
  housing development and issued with the following conditions:
  - o The residents will be restricted to 55 years of age or older.
  - o In addition to the County's tree retention standards, the property owner shall retain and preserve all trees as illustrated on the proposed conceptual site plan unless:
    - The tree has been proven to directly affect the installation, or cause damage to, any required infrastructure (i.e. water/sewer lines, stormwater, etc.);
    - The tree is proven to be dead, dying, or severely damaged; or
    - The tree is in an unsafe condition that may cause harm to the residents or general public.
- On April 14, 2022, New Hanover County Engineering and Planning & Land Use issued Commercial Site Plan Approval for construction of the project.

## 2. Proposal

- Initially zone four parcels for a total of 4.82 acres to City of Wilmington MD-17(CD), High-density multiple-dwelling residential district (Conditional District) for a 72-unit multiple-dwelling senior housing development.
- The applicant has requested that the site be annexed into the city's jurisdiction. A public hearing before the Wilmington City Council for the annexation is scheduled for June 7, 2022, effective June 30, 2022..
- The purpose of this item is to establish city zoning on the subject site.
- New Hanover County issued commercial site plan approval on April 14, 2022, prior to annexation. The site plan is considered vested under the County approved plan, though any plan modifications, once annexed would have to fully comply with the City's codes and regulations.
- All 72 residential units will meet the standards for affordable housing for a period of 30 years.
- The current county approved site plan is considered vested and will be approved as part
  of the proposed conditional district zoning.

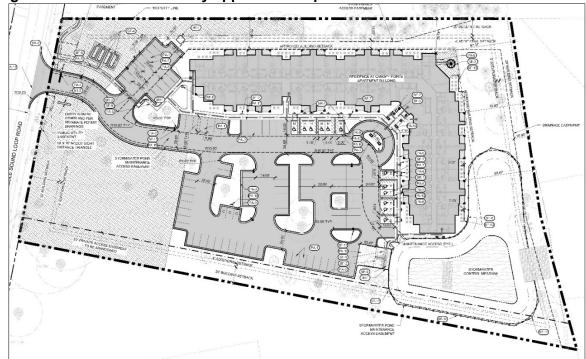


Figure 1. New Hanover County approved site plan

## 3. Zoning District Purpose Statements

MD-17, High-density multiple-dwelling residential district (*Proposed*) – The MD-17 district is intended to be applied within the urban core of the city and other areas with a full range of amenities and commercial services. MD-17 zoning is intended to provide a mix of densities and housing forms in a compact urban environment through redevelopment, infill on relatively small sites, and within mixed-use areas. Higher development intensity at appropriate locations is encouraged to support transit use, minimize traffic congestion, and provide a range of housing types.

## 4. Impacts on Public services, Facilities, and Infrastructure

## 4.1 Vehicular Traffic

- Proposed access to the site includes one full-service driveway off Middle Sound Loop Road.
- Based on the intensity of the proposed use, a Traffic Impact Analysis (TIA) is not required.
- Table 3. below indicates that Middle Sound Loop Road is operating at a LOS of F. Table
   3. estimates the potential trip generation of either affordable housing or general housing as a result of the proposed development.

Table 2. Current Volumes, Capacities and Levels of Service

Road	Location	Volume	Planning Capacity	V/C	LOS
Middle Sound Loop Road	205 Middle Sound Loop Road	21,059	10.979	1.92	F

Table 3. Estimated Trip Generation

Zoning	Land Use	Intensity	AM Peak Hour Trips	PM Peak Hour Trips	Average Weekday 2-way Volume Trips (ADT)
MD-17	Multi-dwelling, affordable housing	72-units	32	41	408

Source: Institute of Transportation Engineers, 11th Edition Trip Generation, 2021

## 4.2 Parking, Bicycle, and Pedestrian Facilities

- The applicant proposes a portion of sidewalk be constructed along Middle Sound Loop Road north of the proposed driveway. Staff recommends the proposed five-foot sidewalk be extended the full property frontage of Middle Sound Loop Road.
- One pedestrian connection to the building entrance is proposed from Middle Sound Loop Road.

#### 4.3 Public Utilities

Table 5. Cape Fear Public Utilities (CFPUA)

Type	Ownership	Size	Location
Water Main (Existing)	CFPUA	8-inch	Middle Sound Loop Road
Sewer Main (Existing)	CFPUA	8-inch	Middle Sound Loop Road

#### 4.4 Stormwater

 The proposal would create approximately 87,842 square feet of impervious area (42% of the site) and a stormwater management permit would be required by North Carolina Department of Environmental Quality (NCDEQ) and New Hanover County Engineering. Designs for on-site stormwater management would be reviewed and approved for compliance with the state and county stormwater regulations prior to annexing into the City's jurisdiction.

#### 4.5 Other Reviews

The city's Technical Review Committee (TRC) reviewed the concept plan for this
proposal at their February 17, 2022 meeting. The project would require full site plan
review and approval from the TRC prior to construction release.

## **CONSISTENCY WITH ADOPTED PLANS**

## Create Wilmington Comprehensive Plan

The site existed in New Hanover County's jurisdiction during adoption of the comprehensive plan and is not identified within an Area of Opportunity or within a Mixed-use Center. The property near the intersection of Market Street and Middle Sound Loop Road is identified as a Mixed-use Place and as a Transit Hub. The comprehensive plan's encourages responsible growth of the city's population through redevelopment, infill, and annexation. Multiple-dwelling residential areas are intended to serve as a transition from more intense commercial uses along Market Street to single-dwelling uses to the south and east of the site. The plan promotes location efficient housing near services and employment centers.

The proposed project would provide 72 affordable housing units for a period of 30 years. Though a concentration of affordable housing units in a single location is cautioned against by the policies of the Comprehensive Plan. The fundamental need for affordable housing and the proximity of these units to services outweighs this concern.

Policies that pertain to the proposed amendment are provided below. Policies are identified as ranging from being in strong support to strong non-support of the proposal. The following symbology is employed:

Strong Support		Modest Support	Modest Non-support	Strong Non-support	
Policies	1 Developm	ent & City Building			
Citywide G	rowth				
1.2.1	safe, access		streets, and spaces that are e, have their own distinct ide er.		
1.2.2	provision of transportation	public services and utiliti	pact pattern that reinforces es, improves the performar en space, and reduces neg elopment patterns.	nce of the	
1.2.4		festyles by providing enh	stments should promote he anced bicycle and pedestri		
Land Use a	and Transport	ation			
1.3.6		ited and transit-ready de planned transit stations	velopment should be promo and stops.	oted around	
1.3.7	developed w	ith a relatively high resid	roposed major transit lines lential density and a mix of and the region's investment	uses to take full	
Compatibil	lity				
1.4.1	infill and red		uld be promoted so that nev ted with minimal adverse in ment.		
1.4.4	developmen and more in appropriate redevelopme	ts should serve as transi tensive commercial, resid transitions are not possib	treas and/or low-intensity mations between lower-densit dential, and mixed-use areable within a development sit ower intensities should propacts.	y neighborhoods as. Where e, infill and	
Neighborh	ood Conserva	tion and Revitalization			
1.7.3	a city should	be balanced with the ne	y, neighborhood commerce, eed to protect desired neigh ect the natural environmen	borhood character,	
Policies	2 Transporta	tion			
Bicycle and	d Pedestrian C	irculation			
2.6.2	between exi New subdivi developmen	sting and new developm sions, mixed-use develo ts should include safe pe	network should be provided ents to facilitate safe and co pments, and largescale cor edestrian walkways or multi and major destinations, trai	onvenient travel. nmercial use paths that	

Policies	3 Housing	
Diversity o	f Housing Options	
3.1.1	Mixed-income neighborhoods should be promoted throughout the city, particularly within identified high-density centers and corridors, downtown, and near employment centers, and by dispersing, rather than concentrating low to moderate income housing.	
3.1.2	Dispersal and production of affordable and workforce housing units, housing with universal design elements, and senior housing units should be promoted throughout all areas of the city.	
3.1.3	Quality design and appearance for all housing, including assisted and market rate housing, should be encouraged.	
3.1.6	"Location-efficient housing" should be promoted, encouraged, and preserved where already existing to help supply Wilmington with diverse housing options that are accessible to individuals and families of all incomes, needs, and preferences.	
Affordabili	ty	
3.2.6	The location of affordable housing in areas with access to transit services including current and future transit stations should be incentivized, including, but not limited to, zoning and development incentives.	
Policies	9 Urban Design and Placemaking	
Neighborh	oods	
9.5.5	Buffers and gradual building height changes should be used to transition between established neighborhoods and higher-density development, though this should not disrupt or prevent connections between compatible and complementary land uses.	
Mixed-use	Centers and Places	
9.6.1	New housing of mixed types and prices should be encouraged in proximity to and within employment areas, Mixed-use Centers, and Neighborhood Nodes, as identified on the Growth Strategies Maps.	

## **CONCLUSION & RECOMMENDATION**

The comprehensive plan's encourages responsible growth of the city's population through redevelopment, infill, and appropriate new development and annexation. The site is adjacent to many commercial businesses along Market Street as well as a full-service grocer across Middle Sound Loop Road.

The proposed project would provide 72 affordable housing units for a period of 30 years. Though a concentration of affordable housing units in a single location is cautioned against by the policies of the Comprehensive Plan. The fundamental need for affordable housing and the proximity of these units to services outweighs this concern.

The initial zoning is generally consistent with the purpose statement of the *Create Wilmington Comprehensive Plan* and staff believes the request is reasonable and in the public interest and recommends **conditional approval** with the following conditions:

- 1. The use and development of the property shall comply with all applicable federal, state or local law, ordinance or regulation, as well as any condition stated below. In the event of a conflict, the more stringent requirement or higher standard shall apply.
- 2. Approval of this conditional district zoning request does not constitute technical approval of the site plan.

- 3. If, for any reason, any condition for approval is found to be illegal or invalid or if the applicant should fail to accept any condition following approval, a modification of the approved condition district zoning shall be required.
- 4. The use and development of the subject property shall be in accordance with the site plan and application as submitted and accepted by City Council at their 6/7/22 business meeting.
- 5. All protected trees located within any required building setbacks shall be retained. Preservation of existing trees shall be included in the overall design of the project such as additional landscape islands and preservation along the perimeter of the site.
- 6. Any freestanding sign(s) on the site shall be monument style with landscaping around the base of the sign; no pole signs shall be permitted.
- 7. A five-foot sidewalk shall be installed along the entire frontage of the subject site along Middle Sound Loop Road. Street trees at a rate of one tree per 50 feet shall be installed within the existing right-of-way.
- 8. A plat showing all required drainage and access easements shall be reviewed by city staff and recorded at the Register of Deeds prior to issuance of final zoning approval.
- 9. Proper dedication of public easements shall require an easement plat (or legal description) and a deed of easement. The easement plat or legal description shall be prepared by a licensed surveyor. A title policy for the property is necessary to prepare the document. These documents can be submitted to the project planner for distribution to the pertinent city departments. Recordation of both the easement plat and the deed of easement will be required prior to the issuance of a Certificate of Occupancy. Please allow for no less than two weeks for deed preparation.
- 10. The following shall occur prior to issuance of a certificate of occupancy or operation of the permitted facility:
  - a. As-built drawings for all stormwater management facilities shall be submitted to the City of Wilmington Engineering Division.
  - b. An Engineer's certification shall also be submitted, along with all supporting documentation that specifies, under seal that the as-built stormwater measures, controls and devices are in compliance with the approved stormwater management plans.
  - c. A final inspection is required by City of Wilmington Engineering personnel.
- 11. Prior to a final inspection, a walkthrough with City Construction Management staff shall take place to verify completeness of site work in right(s)-of-way. Any material test reports and stormwater videos as required shall be submitted prior to and approved by city Engineering.
- 12. No construction activity shall occur within the North Carolina Department of Transportation (NCDOT) right-of-way until all NCDOT permits have been issued and received by the City. All improvements required shall be installed and approved by NCDOT prior to issuance of a certificate of occupancy.
- 13. The use shall be limited to a 72-unit multiple-dwelling, affordable, senior housing development. The residents shall be restricted to 55 years of age and older.

## **NEIGHBORHOOD CONTACT**

	Planning Commission	City Council
Verification of	4/22/21	5/26/22
Signs Posted		
Property	4/19/22	5/26/22
Owner Letters		

Advertisement Date(s)	4/29/22	5/27/22 & 6/3/22
Other – Contact(s)	Allison Abney, Danielle Ahouse, Susan Alborell, Danielle Aldrich, Lisa Andree, Margaret Ashburn, Caroline Baldwin, Edward Bates, Tanya Bennett, Ken Blanton, Steve Bobbins, Barbara Brooks, Iva Bunch, Beck Cahill, Susan Cain, Tammy Campana, Renee Chesnut, Rebecca Coleman, Cathleen Coneghen, Krista Cotton, Valerie Crandall, Annette Deffenbaugh, John DeGenito, Terrielynn & Henry Depew, Stephanie Doubek, Vicki Dowdy, Christopher Duflo, Cindy Dunigan, Kelly Ezzell, Tom Favor, Marie Feith, Stephanie Finley, Jason Gillikin, Christy Griffith, Garrett Grove, Amanda Hagwood, Kyle Hensley, Becky Hines, John Hinshaw, Kara Morris Cain Jarboe, Lillian Jenkins, Donna Kaiser, Guia King, Suzanne King, Maggie Kroeker, Teresa Laraia, Amy Layton, Phillip Livolsi, Pareick Looney, Angela Marlowe, Tracy McCormick, DJ Medeiros, Ashley Miller, Ed Mondello, Cindi Moore, Heather Musselwhite, William Nesbitt, Jillian Newberg, Angela O'Hare, Barbara Ott, Linda Padezanin, Linda Padgett, Worth Parker, Christine Parker, Eric Partin, Amanda Partin, Patty B, Megan Pfaffenberger, Devin Phillips, Maria Pittman, Virginia Radcliffe, Phillip Rafle, Thomas Rambach, Jeannie Register, William Reynolds, Alicia Rudd, Tonya Russell, Virginia Sala, Susan Scott, Alex Silva, Oren Smith, Crystal Smith, Stephanie Spaulding, Michelle Spino, Stacey Stone, Martha Taylor, Barbara Thorn, Candace Thompson, Matt Vincelli, Michelle Walker, Lynn Walker, Robin Waller, Mary Werner, Beth West, Bob West, Margaret White, Anna Wilkerson, Lindsay Wilkinson, Gregor Wilson, Gretchen Wood, Shay Yarborough, Letita Yarborough, Jana Yetzke, Susanna Younts, Leigh-Anne Barrigar, Betsy Albright, Stacy McIntyre Batts, Marlene Beaudin, Mary Borneman, Ben Bradley, Annie Cilinski, Thomas Dodson, Anna Erwin, Mira Favor, William Jamar, Virginia Jones, Timothy Mooney, Robert Parr, Michael Phelps, Laura Roebuck, Lisa Sledzik, Lavinda Tyson, Darla Warner, Anne Wilson, Ashley Beineke, Ralph Baldwin, Gail Hogan, Michael Plumer, Kelly Best Mathis, Rosa Lee Gay, Tim Roehrs, Shannon Bradley, Ember R	None

New Hanover County Community Meeting: February 4, 2020

## **ACTIONS TO DATE**

Planning Commission	5/4/22; Conditional Approval, 7-0
City Council Action	6/7/22; Scheduled for Legislative Hearing

## Information from the May 4, 2022, Planning Commission meeting:

Public comments were accepted via an online form on the city's website in advance of Planning Commission meeting. Comments received by 3:00 pm on the day of the meeting were compiled and provided to the Planning Commission in advance of the meeting.

Over 180 public comments were received via the online public comment form for this item (see Attachment 8). At the meeting, one person spoke in favor of the rezoning and three people spoke in opposition of the request. The area residents voiced concerns over the intensity of the development, traffic, impact on schools, and congestion on Middle Sound Loop Road. After discussion, the commission voted 7-0 to recommend conditional approval of the request with staff amended conditions in the case summary.

## **ATTACHMENTS**

- 1. Conditional District Rezoning application (dated received 3/1/22)
- 2. Aerial Map (dated 3/23/22)
- 3. Land Use and Zoning Map (dated 3/23/22)
- 4. Create Wilmington Growth Strategies Map (adopted 3/1/16)
- 5. Traffic impact letter (dated 2/5/20)
- 6. New Hanover County Community Meeting Report (dated received 3/30/22)
- 7. New Hanover County approved site plan (dated received 4/14/22)
- 8. Planning Commission Public Comments (dated 5/4/22)
- 9. Planning Commission Consistency Statement (dated 5/4/22)
- 10. Draft Planning Commission Minutes (dated 5/4/22)

# APPLICATION FOR CONDITIONAL ZONING MAP AMENDMENT



City of Wilmington
Planning and Development

P. O. Box 1810, 305 Chestnut St, Wilmington, NC 28402 Felephone: (910) 254-0900 FAX: (910)341-3264

Planning and Development	Telephone: (910) 254	1-0900 FAX: (910)341-3264
Section A. APPLICANT INFO	RMATION	
NAME OF APPLICANT: Blue Ridge Atlantic	c Development	
MAILING ADDRESS OF APPLICANT: _	1630 Military Cutoff Road Suite 104 Wilmington, No	C 28403
PHONE NUMBER AND EMAIL OF APP	LICANT: 910-338-3349, chris.e@blueridgeatlanti	c.com
PROPERTY OWNER INFORMATION:		
Name(s) BHC Properties, LLC		
Address: P.O. Box 431 Wrightsville Beach, N	C 28480	
		Zip
Telephone: 910-256-3528	_ Fax:	
Email address: haroldc@nexthomecapefea		
information to process the rezoning reques ADDRESS OF SUBJECT SITE: 205 & 21	The following information is required to pest:  7 Middle Sound Loop Road Wilmington, NC 28411  TIFICATION # (PIN):  R04410-001-007-000, R	
	R04410-001-009-000, R	
CURRENT ZONING DISTRICT(S): RMF-1	PROPOSED ZONING DISTRICT	( <b>S)</b> :
TOTAL SITE AREA: 4.77		
PROPOSED USE(S) AND PROPOSED (	CONDITIONS FOR THE SITE: Multi-family	residential (72unit senior project
PRE-APPLICATION MEETING: 2/11/2	(Date)	
DATE RECEIVED: 3/1/22 CASE FILE #: CD-24-522	INTERNAL USE ONLY PLANNER: BC FEE PAID \$: \$694.00	



#### Residence at Canopy Pointe: Vested Rights Memorandum

In February 2020, Blue Ridge Atlantic Development applied for a conditional rezoning application through New Hanover County. In May of 2020, Blue Ridge Atlantic Development successfully completed the conditional rezoning process with approval from New Hanover County Commissioners on the Residence at Canopy Pointe project.

In August of 2021, Blue Ridge Atlantic Development received an award of 9% tax credits by the North Carolina Housing Finance Agency (NCHFA). The name of this project is Residence at Canopy Pointe and it will consist of 36 one-bedroom units and 36 two-bedroom units providing affordable housing units to 55+ seniors in New Hanover County/City of Wilmington. It will feature income restrictions ranging from 30% to 80% AMI which will provide for a range of affordable housing options for seniors. This project will be one L-shaped building wrapped around the back corner of the projected site with 4-5 beautiful live oaks trees at the entrance of the site in addition to our upscale landscaping plan.

On January 18, 2022 on behalf of Blue Ridge Atlantic Development, Mckim Creed submitted the Residence at Canopy Pointe civil submittal set to the New Hanover County Planning Department. On February 16<sup>th</sup>, Mckim Creed had the TRC Meeting with New Hanover County. Blue Ridge Atlantic Development will be seeking vested rights on the civil site plan for Residence at Canopy Pointe based on TRC approval. The TRC Approved site plan will comply with all City of Wilmington code requirements. The site plan vested rights will carry over to the City of Wilmington Planning Department review and allow for Blue Ridge Atlantic Development to submit and begin the building plan review process with the City of Wilmington.

Page 1

3

It is important that the applicant provide information to explain how the rezoning request satisfies the following questions. Please attach additional sheets if necessary.

1. What changed or changing condition(s) justifies the passage of the amendment? Discuss how circumstances have so changed since the property was last zoned.

There are several critical changing conditions that justifies the passage of the amendment. First, the residents of the City of Wilmington have been facing extreme increases in the cost of living over the last several years. This has led to a scarcity in affordable rentals within the city limits and/or closely surrounding the city limits. As such, the recent rapid inflation has intensified the importance of developing affordable and workforce housing for Wilmington citizens. Residence at Canopy Pointe addresses these issues in all respects. Secondly, this project targets deep affordability income bands which range from 30% of AMI to 80% of AMI. The target population for this project are those which are 55 years of age and older (HFOP Housing for Older People). A project such as this will provide for the seniors of Wilmington / New Hanover County to live in an unmatched location that is close to a variety of amenities. It should also be noted these amenities are within walking distance of the proposed project. This project will be a great addition to the community as well as provide a better quality of life to our seniors.

## Comprehensive Plan and adopted special area plans (e.g., corridor plans, neighborhood plans, etc.).

Per the Create Wilmington Comprehensive Plan, the subject property falls within roughly 300 yards of "Mixed Use Places". Given this, a senior project, which would have minimal impact on traffic and is designed in an environmentally cognizant manner, would be an acceptable conforming use for the subject property. As stated above, the subject property is within a high growth area as well as an area of opportunity along the Ogden/Market Street corridor. This provides consistency with the Create Wilmington Comprehensive Plan in a way of encouraging higher density and has the best opportunity to become commercial, service, and housing hubs. Further the proposed project would be designed in such a way to preserve the Live Oaks Trees to the best extent possible which would allow the site to maintain as much of its green, pedestrian friendly and general residential character as possible.

## 3. Briefly explain the expected impacts on the areas if the proposed zoning map amendment is approved.

The expected impacts on the surrounding areas would promote the creation of a "new Urbanist" project which fosters a more walkable community. In turn this assists in alleviating traffic issues by reducing the need for auto travel. The conditional rezoning to MD-17 allows for a maximum of 17 units/ acre which would promote a higher density use for the subject property. This aligns with / promotes the City's "Mixed Use Places" redevelopment and increased building height and/or walkable community. The higher intensive land use and increase in density would be much more suitable and blend well with the new commercial development Ogden Marketplace (which is diagonal of the subject property). Ultimately this project will have little or no negative impacts on the surrounding area, rather an abundance of positive impacts.

## 4. Describe any other circumstances that justify that the proposed amendment in the public interest.

Over the last several years, access to safe, decent, affordable housing has been a growing challenge nationwide. The headwinds faced in the Wilmington MSA have been no exception. During the times of our local economic prosperity, the income and wage gaps have continued to increase which in turn has magnified the housing affordability problem. The local affordable housing stock has continued to dwindle (relative to the need), especially with respect to housing for seniors. Due to the heavy 1 and 2-bedroom county senior affordable housing is more difficult to build due to decreased financial feasibility. This project is an opportunity to bring a class-A affordable product to the City of Wilmington which will provide safe decent housing to the well deserve seniors in our community.

### Section B. SUBMITTAL INFORMATION AND PROCEDURE

- (1) Supplementary information is **REQUIRED** as part of the application. See Section C below for required information.
- (2) All applications require a pre-application meeting prior to submittal. Applications may be submitted after pre-application meetings and all applications MUST be reviewed by planning staff for completeness PRIOR to the acceptance. Please do not leave your application materials without speaking to a planner. Applications left this way will not be processed or scheduled for planning commission review.
- (3) A receipt for applicable fees must accompany the application.
- (4) Applications shall be submitted according the the adopted filing calendar and will be considered by the planning commission at the regular meeting noted on the official acceptance form.
- (5) The applicant or agent should appear at all hearings. Planning commission meetings are typically held at 6:00 P. M. in at City Hall, council chambers (second floor) 102 N. 3<sup>rd</sup> Street, Wilmington, North Carolina, usually on the first Wednesday of each month. Applicants will be informed of any change in date, time, or location of meetings.
- (6) A written summary of at least one neighborhood meeting (Section 18-567), for which notification was sent to property owners within 300 feet of the subject site, must be submitted to the city clerk before an application will be accepted.
- (7) Conceptual site plan review (pre-TRC consultation) by the technical review committee (TRC) is required for all conditional district map amendment applications. To avoid potential processing and scheduling delays, applicants are advised to have completed a conceptual review with the TRC prior to rezoning application submittal. If a conceptual review has not occurred at time of application, the proposed development will be scheduled for conceptual review at the next available TRC meeting.

## **Section C.** REQUIRED SUPPLEMENTAL INFORMATION

	SE INCLUDE ALL OF THE FOLLOWING INFORMATION. Please check the list below carefully you submit:	
	Agent form if the applicant is not the property owner; Detailed project narrative describing the site, proposed rezoning, uses, and any applicable prescribed conditions; One digital copy (pdf) of the site plan, drawn to scale, that includes, at minimum, the site and proposed building information as indicated in Section D below; Legal description of property requested for rezoning, by metes and bounds; Receipt of application fee; List of the names of owners, their addresses, and the tax parcel numbers of the properties within 300 feet of the subject property, including those separated by a street right-of-way. A list will be provided by planning staff; Two sets of business-size envelopes pre-addressed to the property owners within 300 feet of the subject property with the planning department's return address. All envelopes must have postage.  Metered postage must be undated. All envelopes should include the department's return address  City of Wilmington Planning Department  PO Box 1810  Wilmington, NC 28402-1810	
	Current to-scale copy of the New Hanover County tax map delineating the subject property.	
3	tion <b>D.</b> INFORMATION REQUIRED TO BE INCLUDED ON THE SITE PLAN	
— Th an	INFORMATION REQUIRED TO BE INCLUDED ON THE SITE PLAN ellowing information is required to be shown on the site plan submitted with this application. It the required information is not included on the site plan, reasons for excluding that nation must be given.	If
Th an inf	ellowing information is required to be shown on the site plan submitted with this application. It the required information is not included on the site plan, reasons for excluding that nation must be given.  Soundary survey and vicinity map showing the property's total acreage, its zoning assification(s), the general location in relation to major streets, railroads, and waterways, the te and north arrow; existing easements, reservations, and rights-of-way, existing and proposed;	
Th an inf	ollowing information is required to be shown on the site plan submitted with this application. If the required information is not included on the site plan, reasons for excluding that nation must be given.  Coundary survey and vicinity map showing the property's total acreage, its zoning assification(s), the general location in relation to major streets, railroads, and waterways, the te and north arrow; existing easements, reservations, and rights-of-way, existing and proposed; proximate location on the site of proposed buildings, structures, and other improvements; proximate dimensions, including height, of proposed buildings and structures; oposed use of land and buildings, including the number of residential units and the total square of tage of any nonresidential development;	
Than inf	ollowing information is required to be shown on the site plan submitted with this application. It the required information is not included on the site plan, reasons for excluding that nation must be given.  coundary survey and vicinity map showing the property's total acreage, its zoning assification(s), the general location in relation to major streets, railroads, and waterways, the te and north arrow; existing easements, reservations, and rights-of-way, existing and proposed; proximate location on the site of proposed buildings, structures, and other improvements; proximate dimensions, including height, of proposed buildings and structures; uposed use of land and buildings, including the number of residential units and the total square of any nonresidential development; required and proposed yards, buffers, screening, and landscaping; existing and proposed points of access to public streets; lineation of areas within the regulatory floodplain as shown on official flood hazard boundary maps uposed phasing, if any;	
Thaninf O OOOOOOOOOOOOOOOOOOOOOOOOOOOOOOOOO	ellowing information is required to be shown on the site plan submitted with this application. It the required information is not included on the site plan, reasons for excluding that nation must be given.  Coundary survey and vicinity map showing the property's total acreage, its zoning issification(s), the general location in relation to major streets, railroads, and waterways, the te and north arrow;  existing easements, reservations, and rights-of-way, existing and proposed; proximate location on the site of proposed buildings, structures, and other improvements; proximate dimensions, including height, of proposed buildings and structures; oposed use of land and buildings, including the number of residential units and the total square stage of any nonresidential development; required and proposed yards, buffers, screening, and landscaping; existing and proposed points of access to public streets; lineation of areas within the regulatory floodplain as shown on official flood hazard boundary maps	

### In evaluating the proposal, staff, planning commission, and city council may request additional information from the applicant. Additional information may include the following:

- Proposed screening, buffers, and landscaping over and above that required by the land development code, as well as proposed treatment of any existing natural features;
- Scale of buildings relative to abutting property;
- Building elevations and exterior features of proposed development;
- Any other information needed to demonstrate compliance with the land development code; and
- Proposed number and locations of signs.

I/we as the propert	TURE*: In filing this application for y owner(s), hereby certify that all in rate to the best of my knowledge, in	formation presented in this
	Blue Ridge Atlantic Development	
resubmit plans on	ication, to receive and respond to a my behalf, and to speak for me in a	
	BHC PROPERTIES, LLC	7
Signature/Date: _	By I Howll Chy	nece

### AUTHORITY FOR APPOINTMENT OF PERSON TO ACT ON MY BEHALF

The undersig	gned owner,	BHC Properties, LLC	, does hereby appoint
Ridge Atlantic Dev	elopment (Chris	Eisenzimmer/Sam Weldon)	to act on my behalf for the purpose of
petitioning t	he City of W	ilmington for: a) an am	nendment to the text regulations; b) a
change to th	e zoning map	; c) approval of a specia	al use permit; d) approval of a special
use district;	and/or, e) stre	eet closing, as applicable	e to the property described in the
attached pet	tion.		
The	owner does h	ereby covenant and agre	ee with the City of Wilmington that said
person has th	ne authority t	o do the following acts:	for and on behalf of the owner:
(1)	To submit	a proper petition and th	e required supplemental materials:
(2)	4.4	at public meetings to gi he owner; and	ve testimony and make commitments on
(3)		dations made for the iss	to accept conditions or suance of the special use permit on the
(4)			out limitations with regard to any and all cted with or arising out of any petition.
This	appointment	agreement shall continu	ne in effect until final disposition of the
petition sub	nitted in con	unction with this appoin	ntment.
Date;2	/23/2022		
Appointee's	Name, Addr	ess & Telephone:	Signature of Owner: BHC PROPERTIES, LLC By Mente Chyquel mented
Blue Ridge At	lantic Developn	nent	By . A. Hunte Chyquell mental
chris.e@blue	ridgeatlantic.com	m 910-338=3349	
	eridgeatlantic.c	om 910-232-3334	



### Residence at Canopy Pointe: Project Narrative

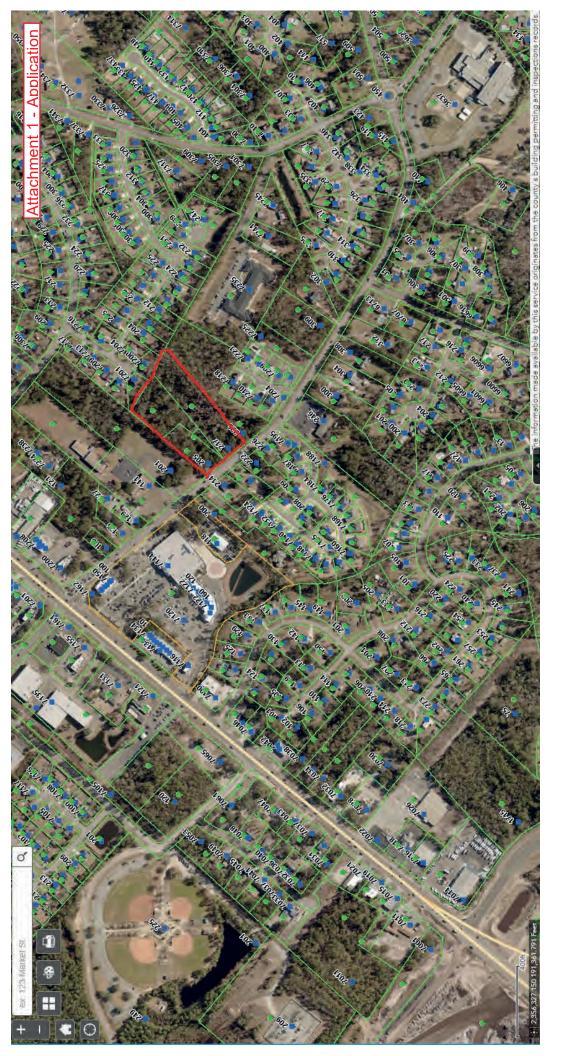
Located at 205 Middle Sound Loop Road, The Residence at Canopy Pointe is poised to be the premier mixed-income project for the Seniors of Wilmington and New Hanover County. Currently vacant land with overgrown vegetation, there are few parcels which compliment the surrounding uses by the intended such as this proposed project. The Residence at Canopy Pointe will be a 55+ senior housing community located in a quiet amenity rich area of City of Wilmington/New Hanover County.

The applicant will be seeking a conditional zoning of MD-17 per the City of Wilmington's new land development code. This project will consist of 36 one-bedroom units and 36 two-bedrooms units. Canopy Pointe is designed with an emphasis on accessibility which will encompass all state and federal requirements. The project will also include special consideration for the hearing and visually impaired residents. It will feature income restrictions ranging from 30% to 80% which will create a sense of diversity and inclusiveness at the property. This project will be one L- shaped building wrapped around the back corner of the projected site with 4-5 beautiful live oaks trees at the entrance of the site. The building facade will include brick veneer, hardiplank, and synthetic cedar shake to add to the coastal nature of this property. We also intend on having a large variety of amenities to provide to our tenants. For example, exercise room, gazebo, library, community garden, screened in porch, community / multi-purpose room, computer center, and craft/game room to name a few. This will be a highly desired place to live in City of Wilmington/New Hanover County for tenants 55+ and will lead to happier healthier lives.

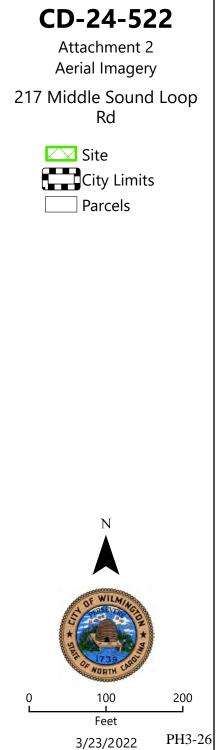
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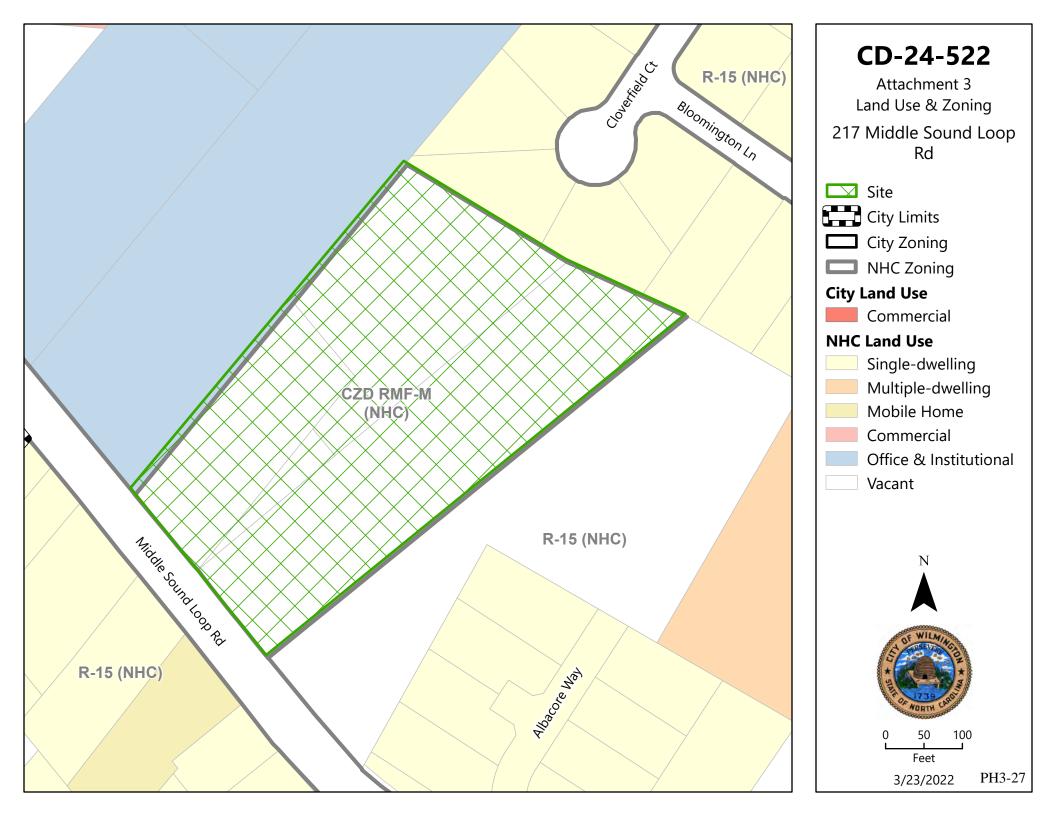
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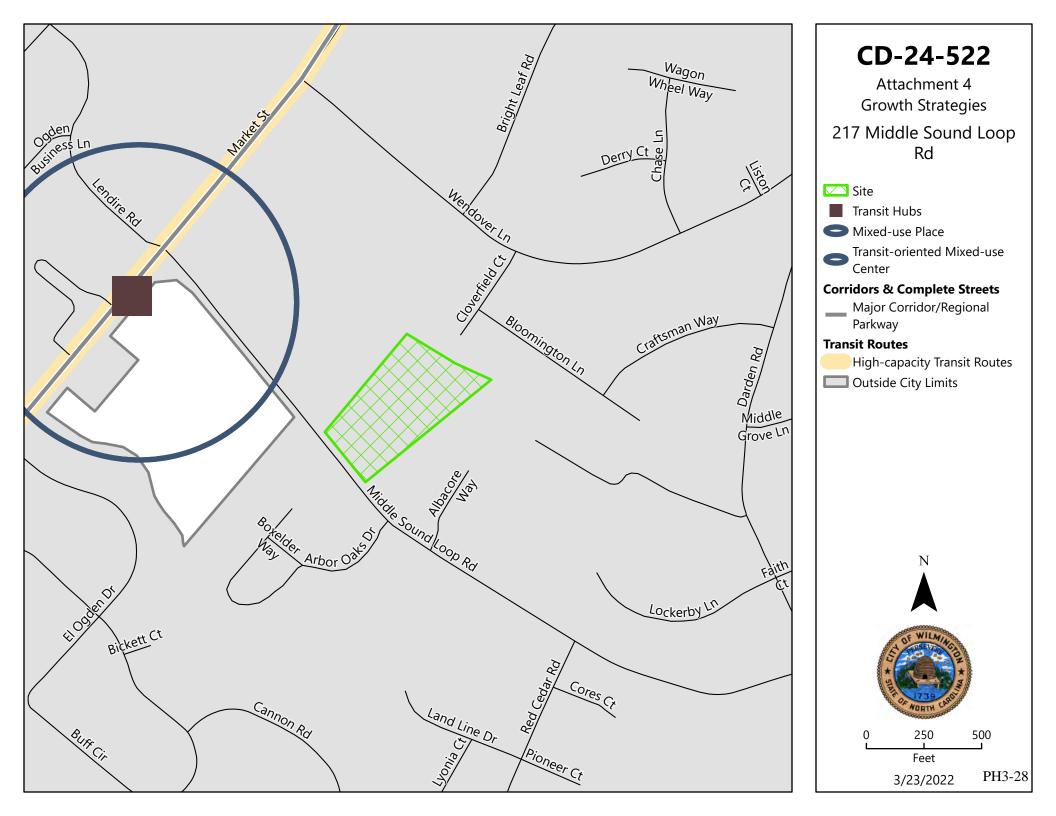
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216 BLOOMINGTON IN	DR		LUTHER CHRISTOPHER SHANNA	7187 ARBOR OAKS	DR		WILMINGTON	NC	28411
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160 DELAWARE	Z		TRAVIS KEITH W KATHRYN M	204 BLOOMINGTON	L		WILMINGTON	NC	28411
H H H MIDDLE SOUND LOOP	Z		BOBBINS STEVEN R	208 BLOOMINGTON			WILMINGTON	S S	28411
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	RD		WHITE OAK FINANCIAL LLC	100 23RD			NEW YORK	N	10011













RAMEY KEMP & ASSOCIATES, INC. 5808 Faringdon Place, Suite 100 Raleigh, NC 27609 Phone: 919-872-5115

www.rameykemp.com

February 5, 2020

Abigail Lorenzo Senior Transportation Planner Wilmington Urban Area Metropolitan Planning Organization (WMPO) 305 Chestnut Street, 4<sup>th</sup> Floor Wilmington, North Carolina 28401

Subject: Trip Generation Letter

Middle Sound Loop Senior Apartments - Wilmington, North Carolina

Dear Ms. Lorenzo:

This letter provides trip generation information prepared by Ramey Kemp & Associates, Inc. (RKA) for the proposed Middle Sound Loop Senior Apartments located on Middle Sound Loop Road just west of Sunnybranch Road in Wilmington, North Carolina.

The proposed development is anticipated to consist of a 72 attached senior adult housing dwelling units.

Average weekday daily, AM peak hour trips, and PM peak hour trips for the proposed development were estimated using methodology contained within the 10<sup>th</sup> Edition of the ITE Trip Generation Manual. Traffic volumes for Senior Adult Housing - Attached (ITE Code 252) were generated utilizing ITE equations [for the peak hour adjacent street traffic] and dwelling units as the independent variable. Refer to Table 1 for a breakdown of the trip generation for the proposed development.

**Table 1: Site Trip Generation** 

Land Use	Independent Variable  72 Dwelling	Average Weekday Daily	AM Hour	Trips	PM Hour	Trips
(ITE Code)	variable	Traffic (vpd)	Enter	Exit	Enter	Exit
Senior Adult Housing - Attached (252)	72 Dwelling Units	264	5	9	11	9

It is estimated the proposed development will generate 264 daily trips (in and out) during a typical 24-hour weekday period with 14 total trips (5 entering and 9 exiting) generated during the AM peak hour and 20 total trips (11 entering and 9 exiting) during the PM peak hour.

The expected daily and peak hour trip generation are well below the WMPO's [1,000 vpd daily and 100 vph] and NCDOT's [3,000 vpd] thresholds; therefore, a Traffic Impact Analysis (TIA) should not be warranted based on each agency's guidelines.

CD-24-522

If you should have any questions, please feel free to contact me at (336) 725-5470.

Sincerely,

Ramey Kemp and Associates, Inc.

Jayson B. Clapp, Jr., P.E., PTOE

Attachments: Site Plan

## REPORT OF COMMUNITY MEETING REQUIRED BY NEW HANOVER COUNTY FOR CONDITIONAL ZONING DISTRICT REZONING REQUEST

To: <u>Department of Planning & Land Use</u>

Re: Residence at Canopy Pointe

Case No.: <u>To Be Assigned</u>

Location: 205 Middle Sound Loop Road

Proposed Zoning: RMF-M (Residential Multi-Family – Moderate Density)

The undersigned hereby certifies that written notice (invitation) of a community meeting on the above rezoning application was given to the adjacent owners set forth on the attached list via USPS certified mail on <u>January 24</u>, <u>2020</u>.

The meeting was held at the following time and place: <u>Tuesday, February 4th, 2020; 5:00 PM – 8:00 PM at The Covenant Church, 210 Station Road, Wilmington, NC 28405</u>

The persons in attendance at the meeting were: <u>Please see attached Sign-In sheets</u>. <u>In addition to the guests, the following development team representatives were present: Sam Weldon, Joe Taylor, Rick Moore, Kathryn Espinoza, Emily McArthur, Brock Daniel, Derek Shrewsberry, Jay Clapp and Tara Murphy</u>

In summary of the community meeting, our team felt that there was a lot of support for the project and its merits related to mixed-income housing for senior apartments. Several attendees stated they are willing to attend the Planning Board and County Commissioners Public Hearings to express their support of the project. We are following up with these individuals to discuss this in more detail.

Comments were discussed related to tree preservation, stormwater management, and transportation. With implementation of the County's Tree Preservation Ordinance the large oaks and other hardwoods onsite are being designed into the project. We are locating these trees by specific location, size, species, and tree canopy for use in site planning. The county's stormwater ordinance provides the avenue for collection, treatment and disposal while limiting flooding events. Based on information prepared by our transportation engineer a traffic study is not warranted, however we will be very cognizant of our traffic entering and exiting the project. With senior apartments the daily traffic does not follow the traditional peak hour movements and as such limits direct impacts on Middle Sound Loop Road.

Eighteen (18) adjacent neighbors attended the community meeting out of the 60+ certified mail invites and the county's sunshine list email posting. The meeting had a positive tone with respectful, thoughtful questions and comments from the attendees. We feel that our team heard the comments and will take them under advisement during the next steps of the planning process.

The following comments were received at the meeting:

### 1. Project Support

- a. Several people that would be qualified tenants for the project which are living in Ogden area expressed interest in getting on waitlist as soon as possible
- b. Over abundant support for elderly living that is reasonably priced for elderly individuals and in a great location was immense.
- c. Seniors of the Ogden area continued to reiterate throughout entire meeting this is a great step in the right direction for Wilmington and New Hanover County as the need for this type of product continues to outgrow production.
- d. Several stakeholders are planning to address their positive comments at the Planning Board and County Commissioners Public Hearings.

### 2. Trees and Buffers

- a. Neighbors expressed interest in having trees adjacent to the Middle Sound Loop Road right of way retained to the extent possible.
  - Reply: The site plan as presented has pushed the building and parking as far north on the property as possible to provide a buffer adjacent to Middle Sound Loop Road.
- b. Neighbors expressed interest in maintaining large trees on site to the extent possible especially any large live oaks and magnolias.
  - Reply: These trees are located on the southern part of the property in the "buffer" area along Middle Sound Loop Road.
- c. One neighbor recommended an arborist be consulted with regard to the big trees on site.
  - Reply: An arborist would be consulted only if there are diseased or poor health/condition trees exist that would otherwise be required for preservation to determine how practical preservation would be.

### 3. Traffic and Transportation

- a. The issue of increased traffic on Middle Sound Loop and Market Street was discussed.
  - Reply: Based on a report provided by Ramey-Kemp & Associates, a TIA is not warranted for the project. The proposed use as senior apartments only generates 264 total trips per 24-hour day with less than 11 entering and exiting during the traditional peak hour times.
- b. Concerns were voiced with regard to an ambulance trying to turn left into the development as vehicles are trying to get to Market Street.
  - Reply: As with all emergency situations on-road motorists are to yield for emergency vehicles. This condition applies to each and every development or single-family lot in New Hanover County.

Will there be a multi-use trail on Middle Sound Loop Road?
 Reply: New Hanover County Planning Staff and the Wilmington MPO / NCDOT will need to address any proposed MUP on Middle Sound Loop Road.

### 4. Stormwater

- a. Several neighbors indicated concern about the potential for flooding, some indicated that there is flooding that occurs at the Cloverfield Court / Wendover Lane intersection during stronger storms.
  - Reply: We will provide the required stormwater management on-site for our project. This will reduce the site's post-development runoff to be equal or less than the 25-year pre-developed condition. The situation discussed is north of the project and not within our purview to remedy.
- b. A neighbor indicated that "fairly recently" White Oak Apartments had to clean out the ditch on their property at their cost.
  - Reply: Unfortunate, but necessary in certain situations.
- c. A neighbor indicated a "box" at the corner of our property and another at Darden Street may need repair or replacement.
  - Reply: We will investigate the existing stormwater structure and provide comments and discussion with the NHC Stormwater Engineer.
- d. A neighbor asked if the ditches will be cleaned out to help with drainage from Market Street.
  - Reply: Middle Sound Loop Road is an NCDOT road. NCDOT should be consulted along with NHC Stormwater Engineering related to ditch cleanout to Market Street.

### 5. <u>General</u>

- a. A neighbor expressed concern about the potential for an open field (adjacent to the subject property) to be used by residents with dogs and asked if there would be a pet policy for the residents of the proposed apartment facility.
  - Reply: Our project will be situated and design for the enjoyment of its residents. This may include a dog park for exercise and provisions for dog waste.
- b. One neighbor inquired as to the maximum number of residents that will be allowed per unit.
  - Reply: Without physical lease documents a maximum number of residents per unit cannot be determined. Suffice it to say that a 1-bedroom unit would house 2-residents, and a 2-bedroom may house up to 4-residents.
- c. One neighbor expressed concern for the wildlife that may be impacted. Reply: We are providing the required 20% Open Space on-site and providing tree preservation peer the NHC Unified Development Ordinance. An undeveloped parcel exists east of the project site and natural creeks and streams remain for wildlife corridors within the area.
- d. Several neighbors expressed concern about activities on an adjacent single-family rental property.
  - Reply: This was a general comment and has no bearing or effect on the proposed project.

e. One neighbor indicated he would like to see all minimum requirements be exceeded including the size of parking spaces since this was to be an age qualified development.

Reply: We are providing a site plan enough in size and design to meet the needs of our project's residents. To artificially "exceed" all minimum requirements is unnecessary as the county's rules and regulations take these matters into consideration. By contrast, we have not requested any variance to reduce the minimum requirements.

### 6. Rezoning Processes

a. Next step in the process is the Planning Board meeting and public hearing.

As a result of the meeting, the following changes were made to the rezoning petition:

No immediate changes to the rezoning petition were deemed necessary as a result of the Community Meeting. See the Reply's provided above to each comment.

Date: <u>02.05.2020</u>

Applicant: McKim & Creed, Inc.

By: <u>Tara S. Murphy, PLA/PMP</u>

Encl: Copy of Invitation

Exhibits (as presented at the meeting)

List of Recipients (and associated Exhibit Map)

List of those that were not able to be contacted and reason(s) why Sign-In Sheets (roster of the persons in attendance at the meeting)



## The Residence at Canopy Pointe

SIGN-IN	N SHEET	
Project:	The Residence at	Meeting Date: Tuesday, February 4, 2020
	Canopy Pointe	Meeting Time: 5 PM-8 PM
Purpose:	Community Meeting	Place/Room: The Covenant Church 210 Station Road, Wilmington
Name		Address/Contact Information
1. Long	Schumacher	1009 Anchors Bend Birsheyahor Co
2. Rice	k Chocker	141 MIDDLE SOUND CP Rp 28411
3.	55 Endo	7414 Lucky Fish Ln 28411
4.	Mason Landine Mason	
5. XW	BOAJEN	71Ste Anbon DANO Pr. Wilmongton, 28411
6.	of Milizay.	330 MILLTRAY COLOFF Rd, Wilmigen, N.
7. Kan	Merchth	NA
8. Bob	Parr	6706 Falcon Pointe Rd 2341/ 910-409
9. SHAL	CHESHIPLE	To heshire P WMTORDAN, COM
10. Soth	Speight	SSperte wmjordon.com 9106796
11. Wend	y DuBose	Werdy Ldubose@yahov. com
12. Mrc	Lee Worner	ME MWEVNER 6913. com
13.	1 Stewart	White OAK APT \$127
14. LSTh	er Murphy	edn 1958 @ gmails COM
15. Alen	Albayot @	ZOG BICOMPANY LA Wilm No 84411
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		4514 Huntsman CT
18. Jilli	an Newberg	TONOMINATERONOMIA TIMUGROO 900 gmail. Cor
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ENGINEERS
SURVEYORS
PLANNERS

### **COMMUNITY MEETING INVITATION**

Dear Neighbor:

Please join us on <u>Tuesday February 4, 2020</u> from 5:00 to 8:00 p.m. at The Covenant Church (210 Station Road, Wilmington, NC 28405) to learn more about <u>Residence at Canopy Pointe</u>, a proposed senior living apartment development located at 205 Middle Sound Loop Road in Wilmington. The project will be located on approximately 5 acres with street frontage on Middle Sound Loop Road, adjacent to Living Water Ministries to the west, White Oaks Apartments to the east, and The Fields at Wendover neighborhood to the north.

Developed by Blue Ridge Atlantic Community Development, Residence at Canopy Pointe exemplifies the type of mixed income apartment development that the County is encouraging in our community. Residence at Canopy Pointe will be nestled into the existing property fabric by preserving as much vegetation as possible, provide buffers to adjacent properties, and employ low impact design techniques for stormwater management.

On behalf of Blue Ridge Atlantic Community Development, McKim & Creed is submitting a request to New Hanover County to rezone the Middle Sound Loop property from R-15 to Conditional Zoning District RMF-M (Residential Multi-Family — Medium Density). Representatives from Blue Ridge Atlantic Community Development, McKim & Creed and the development team look forward to meeting you at the February 4, 2020 community meeting.

Tuesday February 4, 2020, 5:00 – 8:00 p.m.
The Covenant Church (210 Station Road, Wilmington, NC 28405)

Sincerely,

Cc:

MCKIM & CREED, INC.

243 North Front Street

Wilmington, NC 28401

Richard M. Collier, PE Regional Manager / Asst VP

Enclosure: Residence at Canopy Pointe - Site Exhibit

910.343.1048

Chris Eisenzimmer Sam Weldon Joe Taylor

Fax 910.251.8282

www.mckimcreed.com



2				Sent Invite	Received Certified	No Return Receipt
	ADAMS GEORGE FAMILY TRUST	85 VAN REYPEN ST PH 7TH FLO	JERSEY CITY, NJ 7306	24-Jan-20		
2	AIKMAN MARK S M ELAINE	DR	WILMINGTON, NC 28411	24-Jan-20	28-Jan-20	
ω	ALBRIGHT ADAM ELIZABETH	209 BLOOMINGTON LN	WILMINGTON, NC 28411	24-Jan-20	29-Jan-20	
4	AMH NC PROPERTIES LP	30601 AGOURA RD SUITE 200PT	AGOURA HILLS, CA 91301	24-Jan-20	1-Feb-20	
5	BALLOU BRADLEY CHRISTIN	209 BOXELDER WAY	WILMINGTON, NC 28411	24-Jan-20		1
6	BARNES LARRY A JR JONI L	220 WENDOVER LN	WILMINGTON, NC 28405	24-Jan-20		1
7	BHC PROPERTIES LLC	PO BOX 431	WRIGHTSVILLE BEACH, NC 28480	24-Jan-20		1
8	BIGGS FRANCES E HRS	214 MIDDLE SOUND LOOP RD	WILMINGTON, NC 28411	24-Jan-20		1
9	BLANCHARD BUILDING & PROPERTIES INC	4143 DONNELLY LN	WILMINGTON, NC 28409	24-Jan-20		1
10	BOBBINS STEVEN R	208 BLOOMINGTON LN	WILMINGTON, NC 28411	24-Jan-20		1
11	CARROLL PATRICK M ETAL	224 BLOOMINGTON LN	WILMINGTON, NC 28411	24-Jan-20		1
12	CHURCH OF GOD IN WILMINGTON	695 GRAY SQUIRREL DR	WILMINGTON, NC 28409	24-Jan-20	28-Jan-20	
13	CLARK PAUL E DONNA M	7204 CLOVERFIELD CT	WILMINGTON, NC 28411	24-Jan-20	29-Jan-20	
14	COVIL CECIL THOMAS	129 MIDDLE SOUND LOOP RD	WILMINGTON, NC 28411	24-Jan-20		1
15	COVIL J W	PO BOX 6969	SYRACUSE, NY 13217	24-Jan-20	1-Feb-20	
16	COVIL SHIRLEY	129 MIDDLE SOUND LOOP RD	WILMINGTON, NC 28411	24-Jan-20	28-Jan-20	
17	DE LA CRUZ FRANCISCO R JENNIFER	205 BOXELDER WAY	WILMINGTON, NC 28411	24-Jan-20		1
18	DEGENITO JOHN	160 DELAWARE AVE	OAKHURST, NJ 7755	24-Jan-20	28-Jan-20	
19	FERRELL STEPHANIE M ETAL	205 BLOOMINGTON LN	WILMINGTON, NC 28411	24-Jan-20		1
20	FODRIE ELIZABETH ASHLEY	7200 CLOVERFIELD CT	WILMINGTON, NC 28411	24-Jan-20	28-Jan-20	
21	FRANCIS BRYCE C REBECCA A	7216 CLOVERFIELD CT	WILMINGTON, NC 28411	24-Jan-20		1
22	GESLER KAREN R	7191 ARBOR OAKS DR	WILMINGTON, NC 28411	24-Jan-20	29-Jan-20	
23	GRANT ROBERT	1588 LANGLEY DR	LONGS, SC 29568	24-Jan-20		1
24	GURGANUS WILLIAM P	216 BLOOMINGTON LN	WILMINGTON, NC 28411	24-Jan-20		1
25	HALL VALERIE G MURPHY W	220 BLOOMINGTON LN	WILMINGTON, NC 28411	24-Jan-20	29-Jan-20	
26	HALPERN OGDEN LLC	5200 ROSWELL RD	ATLANTA, GA 30342	24-Jan-20	27-Jan-20	
27	HANKINS MELODY S ETAL	225 BLOOMINGTON LN	WILMINGTON, NC 28411	24-Jan-20	28-Jan-20	
28	HANSEN VICTORIA J	208 BOXELDER WAY	WILMINGTON, NC 28411	24-Jan-20		1
29	HOWELL SUSAN H	7128 ARBOR OAKS DR	WILMINGTON, NC 28411	24-Jan-20		1
30	HUBIS ANTHONY PAUL JR FRANCES HARRELSON	8017 SIDBURY RD	WILMINGTON, NC 28411	24-Jan-20		1
31	JON MASON & ASSOCIATES LLC	PO BOX 10284	WILMINGTON, NC 28404	24-Jan-20		1
32	LEWIS KATHERINE E	7184 ARBOR OAKS DR	WILMINGTON, NC 28411	24-Jan-20	29-Jan-20	
33	LOGAN DEVELOPERS INC	PO BOX 4408	GREENSBORO, NC 27404	24-Jan-20	28-Jan-20	
34	LOGAN DEVELOPERS INC	60 GREGORY RD SUITE 1	LELAND, NC 28451	24-Jan-20		1
35	LUTHER CHRISTOPHER SHANNA	7187 ARBOR OAKS DR	WILMINGTON, NC 28411	24-Jan-20	1-Feb-20	
36	MCCABE TODD B	212 BLOOMINGTON LN	WILMINGTON, NC 28411	24-Jan-20	28-Jan-20	
37	MCCALL JOHN DORTCH	226 MIDDLE SOUND LOOP RD	WILMINGTON, NC 28405	24-Jan-20		1
38	MOWERY KELLY R	204 BOXELDER WAY	WILMINGTON, NC 28411	24-Jan-20		1
39	NABORS ROBERT L SUSAN JEAN	7209 CLOVERFIELD CT	WILMINGTON, NC 28411	24-Jan-20	28-Jan-20	
40	NEWBERG ANDREW J JILLIAN C	1311 ELEMENT WAY	WILMINGTON, NC 28412	24-Jan-20	28-Jan-20	
41	NEWTON JOHN K HRS	7217 CLOVERFIELD CT	WILMINGTON, NC 28411	24-Jan-20	1	-1

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KERNERSVILLE, NC 27284
WILMINGTON, NC 28411
WILMINGTON, NC 28411
WILMINGTON, NC 28403
WILMINGTON, NC 28406
WILMINGTON, NC 28411
WILMINGTON, NC 28405
WILMINGTON, NC 28409
HAMPSTEAD, NC 28443
WILMINGTON, NC 28411
WILMINGTON, NC 28411
WILMINGTON, NC 28411



### **NEW HANOVER COUNTY**

### **PLANNING & LAND USE**

230 Government Center Drive, Suite 110, Wilmington, NC 28403 P: (910) 798-7165 | F: (910) 798-7053 | NHCgov.com

Rebekah Roth, Director

## COMMERCIAL SITE PLAN APPROVAL

To: Tim Clark, McKim and Creed, Inc. <a href="mailto:Tclark@mckimcreed.com">Tclark@mckimcreed.com</a>

From: Julian Griffee

**Current Planner** 

Date: April 14, 2022

Subject: Canopy Point – 217 Middle Sound Loop Road – Commercial Site Plan Approval

The site plan, landscape, and lighting plan for Canopy Point has been approved. Enclosed is the approved site plan, landscape, and lighting plan. Also enclosed are documents pertaining to approved conditions of the site, including the Board of Commissioners Order for Rezoning Case Z20-06 dated June 15, 2020, and the approved Minor Modification and Variance Requests issued on December 20, 2021. The plans approved by this document authorize the removal of two trees that were required to be preserved by the Order, as they meet the exemption referenced in Section 8.2.a.

This approval is valid for two years unless a building permit or zoning compliance approval authorizing the approved development is obtained.

Please note the project may be subject to additional regulations of the County's development ordinances, including, but not limited to, those referenced in the TRC comments dated February 16<sup>th</sup>, 2022 and as revised. In addition, this approval does not relieve the applicant from any law, regulation, or requirement of any other government or regulatory agency.

If you have any questions or concerns, please do not hesitate to contact me at (910) 798-7444 or <a href="mailto:igriffee@nhcgov.com">igriffee@nhcgov.com</a>.

Sincerely,

Julian Griffee Current Planner

cc: TRC (Fire Services, Engineering, CFPUA, NCDOT)

**Enclosure** 



### **ENGINEERING**

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

Jim Iannucci, PE, CFM, County Engineer

April 14, 2022

McKim & Creed, Inc. 243 North Front Street Wilmington, NC 28409 Attn: Mr. Trae Livick

RE: The Residence at Canopy Pointe

Dear Mr. Livick:

We have reviewed the application and submittal package for the above referenced project and have issued an "Authorization to Construct". Any deviations from the approved plans will require re-submission.

The approval issued by the County is that the application and supporting documents are complete and in accordance with the requirements of the ordinance. Nothing whatsoever in the approval should be construed as or be deemed to create additional duties on the part of the County of New Hanover that are the responsibilities of the Owner and the design professional.

If there is a need for a change in ownership, an "Ownership Change Form" must be submitted and a fee of \$100.00 will be required.

Please be advised, if the land disturbing exceeds one acre, the project will need a Sedimentation & Erosion Control Permit prior to the disturbance.

Please note: Upon completion of the construction required by the "Authorization-To-Construct", the design professional's certification must be delivered to the County.

If you have any questions regarding the foregoing information, please contact our office.

Sincerely.

Galen M. Jamison, PE Chief Project Engineer New Hanover County

GMJ/pdj

cc:

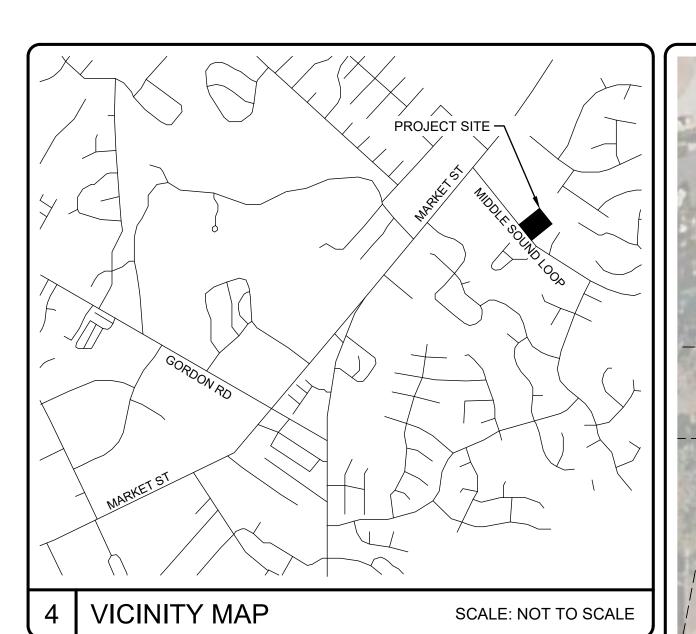
File #831-04/14/22

ENERGOV # STMW-22-0003

# THE RESIDENCE AT CANOPY POINTE

# TRC REVIEW DRAWINGS

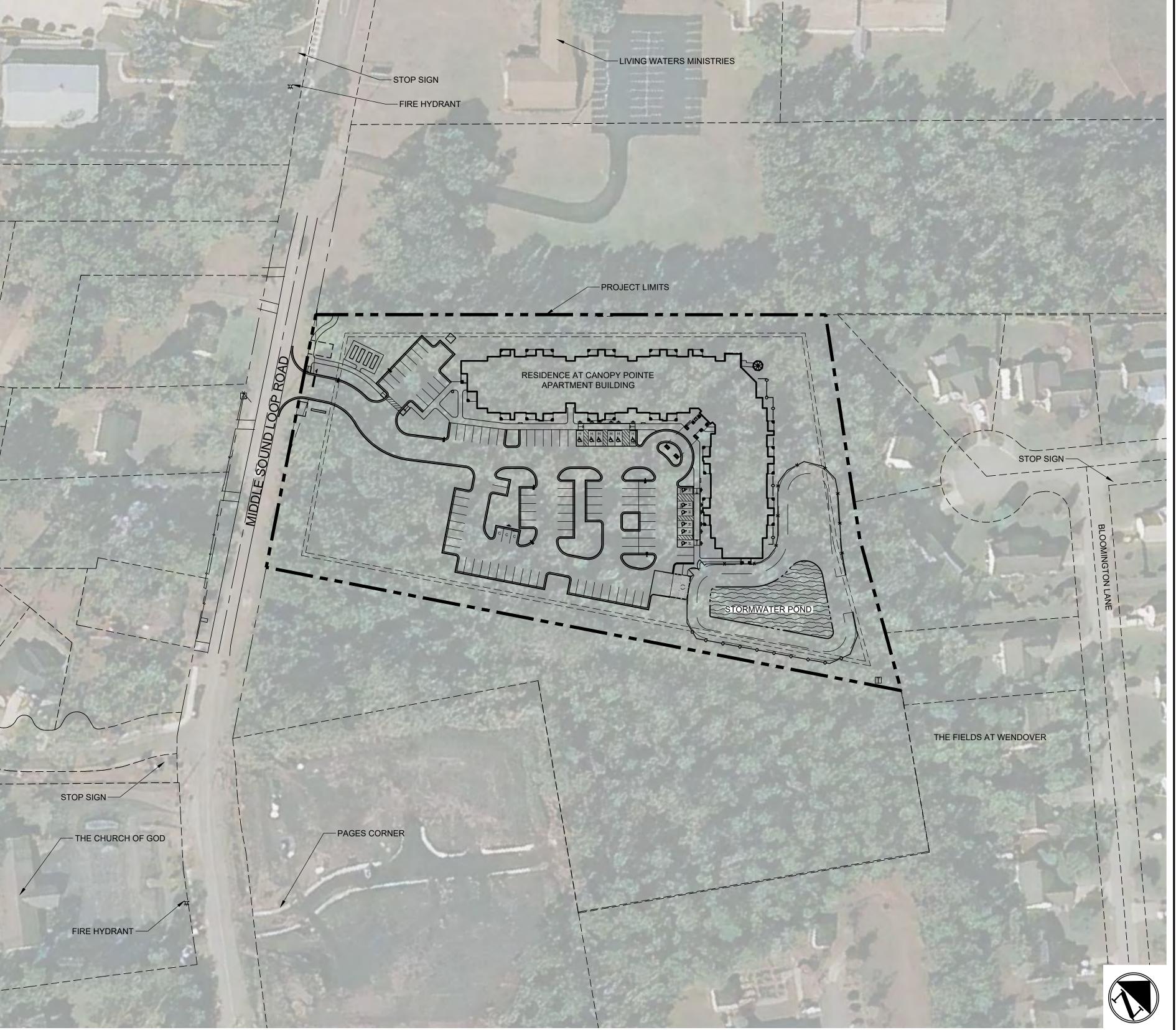
205, 209, 213 & 217 MIDDLE SOUND LOOP ROAD, WILMINGTON NC 04/07/2022





PROJECT INFORMATION

2 LOCATION MAP

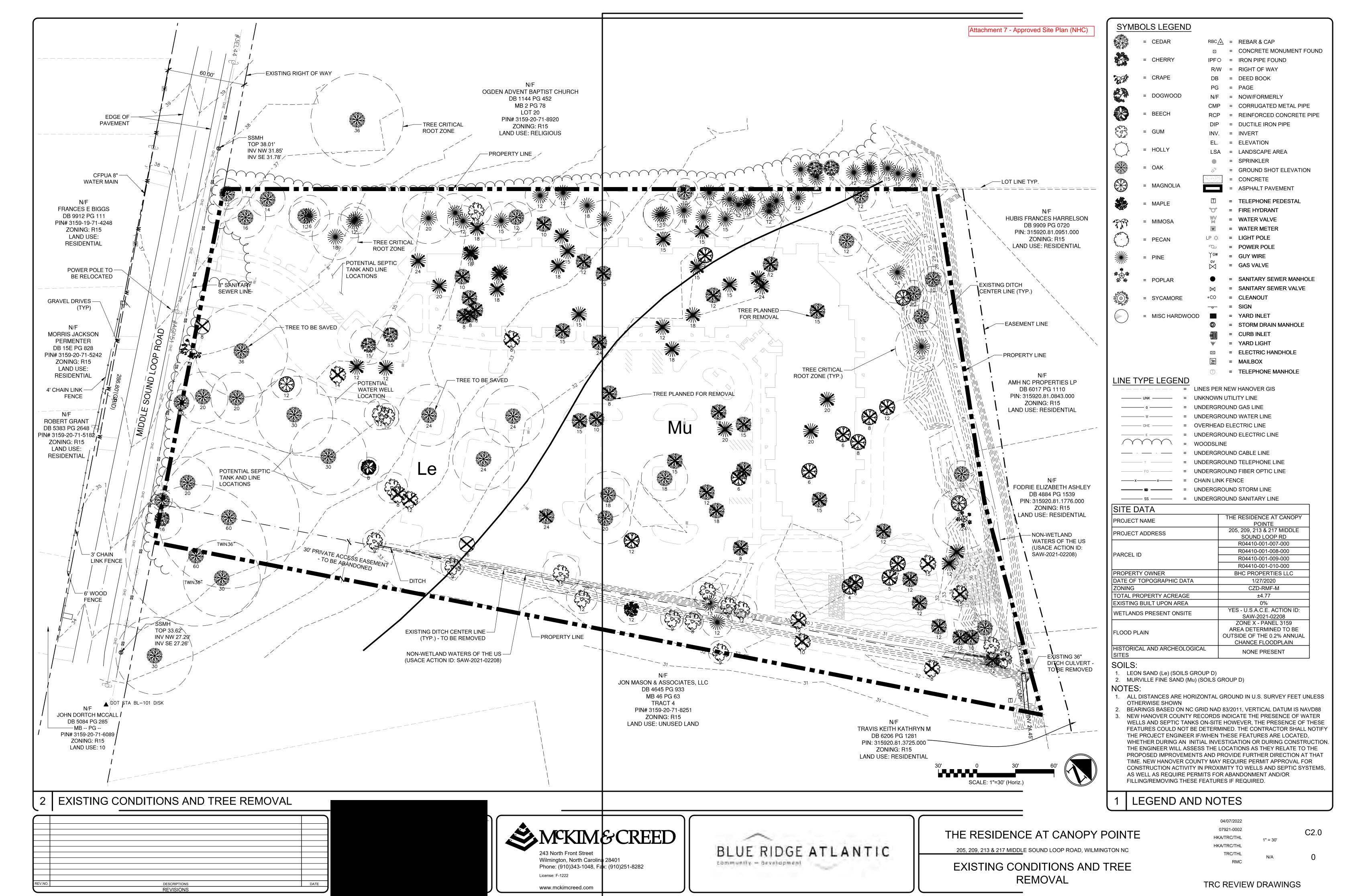


SHEET NUMBER	SHEET TITLE
C1.0	COVER
C2.0	EXISTING CONDITIONS AND TREE REMOVAL
C3.0	SITE PLAN
C4.0	EROSION CONTROL PLAN - STAGE 1
C5.0	EROSION CONTROL PLAN - STAGE 2
C7.0	GRADING & DRAINAGE PLAN
C8.0	UTILITY PLAN
C10.0	LANDSCAPE PLAN
C11.0	SITE DETAILS
C11.1	SITE DETAILS
C11.2	SITE DETAILS
C12.0	EROSION CONTROL DETAILS
C12.1	EROSION CONTROL DETAILS
C12.2	EROSION CONTROL DETAILS
C14.0	UTILITY DETAILS
C14.1	UTILITY DETAILS
C14.2	UTILITY DETAILS
C16.0	STORMWATER DETAILS
C16.1	STORMWATER POND DETAIL
C17.0	LANDSCAPE DETAILS
C17.1	LANDSCAPE DETAILS



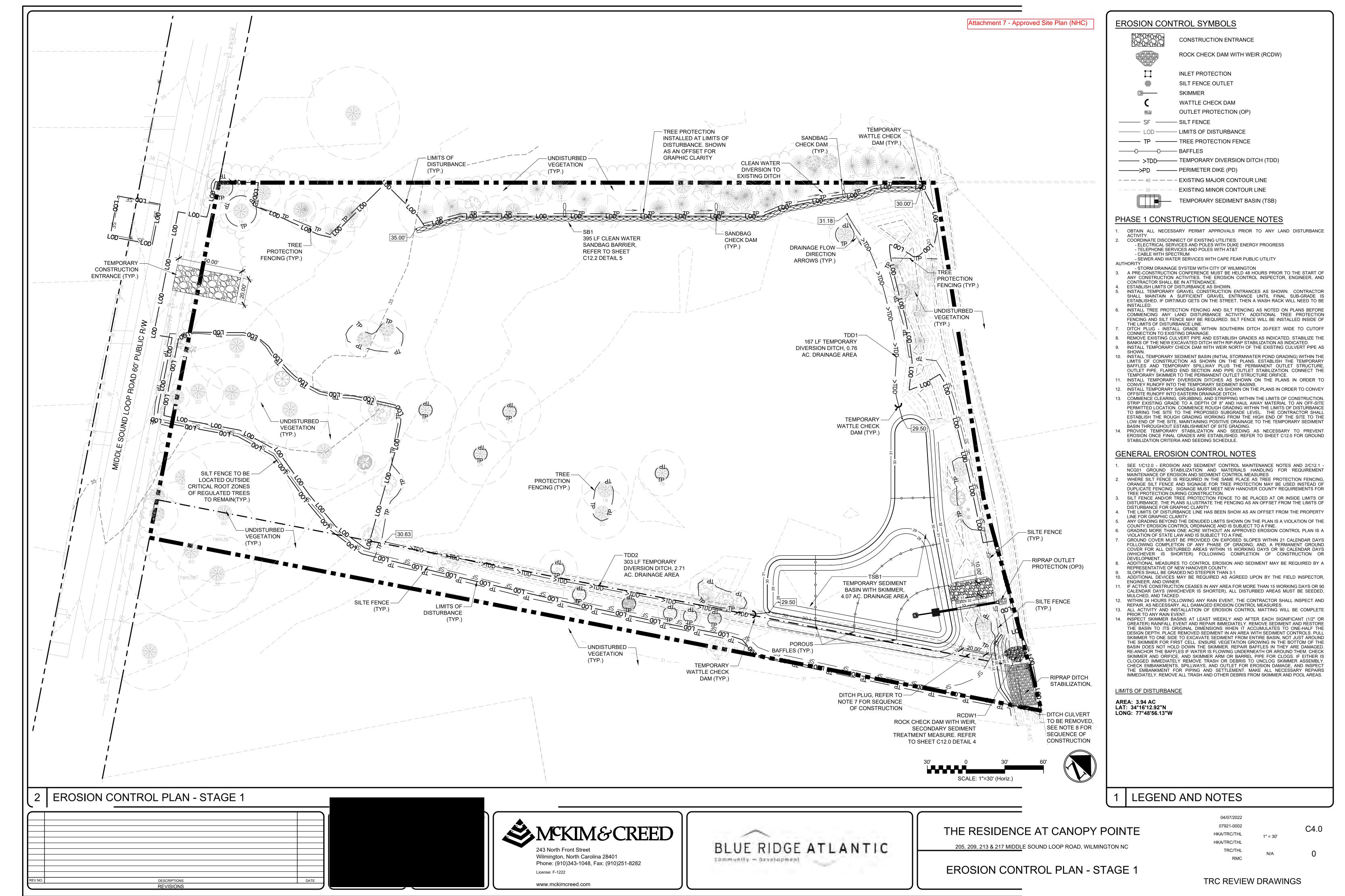
SHEET INDEX

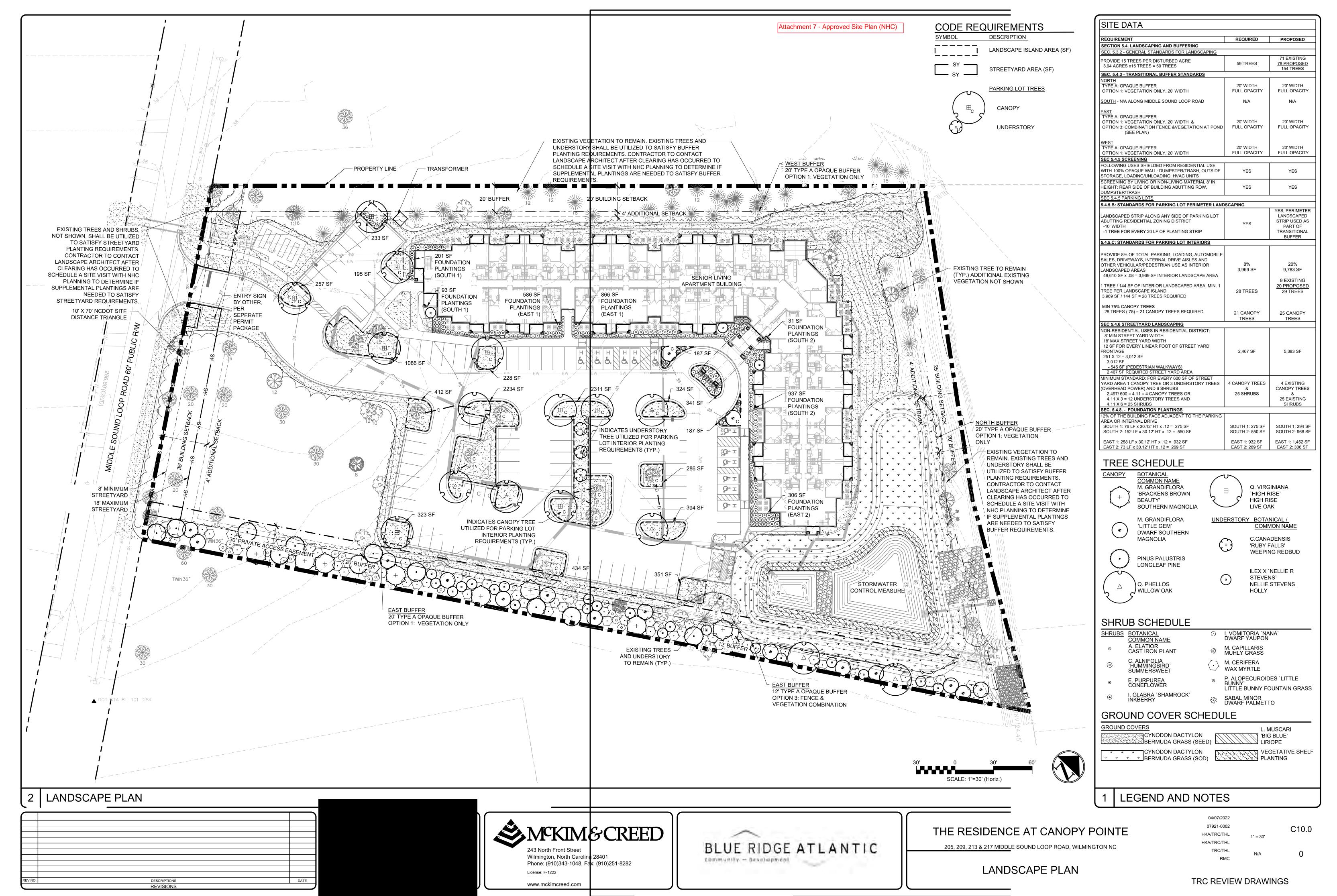
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- \* Full Name Allison Abney
- \* Full Address 6709 Falcon Pointe Rd Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

allivabney@gmail.com

### \* Leave your comment here

Please do not allow this development! Middle Sound Loop is already full of traffic, without a walking path or bike lane. This development would add even more heavy congestion at the Market Street entrance. Middle Sound Loop is a family neighborhood and I have many safety concerns for my three children attending Ogden. Please help us preserve the quiet nature of MSL and keep more cars and developments away from our community.

- \* Full Name Mike Abramson
- \* Full Address 204 boxelder way Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

mike.abe1085@gmail.com

### \* Leave your comment here

This area from Market St. and Middle Sound Loop is highly congested. The traffic going in and out of Pulibs shopping center, Rackleys, and the drivers cutting through from the Pizza Hut entrance an Market then going behind the shopping center is heavy! It's hard to make a left out of Cottage Grove. This will add years of construction, lane closings, more accidents to an already congested area. Regards, Mike

- \* Full Name Danielle Ahouse
- \* Full Address 248 Pages Creek Dr Wilmington NC 28411 Usa
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

dads5thd@ec.rr.com

### \* Leave your comment here

Please for the love of everyone's sanity, DO NOT allow the rezoning, or any more construction on our loop. We only have so much time to get on and off the loop every day, and between the school, publix, and the 5 billion people that have already been allowed to build in the past few years on this already overcrowded, over developed, and under maintained infrastructure little community, is quite maddening.

- \* Full Name susan alborell
- \* Full Address 117 Denise Drive wilmington nc 28412
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

salborell@gmail.com

### \* Leave your comment here

This zoning change, increase in density and construction of this kind in Middle Sound Loop Rd is absolutely ridiculous. If you live and drive MSL, you'll know without a doubt that this kind of development is myopic. I'm curious what developer is doing this. Who is it? Who is on their board? Who are the related to? This kind in ignorant planning sounds just like the greed and aversive rampant in the construction of countless apartments that have no infrastructure. Somebody is getting something and it isn't the residents of MSL that have to deal with the overbuilding at that light at Market Street already. Do not permit the chipping away of the county. You'll wind up with more taxes for residents who have purposely moved OUT of Wilmington. There really is no excuse for approving this.

- \* Full Name Betsy Albright
- \* Full Address 209 Bloomington Lane Wilmington NC 28422 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

betsy.b.albright@gmail.com

### \* Leave your comment here

I live at 209 Bloomington Ln. in Ogden, off Middle Sound Loop Rd., less than 300 ft. from the proposed high-density housing, ironically called Canopy Pointe, slated for 205,209,213, & 217 Middle Sound Loop Rd. I am opposed to this project for many reasons. For 18 years, I have owned & lived in my Ogden home. The tree line to this project is my vista view from my property. The tree canopy vista is part of the value of my home & now the value of my home is threatened by the destruction of the tree canopy vista which also acts as buffer away from traffic, noise, & a refuge for wildlife. My one-story home will have obtrusively tall buildings towering over our neighborhood, which is not in harmony with the neighborhood of single family homes. High-density housing does not make sense for Middle Sound Loop, especially so close to the Market/ Middle Sound Loop light, which is longest cycling light in all of New Hanover County (5 minute cycle). Stacking at the Middle Sound Loop light is already a problem for the over 15,000+MSL residents who have only one way in & out of their residential homes. Turning from Market onto Middle Sound, the proposed property is on the left on a blind curve, near where stoplight back-up stacking occurs. This will be dangerous for a high-density volume of senior residents to access the property turning left into it, much less emergency vehicles trying to get a left into it when stacking back-ups occur near this property on a daily basis at all times of day. For residents safety, emergency vehicles, especially at a senior community, will frequent need to come/go with ease. The road is narrow in that section in front of the property. One access point is dangerous for high-density housing. There are no sidewalks or crosswalks on MSL for walkability. It's dangerous to have seniors walk across MSL to go to Publix. High-density is not a right fit. It will exacerbate already existing flooding problems on Bloomington Lane.

- \* Full Name Danielle Aldrich
- \* Full Address 125 MIDDLE SOUND LOOP RD WILMINGTON NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

aldrich79@gmail.com

### \* Leave your comment here

My family has lived at 125 Middle Sound Loop Road for 12 years. We are completely against this development. There is not enough space to build another development without encroaching on all of the other properties in the area. It is disgusting that you keep approving these plans without regard to those living in close proximity. This will create noise pollution during construction to the point where we will not be able to sleep for months like when the Publix shopping center was built. This will severely disrupt mine and my neighbors life by trying to squeeze a building into a small green space. You should be ashamed of yourselves for continuing to overdevelop our beautiful county. Is your goal to eliminate all green space? Find another area less populated to build. The traffic and noise is already a significant problem in that area. Not to mention there is a car accident every month. When are you all going to start making decent decisions that are not solely based on profit.

- \* Full Name Lisa Andree
- \* Full Address 6713 Falcon Pointe Rd Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

lisaandree617@gmail.com

### \* Leave your comment here

Planning Board members, County Commissioners and the City Council are cordially invited to the Middle Sound community at peak commute times to see why this is such a horrible idea! Furthermore, to promote this condo complex as "walkable" is a joke! There is no sidewalk & no safe way to cross to the Publix shopping center. Another consideration is how emergency vehicles will be able to access Middle Sound residents especially during times of gridlock traffic, which is a daily occurrence. It certainly appears that our elected officials are more concerned with increasing the tax base rather than maintaining, preserving, and improving the quality of life for existing taxpayers. Newsflash: not everyone who wants to live here is going to fit here in New Hanover County, which by the way is the second smallest county in the state land wise.

- \* Full Name Margaret Ashburn
- \* Full Address 1309 43rd Street Wilmington NC 28403 New Hanover
- \* Select the item you're commenting on here 1415 & 1417 42nd Street (CD-22-422)

maggie.ashburn@tjtpa.com

### \* Leave your comment here

My name is Maggie Ashburn and my family and I live at 1309 43rd Street. My husband, Rich Mason, and I enthusiastically & emphatically support the conditional district rezoning at 1415 & 1417 42nd Street. This property is two blocks from our home, where I've lived for almost twenty years. The property transferred ownership in March 2020, and since that time its been a joy to walk or drive by and admire the most recent improvements and betterments of the building and land -- including fresh exterior paint, removal of overgrown vines & stumps, a new steel front door, a new operable & classy fireman's garage door, picnic tables, a tasteful fence, and lovely blooming plants. I support Emily & Chuck Krueger & Matt Hearn and their small businesses in my neighborhood. This corner property location, with relatively heavy traffic one block off Oleander Drive, lends itself to a small business as opposed to a residential lot. And who wouldn't want a beautiful shop filled with native plants so close to home? I certainly hope the Wilmington Planning Commission will grant the rezoning request; this will be an environmentally-friendly, small-business friendly and excellent/logical decision for this property. Sincerely, Maggie Ashburn & Rich Mason

- \* Full Name caroline baldwin
- \* Full Address 2519 Middle Sound Loop Rd Wilmington NC 28411 28411
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

carolandbuddy523@aol.com

## \* Leave your comment here

Please be aware of the tremendous amount of traffic coming off of Middle sound loop road ...we have the longest stop sign in the county ...the only other ways off of middle sound is to cut through neighborhoods .. these neighborhoods have no sidewalk and many of the road are unmarked with center and side lines and are very narrow .. cutting through these neighborhoods to get off of middle sound is very dangerous for pedestrians and bicycles. As well as cars going in different directions . Please do not approve of this high density development !!!Thank You , Caroline Baldwin

- \* Full Name Ralph baldwin
- \* Full Address 2519 Middle Sound Loop Rd Wilmington NC 28411 28411
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

carolandbuddy523@gmail.com

## \* Leave your comment here

Please do not Annex this development on Middle sound loop road .... We have extreme traffic congestion at the Middle sound stop light 5 minute wait !!!! it would Is impossible for fire and rescue responders to get to an emergency certain times of the day Now !!! 70 Plus units will only add to that congestion !!! We have only one main road off of middle Sound . Our other exits are through unmarked neighborhoods !!! This is a real safety concern !!! Our Students and Staff at Ogden School middle sound loop road deserve to know that services could reach them in a timely response !! Our Residents need to know if they have a fire or health emergency Services will be able to help them in a time ... Middle Sound Road is NOT where this high density project should be located !! Please do not approve annexation of this Project !!! Thank you ... Ralph

- \* Full Name Bradley Ballou
- \* Full Address 209 Boxelder Way Wilmington NC 28411 New Hanover
- $^{\ast}$  Select the item you're commenting on here 1415 & 1417 42nd Street (CD-22-422)

bradleyballou@gmail.com

# \* Leave your comment here

I respectfully oppose the proposed zoning change for Middle Sound Road. The are is already highly congested due to traffic close the Market Street and Middle Sound Loop intersection. Additionally, as a father of two daughters who will attend Ogden Elementary soon, I have serious concerns about the impacts of traffic and construction with children walking to school.

- \* Full Name EDWARD BATES
- \* Full Address 7400 Anaca Point Rd WILMINGTON NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

averybates@att.net

# \* Leave your comment here

Middle Sound does not need increased density. Middle Sound is a small community that wishes to have their own space. It is home to the most restrictive zoning (R2OS) in the county. EVERY City/Town/County needs diversity. Some residents like/appreciate/choose high density, some like/appreciate/choose low density. The Planning Department & County Commissioners should know and respect this fact. We buy in an area that suits our desires and we pay the appropriate taxes for that decision. NO CHANGES! I have been part of Middle Sound for many decades, and I LOVE IT! My family has enjoyed Middle Sound for 60 years. NO EXCEPTIONS!

- \* Full Name Jessica Beckerich
- \* Full Address 7300 Edith Ct Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

jessica.beckerich@gmail.com

## $^{st}$ Leave your comment here

I live on middle sound loop, and love our community! Well, accept the traffic at the market street light, that already seems to be getting worse without the additional housing. The zoning in our city is changed way to often, without any planning or thought about why it was put in place, and what it will do to not only the community, but the environment that is so fragile right now. Please don't allow more housing in this area! Castle Hayne has lots of land, tell the developer to go there please!

- \* Full Name Ashley Beineke
- \* Full Address 7409 Aloft Way Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

ashleybdenton@yahoo.com

## \* Leave your comment here

Absolutely against this!!!! Our little community is already so congested, especially right there by the stop light! Please, please look at this builders request and think if this is absolutely necessary, or rather just another attempt to cram additional houses and profits into our already overly populated area. MSL neighborhoods have been stretched to the max the last 10 years and now face issues of serious water drainage because of over building with impervious material. Help us by not passing this!!

- \* Full Name Tanya Bennett
- \* Full Address 1105 Traditional Ln Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

fi10cammel@gmail.com

## \* Leave your comment here

As a resident of Middle Sound Loop, I have a great concern regarding the rezoning and prospective senior housing development which is planned. MSL is considerably congested as it is. It is nearly impossible to turn onto Market form MSL and even more difficult to turn off of Market o to MSL. The proposal for 70 more units now increases the congestion. Another concern is the water runoff an drainage issues that will be exacerbated by having more concrete, asphalt and less trees and vegetation. In the proposal there is only one entrance and exit that leads to Middle Sound Loop, Road. It would be more efficient to have another exit. With the other construction happening on the loop, animals and the natural habitat is being destroyed. There is no wetland or bedding areas for local deer and animals. Please consider changing or limiting the number of Units and saving our pristine environment. The 20 year plan that was proposed years ago did not state that this was going to be low density housing it was supposed to be single home dwellings.

- \* Full Name Ken Blanton
- \* Full Address 7400 Janice Ln Wilmington NC 28411 US
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

kblanton1@ec.rr.com

# \* Leave your comment here

This is a money grab by the city if Wilmington. MSL is not urban and that is one reason we love it. High density housing does not fit with our neighborhood and will impose more traffic congestion than there already exists. We are not interested in city limit encroachment. They should learn to spend their considerable resources more responsibly. High density threatens our fragile marine ecosystem in the Middle Sound area. If we continue uncontrolled development in this area it will no longer be the oasis it has always been. Thanks for your consideration.

- \* Full Name Steve Bobbins
- \* Full Address 208 Bloomington Lane Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

stevebobbins2012@gmail.com

## \* Leave your comment here

To whom it may concern, You are rezoning an area that was zoned as it is for a reason. Now you have a developer moving in and destroying a beautiful area of Wilmington. Middle Sound Loop is one of the few areas left in Wilmington that hasn't been ruined by over building. Now you want to change zoning and destroy the ambiance of this area. I am so sick and tired of the way Wilmington has been destroyed. Crap buildings and cheap ugly architecture. Can't you people just leave things in a more natural state with some beautiful trees and nature. Shame on all of you. May God judge you for your disgusting decisions.

- \* Full Name Shannon Bradley
- \* Full Address 1125 Baldwin Park Drive Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

shannonbradley17@gmail.com

## \* Leave your comment here

I strongly oppose Conditional District Rezoning Case # CD-24-522. Changing the existing zoning from Residential Multi-Family Low Density District to High-density Multiple-Dwelling Residential District would have a detrimental impact on the entire Middle Sound community and surrounding neighborhoods. Current zoning conditions include a requirement that residents will be restricted to 55 years of age or older. The new proposal seeks to revoke that condition stating "all 72 residential units to be considered workforce/affordable housing..." This could cripple the already crowded Ogden Elementary School. While the proposal includes construction of a sidewalk in front of the property, it would be the only stretch of sidewalk on that side of the street. There is no crosswalk that would allow safe passage to Ogden Plaza et al. This is not a "walkable" area, and pedestrians crossing Middle Sound Loop outside of the traffic circle is a major safety concern. Middle Sound is accessed by a traffic circle, there is essentially just one way in & out of this true "loop" road. The light at Middle Sound Loop & Market Street is the longest in the county. Emergency vehicles need rapid access, and access is already slowed to Middle Sound. I have seen many occasions where pedestrian vehicles are blocking the way for Emergency vehicles due to gridlock. To add "workforce" drivers from over 70+ units cars coming from Market Street, and turning left into this development will intensify an existing problem. Increasing density in a low-density area, such as Middle Sound, is a careless development that serves to destroy the quality of life for existing residents. Middle Sound does not need increased density. Middle Sound is a small community that is home to the most restrictive zoning (R2OS) in the county. Our community roads and school cannot sustain a high-density development. Please keep this parcel as a Multi-Family Low Density Senior Living project. Thank you for your consideration.

- \* Full Name Barbara Brooks
- \* Full Address 7172 Arbor Oaks Drive Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

beachbrb2u@yahoo.com

## \* Leave your comment here

The traffic situation at the corner of Middle Sound Loop and Market Street is already a disaster. Cars are backed up, sometimes it takes 10 minutes to get thru the light; it is difficult for me to turn left or right out of Cottage Grove (across the street from the proposed apartments) and turning out of the Publix shopping Center is also difficult, particularly during rush hours. Adding 72 apartments so close to the main intersection could potentially add over 100 or more cars to that area creating dangerous situations. The only alternate route from there is Red Cedar but that is always backed up with school traffic and accidents are common at that intersection. What is the plan for handling that much more traffic?

- \* Full Name Matthew Brooks
- \* Full Address 501 Hitch Ct. Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

mnielbrooks@yahoo.com

## \* Leave your comment here

I have concerns about the allowance of multifamily zoning anywhere along Middle Sound Loop Rd. The Loop is just that, a loop with one single entrance onto Market Street. As traffic become heavier on MSL with any development, the light at Market St. will back up. This will cause more people to use the Gorman Plantation neighborhood (where I live) as a cut through. If the City is to consider a project here, you should also consider the need for a second ingress/egress for this property, perhaps something that could connect to Wendover Ln. Thanks for your consideration.

- \* Full Name Iva Bunch
- \* Full Address 6405 Purple Martin Court Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

Iwhatsupdoc@aol.com

## $^{st}$ Leave your comment here

It is absolutely without a doubt shameful for New Hanover County to have approved this affordable senior housing in our Middle Sound community during COVID. New Hanover County does not need more traffic congestion on our two lane Middle Sound Road in Ogden. I disagree with our City Mayor Bill Saffo because the city only wants to annex so they can increase their city tax base. It is appalling that the City Mayor is overreaching for his own benefit. I hope that our voices are heard and this absurd request is denied.

- \* Full Name Becky Cahill
- \* Full Address 7300 Anaca Point Wilmington North Carolina 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

blackandbrowns@yahoo.com

# \* Leave your comment here

The increase of traffic on an already overburdened infrastructure is unnecessary. The annexation seems a first nibble of taking life that is hard to find in NHC. I understand growth is going to happen but it needs to be taken slowly and the long term effects understood. There is no need to yet again rezone this area and annex it. I am opposed.

- \* Full Name Susan Cain
- \* Full Address 1517 Futch Creek Rd Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

scain322@gmail.com

# \* Leave your comment here

It's obvious you people do not care about senior citizens. We put our life in jeopardy every time we drive on Market Street.

- \* Full Name Rosalie Calarco
- \* Full Address 7923 Cumberland Place Wilmington NC 28411 United States
- $^{\ast}$  Select the item you're commenting on here 1415 & 1417 42nd Street (CD-22-422)

rosaliecalarco@gmail.com

# $^{\ast}$ Leave your comment here

AARP NC is very supportive of projects that are making housing more affordable for Older Adults and Seniors. As an organization that strives to make our communities age friendly housing is especially a high priority area. Rosalie Calarco, MSW Associate State Director Coastal Region AARPNC

- \* Full Name Tammy Campana
- \* Full Address 7406 Milan Ct Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

tlcncgirl1@yahoo.com

# \* Leave your comment here

Enough stop being greedy. I moved here almost 24 years ago from Central New York and it was a small town feel. Now it's just a greedy area and all you people are doing is destroying the beautiful vegetation around here and causing more bottlenecks and accidents and causing people to be late and waiting in ungodly lines to get through an intersection. Enough

- \* Full Name Renee Chesnut
- \* Full Address 7100 Medallion Place Wilmington North Carolina 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

wchestnut@ec.rr.com

## \* Leave your comment here

Please do not add to the congestion on Middle Sound Loop Road and Market Street. It is a nightmare to drive in the area now. I know this doesn't impact city officials as you most likely don't live out here. But you may have to travel out here and realize the negative impact you have caused so many others. And not to mention how this will adversely impact stormwater facilities especially during a hurricane.

- \* Full Name Beth Cleaveland
- \* Full Address 418 Hamlet Ave. Carolina Beach NC 28428 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

meddersb@hotmail.com

## \* Leave your comment here

Please do NOT annex this land or rezone for high density. Such a move makes no sense for this established community of single family homes. We look to you to maintain smart growth for our wonderful town, and this developer's request in this case is not smart growth. Thank you!

- \* Full Name Ronald Coalson
- \* Full Address 7167 Arbor Oaks Drive Wilmington North Carolina 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

Race97464@aol.com

## \* Leave your comment here

This is a poorly conceived plan that seemingly does not take into account the traffic burden this would place on the intersection of Market and Middle Sound Loop. Said intersection is already overloaded and the addition of 72 or more cars that would use this intersection is not beneficial to anyone. Already entrance onto Middle Sound Loop from Cottage Grove and the smaller development right across the street can be severely restricted now. Adding more traffic will only serve to compound this problem and that of Market Street itself. Please do not do this!

- \* Full Name Rebecca Coleman
- \* Full Address 129 Hayfield Ct Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

drbonkley@icloud.com

# \* Leave your comment here

The construction planned for Middle Sound Loop would have a severe negative impact on the residents here. Traffic at the traffic circle/elementary school is perilous and accidents are not infrequent. During the school year there are many elementary school students & parents walking in groups to and from school and many cars lined up to pick up children in the afternoon. The traffic going in & out of the Publix store has dramatically impacted the area in a negative way as Market street is so busy and the traffic light there is so long that traffic is often backed up almost to the traffic circle. Thank you for your consideration.

- \* Full Name Natalie Collins
- \* Full Address 940 Baldwin Park Drive Wilmington Nc 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

natp310@yahoo.com

# \* Leave your comment here

I am writing in regarding the units being built off Middlesound Loop Road. I cannot even image the gridlock this will cause. Currently we sit at that light for 5 good minutes before we can move. Ogden Elementary right down the road has lots of car volume 5 days a week as well as very full classrooms that could not withstand the amount of children that these units would have. I do not think this is the best plan for this land. The area is way too crowded as is. Thank you

- \* Full Name Lynn Collins
- \* Full Address 1117 Harborside court Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

djrcollins@comcast.net

## \* Leave your comment here

Traffic is extremely congested at that intersection and multi units added to that intersection where Publix parking lot is entered and exited is dangerous! There are few ways to exit or enter Middlesound Loop Road. Evacuations for hurricanes would be impossible.

- \* Full Name Cathleen Coneghen
- \* Full Address 7219 Twin Ash Court Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

\*\*SKIPPED\*\*

# \* Leave your comment here

I have great concern about the high density rezone request on Middlesound loop road. There is already severe congestion in the area at the light at Market St. without the inclusion of a multifamily housing development. We have one way in and out of our community and as it stands now, it can take several light cycles to get onto Market street with the traffic of current residents. Adding a multifamily development, especially at that location so close to the light, would have a negative impact on this already high traffic area and community.

- \* Full Name Krista Cotton
- \* Full Address 7100 Northbend Rd Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

kristacotton@hotmail.com

## \* Leave your comment here

Please no more development of Middlesound!! Traffic is horrendous as it is, at least wait 10 years or allow a smaller unit

- \* Full Name Valerie Crandall
- \* Full Address 233 Derry Court

Wilmington NC 28411-9594 US

\* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

### Email

vkjc3@ec.rr.com

## $^{\ast} \ \text{Leave your comment here} \\$

Please do not approve this, middle sound loop road does not have the bandwidth to handle more traffic and congestion. The middlesound/market street light stays full of cars and takes forever to get through as it is. Not to mention additional issues with flooding and drainage issues that could be caused by a large development like this

- \* Full Name Nick Creidler
- \* Full Address 500 Wendover Ct Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

\*\*SKIPPED\*\*

## \* Leave your comment here

High density residential zoning does not belong on Middle Sound Loop Road (MSL). Additionally The intersection at Market and MSL is becoming very busy with the outflow from the Publix Shopping center turning on to MSL. There is high potential for left turning vehicles trying to get in to this new development to back up traffic all the way to the Market Street intersection without a designated turn lane. MSL is already seeing influx in traffic with new residential neighborhoods currently under construction. MSL Road is the main route for traffic to get to Market Street and the planned High Density development will significantly impact the traffic in this already busy section of the road.

- \* Full Name Sarah De Vries
- \* Full Address 2010 Trinity Ave Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

sarah.wright.devriess@gmail.com

## \* Leave your comment here

We have major traffic issues on Middle Sound Loop Rd. Our main access road to housing is a one way on, one way off 2-Lane Rd. with Ogden Elementary School arrivals and departures every weekday through the school years. The residents of Middle Sound have requested road widening. Also requested a Multi-Use Trail for the entirety of the Loop to allow for Bike & Pedestrian traffic. We've had no answer since 2013 as to when this project might occur. Until we have some form of traffic relief, we can not allow any further developments in Middle Sound.

- \* Full Name Annette Deffenbaugh
- \* Full Address 105 Stonehead Court Wilmington North Carolina 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

mdeffenbaugh@ec.rr.com

## \* Leave your comment here

My family is opposed to the higher density community proposed for middle sound loop road. This does not make sense for this area given the nature of middle sound loop road which has one way in and one way out ( other than through side streets in residential neighborhoods). The traffic is already significant given the new Publix and shopping center, shops across market street, and of course the heavy traffic to the elementary school, and other residential neighborhoods. A higher density, high building project is absolutely not appropriate and not what the community supports. Given middle sound loop is surrounded by water, it is essential to consider the type of development being built. There is an abundance of wildlife especially given the proximity to water. Higher density will add excessive traffic in an already high traffic area, with no alternative route other than through already overburdened roads in residential neighborhoods.

- \* Full Name John DeGenito
- \* Full Address 217 Bloomington Lane Wilmington NC 28411 New Hanover
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

jdegenito@msn.com

## \* Leave your comment here

This project is not appropriate for this busy area especially with the addition of the public shopping center. This is the same street that feeds an elementary school which is already overcrowded filled with pedestrian and car accidents. This building also sits back right up against a residential neighborhood and these large buildings will be seen from residence on Wendover and Bloomington Lane. This will be a dangerous entrance and exit for an elderly population coming to visit relatives and friends as this feeder road to market street is one of the busiest streets in the middle sound loop area. Please reconsider this project not appropriate for the given neighborhood.

- \* Full Name Terrielynn Depew
- \* Full Address 2519 Middle Sound Loop Rd. Wilmington Nc 28411 United States of America
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

terrielynn\_baldwin@hotmail.com

# \* Leave your comment here

This development is going to make Middle Sound's main exit to Market Street more of a nightmare than it is today. We don't need more cars on this part of the road especially since it is right near the stop light! Please do not annex.

- \* Full Name Henry Depew
- \* Full Address 2512 middle sound loop road Wilmington North Carolina 28203 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

hankdepew@aol.com

# \* Leave your comment here

Prefer this project not get annexed into city. Was approved in county and appears developer just trying to get more tax breaks and incentives. This is an area that already has the longest light in new Hanover county and backs up to the school frequently (twice this week for me). If project can't stand on own and needs city incentives to make work tells me not a great project

- \* Full Name Brenden Donovan
- \* Full Address 1024 Baldwin Park Dr Wilmington NC 28411 US
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

brendendonovn@gmail.com

# \* Leave your comment here

This area is way too congested already and the small roads cannot handle this much traffic. I am all about growth but this area cannot handle that much additional traffic.

- \* Full Name Stephanie Doubek
- \* Full Address 6626 Newbury Way 0 NC Wilmington New Hanover
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

stephdoubek@gmail.com

# \* Leave your comment here

Too much traffic and gridlock on Gordon and Market. Please stop until we can actually leave the neighborhood!

- \* Full Name Vicki Dowdy
- \* Full Address 7947 Placid Drive Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

vhdowdy@hotmail.com

## \* Leave your comment here

No further housing development in Ogden area. Roads far from adequate now.

- \* Full Name Christopher Duflo
- \* Full Address 7209 Albacore Way Wilmington NORTH CAROLINA 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

chris.duflo@gmail.com

# \* Leave your comment here

The infrastructure of this area cannot support a high-density residential building, there are other areas in the region better suited for this development.

- \* Full Name cindy dunigan
- \* Full Address 129 Bump Along Road Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

weepingwilowe@gmail.com

# \* Leave your comment here

I live very close to this intersection. Market/Middle sound loop is the most congested and busiest intersection in the county. It is always bumper to bumper. This kind of high density housing is not affordable nor is there public transportation. The added volume of traffic added to an already over crowded situation is not what we need. I vote NO to this annexation.

- \* Full Name Elisabeth Dunn
- \* Full Address 1608 Middle Sound Loop Rd Wilmington NC 28411 Usa
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

libbydunn721@gmail.com

# \* Leave your comment here

This sounds awful. No annexation! We do not need substantially more traffic on Middle Sound Loop Road.

- \* Full Name Michael Dwyer
- \* Full Address 7215 Haven Way Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

\*\*SKIPPED\*\*

### \* Leave your comment here

I disagree with the re-zoning of this property. Homeowners, like myself, have purchased homes in this area for a reason. Which there are plenty of reasonable, unbiased to any party, reasons! If I wanted to live in Downtown I would have purchased there. I like DT but this is where I call home and find peace and relaxation. It does not fit with the vibe of the neighborhood. Market street and MSL is already too busy. The area is developing to fast for the infrastructure to support. Too fast, too soon; this would be very bad planning if accepted and would disregard the members of this community that have spent their time, money, and efforts to maintain and call home. After all, when you lose us, what do you have?? I am not against development, but this is clearly a push in the wrong direction.

- \* Full Name Diana Ells
- \* Full Address 1112 Baldwin Park Drive Wilmington North Carolina 28411 US
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

deeells@aol.com

# \* Leave your comment here

Totally against more building here. Very concerned about the additional traffic it will cause.

- \* Full Name Kelly Ezzell
- \* Full Address 1021 anchors bend way Wilmington NV 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

kellygezzell@gmail.com

### \* Leave your comment here

As residents of Middle Sound Loop Rd, we are writing to you in complete opposition of this proposal. Although I am in support of our seniors having easy access to a grocery store, this is not the location for a multi unit development. Traffic already poses a significant safety issue at this intersection and increasing flow will only perpetuate the problem making it even less accessible to walkers and bikers. We are prideful of the beauty that surrounds us on MSL. Unfortunately, this proposal, along with the latest developments of car washes and oil change places, continues to push this part of Market St to becoming the least attractive area of Wilmington, in our opinion. As a Charleston native, I've seen how well thought out city planning/development can boost a city's economy. Unfortunately, NHC continues to allow poor city planning and development and this is just another example. Please vote NO!

- \* Full Name Tom Favor
- \* Full Address 6721 Falcon Pointe Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

tpfavor@gmail.com

# \* Leave your comment here

There has to be some consideration of community wants and needs. We do not need more cars on the road especially on middle sound loop rd. Don't tax paying resident have a say? Middle sound loop is a community of single family homes. We don't want high density housing complexes in our neighborhood. Please vote no on this rezoning proposal.

- \* Full Name Marie Feith
- \* Full Address 349 Trelawney Court Wilmington NC 28411 US
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

pass7ilm@yahoo.com

## \* Leave your comment here

I'm opposed to the new, increased developers request on Middle Sound Loop Road. The original request was acceptable & didn't include annexation. Thank you for taking my input into consideration.

- \* Full Name Stephanie Finley
- \* Full Address 8208 Lantana Ln X Wilmington NC 28411
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

sfinley369@gmail.com

# \* Leave your comment here

Hello. I strongly oppose this zoning change as it will increase density in an area where there are currently huge problems with the current infrastructure, aka market street. It is very irresponsible for the City to keep approving zoning changes that increase density in this area. The mayor keeps saying it will help with tax revenue. However, I am a CPA and have done extensive research on state and local taxes. There are much better ways to increase tax revenue and be good stewards of our resources without doing these things that our infrastructure cannot handle.

- \* Full Name Kevin Foley
- \* Full Address 7913 Bonaventure Drive Wilmington North Carolina 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

kevinpatrickfoley@gmail.com

### $^{st}$ Leave your comment here

I'm not against the high density living areas, we could use more homes for people here, but this spot is bad when there is already a traffic issue at this intersection. If you put it on the other side of Market and have more than one way in or out of the neighborhood, then fine. Market backs up both ways at Middle Sound Loop at all hours, not just rush hour. There's too many people coming and going from Middle Sound Loop that only have that one exit (and sometimes Covil farms, but that is the opposite direction for most. If you build this, in 5-10 years, people are going to want an overpass there. You're undoing the traffic relief that is currently ongoing on Market and the surrounding areas.

- \* Full Name James Gautreau
- \* Full Address 608 Countryside Ln Wilmington NC 28411 New Hanover
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

jgautreau@me.com

# \* Leave your comment here

Please do not allow for more building which leads to an already over burdened infrastructure. The roadways are not designed for it currently. Possibly make road improvements prior to building?

- \* Full Name ROSA LEE GAY
- \* Full Address 6707 FALCON POINTE ROAD WILMINGTON NORTH CAROLINA 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

lenandrosie@bellsouth.net

### \* Leave your comment here

As a resident of Middle Sound Loop area since 1977, I have seen several areas developed that have been very nice, some not so nice. I feel that the plan for this parcel at 205, 209, 213 and 217 is not in the best interest of our community! The intersection at MSL Road and Market Street has the longest stoplight in the county. Our school is already overcrowded. Our roads are in dire need of repair in many areas. Traffic around the Ogden Elementary School is a disaster waiting to happen in the morning and afternoon. This parcel of land is less than five acres and the plan is to put 72 apartments on it! This is overdevelopment at its worst especially at That intersection! I am not against developing the area but please do it in a way to try and keep it similar to other areas here. I love people and love to see new neighbors but not at the expense of those who Have tried so hard to develop in the right way! Please go back to the drawing board and see if there isn't a better plan! When we moved here and, by the way, my husband was a native Wilmingtonian who spent thirty years in the US Navy and we retired here, we attended several meetings at the school and the county presented a brilliant plan for Military Cutoff, Market st., and Middle Sound Loop Road similar to Cary NC! It was beautiful but somewhere along the way, those plans must have been destroyed or lost in the shuffle! Please consider going back to the original plans, if not too late, and try to preserve as much of the beauty, ambiance, safety measures, and anything else that will help preserve this jewel in our midst before it is too late! Welcome new neighbors, but protect the rights of the ones who are trying to make life easier for everyone! Thank you so much. I realize your job is not an easy one but please consider the residents when you make your decisions. Sincerely yours, Rosa Lee Gay 6707 Falcon Pointe Road Wilmington NC 28411

- \* Full Name Kristen Gibbs
- \* Full Address 7317 Darden Rd Wilmington NC 28411 NHC
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

artsoup@hotmail.com

# \* Leave your comment here

Due to traffic and safety concerns for this neighborhood, I do not agree with the annexation for this project. Building should be responsible and as previously zoned. We are overcrowded and this is right next to the traffic light.

- \* Full Name Jason Gillikin
- \* Full Address 7013 Chewning street Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

jasongillikin@yahoo.com

# \* Leave your comment here

How are you going to manage traffic? The light is already backed up,. And adding 72 units is irresponsible and dangerous. Please consider everyone who lives on this road and who has filled out this form

- \* Full Name Alexander Glass
- \* Full Address 7206 Albacore Way Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

alexdglass@gmail.com

### \* Leave your comment here

The petition goes to the Wilmington planning commission to oppose the rezoning of middlesound loop land to construct a 72 home senior housing development. This proposal will further endanger the many children that travel on this road to and from school by adding additional traffic in an already congested part of middle sound loop road. It will severely hinder egress into and even more so out of middle sound loop road; whereas, traffic exiting the road at the development's juncture already takes 5-10 min to make it through the traffic light. It also imposes directly on the backyard line of sight to residents of neighborhood pages corner. There will be a direct line of sight to the development and a major concern of hurting property values when the backyard view changes from a tree line to 72 condos. Please help us oppose this rezoning and construction. It was proposed once before less than a decade ago in middle sound and was turned down for reasons adverse to the community. This attempt should be no different.

- \* Full Name Christy Griffith
- \* Full Address 1104 Traditional Lane Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

cdwgriffith@gmail.com

## \* Leave your comment here

I would strongly urge you to reconsider the decision proposed for Middle Sound Loop Road. With already high congestion that interferes with residents and the elementary school this new proposal only brings more danger and inconvenience to our area that we love so much. This is our home and we do not want an annexed facility causing more congestion and danger for our families. Thank you

- \* Full Name Garrett Grove
- \* Full Address 618 tree swallow INe Wilmington Nc 28412 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

\*\*SKIPPED\*\*

# \* Leave your comment here

The intersections in this areas as well as the traffic from the school down middle sound are already a disaster. Adding additional traffic in this area is going to destroy and already incapable traffic plan.

- \* Full Name ann gunn
- \* Full Address 1208 Anchors Bend Way Wilmington NC 28411 US
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

ann@nestrealty.com

# \* Leave your comment here

I beg you for our safety and our childrens safety, please don't allow unit after unit to be built on an already congested intersection and section of Middle Sound Loop. There is plenty of land further out where the space and traffic are manageable. Please use that space as green space or single family homes or even business.

- \* Full Name Amanda Hagwood
- \* Full Address 1213 Traditional Ln Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

adrh8835@gmail.com

# \* Leave your comment here

This is going to cause severe congestion in this area, as there is one way in and out to this area. This area is already over congested with development continuing. A condo building will cause significant increase in traffic.

- \* Full Name William Helton
- \* Full Address 2626 Middle Sound Loop Rd Wilmington North Carolina 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

WCHELTON@BELLSOUTH.NET

# \* Leave your comment here

Please do not approve this re-zoning. We already have way too much traffic on Middle Sound Loop Rd as it is.

- \* Full Name Kyle Hensley
- \* Full Address 613 Tree Frog Ct Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

ptkyle2@yahoo.com

# \* Leave your comment here

To the Planning Commission, I'm writing to voice my concern in opposition to additional building on middle sound loop. The area has become very congested and overcrowded making every day traffic difficult to contend with and navigate. Thanks for your consideration on this matter.

- \* Full Name Becky M Hines
- \* Full Address 6607 Red Cedar Rd Wilmington NORTH CAROLINA 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

bmh1030@aol.com

### \* Leave your comment here

I appreciate the opportunity to express my concerns about the above issue. We built our house in 1995 and for the most part have enjoyed this area. When we built, Red Cedar Road was not connected to Covil Farm Road. It was not used as a cut-through to Military Cutoff Road. Then....it was decided to open it up, and is now a busy, speeding cut-through. We have had to learn to deal with this. Please don't force us to have to deal with even more chaos! Why ruin our subdivisions by putting in such a development as the one you will be voting on?? I have nothing against helping senior citizens on fixed incomes, as I am also one. Seniors deserve to have a nice place to live. There must be somewhere else in the City that this project could be built. Just because the Mayor and others want more tax income for the COW is no reason to interfere with the lives of those of us who have worked hard for what we now have and would like to keep. This development would change our community and what peace we have left. Thank you, and I encourage you to say "NO" on this project and rezoning,

- \* Full Name JOHN HINSHAW
- \* Full Address 6612 CARMEL TRL WILMINGTON NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

skip.hinshaw@gmail.com

# \* Leave your comment here

Please do not approve this high density complex which can only add to the traffic on middle Sound Loop, especially near the Market Street intersection. Traffic already backs up from Market to Ogden Elementary in the morning .

- \* Full Name Gail Hogan
- \* Full Address 7309 Denly Court Wiomington Nc 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

\*\*SKIPPED\*\*

## \* Leave your comment here

Taxpayer and resident of Middle Sound Loop area here. I am extremely concerned to learn that the proposed development of 70-72 senior housing units off MSL road, has been now changed to a request to be zoned for Workforce housing. Will this Workforce all be 55 years old and older? This is clear to me that a workaround is under way, to get this developer a city funded grant to build something that will severely impact our roads and not furnish the senior housing that was promised. Think about the advantages of providing this senior development - less trips using MSL road; close proximity to the Publix market for it's residents; and no impact on the local Ogden Elementary school capacity. Please approve this planning request for Senior housing only, as it was first submitted.

- \* Full Name James Y
- \* Full Address Neighborhood off middle sound loop rd. Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

\*\*SKIPPED\*\*

## \* Leave your comment here

Traffic from market to Middle Sound Loop Rd. Is already one of the most congested areas of Wilmington. Adding 72 more homes to this already high-traffic area is a recipe for disaster. Please do not rezone this area and add to the preexisting problem.

- \* Full Name Kara Morris Cain (Jarboe)
- \* Full Address 208 Cannon Rd Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

karajarboe@msn.com

## \* Leave your comment here

The proposed annexation of the middle sound property is for the sole purpose of putting high density building without supporting the infrastructure needed to support this area. Voluntary annexation by developers is a loop hole and work around from what the community wants and only ebenfots the developers. Please show that you have the interest of the public at heart and not only the developers.

- \* Full Name Lillian Jenkins
- \* Full Address 2516 Middle Sound Loop Rd Wilmington North Carolina 28411 New Hanover
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

lsulliva51@gnail.com

# \* Leave your comment here

Too much traffic near school and beyond to market street. Too many cars coming thru there. No more building.

- \* Full Name Caitlin Jett
- \* Full Address 1005 Baldwin Park Dr Wilmington NC 28411 US
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

caitlinp77@gmail.com

## \* Leave your comment here

Not a good location! Competing traffic with a high volume schools, children and infrastructure that will not support a cohesive traffic flow. Already, traffic is a huge issue.

- \* Full Name Toni Johnson
- \* Full Address 1041 Baldwin Park Drive Wilmington NC 28411 US
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

Taschmitt22@gmail.com

# \* Leave your comment here

70+ units being added to Middle a sound Loop Road would be a huge detriment to our community. The traffic near the elementary school is already congested and if 70+ more vehicles were added to the mix it would be a safety hazard. We hope that this project is not supported and our community maintains the way it currently stands.

- \* Full Name Meredith Jones
- \* Full Address 7009 Northbend Rd Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

mjones4303@gmail.com

# \* Leave your comment here

This will be a nightmare for our community in addition to the additional traffic so close to the school traffic. We cannot handle the traffic load there.

- \* Full Name Sharon Jones
- \* Full Address 6706 Barren Inlet Rd Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

scj401@hotmail.com

# \* Leave your comment here

As a resident of Middle Sound for the past 38 years, I have witnessed many positive changes to our neighborhood. Unfortunately, adding a 72 unit condo community will not have a positive effect on the traffic problem that already exists. I am opposed to approving increasing the zoning density due to the existing traffic problems on a Middle Sound Road. Please vote no. Our community cannot sustain this density at such a crucial exit and entrance to the Loop. This will negatively impact thousands of residents.

- \* Full Name Donna Kaiser
- \* Full Address 118 west brandywine circle Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

cdkaiser83@aol.com

# \* Leave your comment here

I have sadly come to the conclusion that most elected officials aren't interested in feed back or what their constituents need but here it goes: We absolutely do not need that kind of building project going up at what is essentially one of 2 ways to get in and out of a community that literally has 100s of commuters all ready. If you live here, you know this to be true and if you live else where in the county please take our wofor it! it!

- \* Full Name Sarah Kiefer
- \* Full Address 319 Whisper Park Drive Ogden North Carolina 28411 Us
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

wilamom@aol.com

### \* Leave your comment here

Middle Sound Loop Rd was originally and is currently zoned for single family residential use. It appears that the county does want to spend money to service the people who live out here and they are willing to sign it over to the city of Wilmington. Wilmington wants it only for the tax revenue it will help to create for the city. So, now that the county is allowing the city to take over this property and develop it the way they want, multi dwelling housing, which goes against the original and current zoning regulations. This allows the city to tax the dwellings that will be built. There is no thought of the traffic bottle neck this creates on Middle Loop Road. Nor, is there any respect for the residents that moved onto Middle Sound Loop Rd to escape the city traffic and live a quiet country like lifestyle. I am appalled that decisions can be made without any conscience or concern for the residents that have lived on Middle Sound Loop Road for years. It seems like the powers that are in control want the almighty dollar and call it progress! This is nothing but a land grab for the greedy. I am sick and tired of greedy politicians and developers! Sarah Kiefer

- \* Full Name Guia King
- \* Full Address 1214 Traditional Lane Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

guiabase@gmail.com

# \* Leave your comment here

Good morning, I am writing regarding my concerns about the rezoning in middle sound loop. I am a resident and everyday we experience more and more traffic, this rezoning is going to bring so much traffic to our area and with the longest stop light in new hanover county is going to be absolutely crazy. NO rezoning and NO townhomes the city is completely destroying middle sound loop. Thank you

- \* Full Name Suzanne King
- \* Full Address 7411 Anaca pointe road Wilmington North carolina 28411 Usa
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

kingsuzanne248@gmail.com

# \* Leave your comment here

I am concerned about a high density development on Middle sound because of the traffic at the stop light leaving the sound .. it already backs up with many cars .. please do not approve this high density development ,,or annex it ... Thank You Suzanne King

- \* Full Name Maggie Kroeker
- \* Full Address 3103 Dever Court Wilmington North Carolina 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

msakroeker@gmail.com

# \* Leave your comment here

I love the quiet and solitude of the Middle Sound area. We are already inundated with too much traffic for our little loop. Adding more homes to an area that cannot support the traffic is not smart and with the use of the loop is dangerous. The area does not need or have the means to support additional housing and this area could be used much more effectively for other means. Please deny this request and keep Middle Sound livable.

- \* Full Name Jamie Lanzi
- \* Full Address 3210 Graylyn Terrace Wilmington NC 28411 US
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

jdblanzi@gmail.com

### \* Leave your comment here

Hello, I have lived off Middle Sound Loop Road for over 25 years. This is a wonderful community but we do not have the infrastructure to handle more high density development. Roads and bike paths are what need to be developed first before anymore high density development. Our Roads cannot handle the stress they are under now. Try coming into this area from 7:30-9:00am or 4:00-6:00pm. I refuse to leave my home at these times. I am fortunate that I do not need to but it is not fair to younger families and working individuals. Stop lining your pockets and think of the greater good. I was almost killed in 2016 riding my bike around the loop. This type of disregard for the people that have helped make New Hanover County and Wilmington a wonderful community is tragic. Please try thinking of others. Great development can happen but you must think about more than the financial aspect. Do your homework check out successful growth areas around the US and abroad. Sincerely Jamie Lanzi

- \* Full Name Teresa Laraia
- \* Full Address 307 Pioneer Ct Wilmington North Carolina 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

helaweez@aol.com

### \* Leave your comment here

Those of you who do not live on the loop do not, I repeat, do not have to deal with daily traffic! I live in Gorman Plantation. I have almost been hit twice in the last month on Red Cedar just trying to get out of my road because of traffic. It's even harder to get out onto Middlesound from Red Cedar. The traffic is so awful that it's not unheard of to sit 5 ish mins just to turn left heading toward Market Street. The cut through traffic through Gorman is atrocious. People speed like crazy and have no courtesy toward those of us who live here. Adding another development to an already stressed traffic pattern is insane. I would respectfully ask this development be denied. Fix the issues we have currently before adding another layer of problems. As a side note seems like it's all about money, grease the palms and anything can go through- "go to city to annex". I understand that we are growing but not every green space has to be turned into a concrete jungle. I again respectfully request this be denied until other problem are addressed first!!! Peace

- \* Full Name amy layton
- \* Full Address 501 Emerson Pt Wilmington NC 28411-7152 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

amyshannonlayton@gmail.com

## \* Leave your comment here

I oppose the proposed zone change on Middle Sound Loop Rd which would allow for a 72-unit multi-family senior housing development. This development would be very close to the intersection of Middle Sound Loop Rd and busy Market St. As residents of this area know, there is already a lot of traffic on this one way in and out road. The addition of 72+ vehicles would only compound that traffic. There are additional concerns such as environmental impact, storm water drainage, and safety of children who walk or bike to and from school. Please say NO to rezoning for condos on Middle Sound.

- \* Full Name Kim Little Little
- \* Full Address 1008 Baldwin Park Drive Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

krlittle321@gmail.com

## \* Leave your comment here

I have great concerns about this proposal. This area is already over populated, traffic is extremely heavy, the stop light at the middle sound loop and market street road is dangerous. The added population will only bring down the quality of life for residents on the loop as well as surrounding areas, increase school population in an already over populated school, and cause a safety concern for parents and kids in the carpool line and those who walk or ride bikes to school, continue to cause the roads to deteriorate further. Please consider all these concerns before approval a plan that does not benefit our community.

- \* Full Name Philip LiVolsi
- \* Full Address 7314 Courtney Pines Road Wilmington North Carolina 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

pllivolsi@aol.com

### \* Leave your comment here

I am extremely concerned and do not agree with an out of town developer requesting that the City Of Wilmington annex a portion of Middle Sound Loop Rd. to increase zoning density to accommodate a 72 unit condo community. I am a long time resident of the community who has been living in the Wilmington area for over 27 years and have seen explosive growth within the Ogden area. I have relocated twice as a result of annexation and selected my current location (Ogden) since it is within the county and not within the city limits. We are now experiencing tremendous growth in this area, which has affected the safety of residents, high traffic concerns spilling into neighborhoods, additional crime and increased taxes, which many cannot afford and will be forced to relocate from their homes as a result. Further development of such a large Condo Community will undoubtedly magnify these issues and concerns even further. I am vehemently opposed to the proposed annexation by the City of Wilmington of this area and respectfully request the City Officials to reconsider and reject such a proposal. Thank you for your consideration.

- \* Full Name Patrick Looney
- \* Full Address 6309 Timber CreekLn Wilmington NC 28411 US
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

p8looney@gmail.com

# \* Leave your comment here

Please do not annex this property and build senior apartments/condos. Middle Sound Loop already has too much traffic constricted by the light at MSL and Market. This will cause more traffic. Please stop.

- \* Full Name Angela Marlowe
- \* Full Address 126 Ludlow dr. Wilmington Nc 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

Chrissimarlowe@gmail.com

# \* Leave your comment here

Good morning, if doing this it's going to have a huge impact on our area. Traffic around the sound is horrific especially during school hours. And also the traffic light which was rated a bad score as is. My entire family and friends do not want this to happen. Why build more when you haven't fixed the traffic problem on middle sound. Also by building anymore with out fixing the problem puts our children in danger with more backed up traffic. Please don't do this

- \* Full Name Kelly Best Mathis
- \* Full Address Kelly Mathis 105 Robert Stephenson Drive Na Wilmington 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

#### **Emai**

kelseythecow@gmail.com

### \* Leave your comment here

We already have a huge traffic problem. The traffic circle is a joke. I grew up in Middle Sound . I've seen all the terrible changes over the years. It's no longer that peaceful coastal community. Very sad

- \* Full Name Michael Mays
- \* Full Address 7409 Songbird Ct Wilmington NC 28411 United States of America
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

\*\*SKIPPED\*\*

# $^{\ast} \ {\bf Leave} \ {\bf your} \ {\bf comment} \ {\bf here}$

Seriously? Middlesound Loop has way too many cars on it as it currently stands. We do not beed to add even more. The roads cannot handle it. It is hard enough to get to Market Street each time. Let's not add more cars and traffic to this road.

- \* Full Name Lisa McCauley
- \* Full Address 1124 Baldwin Park Drive Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

amcc34@comcast.net

# \* Leave your comment here

This development will put unneeded traffic on MSL. It is already backed up from the school and outgoing traffic. Why do we need more multi-unit buildings in an already crowded area? Please reconsider to not allow this unwanted development from coming to fruition.

- \* Full Name Tracy McCormick
- \* Full Address 7221 Haven Way Wilmington NC 28411 New Hanover
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

tracymcc82@gmail.com

# \* Leave your comment here

I hope you seriously re-consider this build. Our community can NOT handle this type of traffic!! Please me mindful of this and not just run towards the money. I urge you to listen to the community!!!

- \* Full Name Tristan McKenna
- \* Full Address 1524 Middle Sound Loop Rd Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

\*\*SKIPPED\*\*

# \* Leave your comment here

Proposed elder community is too large and presents a burden to the already overtaxed local intersection. Low density residential that does not place undue burden on local roads, utilities is acceptable. Allowing high density community changes the local area significantly and us consistently been declined by the community at large. I am at a loss to understand any way this can be a benefit to our local middle sound loop, ogden or county.

- \* Full Name DJ MEDEIROS
- \* Full Address 119 CANNON RD Wilmington Nc 28411 Us
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

dj.medeiros999@gmail.com

# \* Leave your comment here

Wholeheartedly against this project due to traffic impacts

- \* Full Name Wendy Mercer
- \* Full Address 1916 Bailey Avenue Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

dancin4yeshua@gmail.com

# \* Leave your comment here

I live in Middles Sound road and I strongly oppose this! Thanks

- \* Full Name Ashley Miller
- \* Full Address 1928 Baldwin Park Drive Wilmington NC 28411 Usa
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

ashleylevans@aol.com

# \* Leave your comment here

Opposed to this development of this complex. There is a LOT of traffic on Middle Sound Loop road as it is, nor can the school or current road infrastructure handle this increase. NO TO THIS DEVELOPMENT. Keep our MSL community as it is.

- \* Full Name Ed Mondello
- \* Full Address 1815 register In Wilmington Nc 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

edmondello@yahoo.com

# \* Leave your comment here

This project does not fit the area and surrounding infrastructure. The City of Wilmington sound not change building codes set by the county, the county set those zones for conformity to meet area needs. This project should not be granted exception

- \* Full Name Cindi Moore
- \* Full Address 828 Royal Bonnet Drive Wilmington NC 28405 US
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

cindibeach@ec.rr.com

# \* Leave your comment here

I am writing to express my opposition to the annexation of a portion of Middle Sound Loop Road to increase zoning density. This is an area like most of Wilmington that suffers from traffic issues due to poor planning and the rubber stamping of ongoing development.

- \* Full Name Esther Murphy
- \* Full Address 7235 Darden Rd. Apt. 127 Wilmington NC 28411 New Hanover
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

edm1958@gmail.com

# \* Leave your comment here

This section of Middle Sound Loop Road is already too dangerous. This neighborhood cannot sustain this type of development. Annexing this development into City Limits is an anathema to the Middle Sound Loop Road ideal as described in the plan which takes precedent over any invasive development maneuvers.

- \* Full Name Esther Murphy
- \* Full Address 7235 Darden Rd. Apt. 127 Wilmington NC 28411 New Hanover
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

edm1958@gmail.com

# \* Leave your comment here

The traffic in this section of Middle Sound Loop Road is already too dangerous. Annexation into City Limits is an anathema to our pastoral

- \* Full Name Heather musselwhite
- \* Full Address 1712 Field View Rd Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

dmusselwhite@ec.rr.com

## \* Leave your comment here

The traffic on Middle Sound Loop is ridiculous, and adding more residents would just exacerbate an already existing problem. Find a fix for the traffic before you entertain any development that size.

- \* Full Name William Nesbitt
- \* Full Address 7411 Richfield Ct Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

slcabinets@aol.com

### \* Leave your comment here

It is truly disappointing that you are considering a high density living situation on Middle Sound Loop Rd. I strongly oppose this development & the idea that the City would annex this parcel. I oppose for a number of reasons, the developer got a rezone approval 2 years ago for medium density. Now, in addition to seeking annexation, they are seeking another rezone for higher density than previously approved. This development is going to sit a couple hundred feet from the major traffic light with only one way in and out of the senior development. Making a very dangerous situation for turns in and out. The traffic light all ready backs up as far as to the point of this site, an elementary school nearby and now more??? It's all just ridiculous and asking for trouble. The next issue is stormwater runoff which is going to make flooding of roads in the Wendover North sub-division even worse then it is now. Please don't allow high density in our small neighborhood & say no to city annexation, postage stamp annexation is a tax grab for the city & will provide no benefit to those residents! Just say no to more city greed.

- \* Full Name Jillian Newberg
- \* Full Address 7218 Albacore Way Wilmington North Carolina 28411 United States
- \* Select the item you're commenting on here Other

Jillian.mugno@gmail.com

### \* Leave your comment here

Hello, This is regarding case #: CD-24-522. We received notice in the mail regarding this project and I strong-fully disagree with this plan. After looking over the plans, our house would be roughly around 100 ft from the plans. I have a young family, and would certainly not like to be overlooked by condos on my property from my backyard. Another main and important reason this is not a good idea would be the traffic this will cause. One way in and out of Middle Sound Loop is already a nightmare, adding 72 cars to this will not help. It also makes it less safe for kids at the elementary school to walk and cross the street. I. unfortunately, am unable to make the upcoming meeting on 5/4, but I know my neighbors and others will be there to fight this case. I hope this message can truly help in some way and be read for the safety of others and how this would be a true utter inconvenience. I hope to make it to the next scheduled meeting. Thank you for your time, Jillian Newberg

- \* Full Name Angela OHare
- \* Full Address 1208 Tremont ct Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

ohare4ts@hotmail.com

# \* Leave your comment here

That area is a traffic nightmare already! The road is narrow and theres a light right there that is already always backed up. It would be insane to add new traffic to that street. Plus there is a lot of wildlife that has nowhere else left to go.....

- \* Full Name Sharon Osward
- \* Full Address 6571 Pinecliff Drive NE Lrland NC 28451 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

sosward.67@gmail.com

## \* Leave your comment here

 $\ensuremath{\mathrm{I}}$  am against this proposal of the Annexation of this area, for their Reasoning for doing so!

- \* Full Name Barbara Ott
- \* Full Address 315 Whisper Park Drive Wilmington North Carolina 2841-USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

pbott2017@att.net

# \* Leave your comment here

Please vote 'no' on the Middle Sound Loop condo project. We have serious traffic issues in this area and this project would worse. That situation. Our elementary school is overcrowded. No interest in being considered part of the City of Wilmington. More cost for no services.

- \* Full Name Linda Padezanin
- \* Full Address 1204 tremont ct Wilmington NC 28411 Usa
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

padezanin@bellsouth.net

## \* Leave your comment here

I oppose any further development in middle sound loop road area. The congestion on that road, with the light at the intersection of middle sound loop at market(17) is overwhelmed now. We do not need any further development in that area, and for that fact any part of Wilmington. You have turned what was once a small community into a metropolitan area. We are losing green space and with further building, flooding will be a major issue. There is no place for the water to go. How about forcing builders to buy the vacant properties across the county. Sure you can't make them buy a certain property, but you can certainly curtail them from building new ones! Wake up!

- \* Full Name Linda Padgett
- \* Full Address 1520 Middle Sound Loop Road Wilmington NC 28411-7810 New Hanover
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

lindabp3dz@outlook.com

# \* Leave your comment here

Please deny this development. We have had way too much growth and need some relief, from over development.

- \* Full Name Worth Parker
- \* Full Address 6940 Runningbrook Ter Wilmington NC 28411 US
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

russellworthparker@icloud.com

# \* Leave your comment here

I adamantly oppose the proposed request to put condominiums at this location. Middle Sound Loop already has the worst traffic situation in a county characterized by horrific traffic. I opposed the variance requested on the parcel at the traffic circle by Ogden Elementary school even though a neighbor sought it, and I oppose this out of town effort even more strongly.

- \* Full Name Christine Parker
- \* Full Address 114 Robert Stevenson Drive Wilmington North Carolina 28411 New Hanover
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

csokolofsky@yahoo.com

## \* Leave your comment here

I DO NOT want to be annexed into the city! My understanding is that the city cannot just annex properties unless a majority of the residents agree to it. The developer building the senior center needs to keep.the volume of units down. Way too much development on MSL. Also the planning board should INSIST that every developer puts in a section of bike path that is the length of their development. That should ALWAYS be done! Please listen to the citizens who live in the MSL area. We live on an island with water ways that are essential to our ecosystem. In this Era of climate change, we really need to respect the natural environment!

- \* Full Name Eric Partin
- \* Full Address 7214 Albacore Way Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

\*\*SKIPPED\*\*

## \* Leave your comment here

The decision to rezone and move forward with a 72 unit condo complex is a huge oversight from the county planning committee. The traffic at middle sound and market intersection is already a major problem. Vehicles back up past Gordon Rd currently and adding 72-144 vehicles within mere feet of the intersection is going to cause huge problems that affect everyone who travels on market. The city doubled the turn lanes and expanded the intersection already to overcome the traffic, this will negate all efforts made thus far to ease our growing infrastructure problem. This center will destroy wildlife homes where we currently see hawks, owls, threatened woodpeckers, and even a river otter. From the perspective of a senior citizen the plan is horrible since the lot is so close to market street , residents will be subjected to terrible road noise and cover band concerts from the adjacent bars. The proposed senior condos are on a blind curve where people frequently speed and this poses a serious danger for residents and drivers. There is no way that residents of the proposed condos will be able to cross the street by foot with that curve and setting it up with that intention is a recipe for failure. The condo will be less than a .5 mile from the elementary school that already suffers with traffic issues during pickup/drop off times. If we really are concerned with stimulating the local economy and helping seniors find affordable housing , we need to take all considerations into mind. This is a poor plan and I ask you to please vote NO on the annexation and plans for disrupting the current setup of single family homes on Middle Sound Loop.

From: Eric P
To: Planning

Subject: Item #2 May 4th City council

Date: Saturday, April 30, 2022 8:24:11 AM

## Hello,

The decision to rezone and move forward with a 72 unit condo complex is a huge oversight from the county planning committee. The traffic at middle sound and market intersection is already a major problem. Vehicles back up past Gordon Rd currently and adding 72-144 vehicles within mere feet of the intersection is going to cause huge problems that affect everyone who travels on market. The city doubled the turn lanes and expanded the intersection already to overcome the traffic, this will negate all efforts made thus far to ease our growing infrastructure problem. This center will destroy wildlife homes where we currently see hawks, owls, threatened woodpeckers, and even a river otter. From the perspective of a senior citizen the plan is horrible since the lot is so close to market street, residents will be subjected to terrible road noise and cover band concerts from the adjacent bars. The proposed senior condos are on a blind curve where people frequently speed and this poses a serious danger for residents and drivers. There is no way that residents of the proposed condos will be able to cross the street by foot with that curve and setting it up with that intention is a recipe for failure. The condo will be less than a .5 mile from the elementary school that already suffers with traffic issues during pickup/drop off times. If we really are concerned with stimulating the local economy and helping seniors find affordable housing, we need to take all considerations into mind. This is a poor plan and I ask you to please vote NO on the annexation and plans for disrupting the current setup of single family homes on Middle Sound Loop.

Thanks for your consideration,

Eric Partin Resident of Middle Sound Loop

- \* Full Name Amanda Partin
- \* Full Address 7214 Albacore Way Wilmington NC 28411 USA
- $\ensuremath{^{*}}$  Select the item you're commenting on here Other

amandahpartin@gmail.com

## $^{st}$ Leave your comment here

I am extremely concerned about the proposed 72-unit development very near the intersection of Midde Sound Loop and Market St. (205, 209, 213, 217 Middle Sound Loop Rd) This is already a very busy intersection with only one way in and one way out of the community. Adding 72+ vehicles directly in front of this busy intersection will only compound the traffic. I live in this area and already struggle with the traffic and see backups on Market St. because of it. Adding a development in this proposed area will surely create more backups on Market St. as residents will have to stop to make a left turn less than a mile away from the intersection. I urge you to reconsider the site for this development.

From: Amanda Partin
To: Planning

**Subject:** Proposed re-zoning for Development on Middle Sound Loop

**Date:** Tuesday, April 26, 2022 11:28:47 AM

I live at 7214 Albacore Way Wilmington, NC 28411. I am writing you to voice my concern over the rezoning of Middle Sound Loop. Traffic on this road with one way in and out is already hectic enough. Bringing an extra 72+ residents is going to compound the issue. The proposed location for this development is very near the already busy intersection of Middle Sound Loop Rd and Market St. Proceeding with a condominium in this particular area would surely create traffic for the residents of the community as well as add to traffic and backups on Market St. which is a key avenue for people coming in and out of Wilmington. Additionally, I'd like to point out that the proposed area falls on a slight curve which I believe would make it unsafe for drivers and pedestrians alike.

I urge you please to vote NO on the rezoning of Middle Sound Loop.

- \* Full Name Amanda Partin
- \* Full Address 7214 Albacore Way Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

amandahpartin@gmail.com

## \* Leave your comment here

I am extremely concerned about the proposed 72-unit development very near the intersection of Midde Sound Loop and Market St. This is already a very busy intersection with only one way in and one way out of the community. Adding 72+ vehicles directly in front of this busy intersection will only compound the traffic. I live in this area and already struggle with the traffic and see backups on Market St. because of it. Adding a development in this proposed area will surely create more backups on Market St. as residents will have to stop to make a left turn only .1 or .2 of a mile away from the intersection. I urge you to reconsider the site for this development.

From: Amanda Partin
To: Planning

Cc: <u>Amy W. Bradshaw; Brian Chambers; Ron Satterfield</u>

Subject: Please Vote NO to Rezoning Middle Sound
Date: Please Vote NO to Rezoning Middle Sound
Friday, April 29, 2022 7:44:03 AM

I live at 7214 Albacore Way Wilmington, NC 28411. I am writing you to voice my concern over the rezoning of Middle Sound Loop. Traffic on this road with one way in and out is already hectic enough. Bringing an extra 72+ residents is going to compound the issue. The proposed location for this development is very near the already busy intersection of Middle Sound Loop Rd and Market St. Proceeding with a condominium in this particular area would surely create traffic for the residents of the community as well as add to traffic and backups on Market St. which is a key avenue for people coming in and out of Wilmington. Additionally, I'd like to point out that the proposed area falls on a slight curve which I believe would make it unsafe for drivers and pedestrians alike.

I urge you please to vote NO on the rezoning of Middle Sound Loop.

- \* Full Name Amanda Partin
- \* Full Address 7214 Albacore Way Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

amandahpartin@gmail.com

## \* Leave your comment here

The developer claims that a variety of amenities are within walking distance and there will be less of a need for auto travel. As this is a development geared towards seniors, shouldn't the safety of these seniors be of the utmost concern? There are no crosswalks anywhere near the development (specifically leading to the Publix shopping center). There's not even a "standard" crosswalk at the intersection light. How then can these seniors cross the road safely? To assume that they will be walking to do their grocery shopping, across a busy street near the only entrance and exit to/from the Middle Sound community, seems foolish and frankly dangerous. Instead, I believe we can assume these seniors will drive their cars across the street to Publix, therefore negatively affecting the traffic (something the developer claims it will not do). Before we can create a more walkable community, shouldn't we make sure the groundwork is laid to promote this? There are no sidewalks or crosswalks anywhere near this location. And if there were, the traffic would be extremely negatively affected due to the single entrance to this community. This is why I believe this is the wrong location for rezoning for a multi-family development. A development like that needs at least two separate entrances/exits to not only accommodate traffic but also to allow emergency vehicles access to their destination in a timely manner.

From: Amanda Partin

To: <u>Amy W. Bradshaw; Brian Chambers; Ron Satterfield; Planning</u>

Subject: Safety Concerns re: Middle Sound Loop Re-zoning

**Date:** Saturday, April 30, 2022 8:47:02 AM

I'd like to address some of the developer's claims and point out why I think there was a lack of foresight during the planning stage. The developer claims that a variety of amenities are within walking distance and there will be less of a need for auto travel. There are no crosswalks anywhere near the development (specifically leading to the Publix shopping center per the developer's claims). There's not even a "standard" crosswalk at the intersection light. How then can these seniors cross the road safely? Before we can create a more walkable community, shouldn't we make sure the groundwork is laid to promote this? There are no sidewalks or crosswalks anywhere near this location. And if there were, the traffic would be extremely negatively affected due to the single entrance to this community. For a driver to stop at a crosswalk, only about .1 miles away from an extremely busy intersection (Middle Sound Loop and Market St), would create even more backups down Market St which already suffers from backed up traffic, especially during commute hours. This is one reason why I believe this is the wrong location for rezoning for a multi-family development. A development like that needs at least two separate entrances/exits to not only accommodate traffic but also to allow emergency vehicles access to their destination in a timely manner. This developer mentions the need for senior housing, but senior safety should go along with that and a development in this area would not promote safe walking nor safe access (via emergency vehicles) to these seniors due to the lack of walkability support as well as the inherent traffic it will cause. Where was the foresight for this during the planning stages?

Please consider the safety of the seniors (and all others) and vote NO to rezoning for the multi-family development on Middle Sound Loop Rd.

- \* Full Name Patty B
- \* Full Address Anchors Bend Way Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

grinnepa@gmail.com

## \* Leave your comment here

I firmly oppose the rezoning request for MiddleSound Loop. My husband and I just purchased our home 1 year ago and intentionally sought out our home on MSL due to being outside the city limits and being primarily residential single-family homes. If this rezoning request proceeds, we will look to relocate. Do not ruin a strong, safe residential neighborhood area by bringing city zoning to it. We moved out of Baltimore City 1 year ago specifically because of the damaging impacts that the city government placed on us taxpayers. Don't Baltimore MSL!

- \* Full Name Megan Pfaffenberger
- \* Full Address 1200 Tremont Ct Wilmington Nc 28411 Usa
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

megankwoj@gmail.com

# \* Leave your comment here

Our community is already facing tremendous traffic woes and safety concerns caused by explosive growth & poor planning. The intersection of Middle Sound & Market St. (Hwy 17) boasts the longest stoplight in New Hanover County and experiences traffic gridlock daily. In addition to commuters and Ogden Elementary parents, thousands of cars transit this section of highway heading north towards Hampstead & south into Wilmington. Further development is a horrible idea and needs to be stopped!

- \* Full Name PAULA Philemon
- \* Full Address 7231 Nordic Drive Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

philemonpaula@yahoo.com

## \* Leave your comment here

The Ogden/Market Street corridor is already overwhelmed with uncontrolled growth. As a resident of a neighborhood adjacent to the Middlesound Loop intersection, traffic is already extreme with inadequate traffic turn times and backlog. The proposed development on Leindire and now Middlesound Loop are not in the best interest of the community. No one wins here except the developers. Please make your decisions based on the best interest and safety of the Ogden community not special interest groups. Do the right thing...so far your track record for communities is not favorable.

- \* Full Name Devin Philipps
- \* Full Address 210 Caladan Rd Castle Hayne NC 28429 New Hanover
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

browncow57@hotmail.com

## \* Leave your comment here

I work and commute around this area almost on a daily basis, allowing developers to zone such a small area of land for apartments will only increase traffic issues and is a terrible idea. Developer money is far embeded within politics within this city and it is disappointing. The area is overdeveloped as is, more apartments are only going to cause more traffic issues since the planning in the area is so poor. Not only that, but I will no longer be able to commute to work should this happen. It already takes me 30+ minutes to get to work because of traffic issues in the area, this will only add to the issues. Should this happen, it will be evident that the people in charge of this city only care about developer money and not the people who live and work in the area, thus causing life long residents such as myself, to want to move to areas where public comments and city planning is valued.

- \* Full Name Maria Pittman
- \* Full Address 6416 Old Fort Rd Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

mvpittmannc@gmail.com

# \* Leave your comment here

Traffic and overdevelopment has become a hazard for our area! This development is not welcomed by the residents of middlesound area and those surrounding this area. Stop this now! Listen the residents of New Hanover county!

- \* Full Name Allyson Pittman
- \* Full Address 1102 Eventide Blvd. Wilmington NC 28411 US
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

apittman@ec.rr.com

# \* Leave your comment here

I have been living in this area for almost 30 years. The traffic is incredible and the amount of accidents in that area are numerous. Additional building will only create a much worse problem and a lot more havoc. In addition, the storm water drainage is a big problem already. As a real estate broker I totally support development, but not in this area.

- \* Full Name Michael Plumer
- \* Full Address 1901 Bailey Ave. Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

mplumer@outlook.com

## \* Leave your comment here

Except in the early morning, the intersection of Middle Sound Loop Rd and Market St is extremely busy. Traffic is backed up beyond the entrance/exit for Publix. This development will only add to the density of the area and increase traffic. How is this an appropriate location that will "encourage transit use & minimize traffic congestion?" Do any Commissioners live in this area and have to sit for extended time spans waiting for the light to change? So, while the Military Cutoff extension is to decrease Market St congestion, the County and City continue to approve building that will only increase congestion. Yes, you surely are looking out for the citizenry...no you're not.

- \* Full Name Justin Powell
- \* Full Address 7301 Hollister Ct Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

justin.b.powell@me.com

## $^{st}$ Leave your comment here

Add high density homes in an area that is already congested is a big mistake and hurts the quality of life for us who live in the Middle Sound area. Allowing developers who will experience none of the intended or unintended consequences of their actions to fundamentally change a community is ethically wrong and only motivated by money. Yes Wilmington has a housing issue, but force fitting more high profit builds into out of context and overly congested areas is not acting in the best interest of the local community and the people who call this area home. Please do the right thing and protect citizens from the greed of developers who don't care about their impact.

- \* Full Name Tami Procopio
- \* Full Address 1533 Maple Ridge Rd Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

tamidee07@att.net

## \* Leave your comment here

As someone who bicycles daily down Middle Sound Road I see the never ending stream of traffic on this road. The vast majority of traffic is at the intersection of Middle Sound and Market St. This road is already traveled far beyond what the road was built for. Adding more cars to this road is an awful idea. Not only is it dangerous but it's unfair to the existing residents if this area that sit in terrible traffic to leave their community. The road is in a terrible state of disrepair, it's extremely dangerous as there are NO shoulders and the Ogden area of the county is already grossly overbuilt. I'm asking you to please do NOT vote any development through. The over building in Nee Hanover needs to stop along with the greed for more tax money. It's time to cut taxes, stop development and allow the residents to have a better quality of life. Thank you!

- \* Full Name Virginia Radcliffe
- \* Full Address 1421 Avenel Drive Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

vradcliffe@ec.rr.com

# \* Leave your comment here

please DO NOT approve any further development in this area at this time -- the traffic there coming and going from Publix is already a nightmare!

- \* Full Name Philip Rafle
- \* Full Address 1009 Peterson place Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

docphil64@gmail.com

## \* Leave your comment here

This is an absurdly poor thought out idea. Traffic is beyond bearable now. The entire infrastructure of middle sound loop needs to upgraded and to place 72 units at a choke point is absurd.

- \* Full Name Thomas Rambach
- \* Full Address 1612 Field View Road Wilmington NC 28411 US
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

thomas.rambach@gmail.com

# \* Leave your comment here

The real issue is cars making a left into this development coming from market street. Cars will be backed up to the light behind them waiting for them to turn. It's going to be more of mess just where it already can't get any worse.

- \* Full Name Jeannie Register
- \* Full Address 104 Denise Dr. Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

jregister1020@yahoo.com

## \* Leave your comment here

Please do not approve this request. The intersection of Middle Sound and Market is congested enough now and houses are being built on every piece of land available. This is too close to the entrance to the Publix shopping center and is going to create a hazard getting in and out. Traffic backs up now to the shopping center because of the length of the light. I've timed the Market St. traffic at 7 minutes before the light changes more than once. Three to five minutes is not unusual. The traffic coming off Middle Sound and Lendire only gets about 2 minutes each. That's not enough time for all the traffic on Middle Sound to get off especially early in the morning and between 5:00 and 6:30. Sunday after church is a disaster. Please reconsider approving this project. It's just not a good place for it, especially with the only exit being on Middle Sound.

- \* Full Name Helene Rexing
- \* Full Address 3109 Rivendell Pl Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

helenerexing@hotmail.com

## \* Leave your comment here

Extremely concerned about the impact this will have on already congested traffic where Middle Sound Loop Rd and Market St comes together. That area cannot handle the traffic load from 72 units.

- \* Full Name William Reynolds
- \* Full Address 7308 Dunbar Road 6 Wilmington Nc 28411 New hanover
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

wmjrey1973@gmail.com

## $^{\ast} \ \text{Leave your comment here} \\$

Me personally I do not want to see the annexing of part of middle sound . And this is for several reasons 1 is traffic we already have a traffic issue on middle sound due to school traffic . I personally have to leave for work a hour and half before being there because if I wait to leave during the school hours it can take a hour just to get off the loop. Secondly is drainage of stormwater we have storm water come over road in places during heavy rains and adding that much more concrete will make it worst. The there is the safety issues with the added traffic . And also the green space that will be losted so stop the building and keep what little bit of woods we have

- \* Full Name EMBER Roberts
- \* Full Address 306 Lonicera Court Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

roberts28411@gmail.com

# \* Leave your comment here

Middle Sound Loop, Road and the Ogden area cannot tolerate a development at the intersection of market and middle sound. Please do not consider this developers request. The residence of middle sound loop implore you to deny this development request.

- \* Full Name Tim Roehrs
- \* Full Address 7321 Denly Ct Wilmington NC 28411 US
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

troehrs@ec.rr.com

## \* Leave your comment here

Please do not let this happen here. That part of Middle Sound Loop Rd is very busy as it is and adding that much traffic on it would be teally bad. Middle Sound has grown tremendously since we moved from Kings Grant area to Middle Sound area in 2002. Please no low income housing. I do realize how expensive it is to live in New Hanover County but there are other areas that this development could go. Thank you Tim Roehrs

- \* Full Name Alicia Rudd
- \* Full Address 215 Sandybrook Rd Wilmington NC 28411 US
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

RuddDogs@aol.com

# \* Leave your comment here

Please do the right thing. Middle Sound is one of a kind and it will be ruined with overdevelopment. All of the voters are watching each of you.

- \* Full Name Tonya Russell
- \* Full Address 2225 White Rd Wilmington NC 28411 New Hanover
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

\*\*SKIPPED\*\*

# \* Leave your comment here

Our community is already facing tremendous traffic woes and safety concerns caused by explosive growth & poor planning. The intersection of Middle Sound & Market St. (Hwy 17) boasts the longest stoplight in New Hanover County and experiences traffic gridlock daily. In addition to commuters and Ogden Elementary parents, thousands of cars transit this section of highway heading north towards Hampstead & south into Wilmington. Please, please DO NOT add to this by putting more condos, apartments, etc in this already heavily populated area. Thank you for your consideration on this matter.

- \* Full Name Virginia Sala
- \* Full Address 7201 Haven Way Wilmington NC 28411 New Hanover
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

gingie65@yahoo.com

## \* Leave your comment here

This plan for 72 units is absurd! The traffic to get out to Market is already crazy. Have you not considered that? Please do not endanger our residents further!

- \* Full Name Susan Scott
- \* Full Address 304 Wendover Ln Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

mamasauce42@gmail.com

## \* Leave your comment here

Crazy to increase traffic at that intersection. No left exit out of the area for thousands of residents already. Area already clogged due to this problem. Cars are in hurry and come roaring up and down Wendover to use that one right hand turn out or clogged up that street hoping to turn left. Business on Wendover already have a sign directing traffic through Wendover to Darden to middle sound to exit left. We can use our own street safely anymore.

- \* Full Name Megan Sewell
- \* Full Address 109 Cannon Rd Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

\*\*SKIPPED\*\*

# \* Leave your comment here

Please do not approve these units. This area is already very congested due to limited points of entry to the MSL area. Elementary school traffic is also to be considered, which is approximately one mile down from this proposed development.

- \* Full Name Meredith Sheesley
- \* Full Address 7509 Aloft Way Wilmington NC 28411 US
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

meredith.sheesley@ppdi.com

# \* Leave your comment here

There is simply too much traffic already I this area. This light just outside this proposal is so busy it lines up past Publix in MSL. Not to mention a school just around the corner.

- \* Full Name Alex Silva
- \* Full Address 161 Treasure Island Way Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

alexsilva1230@gmail.com

## \* Leave your comment here

I rise against this proposed development on Middle Sound Loop Road. This is an already overburdened infrastructure as a result of years of excessive, unbridled development without a corresponding eye towards safety, intelligent road design, environmental impacts, or the existing travel/traffic issues. The light for Market Street/Middle Sound Loop is already the longest in the county, and the line of traffic to enter the intersection is very often well passed the proposed development. I, myself, have even had my car run into by someone in this particular area as a result of the traffic in the area already. Please do not allow this developer to place this unwise, unwarranted, and unwelcome development in this already overburdened area. Thank you!

- \* Full Name Oren Smith Smith
- \* Full Address 1219 Traditional Ln Wilmington NC 28411 New Hanover County
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

79.oren@gmail.com

# \* Leave your comment here

There are other suitable places in Wilmington to put a senior care that would have better access and would not cause additional backed up traffic on MSL. Behind the old dennys on market street comes to mind first. DO NOT ANNEX MSL. ANNEX CAROLINA BEACH where you can get increased tax dollars and raise the prices of parking like Wrightsville beach.

- \* Full Name Crystal Smith
- \* Full Address 2624 WHITE ROAD Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

catamaran42@outlook.com

## \* Leave your comment here

Please reconsider your plans for development of the area off and around Middle Sound Loop or frankly anywhere in the Ogden area. We are reeling already from overcrowded roads and horrible traffic as well as school systems that are being stretched to the max. Much like an overly full water balloon, (we recently went to a child's birthday party!) this area feels as though it is about to pop!

- \* Full Name Polly Smith
- \* Full Address 7405 Alestone Dr Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

polyworl7405@att.net

## \* Leave your comment here

We are totally against a multi unit housing project being built at the one entrance to our community. The traffic at that intersection backs up sometimes a quarter of a mile when the Market St. light is red. There have been accidents at the Publix entrance and where Gorman Plantation has entrance on MSL. Why does no one care about the people who already live here and have to deal with the problems of unfettered growth? It is obvious were the concerns of the commission is, appearing the greed of developers.

- \* Full Name Stephanie Spaulding
- \* Full Address 1265 Waterway Court Wilmington NC 28411 New Hanover
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

smlloyd89@gmail.com

# \* Leave your comment here

We opposed the decision to build condos at this location off Middle Sound Loop Road. The amount of traffic congestion is crazy as-is, especially right at the Elementary School with so many families crossing the street. Building condo units close by is not only dangerous but not favorable for anyone.

- \* Full Name Michelle Spino
- \* Full Address 200 Bedrock Ct Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

sparklingcomet@ec.rr.com

## \* Leave your comment here

I oppose any high density zoning on Middle Sound Loop. This is one of the few ways to access Market street. Subdivisions located off of Middle Sound Loop are already impacted by high traffic patterns due to short cuts to get to Mayfair and also farther up Market Street. There is also a great concern for traffic already created by Ogden Elementary School. I see children walking home and riding their bikes to and from school. Buses stop at numerous locations along this road to pickup and drop off children. Increased traffic by this school increases the possibility of a child getting hurt. I also see numerous adult bike riders along this road during all hours of the day. High density zoning just doesn't make sense along this roadway. Thank you for your time and consideration in this matter.

- \* Full Name Marianna Staks
- \* Full Address 734 Winery Way Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

lilmaugli@yahoo.com

# \* Leave your comment here

I hope you fix the roads first before squeezing every single inch out of the land. It will come back to bite us all in the future.

- \* Full Name Stacey Stone
- \* Full Address 112 Cale Ct Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

\*\*SKIPPED\*\*

## \* Leave your comment here

Please do not allow the City Of Wilmington to annex a portion of New Hanover Co land at Middle Sound Loop Rd. to them to increase zoning density to accommodate a 72 unit condo community. The 4.82 acre parcel is next to the Living Waters Church and just up and across the road from Publix-on the left, entering Middle Sound. Our community is already facing tremendous traffic and safety concerns caused by massive growth & poor planning. The intersection of Middle Sound & Market St. boasts the longest stoplight in New Hanover County and experiences traffic gridlock daily it CANNOT handle 160+ more residential cars. Thank you

- \* Full Name ELISA STRONG
- \* Full Address 7132 Arbor Oaks Dr Wilmington North Carolina 28411-4740 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

latoscana28@aol.com

## \* Leave your comment here

Please note I am against the re-zoning of area named in above message...Thank you, Elisa M. Strong

- \* Full Name Martha Taylor
- \* Full Address 410 E. Bedford Rd. Wilmington North Carolina 28411 New Hanover
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

mtaylor@ec.rr.com

# \* Leave your comment here

There are so many housing developments off Middle Sound Loop Road with essentially one major entrance and exit at the intersection with Market Street. The close proximity of this development with that intersection and with Ogden Elementary School is problematic. There should be a move to less dense zoning in this area , not more dense zoning. Please do not approve this zoning request.

- \* Full Name ALAN THIESSEN
- \* Full Address 369 WHISPER PARK DR WILMINGTON NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

alan.r.thiessen@gmail.com

# \* Leave your comment here

Middle Sound Loop is already overly congested as a result of recent developments and the ever expanding Anchor's Bend community. On top of that, the traffic on Market Street as people commute to and from Hampstead results in a very long wait to get off of the loop and on to Market. Adding a block of townhomes will only exacerbate a bad situation. Please vote no on this development.

- \* Full Name Barbara Thorn
- \* Full Address 7152 Arbor Oaks Dr Wilmington NC 28411 US
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

beeje1007@gmail.com

# \* Leave your comment here

Middle Sound Loop is already congested so to consider adding more development to this area would be a significant lack of judgment by the planning committee. Wilmington needs to make some real changes to the permits they are approving. Car washes and storage units. It's ridiculous and the traffic is a joke.

- \* Full Name Candace Thompson
- \* Full Address 7225 Anaca Point Road Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

ilcthompson@yahoo.com

# \* Leave your comment here

Please do not allow this parcel to be a high density condominium complex. We already are suffering from over development and our little community has suffered. The Ogden stoplight is already known as the longest in the county. This will only make things worse and increasingly more dangerous. The school traffic is already awful. Please reject this request and we already have too many outrageously expensive apartments in Wilmington.

- \* Full Name Carl thompson
- \* Full Address 7225 Anaca point rd Wilmington Nc 28411 New Hanover
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

csthompson1970@yahoo.com

# \* Leave your comment here

We do not need this on middle sound loop rd. too much traffic, bottleneck to market st, eyesore coming onto the loop

- \* Full Name Nathan Tomisich
- \* Full Address 7140 Arbor Oaks Dr Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

ntomisich@gmail.com

# \* Leave your comment here

Do not allow this development, middle sound loop road is already a very dangerous road that is already handling far more traffic than it was designed for. The building of these condos will make the situation much much worse and ultimately lead to even more car accidents and injuries on this road.

- \* Full Name Matt Vincelli
- \* Full Address 7213 Albacore Way Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

mbvincelli@live.com

# \* Leave your comment here

There is way to much traffic at that section of Middle Sound to build 72 condos. I'm very against this project.

- \* Full Name Michelle Walker
- \* Full Address 7433 Bright Leaf Rd Wilmington Nc 28411 US
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

mlbcmr@gmail.com

## \* Leave your comment here

I do not support the proposed zoning changes to support a 72 unit townhome. My reasonings for not supporting this change is the immense impact it will have on vehicle density and traffic around the middle sound loop communities including Ogden elementary School where my children attend. At the current density we are already dealing with unsafe driving conditions and unsafe pedestrian conditions. In our small community We are unable to walk our dog and allow our children to ride their bikes without fear of someone getting hurt. On the street we live on, we are considering contacting the county to put in speed bumps because of the issue with people cutting through our neighborhood as it is. These townhomes were to be put in I know that this problem would increase exponentially.

- \* Full Name Lynn Walker
- \* Full Address 320 Whisper Park Dr Wilmington NC 28411 US
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

lynnwalker@ec.rr.com

## \* Leave your comment here

Please do not annex this section of Middle Sound Loop Rd. It would be a disaster from the go! We can not handle any more building or traffic along this stretch of road. At any time you can stand in this area and see the problems that would arise from the proposed plan. We must consider where this is situated and all that it will effect. Thank you for taking the time to read all those who are so against this agenda.

- \* Full Name Robin Waller
- \* Full Address 7605 Hawk Rd Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

\*\*SKIPPED\*\*

# \* Leave your comment here

There is no way the stoplight at Market and Middle Sound Loop Rd can handle any more traffic from a 72 unit condo community. Please seek a traffic study from the NCDOT (Allen Hancock, 910-341-2200.) A study from 6/17/21 of the cut through route from MSL of Red Cedar Rd/Hawk Rd tracked 6,378 cars, trucks, and delivery trucks within a 24 hour time period cutting through our neighborhood that was never built for cut through traffic. 95 of them driving 20+ mph over the speed limit. And you want to increase that??? Sounds like an unwise idea.

- \* Full Name Mary Werner
- \* Full Address 338 Lockerby Lane Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

kasey.werner16@gmail.com

## \* Leave your comment here

I oppose the annexation of the 50+ development on Middle Sound Loop. Nearby, there is an elementary school with increased traffic, it's near the corner of Market St. and MSL with increased traffic, everyone that lives around the Loop ( with exponential housing development) exits and enters their neighborhoods by this area with increased traffic, the backups exiting and entering in this area will explode. Overall, this is a terrible area to build this dense neighborhood. And I'm 50+ years old. I would never want to live there! Find a more reasonable tract of land for this kind of construction! It's too busy, overcrowded, dangerous and a terrible idea! Please cancel this project on Middle Sound Loop!

- \* Full Name Beth West
- \* Full Address 7203 Haven Way Wilmington NC 28411 U.S.A
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

bwest25@ec.rr.com

# \* Leave your comment here

Please take this plan off the table. Middle sound Loop is a safe yet crowded with traffic area all ready. Please don't increase this problem.

- \* Full Name Bob West
- \* Full Address 7203 Haven Way Wilmington NC 28411 New Hanover
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

blwest@ec.rr.com

## \* Leave your comment here

Middle Sound is overcrowded now, and certainly does not need multi unit to add to the problem. Please vote against this proposal.

- \* Full Name Margaret White
- \* Full Address 344 Whisper Park Dr. Wilmington NC 28411 US
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

dvmjordan@hotmail.com

# \* Leave your comment here

As a MSL resident, I have major concerns about increased traffic this development would bring to the community. MSL is already congested and dangerous, especially with Ogden Elementary being located within a mile of the proposed development. Please help us conserve the somewhat rural character of MSL.

- \* Full Name Anna Wilkerson
- \* Full Address 8702 Mollys Ct Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

abmcduffie77@gmail.com

# \* Leave your comment here

We live in Porter's Neck and the traffic is already horrendous trying to commute up and down Market Street now. Market cannot accommodate this added increase in population. Please stop with all the added apartment communities that is driving down the existing home values. We already have multiple going up in Porter's Neck. Enough is enough! Money hungrey developers aren't having to live with the consequences!

- \* Full Name Lindsay Wilkinson
- \* Full Address 7906 Beaufort Court Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

lindsayhall12@gmail.com

## $^{st}$ Leave your comment here

As a teacher at Ogden Elementary and a resident of the Ogden area, I cannot stress enough what a bad idea it is to allow 72 units of anything to be built on Middle Sound. Traveling to and from the area during arrival and dismissal times is already a headache with buses, vans, and parent pick up clogging the streets into a standstill. More traffic and more residents is not going to help. At any time of day the Middle Sound/Market light is backed up to where you have to sit through it 2-4 times before being able to progress down the road. Please do not approve this!

- \* Full Name Amber Williams
- \* Full Address 7510 Songbird Ct Wilmington NC 28411 Usa
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

amberdp94@yahoo.com

# \* Leave your comment here

Please say no to the zoning on middle sound loop. This area is so very congested already, not to mention the schools. The stop light takes 4 minutes to be able to turn left onto market. FOUR MINUTES!

- \* Full Name Gregor Wilson
- \* Full Address 7612 Mason Landing Road Wilmington NC 28411 New Hanover
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

gregorwilson1@me.com

## \* Leave your comment here

Dear Members of the Planning Commission, I am writing to voice my strong opposition to the proposed 72 unit condominium development on Middle Sound Loop Road. This location is located at already one of the busiest and most hazardous junctions in New Hanover County. The thought of adding even more traffic to this exact location, shows very little concern to the safety and comfort of the residents of Middle Sound Loop. Our area has already experienced an unprecedented and poorly thought out period of extreme growth. Please spare a thought for those who are trying to raise their families in safety and peace in this area. I beg you to please vote down this proposal. It is in the wrong place at the wrong time. Thank you. Gregor Wilson Resident Middle Sound Loop

- \* Full Name Kristen Witkowski
- \* Full Address 61 Northwood Dr Wilmington NC 28405 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

kw74833@gmail.com

# \* Leave your comment here

The traffic in this area is already out of control and this will not help. My main worry is that the entire Middle Sound neighborhood is basically one way in one way out and that "one way" is constantly backed up. This could be really dangerous for emergency situations, like my elderly Grandmother who lives down MSL!

- \* Full Name Gretchen Wood
- \* Full Address 305 Vale Drive Wilmington NORTH CAROLINA 28411 NEW HANOVER
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

Gretchen.wood60@gmail.com

# \* Leave your comment here

I strongly disagree with all the annexations happening on the outskirts of our city. Please stop the removal of trees and land to do so!

- \* Full Name Margaret Woods
- \* Full Address 947 Baldwin Park Dr Wilmington NC 28411 US
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

woodsfam2005@gmail.com

## \* Leave your comment here

The intersection of Middle Sound Loop Rd and Market St is already dangerous and takes way too long to get through. The bypass at Military Cutoff Rd is far from completion to alleviate the traffic on Market St. A 72 unit condo development would greatly increase this traffic and be dangerous for any pedestrians in those units trying to go to Ogden Market Place. Please deny this proposal. Middle Sound Loop cannot sustain multi family housing st this time. This could be revisited in the future when the bypass at multiple locations has been completed. Thank you for your time and consideration.

- \* Full Name Shay Yarborough
- \* Full Address 332 Whisper Park Dr Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

shay\_yarborough@outlook.com

## \* Leave your comment here

Please do not make the traffic worse here. Please! As a mom of 3 kids under 5, I can't tell you some of my worst moments are the countless minutes that I am sitting stuck at the looongest light at market and middle sound. And then because there are so many of us, I won't even make that light and then have to wait another 10 minutes for the next light. Please please please. If you have kids and know what's it's like to sit in traffic with kids, please don't do this.

- \* Full Name Letitia Yarborough
- \* Full Address 7517 Mason Landing Rd Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

tish.yarborough@gmail.com

## \* Leave your comment here

Please keep all high density residential and commercial out of Middle Sound Loop. We are one of the few remaining green neighborhoods left in New Hanover County. By green, I mean areas with large trees. New Hanover does not have the infrastructure to support more of these big developer projects. We are in another drought and ground water is not being replenished. And no one wants to be incorporated either. We don't have city water and don't want it. Thank you for your time.

- \* Full Name Jana Yetzke
- \* Full Address 113 Denise Dr Wilmington North Carolina 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

\*\*SKIPPED\*\*

# \* Leave your comment here

Please, do not allow a multi-unit facility on Middle Sound. This is too close to the already over-trafficked Elementary School. The Middle Sound area was built with intention to single family and duplexes only. Please, look at the historical records and honor those that came before. Thank you.

- \* Full Name Susanna Younts
- \* Full Address 5220 Sun Coast Dr Wilmington Nc 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

spyounts@gmail.com

# \* Leave your comment here

Our community has faced enough hardship from over-development. New Hanover has been stripped of it's natural beauty and the infrastructure cannot handle any more development. How devastating that county and city officials have allowed this to happen. We can only hope that come election time, those who have supported the destruction of this amazing town will be voted out. PLEASE do not allow yet another out of town developer to ravage our community for profit.

From: To: Betsy Albright Planning: COUNCIL: Bill Saffo: Margaret Haynes: Kevin Spears: Luke Wadde

Date: Wildnesday, May 04, 2022 11:19:55 AM

I have many concerns about the proposed annexation of the property located at 205,209, 213, & 217 Middle Sound Loop Rd. (CD-24-522) into the City of Wilmington

First, I note inadequate and filmsy signage did not give residents proper public notice about a community bearing. Between the public residents proper public notice about a community bearing. Between the public residents proper public notice about a community bearing. Between the public residents proper public notice about a community bearing. Between the public residents proper public notice about a community bearing. Between the public residents proper public notice about a community bearing. Between the public residents proper public notice about a community bearing. Between the public residents proper public notice about a community bearing. Between the public residents proper public notice about a community bearing public residents proper public notice about a community bearing public residents proper public notice about a community bearing public residents proper public notice about a community bearing public residents proper public notice about a community bearing public residents proper public notice about a community bearing public resident public about a public resident public residents proper public notice about a community bearing. Between public residents public residents proper public notice about a community public resident public residents proper public notice about a community public resident public residents proper public notice about a community public resident public residents proper public notice about a community public residents proper public notice about a community public resident public residents proper public notice about a community public resident public residents proper public notice about a community public resident public residents proper public notice about a community public resident public residents proper public notice about a community public resident public residents proper public notice about a community public resident public resident public resident public residents proper public resident public resident public resident public resident public resident public resident pub

Second, seconding to your case overview analysis, the county approved high-density residential housing with the cavout extriction that "the residents will be restricted to 55"; years of age or older." The letter the City of Wilmington sent me states the applicant is seeking approval for "Conditional District) "Zeam insulfations to be considered workforcer disposing for a period of 30 years." So which is a "High-density residential housing extended to low-incomes used to sub-incomes used to sub-income used to su

Third, this property is located near the Market Street/Middle Sound Loop light. This is the longest eyeining light in New Hanover County with heavy stacking-back-ups at the light. Based on the intensity of the proposed use, a traffic impact analysis is not required?? Table 3 of your case overview states that Middle Sound Loop light in New Hanover County with heavy stacking-back-ups at the light. Based on the intensity of the proposed use, a traffic impact analysis is not required?? Table 3 of your case overview states that Middle Sound Loop Road is the only way and not not 15,000° existing residents and it is already operating at an at R. Taffic to and from Ogden Elementary is already an issue at the overcrowded school. This is not an appropriate Location for his-develor bytomics or close to the liver at Middle Sound Loop Road Plant Middle Sound

With these considerations, I ask for your denial of this sneak attack project. Terrible location for high-density housing. The limited information and shoddy public notice is very concernin

Best regards

209 Bloomington Lane



# Attachment 8



# Attachment 8



Sent from my iPhor

- \* Full Name LeighAnne Barrigar
- \* Full Address 201 parliament dr Wilmington NC 28411 US
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

leigh.anne.b14@gmail.com

## \* Leave your comment here

NO! The whole community of Middlesound feels slighted by the first rezone approval 2 years ago in the midst of Covid shutdowns. No one wants high density here. This city annexation is just a new way to do business that will provide nothing positive for the residents surrounding this site. The county commissioners would hear us residents and not allow the high density. Our neighborhood is outside of city limits and yet year after year the decisions the city makes continues to negatively impact us. The fact that high density would even be considered when Middlesound Loop Road has a LOS grade of F is absurd. I dive this road multiple times a day and it's scary. Approaching the Market St. light with cars flying down from Market and other cars pulling out from Publix (or into) I see 1 close call of an accident daily. There is zero walkability on MSL. This whole development is just wrong for MSL and the whole community feels cheated by the greed of the City of Wilmington. No annexation of the land and no high density allowed.

- \* Full Name Stacy McIntyre Batts
- \* Full Address 121 Sandybrook Rd Wilmington NC 28411 New Hanover
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

stacymbatts@gmail.com

# \* Leave your comment here

This is completely unnecessary and will cause even more traffic issues, pollution and less green space. There are plenty of other areas outside of Wilmington that would be a much better fit for this type of building, not a good fit. I say no no no no.

- \* Full Name Marlene Beaudin
- \* Full Address 7124 Maple Leaf Drive Wilmington NC 28411 New Hanover
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

m.r.b.beaudin@gmail.com

# \* Leave your comment here

Against allowing such a dense development. There is no upside for such a concentration of units. The result will be a negative impact on infrastructure...roads, water, sewage...and a spiraling increase in taxes.

- \* Full Name Mary Borneman
- \* Full Address 141 Treasure Island Way Wilmington North Carolina 28411 New Hanover
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

bornemanmae@gmail.com

## \* Leave your comment here

I am against rezoning these properties! I am against annexing by the city to avoid the voting public's wishes!

- \* Full Name Ben Bradley
- \* Full Address 1125 BALDWIN PARK DRIVE WILMINGTON NC 28411 New Hanover
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

bradleybenny@gmail.com

## \* Leave your comment here

I strongly oppose Conditional District Rezoning Case # CD-24-522. Changing the existing zoning from Residential Multi-Family Low Density District to High-density Multiple-Dwelling Residential District would have a detrimental impact on the entire Middle Sound community and surrounding neighborhoods. Current zoning conditions include a requirement that residents will be restricted to 55 years of age or older. The new proposal seeks to revoke that condition stating "all 72 residential units to be considered workforce/affordable housing..." This could cripple the already crowded Ogden Elementary School. While the proposal includes construction of a sidewalk in front of the property, it would be the only stretch of sidewalk on that side of the street. There is no crosswalk that would allow safe passage to Ogden Plaza et al. This is not a "walkable" area, and pedestrians crossing Middle Sound Loop outside of the traffic circle is a major safety concern. Middle Sound is accessed by a traffic circle, there is essentially just one way in & out of this true "loop" road. The light at Middle Sound Loop & Market Street is the longest in the county. Emergency vehicles need rapid access, and access is already slowed to Middle Sound. I have seen many occasions where pedestrian vehicles are blocking the way for Emergency vehicles due to gridlock. To add "workforce" drivers from over 70+ units cars coming from Market Street, and turning left into this development will intensify an existing problem. Increasing density in a low-density area, such as Middle Sound, is a careless development that serves to destroy the quality of life for existing residents. Middle Sound does not need increased density. Middle Sound is a small community that is home to the most restrictive zoning (R2OS) in the county. Our community roads and school cannot sustain a high-density development. Please keep this parcel as a Multi-Family Low Density Senior Living project. Thank you for your consideration.

- \* Full Name Annie Cilinski
- \* Full Address 7418 Songbird Court Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

acilinski@yahoo.com

## \* Leave your comment here

As a long time resident of NHC, I appreciate the necessity of affordable housing for all of NHC residents. I don't understand however, the necessity of this proposal to change the zoning of the facilities if the target audience is still 55+. As the project stands, is the property for mixed use/affordable house or 55+? It didn't seem immediately clear based on the new proposal. A few concerns that I would be worthy of addressing to the public. Per proposal: Within walking distance to commercial property How will the City be facilitating safe passage for residents? The shopping center of Publix and the MSLoop corridor is a high traffic area ALL times of day. Turning Lane into facility: There appears to be no left turning lane into the facility or right turning lane from MSLoop Rd. If anyone is turning left into the facility during peak transit hours, there would be a traffic back up at the MSLoop/Market St. light. A traffic impact study and request for better information as it relates to impacts of traffic are necessary to the safety of potential residents and current MSLoop residents alike. No right turn lane would create a stop/go situation that is typical for the City of Wilmington. No turn lanes to continue the flow of traffic for non turning vehicles. Per Proposal: Expected Impacts on the surrounding areas would promote the creation of a new 'urbanistic' project that fosters a more 'walkable' community. That infrastructure is NOT currently in place. If the infrastructure of these said items were already in place, this project would be a non issue. But we need to have this type of infrastructure in place prior to building higher density projects at major intersections in Wilmington. Will there be a crosswalk across MSLoop Rd? At the light? Other than the sidewalk on the road frontage of the property, how is this developer increasing this 'walkability' of the community.

- \* Full Name Thomas Dodson
- \* Full Address 6428 Shinn Creek Lane Wilmington NC 28409 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

tom.dodson.nc@gmail.com

# \* Leave your comment here

This project appears to be consistent with the other nearby projects and requires the zoning change to move forward.

- \* Full Name Anna Erwin
- \* Full Address 129 Stoneybrook Road Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

erwinap@bellsouth.net

# \* Leave your comment here

While I am very in favor of rent supported housing for any age group, the specific location of this development is not feasible. Access in and out of the Middle Sound area has been choked by too many cars. Many residents like to walk and bike about the area but it is way too dangerous on most of the roads. I ask that you please reconsider adding unnecessarily to our traffic woes.

- \* Full Name Mira Favor
- \* Full Address 6721 Falcon Pointe Rd Wilmington NC 28411 New Hanover
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

mira@128southevents.com

## \* Leave your comment here

As a resident of MSL I am strongly against this project. The traffic on the loop as well as the insane traffic light on MSL and Market is already a nightmare, adding more congestion to this area is a terrible idea. It is already unsafe for bikers and pedestrians this will make it worse. The proximity to the elementary school and the impact on that traffic and safety should be enough to dissuade you from approving this project. If the residents voice matters like it should my vote is a hard NO! Please hear us.

- \* Full Name William Jamar
- \* Full Address 118 Kings Ct Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

wrjamar@gmail.com

## \* Leave your comment here

Myself and several others on Middle Sound Loop are completely against the zoning proposals. The developer obviously had planned for low income housing and city annexation the whole time. The first proposal for the senior housing was just a way of getting their foot in the door. Senior housing is actually what we need on Middle Sound Loop. Most of Middle Sound Loop home owners are getting older. My neighbors in every direction are 70+ years old. A senior housing option so close to the area theyre familiar with would encourage some seniors to consider profiting on their investment during the current housing market and downsizing which in turn will free up housing to new young families. The proposal to bait and switch the senior housing to workforce low income would only add to the congestion and problems of our area and would be of no benefit. Numerous homeowners here are prepared to fight this hard if it is not squashed early

- \* Full Name Virginia Jones
- \* Full Address 6716 Barren Inlet Road Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

virginia.jones48@icloud.com

# \* Leave your comment here

This area already suffers from dangerous traffic congestion due to bottlenecks and overdevelopment. Please do not create a more severe issue in proximity to the shopping center which has already sent the situation from bad to worse. Rush hour and Ogden Elementary School traffic, plus backups from all of the construction on Market Street and Military Cutoff contribute to make driving difficult in all situations, not to speak of emergencies. Please do not rezone for higher density in this area! Thank you.

- \* Full Name Timothy Mooney
- \* Full Address 2640 Middle Sound Loop Road Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

tmooney10@hotmail.com

# \* Leave your comment here

The population density and traffic are already horrible. It is unsafe all day at Ogden Elementary School. I say No to traffic and No to elected officials who support unregulated growth.

From: robert parr

To: Planning; COUNCIL; Bill Saffo; Margaret Haynes; Neil Anderson; Clifford Barnett; Kevin Spears; Luke Waddell

Subject: City Annexation Middle Sound Road - CD -24 -522 - Lack of Public Notification

**Date:** Wednesday, May 04, 2022 9:00:48 AM

Wilmington City Planning Commission and City Council,

Top two photographs from 4/25/2022 - signage - not adequate notification.

"Debris" had been noted by neighbors days earlier but no adequate notification was in effect and people thought just debris on side of road.

When City Planning called on 4/26/2022 two staff could not answer simple questions about project, stated (this is a strange one); (our signs keep falling down); (you should have had a citizen information meeting giving you information); (don't know the answer to your questions and Director will call you back).

Director called back 4/28/2022 (know all about the traffic out there) (same project)

Next three photos from 5/4/2022

Information readable only from directly infront of sign from a stopped car on dangerous road

Sign now reinforced with three stakes with important additional information now visible from both directions

If this type of signage considerd adequate in the City?

Inadequate signage, lack of basic information when Planning Staff contacted, this is not the same project and simple transfer of different project to new project in City is not correct way to proceed at this time.

After annexation development should start the process again from the beginning with updated, new Citizen Information Meeting, effective and proper notification and disemination of information, Planning Commission Public Meeting followed by City Council Public Meeting.

Thank you for considering in your decision,

Dr. Robert Parr 6706 Falcon Pointe Road Middle Sound

910 520 6449











- \* Full Name Robert Parr
- \* Full Address 6706 Falcon Pointe Road Wilmington North Carolina 228411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

nativewildtrout@gmail.com

# \* Leave your comment here

This is not the same project passed by the County Inadequate Road Signage, Inadequate Information Provided by Planning in timely manner. If annexed this new project needs to start from the beginning - Citizen Information Meeting, Proper Road Signage Separate Planning Commission and City Council Public Hearings - Thank you - additional comments to follow - this form should include ability to provide photos

- \* Full Name Robert Parr
- \* Full Address 6706 Falcon Pointe Road Wilmington North Carolina 28411 USA
- \* Select the item you're commenting on here 430 Forest Park Road (Z-8-522)

nativewildtrout@gmail.com

# \* Leave your comment here

After reviewing the County Commission Meeting from June 2020 major concerns with how this new project has been promulgated and the clear implication that this is "the same project" Traffic: Trips/day in 2020 meeting (260). Trips/day in new proposal (408) Statements by applicant that "set times are not there" meaning that SENIOR LIVING AS APPROVED will not generate as much traffic during peak times. The move to OVER 55 WORK FORCE is change from what was approved since now it is reasonable to expect increased traffic at peak times including set times. This is major change. Number of parking spaces appears to have been reduced in new plan - this appears to be change in hight traffic area of concerns. Traffic volumes since 2020 have increased and not accounted for in new plan. The County Commission spent significant time questioning applicant about younger family members living with seniors. Applicant stated they have authority to check but Applicant needs to supply support data that indeed they check and enforce. Enforcement of age restriction is paramount and has not been show. Middle Sound Village was passed with similar promise in past now this restriction is not enforced. Traffic is main issue and this is new project that needs wider and accurate promulgation before passage. Thank you

- \* Full Name Michael Phelps
- \* Full Address 322 Lord Dr. Wilmington NC 28411 US
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

mtp7999@gmail.com

# \* Leave your comment here

On Section 2(Proposal), there is a request from the developer, "the applicant proposes all 72 residential units to be considered workforce/affordable housing for a period of 30 years." So is it a senior living facility or regular apartments/condos? How does this impact the traffic when the original plan was for senior citizens ages 55+? Traffic is already terrible around Middle Sound Loop and the proposed project will make it worse. Traffic turning onto Market St from Middle Sound Loop is already backed up to the Publix entrance in the morning. Ogden Elementary is already at full capacity and a workforce/affordable housing project will create more students for the school. Most of the residents that have discussed this proposal are not in favor of it.

- \* Full Name Laura Roebuck
- \* Full Address 7405 Fisherman Creek Drive Wilmington Nc 28405 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

lbroebuck@gmail.com

# \* Leave your comment here

This area on Middlesound Loop Road near an intersection, is far too congested for a multiple unit building. Traffic backs up at this light for too long as it is.

- \* Full Name Lisa Sledzik
- \* Full Address 2632 Middle Sound Loop Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

lisasledzik@gmail.com

# \* Leave your comment here

Please vote NO on rezoning to include higher density!!! We do not need any more traffic than we have now.

- \* Full Name Lavinda Tyson
- \* Full Address 2640 Middle Sound Loop Rd Wilmington NC 28411 United States
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

lavindatyson@yahoo.com

# \* Leave your comment here

NO! We do NOT need more population density or Condos here! Traffic and population are too thick as it is! No no no

- \* Full Name Darla Warner
- \* Full Address 6517 Red Cedar Rd Wilmington NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

darubyart@gmail.com

## \* Leave your comment here

As a resident on Red Cedar Rd, I am severely impacted by traffic increases on Middle Sound Loop. Traffic increases have resulted in a stopped backup of traffic from Middle Sound Loop Rd all the way past my house as far as Hawk Rd during certain periods during the day. Residents in this neighborhood have great difficulty entering and exiting their driveways. When I was turning INTO my driveway last week while using my turn signal, the vehicle leaned on their horn and shouted. The traffic not only backs up to a standstill, when it does move, cars pass by here at alarming rates of speed. The Middle Sound Loop proposal states that there is no reason to do a traffic impact study. NOT TRUE. In addition, I am very concerned with the impact of water impermeability from the units. Middle Sound Loop has often flooded severely during heavy rains. The original proposal was to provide housing for senior citizens, and now it appears to have changed. The part about retaining the character of the area appears to be blocked out as well. Until the very real existing traffic and flooding problems are resolved, it is foolhardy to add extra stressors.

- \* Full Name Anne Wilson
- \* Full Address 7612 Mason Landing Road WILMINGTON NC 28411 USA
- \* Select the item you're commenting on here 205, 209, 213 & 217 Middle Sound Loop Road (CD-24-522)

annekwilson64@gmail.com

# \* Leave your comment here

Hello. Please don't allow this annexation and development. This area is already at max capacity for traffic, there is no public transportation and not to mention flooding issues, animal habitat concerns and traffic accidents. It's a terrible idea! Please do not do this, our community cannot take more development like this. Thank you.

	Agenda Item#: 2.	Case Number: CD-24-522
	Request: 205 Middle Sound Loop Road – Initial zoning of property to MD-17(CD)	Hearing Date: <u>5/4/22</u>
_	<del>_</del>	n Consistency Statement motion, seconded and voted upon)
<b>√</b>		ne objectives and policies of the following plans City of Wilmington:
	) Create Wilmington Comprehensive Plan ) Wrightsville Avenue 2030 (WA2030) ) Vision 2020: A Waterfront Downtown ) Carolina Beach Road Corridor Plan ) College Road Corridor Plan ) Market Street Corridor Plan ) Oleander Drive Corridor Plan ) Dawson-Wooster Corridor Plan	<ul> <li>( ) South 17th St/Independence Blvd.</li></ul>
		oe found in the staff report (maybe found under ing) ong classification that would accommodate the is in proximity to a variety of commercial services on commercial uses along Market Street and the ite to the ite with the ite.
	Rejected - this request is not consistent with th adopted by the City of Wilmington:	ne objectives and policies of the following plans
( ( ( ( (	<ul> <li>) Create Wilmington Comprehensive Plan</li> <li>) Wrightsville Avenue Land Use Plan</li> <li>) Vision 2020: A Waterfront Downtown</li> <li>) Carolina Beach Road Corridor Plan</li> <li>) College Road Corridor Plan</li> <li>) Market Street Corridor Plan</li> <li>) Oleander Drive Corridor Plan</li> <li>) Dawson-Wooster Corridor Plan</li> <li>The Planning Commission considers its rejection because:</li> </ul>	<ul> <li>( ) South 17<sup>th</sup> St/Independence Blvd.</li></ul>
	The proposed is not consistent with the desired	d character of the surrounding area.
	Therefore, the Planning Commission recommen	ends rejection of this request.
	Comments:	
		City of Wilmington Planning Commission, this the of May 2022.  M - Shar P  2n2 - Lennon  PH3-248
		7 PH3-248

Conditional District Rezoning: Property containing 4.82 acres (Parcel ID: R04410-001-007-000, R04410-001-008-000, R04410-001-009-000, R04410-001-010-000) located at 205, 209, 213 & 217 Middle Sound Loop Road from New Hanover County RMF-M(CZO), Conditional Residential Multi-Family Low Density District to MD-17(CD), High-density multiple-dwelling residential district (Conditional District) for a 72-unit, affordable, senior housing development. Jeff Walton, Associate Planner (CD-24-522)

Mr. Walton provided a summary of the request for a conditional district rezoning of the property located at 205, 209, 213 & 217 Middle Sound Loop Road from New Hanover County RMF-M(CZO), Conditional Residential Multi-Family Low Density District to MD-17(CD), Highdensity multiple-dwelling residential district (Conditional District) for a 72-unit, affordable, senior housing development. He added that there is an annexation petition being considered by City Council at their June 7, 2022 meeting.

Mr. Walton said that the project is for a 72-unit, affordable, senior housing development and was approved by the New Hanover Council Board of Commissioners in June 2020 when they approved a rezoning request from R-15, Residential District. He said that on April 14, 2022, New Hanover County Engineering and Planning & Land Use issued commercial site plan approval for construction of the project.

Mr. Walton said that with this approval, the site plan is considered approved and vested under the approval of New Hanover County ordinances, including building setbacks, buffers, parking, driveways, and utilities. He added that stormwater runoff has been approved by both the county and the state and that all permits/plans have been approved and are vested. Mr. Walton provided photographs of the current conditions of the subject site and stated that since the project is "shovel ready" there is no delay with the construction starting on this site.

Mr. Walton point out condition #7 in the staff report that would make the parcel more consistence with most city zoned parcels which included the installation of a five-foot sidewalk along the entire frontage of the subject site along Middle Sound Loop Road. He said the condition also requires street trees be installed within the existing right-of-way.

Mr. Walton said that when this condition was discussed with the applicant, the new impervious surface for the sidewalk was then included in both the county and state stormwater permits.

Mr. Walton reiterated that the proposed project would provide 72 affordable senior housing units for a period of 30 years and acknowledged that a concentration of affordable housing units in a single location is cautioned against by the policies of the Comprehensive Plan, but said that the fundamental need for affordable housing and the proximity of these units to services outweighs this concern.

Mr. Walton also discussed the city's notification process since some of the written comments have expressed concerns regarding the signage and notification. He provided a timeline and explanation of how property owners and the public are informed about rezoning requests.

Mr. Walton stated that staff has included conditions in the staff report if the planning commission recommends approval of the request. He said that staff recommends a slight change in condition number 4 that would clarify that "the use and development of the subject property shall be in accordance with the site plan and application as submitted and accepted by

City Council at their 6/7/22 business meeting". He said that condition number 13 was also added to further explain the use of the subject site.

Mr. Walton concluded his presentation and reminded the Planning Commission that the site plan is approved and vested under the approval of New Hanover County ordinances, and all permits and plans have been approved, staff recommends approval of the request.

Commissioner Goins asked what happens after 30 years. Mr. Walton said that because this is a conditional district, if the applicant no longer wishes to continue as an affordable, senior living development, they will be required to come back before the planning commission and city council with another request. Chairperson Lyle followed up to ask if the 30 year timeline referred to the affordability portion of the request or the entire request. Mr. Walton deferred to the applicant on that question.

Vice-Chair Lennon confirmed that the project was fully approved in the county and asked about the county's notification process. Mr. Walton said that the project has been fully approved by the county, and explained that the county's notification process is similar to the city's process and includes a community meeting, notices, and public hearings as well.

Commissioner Woodruff asked if the applicant had agreed to the modified conditions. Mr. Walton said that he had not spoken with the applicant concerning the newest conditions but the conditions were part of the county's approved plans.

Commissioner Sharp asked about the timeline of this request going before City Council. Mr. Walton said that the annexation request would be heard by City Council on June 7, 2022.

Commissioner Pollock confirmed that assigning a city zoning designation to the property, only goes into effect if city council approves the annexation request. Chairperson Lyle said that was correct. Commissioner Pollock asked about the language of some of the conditions related to exceptional design. Mr. Walton said that the county does not have the same regulations for exceptional design therefore the conditions are standard items that are required for a final CO and allows city staff to enforce all approved items.

With no additional questions, the applicant, Ms. Amy Schaefer with Lee Kaess explained that the request was for a city zoning determination only. She said that the project has already been approved and vested in New Hanover County. She said that while the process may be slightly different for approval, the rezoning request is to allow the city to provide a zoning determination as close to what was also approved by the county. She did mention the additional requires of street trees and sidewalk which the applicant is agreeable to. Ms. Schaefer surmised that the request is to allow the property to be within the city limits rather than within the county limits.

Ms. Schaefer went on to explain that being within the city limits would offer additional funding opportunities for affordable housing. She stated that there is a need for affordable senior living and that this project would have an income requirement of between 30-80% of the average median income (AMI).

Ms. Schaefer also pointed out that this is a voluntary annexation, the city is not asking or requiring that this property be annexed into the city, and said that if the property is annexed into the city, it must be assigned a zoning district. She then provided justification for the rezoning approval and the benefits to the city and project.

Vice-Chair Lennon asked Ms. Schaefer to explain why this request is a conditional district rezoning. Ms. Schaefer said that because a site plan has already been approved and vested, it allows for a CD to be attached to the rezoning to ensure that what is being proposed is actually what will be developed. She said that as with the item before, any changes are required to go back before the planning commission and city council for approval.

Vice-Chair Lennon asked if the applicant is agreeable to the conditions in the staff report. Ms. Schaefer confirmed that they agree.

Commissioner Woodruff asked what would happen if the request is denied. Ms. Schaefer answered that they would appeal the request to city council but if it was denied at that level the project would still be built. She said it would come down to access to funding but eventually it would be built.

Commissioner Sharp asked how far the property is away from the existing city limits. It was determined that the property is within 0.62 of a mile from the city limits.

Commissioner Pollock asked for clarification on the terms "workforce" and "affordable" housing. Ms. Schaefer said that workforce housing is housing available to those that have an income between 30-80% AMI. She added that in this case there would be an added restriction that the parties be over 55 years old.

Vice-Chair Lennon said that the project was originally approved in 2020 and asked how the financial stability of the world had changed for the applicant. Mr. Chris Eisenzimmer with Blue Ridge Atlantic Development discussed the financial impacts developers have encountered since 2020. He highlighted the increased interest rates, the increase construction costs, and supply chain issues making getting materials difficult. He explained that usually developers would raise rent costs to accommodate those financial changes but with the affordable housing requirement that cannot be done. He said that is causing the need to find funding elsewhere such as what is available through the city.

Mr. Eisenzimmer also answered Chairperson Lyle's question regarding the 30-year plan and said that would only be associated with the affordability requirement of the project.

Commissioner Sharp asked how the applicant/developer would be handling the volatility of supply chain issues and cost changes. Mr. Eisenzimmer said that they are looking to begin construction in early July and therefore have locked it costs for items such as roof trusses, windows, doors, etc. to keep the costs from continuing to increase.

There was additional discussion about how the zoning/rezoning process works for annexation and that a zoning district must be assigned within 60 days of a property being annexed into the city. Vice-Chair Lennon confirmed that the planning commission's role is to recommend a zoning district with conditions to city council.

With that confirmation, Chairperson Lyle opened the public comment section of the meeting.

Ms. Katrina Knight with the Cape Fear Housing Coalition spoke in support of the request due to the critical housing gap for seniors.

Ms. Leanne Barringer spoke in opposition of the request citing traffic concerns.

Ms. Tamara James spoke in opposition of the request citing concerns over flooding, traffic, and lack of infrastructure. She also questioned how the project was passed by the county. Ms. Betsy Albright spoke in opposition of the request stating that the public received inadequate notice of the project and meeting. She also stated that a senior housing development does not need the amenities the applicant is proposing and suggested the project would be a "bait and switch".

Everyone being given an opportunity to be heard, Chairman Lyle closed the public hearing.

Ms. Schaefer addressed the concerns brought up during the public hearing as well as some submitted through the online public portal prior to the meeting. She said that the city offers more amenities and sidewalks are one of them. She said that while there may not be walkability and transit available at the moment, the hope is that this will lead to additional businesses developing and installing sidewalks, leading to more walkable and transit opportunities. She added that the stormwater and infrastructure has been fully vetted and meet all requirements by the county.

There was additional discussion regarding the public notice and the installation of public notice signs by both the applicant and staff.

Vice-Chair Lennon asked about the amenities being provided. Mr. Eisenzimmer said that the state mandates certain amenities and that affordable housing be offered the same amenities of other developments regardless of income restrictions. Chairperson Lyle asked how the income and age requirements would be enforced. Mr. Eisenzimmer explained that those items would be regulated by the state and verified through the application process. He added that documentation is required for any affordable housing project as long as it receives funding.

Chairperson Lyle asked for the rationale behind staff's recommendation of the selected zoning district. Mr. Walton explained that staff evaluated every district and based on the units per acre approved by the county, the MD-17(CD), High-density multiple-dwelling residential district (Conditional District) was the city's equivalent.

During the discussion by the commissioners, Commissioner Sharp asked what would happen if the project fell through. Mr. Walton said that the zoning would remain in place for the exact project and if someone were to purchase the subject site, they would have to come before planning commission and city council with a new site plan.

Commissioner Bowman said that since the project is already shovel-ready, he believes it would be a positive addition to the city to bring more affordable housing to our area.

Commissioner Pollock opined that the project was moving forward even if the annexation or the rezoning was denied. Commissioner Sharp said that in his opinion the project was much more viable with city support to assist with funding, and that the housing was much needed.

Vice-Chair Lennon said that since the project was already approved, he said that by assigning a zoning district, they would increase the probability of success of moving the project forward. Chairperson Lyle agreed.

Commissioner Woodruff said he was sympathetic to the neighbors in the Middle Sound Loop area and agreed that the traffic is definitely an issue. He questioned why these concerns were not addressed two years ago but acknowledged that this is a housing need within the city.

Vice-Chair Lennon provided information and data regarding the number of people that were in attendance and spoke at the New Hanover County meeting on February 4, 2020 in regards to this project. He said that the erroneous information being spread was not beneficial but did state that the issues with signage need to be reviewed.

Commissioner Goins questioned whether the county advertises their meetings and projects as the city. Mr. Satterfield said that the county has the same requirements as the city regarding signage, meeting notices, and advertising. He said that staff is aware of some of the difficulties with the new city signage and is currently working on changing the way they are handled.

Since there was no further discussion, Commissioner Sharp made a motion to approve case number CD-24-522 for the conditional district rezoning of the property located at 205, 209, 213 & 217 Middle Sound Loop Road from New Hanover County RMF-M(CZO), Conditional Residential Multi-Family Low Density District to MD-17(CD), High-density multiple-dwelling residential district (Conditional District) for a 72-unit, affordable, senior housing development with the conditions outlined in the staff report and proceedings. The motion was seconded by Vice-Chair Lennon.

The motion to conditionally approve the request carried 7-0.

# **ATTACHMENT 19:**

**Geotechnical Engineering Report** 





# **ECS Southeast, LLP**

Geotechnical Engineering Report

The Residence at Canopy Ponte

Wilmington, New Hanover County, North Carolina

ECS Project No. 22:30696

August 27, 2021





Geotechnical • Construction Materials • Environmental • Facilities

NC Registered Engineering Firm F-1078 NC Registered Geologists Firm C-406 SC Registered Engineering Firm 3252

August 27, 2021

Mr. Christopher L. Eisenzimmer, CPA Blue Ridge Atlantic Community Development 2018 Eastwood Road Wilmington, NC 28403

ECS Project No. 22:30696

Reference: Geotechnical Engineering Report

**The Residence at Canopy Pointe** 205/217 Middle Sound Loop Road

Wilmington, New Hanover County, North Carolina

Dear Mr. Eisenzimmer:

ECS Southeast, LLP (ECS) has finished the subsurface exploration and geotechnical engineering analyses for the above-referenced project. Our services were performed in general accordance with our agreed to scope of work. This report presents our understanding of the geotechnical aspects of the project along with the results of the field exploration and our design and construction recommendations.

It has been our pleasure to be of service during the design phase of this project. We would appreciate the opportunity to remain involved during the continuation of the design phase, and we would like to provide our services during construction phase operations as well to verify subsurface conditions assumed for this report. Should you have questions concerning the information contained in this report, or if we can be of further assistance to you, please contact us.

Respectfully submitted,

**ECS Southeast, LLP** 

**Mike Delaney, E.I.**Project Manager

MDelaney@ecslimited.com

Winslow Goins, PE
Principal Engineer
WGoins@ecslimited.com

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# **APPENDICES**

# **Appendix A – Drawings & Reports**

- Site Location Diagram
- Exploration Location Diagram

# Appendix B – Field Operations

- Reference Notes for CPT Soundings
- Cone Penetration Test Sounding Logs (S-1 through S-13)

# Appendix C – Additional Reports

• SHWT Report

# **Appendix D – Supplemental Report Documents**

GBA Document

## **EXECUTIVE SUMMARY**

The following summarizes the main findings of the exploration, particularly those that may have a cost impact on the planned development. Further, our principal foundation recommendations are summarized. Information gleaned from the executive summary should not be utilized in lieu of reading the geotechnical report.

- The geotechnical exploration performed for the site included thirteen (13) electronic cone penetration test (CPT) soundings drilled to refusal or termination depths ranging from approximately 10 to 40 feet.
- The proposed structures can be supported by conventional shallow foundations provided the column and wall loads do not exceed 200 kips and 6 kips per linear foot, respectively. We recommend a maximum net allowable bearing pressure of 2,000 psf be used for design.
- Groundwater was encountered in the soundings at depths ranging from approximately 2.1 to 6.0 feet below existing grade.
- Due to the organic material encountered in soundings S-2 through S-5, ECS recommends undercutting and backfilling with approved structural fill to depths of 2 to 3 feet these vicinities prior to the construction of foundations.
- Due to the organic material encountered in soundings S-11 through S-13, ECS recommends undercutting and backfilling with approved structural fill to depths of 2 feet in these vicinities prior to the construction of pavements.
- Due to the near surface loose SANDS (SM) encountered in the soundings, in-place densification with a vibratory roller may be needed prior to construction of foundations, placement of fill, and pavements.

Please note this Executive Summary is an important part of this report and should be considered a "summary" only. The subsequent sections of this report constitute our findings, conclusions, and recommendations in their entirety.

## 1.0 INTRODUCTION

The purpose of this study was to provide geotechnical information for the design of foundations for the proposed residential development located off Middle Sound Loop Road in Wilmington, North Carolina. The recommendations developed for this report are based on project information supplied by Mr. Richard Collier of McKim & Creed.

Our services were provided in accordance with our Proposal No. 22:23947 dated August 3, 2021, as authorized by Mr. Chris Eisenzimmer on August 9, 2021, which includes our Terms and Conditions of Service.

This report contains the procedures and results of our subsurface exploration programs, review of existing site conditions, engineering analyses, and recommendations for the design and construction of the project.

The report includes the following items.

- A brief review and description of our field test procedures and the results of testing conducted;
- A review of surface topographical features and site conditions;
- A review of subsurface soil stratigraphy with pertinent available physical properties;
- Preliminary foundation recommendations;
  - o Allowable bearing pressure;
  - Settlement estimates (total and differential);
- Site development recommendations;
- Pavement design recommendations;
- Suitability of soils for use as fill material;
- Seismic site class and liquefaction recommendations;
- Discussion of groundwater impact;
- Compaction recommendations;
- Site vicinity map;
- Exploration location plan;
- Hand auger boring logs with Kessler DCP test results; and
- CPT sounding logs.

## 2.0 PROJECT INFORMATION

# 2.1 PROJECT LOCATION/CURRENT SITE USE/PAST SITE USE

The proposed site is located at 205 and 217 Middle Sound Loop Road in Wilmington, New Hanover County, North Carolina. The site is bounded on the north and east by neighboring residential lots, on the south by Middle Sound Loop Road, and on the west by a church. Figure 2.1.1 below shows an image of where the site is located.

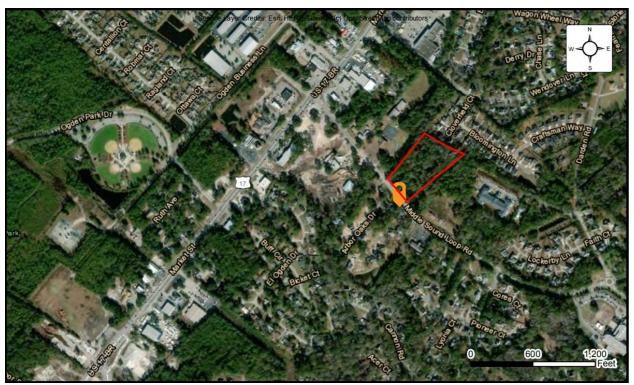


Figure 2.1.1 Site Location

The site consists of 4 parcels spanning roughly 4.77 acres. At the time of our exploration, the site was heavily wooded. Based on our site visit and approximate elevations from Google Earth, the typography of the site varies with typical elevations on site ranging from approximately 34 to 37 feet.

# 2.2 PROPOSED CONSTRUCTION

The following information explains our understanding and assumptions of the planned development including proposed buildings and related infrastructure.

SUBJECT	DESIGN INFORMATION / ASSUMPTIONS
Usage	Residential
Column Loads	Up to 200 kips
Wall Loads	Up to 6 kips per linear foot (klf)

ECS understands the project consists of the construction of a new 3-story, 72-unit apartment building with associated parking and drives and a stormwater pond.

#### 3.0 FIELD EXPLORATION TESTING

Our exploration procedures are explained in greater detail in Appendix B including the Reference Notes for Cone Penetration Soundings. Our scope of work included performing thirteen (13) CPT soundings. Our approximate CPT sounding locations are shown on the Exploration Location Diagram in Appendix A.

## 3.1 SUBSURFACE CHARACTERIZATION

The subsurface conditions encountered were generally consistent with published geological mapping. The following sections provide generalized characterizations of the soil. Please refer to the CPT sounding logs in Appendix B.

The site is located in the Coastal Plain Physiographic Province of North Carolina. The Coastal Plain is composed of seven terraces, each representing a former level of the Atlantic Ocean. Soils in this area generally consist of sedimentary materials transported from other areas by the ocean or rivers. These deposits vary in thickness from a thin veneer along the western edge of the region to more than 10,000 feet near the coast. The sedimentary deposits of the Coastal Plain rest upon consolidated rocks similar to those underlying the Piedmont and Mountain Physiographic Provinces. In general, shallow unconfined groundwater movement within the overlying soils is largely controlled by topographic gradients. Recharge occurs primarily by infiltration along higher elevations and typically discharges into streams or other surface water bodies. The elevation of the shallow water table is transient and can vary greatly with seasonal fluctuations in precipitation.

**Table 3.1.1 Subsurface Stratigraphy** 

	Tuble 3.1.1 Substitute Stratigraphy					
Approximate Depth Range (ft)	Stratum		Ranges of N*-Values(1) blows per foot (bpf)			
0 to (0.5-1.0) (Surface cover)	N/A	Topsoil was encountered on-site with an observed thickness of 6 to 12 inches. Deeper topsoil or organic laden soils are likely present in wet, poorly drained areas and potentially unexplored areas of the site	N/A			
(0.5-1.0) to 4	I	Very Loose to Medium Dense, Silty SAND (SM), Moist to Saturated; Soundings S-2 through S-5 and S-11 through S-13 encountered organic material at these depths, which will require removal;	2 to 19 0 to 4 (organics)			
4 to 16	II	Very Loose to Very Dense, Silty, Clayey, and Clean SAND (SM, SC, SP), Moist to Saturated	5 to 100			
16 to 30	III	Very Soft to Stiff, Sandy Lean and Silty CLAY (CL, CL-ML); Saturated	1 to 9			
30 to 40	IV	Loose to Very Dense, Silty, Clayey, and Clean SAND (SM, SC, SP) with interbedded layers of Sandy Lean and Silty CLAY (CL, CL-ML); Saturated	9 to 75 9 to 11 (Clays only)			

Notes: (1) Equivalent Corrected Standard Penetration Test Resistances

# **3.2 GROUNDWATER OBSERVATIONS**

Water levels were measured in our CPT soundings are shown in Appendix B. Groundwater depths measured at the time of drilling ranged from 2.1 to 6.0 feet below the ground surface. Variations in the long-term water table may occur as a result of changes in precipitation, evaporation, surface water runoff, construction activities, and other factors.

#### **4.0 DESIGN RECOMMENDATIONS**

# **4.1 SHALLOW FOUNDATIONS**

Provided subgrades and structural fills are prepared as recommended in this report and the anticipated column and wall loads provided, in the table in **Section 2.2 Proposed Construction**, are not exceeded, the proposed structures can be supported by shallow foundations including column footings and continuous wall footings. We recommend the foundation design use the following parameters:

Design Parameter	Column Footing	Wall Footing
Net Allowable Bearing Pressure <sup>(1)</sup>	2,000 psf	2,000 psf
Recommended Bearing Soil Material	Stratum I Soils or Structural Fill	Stratum I Soils or Structural Fill
Minimum Width	30 inches	18 inches
Minimum Footing Embedment Depth (below slab or finished grade) (2)	12 inches	12 inches
Minimum Exterior Frost Depth (below final exterior grade)	6 inches	6 inches
Estimated Total Settlement <sup>(3)</sup>	Less than 1- inch	Less than 1- inch
Estimated Differential Settlement <sup>(4)</sup>	Less than ½ inches between columns	Less than ½ inches

Notes:

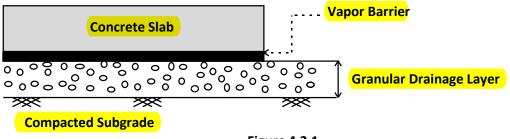
- (1) Net allowable bearing pressure is the applied pressure in excess of the surrounding overburden soils above the base of the foundation.
- (2) For bearing considerations and frost penetration requirements.
- (3) Based on assumed structural loads. If final loads are different, ECS must be contacted to update foundation recommendations and settlement calculations.
- (4) Based on maximum column/wall loads and variability in borings. Differential settlement can be reevaluated once the foundation plans are finished.

**Potential Undercuts:** The soils at the estimated foundation bearing elevation are anticipated to be adequate for support of the proposed structures. If soft or loose soils are observed at the footing bearing elevations, the soils should be undercut and removed. Undercut should be backfilled with structural fill up to the original design bottom of footing elevation; the original footing may be constructed on top of the structural fill.

Due to the organic material encountered in soundings S-2 through S-5, ECS recommends undercutting and backfilling with approved structural fill to depths of 2 to 3 feet these vicinities prior to the construction of foundations. ECS recommends in-place densification with a vibratory roller prior to the construction of foundations as well, due to the loose near-surface sands encountered.

#### **4.2 SLABS ON GRADE**

The on-site natural soils are generally considered adequate for support of the slab-on-grade floor slabs. Based on the assumption that the finished floor elevation is around current grades, it appears that the slabs for the structure will likely bear on the Stratum I SANDS (SM) or structural fill. The following graphic depicts our soil-supported slab recommendations:



- **Figure 4.2.1**
- 1. Drainage Layer Thickness: 6 inches
- 2. Drainage Layer Material: GRAVEL (GP), SAND containing <5% fines passing #200 sieve (SP, SW)

Soft or yielding soils may be encountered in some areas. Those soils should be removed and replaced with compacted Structural Fill in accordance with the recommendations included in this report.

**Subgrade Modulus:** Provided the Structural Fill and Granular Drainage Layer are constructed in accordance with our recommendations, the slab may be designed assuming a modulus of subgrade reaction,  $k_1$  of 150 pci (lbs./cu. inch). The modulus of subgrade reaction value is based on a 1 ft by 1 ft plate load test basis.

**Vapor Barrier:** Before the placement of concrete, a vapor barrier may be placed on top of the granular drainage layer to provide additional protection against moisture penetration through the floor slab. Curing of the slab should be performed in accordance with ACI specifications to reduce the potential for uneven drying, curling and/or cracking of the slab. Depending on proposed flooring material types, the structural engineer and/or the architect may choose to do away with the vapor barrier.

**Slab Isolation:** Soil-supported slabs should be isolated from the foundations and foundation-supported elements of the structure so that differential movement between the foundations and slab will not induce excessive shear and bending stresses in the floor slab. Where the structural configuration inhibits the use of a free-floating slab such as in a drop-down footing/monolithic slab configuration, the slab should be designed to avoid overstressing of the slab.

## 4.3 SEISMIC DESIGN CONSIDERATIONS

**Seismic Site Classification:** The International Building Code (IBC) 2015 requires site classification for seismic design based on the upper 100 feet of a soil profile. At least two methods are utilized in classifying sites, namely the shear wave velocity ( $v_s$ ) method and the Standard Penetration Resistance (N-value) method. The first method (shear wave velocity) was used in classifying this site.

	SEISMIC SITE CLASSIFICATION				
Site Class	Soil Profile Name	Soil Profile Name  Shear Wave Velocity, Vs,  (ft./s)			
Α	Hard Rock	Vs > 5,000 fps	N/A		
В	Rock	2,500 < Vs ≤ 5,000 fps	N/A		
С	Very dense soil and soft rock	1,200 < Vs ≤ 2,500 fps	>50		
D Stiff Soil Profile E Soft Soil Profile		600 ≤ Vs ≤ 1,200 fps	15 to 60		
		Vs < 600 fps	<15		

Based on the results of the CPT soundings, it is our interpretation the site may be considered a Site Class "D" as shown in the preceding table.

**Liquefaction:** The potential for liquefaction at the site is considered low based upon the CPT results and the liquefaction index procedure developed by Iwasaki (1982). Based on our CPT results and our evaluation using a site peak ground acceleration of 0.167 (PGA<sub>m</sub>), an earthquake event with a magnitude of 7.3 and procedures developed by Boulanger & Idriss (2014), the liquefaction induced settlement at the subject site is estimated to be less than 1.65 inches. The max differential settlement is estimated to be 0.73 inches over a distance of approximately 66 feet.

**Ground Motion Parameters:** In addition to the seismic site classification, ECS has determined the design spectral response acceleration parameters following the IBC 2015 methodology. The Mapped Reponses were estimated from the ATC Hazards by Location Tool available from the USGS website (<a href="https://hazards.atcouncil.org">https://hazards.atcouncil.org</a>). The design responses for the short (0.2 sec, S<sub>DS</sub>) and 1-second period (S<sub>D1</sub>) are noted in bold at the far-right end of the following table.

	GROUND MOTION PARAMETERS – SITE CLASS D [IBC 2015 Method]							
Period (sec)	Res Accelo	d Spectral ponse erations (g)	Values of Site Coefficient for Site Class		Maximum Spectral Response Acceleration Adjusted for Site Class (g)		Res	n Spectral sponse leration (g)
Reference	_	1613.3.1 & (2)		.613.3.3 & (2)	Eqs. 16-3		-	16-39 & 6-40
0.2	S <sub>S</sub>	0.205	Fa	1.6	S <sub>MS</sub> =F <sub>a</sub> S <sub>s</sub>	0.328	S <sub>DS</sub> =2/3 S <sub>MS</sub>	0.219
1.0	S <sub>1</sub>	0.088	F <sub>v</sub>	2.4	$S_{M1}=F_vS_1$	0.211	S <sub>D1</sub> =2/3 S <sub>M1</sub>	0.14

The Site Class definition should not be confused with the Seismic Design Category designation which the Structural Engineer typically assesses.

#### **4.4 PAVEMENTS**

**Subgrade Characteristics:** Based on the results of our soundings, it appears that the pavement subgrades in cuts will consist mainly of Stratum I or approved structural fill. Due to the organic material encountered in soundings S-11 through S-13, ECS recommends undercutting and backfilling with approved structural fill to depths of 2 feet in these vicinities prior to the construction of pavements. ECS recommends in-place densification with a vibratory roller prior to the construction of pavements as well, due to the loose near-surface sands encountered.

California Bearing Ratio (CBR) values were estimated according to the CPT soundings. For preliminary design purposes, provided the subgrade preparation recommendations in this report and in-place densification recommendations are followed, we recommend assuming a preliminary CBR value of 10.

We were not provided traffic loading information, so we have assumed loadings typical of this type of project. Our recommended pavement sections are based on up to 25,000 ESALs over a 20-year design life for residential neighborhood pavements including the fire truck load for the development.

The preliminary pavement sections below are guidelines that may or may not comply with local jurisdictional minimums.

Table 4.4.1				
PROPOSED PAVEMENT SECTIONS				
FLEXIBLE PAVEMENT RIGID PAVEMENT				
MATERIAL	Light Duty	Light Duty		
Portland Cement Concrete (f' <sub>c</sub> = 4000 psi)	-	5 in.		
Asphalt Surface Course	2 in	-		
Graded Aggregate Base Course	6 in	4 in		

In general, heavy duty sections are areas that will be subjected to trucks, buses, or other similar vehicles including main drive lanes of the development. Light duty sections are appropriate for vehicular traffic and parking areas.

Large, front loading trash dumpsters frequently impose concentrated front wheel loads on pavements during loading. This type of loading typically results in rutting of asphalt pavement and ultimately pavement failures. For preliminary design purposes, we recommend that the pavement in trash pickup areas consist of a 6-inch thick, 4,000 psi, reinforced concrete slab overlying 4 inches of compacted ABC stone. When traffic loading becomes available ECS or the Civil Engineer can design the pavements.

Prior to subbase placement and paving, CBR testing of the subgrade soils (both natural and fill soils) should be performed to determine the soil engineering properties for final pavement design.

## **5.0 SITE CONSTRUCTION RECOMMENDATIONS**

## **5.1 SUBGRADE PREPARATION**

# 5.1.1 Stripping and Grubbing

The subgrade preparation should consist of stripping vegetation, rootmat, topsoil, and soft or loose materials from the 10-foot expanded building and 5-foot expanded pavement limits. Soundings performed in "undisturbed" areas of the site contained an observed thickness of 6 to 12 inches of topsoil. Deeper topsoil or organic laden soils may be present in wet, low-lying, and poorly drained areas.

# **5.1.2 Proofrolling**

Prior to fill placement or other construction on subgrades, the subgrades should be evaluated by an ECS field technician. The exposed subgrade should be proofrolled with construction equipment having a minimum axle load of 10 tons [e.g. tandem-axle dump truck loaded to capacity]. Proofrolling should be traversed in two perpendicular directions with overlapping passes of the vehicle under the observation of an ECS technician. This procedure is intended to assist in identifying localized yielding materials.

Where proofrolling identifies areas that are unsteady or "pumping" subgrade those areas should be repaired prior to the placement of subsequent Structural Fill or other construction materials. Methods of stabilization include undercutting and moisture conditioning. The situation should be discussed with ECS to determine the appropriate procedure. Test pits may be excavated to explore the shallow subsurface materials to help in determining the cause of the observed unsteady materials, and to assist in the evaluation of appropriate remedial actions to stabilize the subgrade.

Due to the organic material encountered in soundings S-2 through S-5, ECS recommends undercutting and backfilling with approved structural fill to depths of 2 to 3 feet these vicinities prior to the construction of foundations. Due to the organic material encountered in soundings S-11 through S-13, ECS recommends undercutting and backfilling with approved structural fill to depths of 2 feet in these vicinities prior to the construction of pavements. Due to the near-surface loose SANDS (SM) encountered in the soundings, ECS recommends in-place densification with a vibratory roller as well prior to construction of foundations, pavements, and placement of fill.

# 5.1.3 Site Temporary Dewatering

**Temporary Dewatering:** Temporary dewatering operations can be handled by the use of conventional submersible pumps directly in the excavation or temporary trenches to direct the flow of water and to remove water from the excavation. If temporary sump pits are used, we recommend they be established at an elevation 3 to 5 feet below the bottom of the excavation subgrade or bottom of footing. A perforated 55-gallon drum or other temporary structure could be used to house the pump. We recommend continuous dewatering of the excavations using pumps during construction.

#### **5.2 EARTHWORK OPERATIONS**

## 5.2.1 Structural Fill

Prior to placement of Structural Fill, bulk samples (about 50 pounds) of on-site and/or off-site borrow should be submitted to ECS for laboratory testing, which typically include Atterberg limits, natural moisture content, grain-size distribution, and moisture-density relationships (i.e., Proctors) for compaction. Import materials should be tested prior to being hauled to the site to determine if they meet project specifications. Alternatively, Proctor data from other accredited laboratories can be submitted if the test results are within the last 90 days.

**Structural Fill Materials:** Materials selected for use as structural fill should consist of inorganic soils with the following engineering properties and compaction requirements.

STRUCTURAL FILL INDEX PROPERTIES				
Subject	Property			
Building and Pavement Areas	LL < 40, PI<10			
Max. Particle Size	3 inches			
Fines Content	Max. 20 %			
Max. organic content	5% by dry weight			

STRUCTURAL FILL COMPACTION REQUIREMENTS		
Subject	Requirement	
Compaction Standard	Standard Proctor, ASTM D698	
Required Compaction	98% of Max. Dry Density	
Maximum Dry Density	>100 pcf	
Moisture Content	-2 to +2 % points of the soil's optimum value	
Loose Thickness	8 inches prior to compaction	

**On-Site Borrow Suitable:** Some natural deposits of possible fill material are present on the site. The onsite sands (SP, SM) with fines contents less than 20 percent should meet the recommendations for re-use as structural fill. The organic material near the surface of soundings S-2 through S-5 and S-11 through S-13 is not suitable for reuse as structural fill.

**Fill Placement:** Fill materials should not be placed on frozen soils, on frost-heaved soils, and/or on excessively wet soils. Borrow fill materials should not contain frozen materials at the time of placement, and frozen or frost-heaved soils should be removed prior to placement of structural fill or other fill soils and aggregates. Excessively wet soils or aggregates should be scarified, aerated, and moisture conditioned.

#### 5.3 FOUNDATION AND SLAB OBSERVATIONS

**Protection of Foundation Excavations:** Exposure to the environment may weaken the soils at the footing bearing level if the foundation excavations remain open for too long a time. Therefore, foundation concrete should be placed the same day that excavations are made. If the bearing soils are softened by surface water intrusion or exposure, the softened soils must be removed from the foundation excavation bottom immediately prior to placement of concrete. If the excavation must remain open overnight, or if rainfall becomes imminent while the bearing soils are exposed, a 1 to 3-inch thick "mud mat" of "lean" concrete should be placed on the bearing soils before the placement of reinforcing steel.

**Footing Subgrade Observations:** A majority of the soils encountered on site at the foundation bearing elevation are anticipated to be adequate for support of the proposed structure. It is important to have ECS observe the foundation subgrade prior to placing foundation concrete, to confirm the bearing soils are what was anticipated.

**Slab Subgrade Verification:** Prior to placement of a drainage layer, the subgrade should be prepared in accordance with the recommendations found in **Section 5.1.2 Proofrolling**.

# **5.4 UTILITY INSTALLATIONS**

**Utility Subgrades:** The soils encountered in our exploration are expected to be generally adequate for support of utility pipes. The pipe subgrades should be observed and probed for stability by ECS. Loose or unsteady materials encountered should be removed and replaced with compacted Structural Fill, or pipe stone bedding material.

**Utility Backfilling:** The granular bedding material (AASHTO #57 stone) should be 4 inches thick, but not less than that specified by the civil engineer's project drawings and specifications. We recommend that the bedding materials be placed up to the springline of the pipe. Fill placed for support of the utilities, as well as backfill over the utilities, should meets the requirements for structural fill and fill placement.

**Excavation Safety:** Excavations and slopes should be constructed and maintained in accordance with OSHA excavation safety standards. The contractor is solely responsible for designing, constructing, and maintaining steady temporary excavations and slopes. The contractor's responsible person, as defined in 29 CFR Part 1926, should evaluate the soil exposed in the excavations as part of the contractor's safety procedures. The slope height, slope inclination, or excavation depth, including utility trench excavation depth, should not exceed those specified in local, state, and federal safety regulations. ECS is providing this information solely as a service to our client. ECS is not assuming responsibility for construction site safety or the contractor's activities; such responsibility is not being implied and should not be inferred.

#### 6.0 CLOSING

ECS has prepared this report to guide the geotechnical-related design and construction aspects of the project. We performed these services in accordance with the standard of care expected of professionals in the industry performing similar services on projects of like size and complexity at this time in the region. No other representation, expressed or implied, and no warranty or guarantee is included or intended in this report.

The description of the proposed project is based on information provided to ECS by Mr. Richard Collier of McKim & Creed. If this information is untrue or changes, either because of our interpretation of the documents provided or site or design changes that may occur later, ECS should be contacted so we can review our recommendations and provide additional or alternate recommendations that reflect the proposed construction.

We recommend that ECS review the project plans and specifications so we can confirm that those plans/specifications are in accordance with the recommendations of this geotechnical report.

Field observations and quality assurance testing during earthwork and foundation installation are an extension of, and integral to, the geotechnical design. We recommend that ECS be retained to apply our expertise throughout the geotechnical phases of construction, and to provide consultation and recommendation should issues arise.

ECS is not responsible for the conclusions, opinions, or recommendations of others based on the data in this report.

## **APPENDIX A – Diagrams & Reports**

Site Location Diagram
Exploration Location Diagram





# SITE LOCATION DIAGRAM THE RESIDENCE AT CANOPY POINT

205 MIDDLE SOUND LOOP RD, WILMINGTON, NORTH CAROLINA BLUE RIDGE ATLANTIC

ENC	ΒIN	ΙE	Ε	R
W	FC	`		

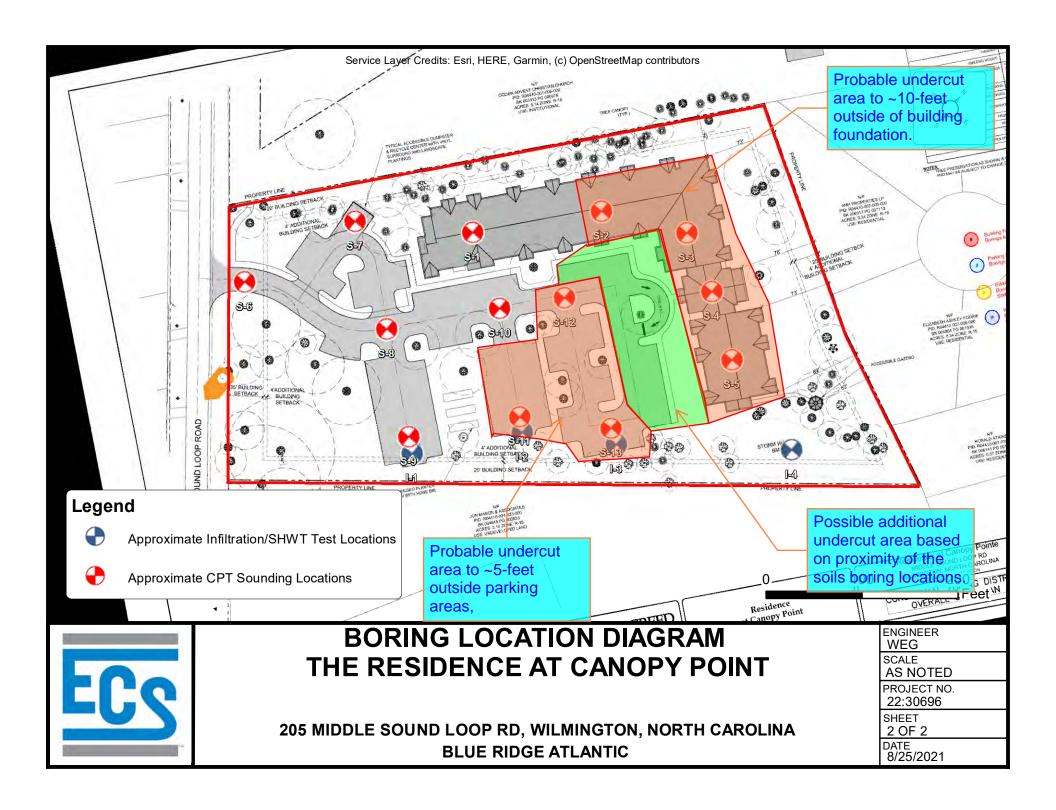
SCALE

AS NOTED PROJECT NO.

22:30696 SHEET

SHEET 1 OF 2

DATE 8/25/2021

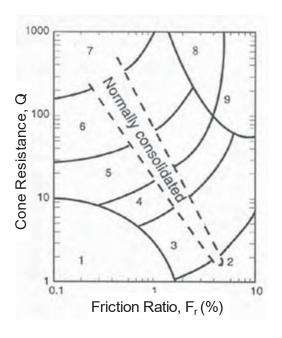


## **APPENDIX B – Field Operations**

Reference Notes for CPT Sounding Logs Cone Penetration Test Sounding Logs (S-1 through S-13)

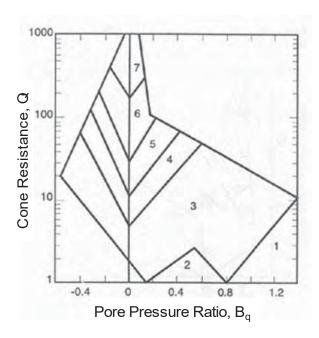
# REFERENCE NOTES FOR CONE PENETRATION TEST (CPT) SOUNDINGS

In the CPT sounding procedure (ASTM-D-5778), an electronically instrumented cone penetrometer is hydraulically advanced through soil to measure point resistance  $(q_c)$ , pore water pressure  $(u_2)$ , and sleeve friction  $(f_s)$ . These values are recorded continuously as the cone is pushed to the desired depth. CPT data is corrected for depth and used to estimate soil classifications and intrinsic soil parameters such as angle of internal friction, preconsolidation pressure, and undrained shear strength. The graphs below represent one of the accepted methods of CPT soil behavior classification (Robertson, 1990).





- 2. Organic Soils-Peats
- 3. Clays; Clay to Silty Clay
- 4. Clayey Silt to Silty Clay
- 5. Silty Sand to Sandy Silt



- 6. Clean Sands to Silty Sands
- 7. Gravelly Sand to Sand
- 8. Very Stiff Sand to Clayey Sand
- 9. Very Stiff Fine Grained

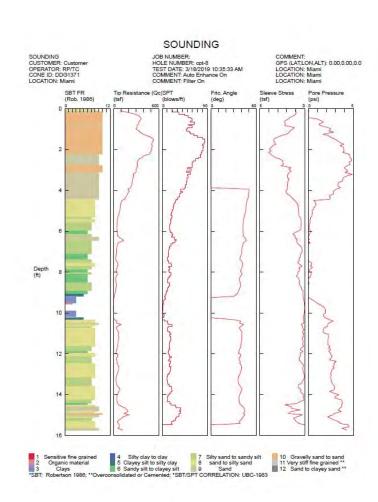
The following table presents a correlation of corrected cone tip resistance  $(q_t)$  to soil consistency or relative density:

SA	ND	SILT/CLAY		
Corrected Cone Tip Resistance (q <sub>t</sub> ) (tsf)	Relative Density	Corrected Cone Tip Resistance (q <sub>t</sub> ) (tsf)	Relative Density	
<20	Very Loose	<5	Very Soft	
20-40	Loose	5-10	Soft	
40-120	Medium Dense	10-15	Firm	
40-120		15-30	Stiff	
120-200	Dense	30-45	Very Stiff	
>200	Very Dense	45-60	Hard	
		>60	Very Hard	



# SUBSURFACE EXPLORATION PROCEDURE: CONE PENETRATION TESTING (CPT) ASTM D 5778

In the CPT sounding procedure, an electronically instrumented cone penetrometer is hydraulically advanced through soil to measure point resistance (qc), pore water pressure (U2), and sleeve fricon (fs). These values are recorded connuously as the cone is pushed to the desired depth. CPT data is corrected for depth and used to esma te soil classificaons and intrinsic soil parameters such as angle of internal fricon, pre-consolidaon pressure, and undrained shear strength.



## **CPT Procedure:**

- Involves the direct push of an electronically instrumented cone penetrometer\* through the soil
- Values are recorded connuously
- CPT data is corrected and correlated to soil parameters

\*CPT Penetrometer Size May Vary

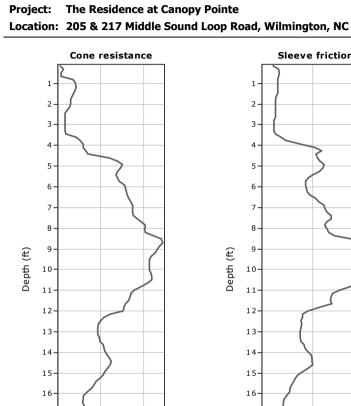


CPT: S-1

Total depth: 19.85 ft, Date: 8/24/2021

Cone Type: DDG1299

Cone Operator: Cory Robison

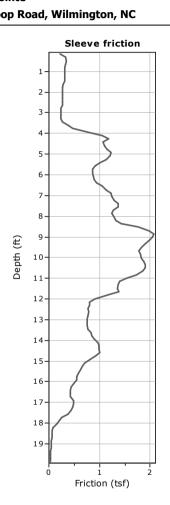


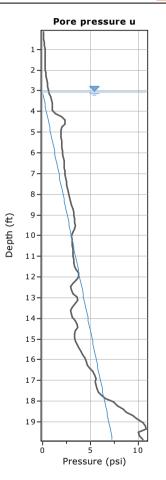
100

Tip resistance (tsf)

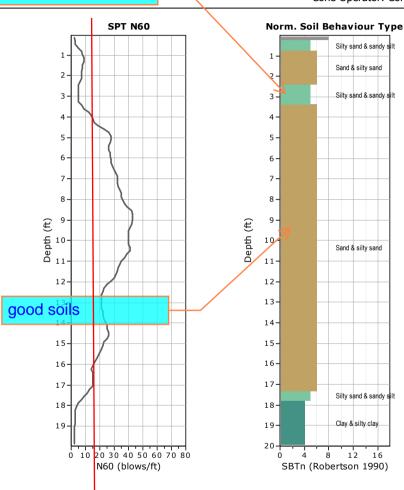
200

17





marginal soils



In general, we like to see blow counts of >10 bpf, and definitely >15 bpf



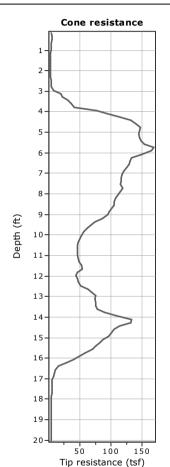
CPT: S-2

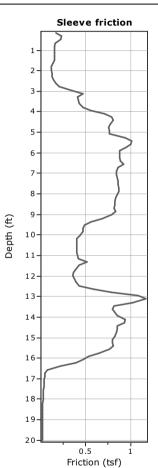
Total depth: 20.01 ft, Date: 8/24/2021 Cone Type: DDG1299

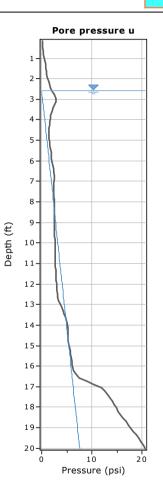
Cone Operator: Cory Robison

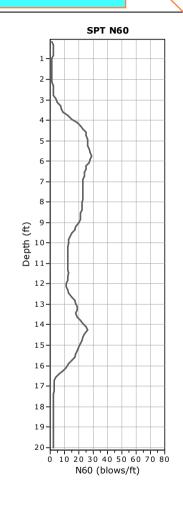
This area is culprit for the undercut.

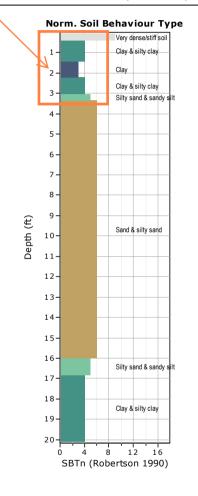
**Project:** The Residence at Canopy Pointe













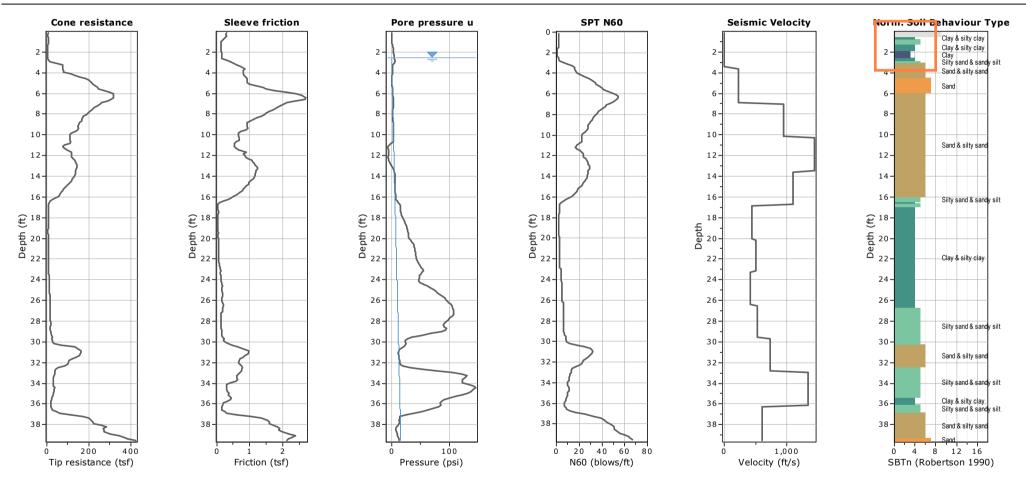
CPT: S-3

Total depth: 39.53 ft, Date: 8/24/2021

Cone Type: DDG1299

Cone Operator: Cory Robison

**Project: The Residence at Canopy Pointe** 





CPT: S-4

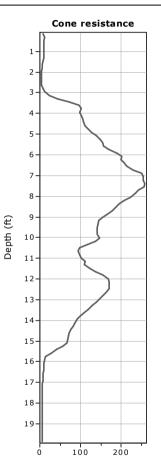
Total depth: 19.85 ft, Date: 8/24/2021

Cone Type: DDG1299

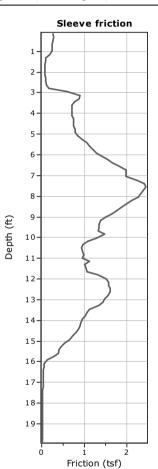
Cone Operator: Cory Robison

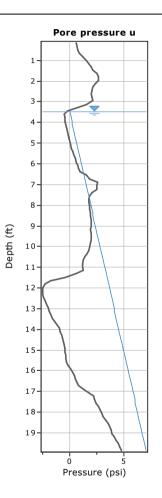
**Project: The Residence at Canopy Pointe** 

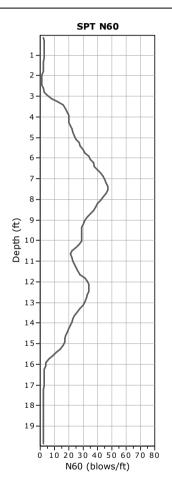
Location: 205 & 217 Middle Sound Loop Road, Wilmington, NC

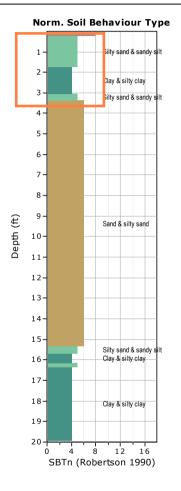


Tip resistance (tsf)









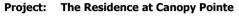


CPT: S-5

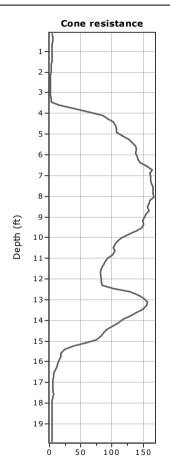
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Cone Type: DDG1299

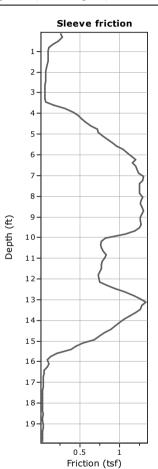
Cone Operator: Cory Robison

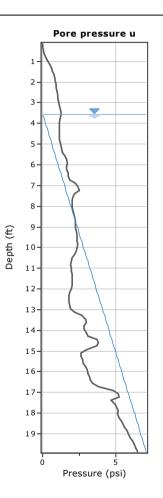


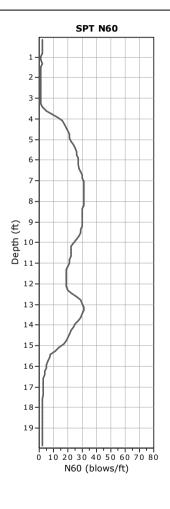
Location: 205 & 217 Middle Sound Loop Road, Wilmington, NC

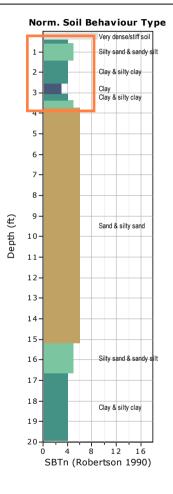


Tip resistance (tsf)











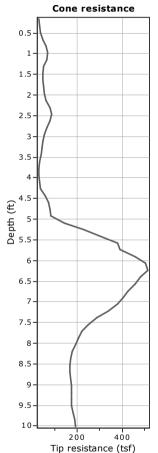
CPT: S-6

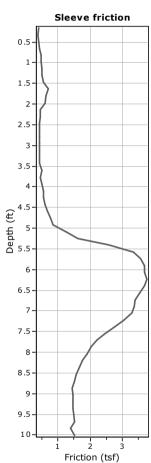
Total depth: 10.01 ft, Date: 8/24/2021

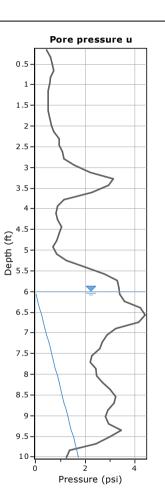
Cone Type: DDG1299

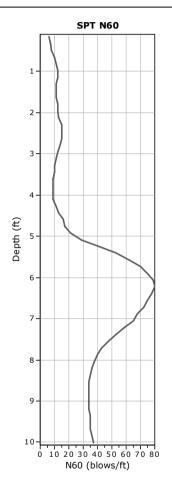
Cone Operator: Cory Robison

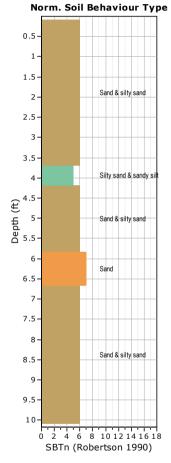












These soils are really good for construction.

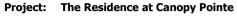


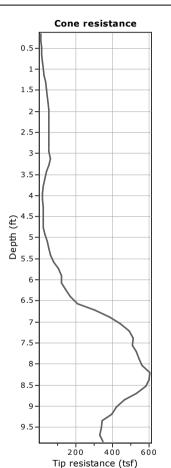
CPT: S-7

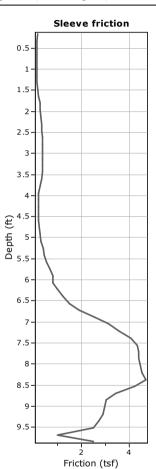
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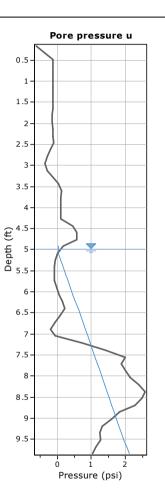
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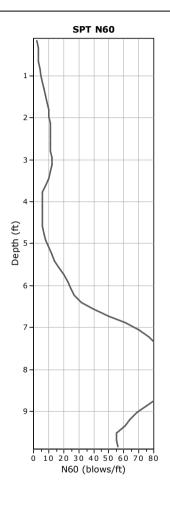
Cone Operator: Cory Robison

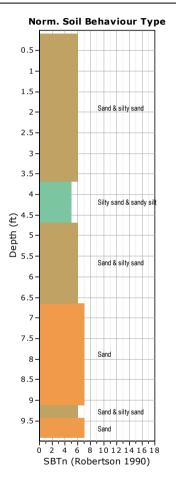














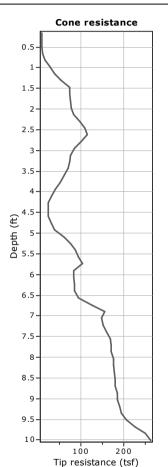
CPT: S-8

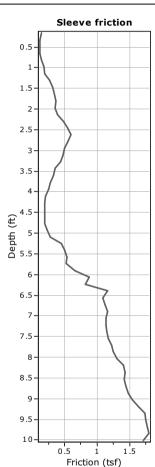
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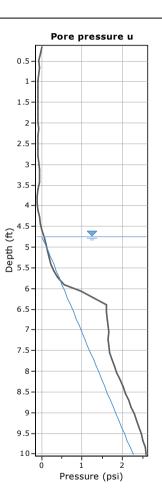
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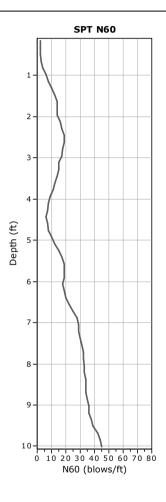
Cone Operator: Cory Robison

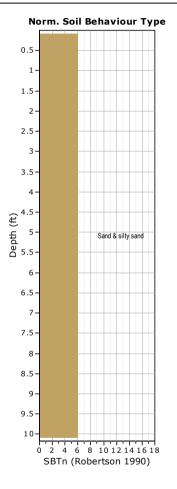
**Project: The Residence at Canopy Pointe** 













CPT: S-9

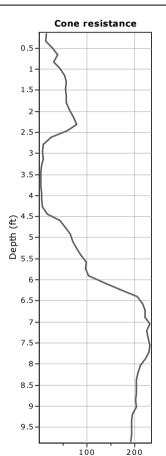
Total depth: 9.84 ft, Date: 8/24/2021

Cone Type: DDG1299

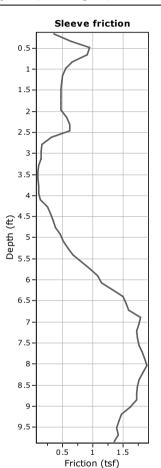
Cone Operator: Cory Robison

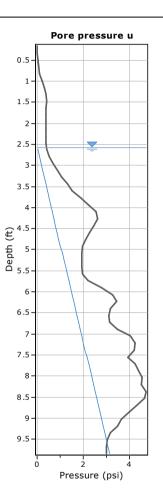
**Project: The Residence at Canopy Pointe** 

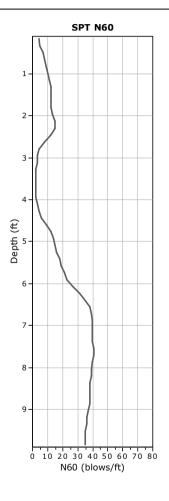
Location: 205 & 217 Middle Sound Loop Road, Wilmington, NC

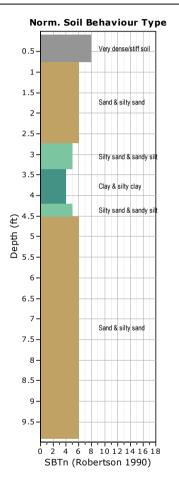


Tip resistance (tsf)











**ECS Southeast, LLP** 6714 Netherlands Drive Wilmington, NC 28405

Project: The Residence at Canopy Pointe

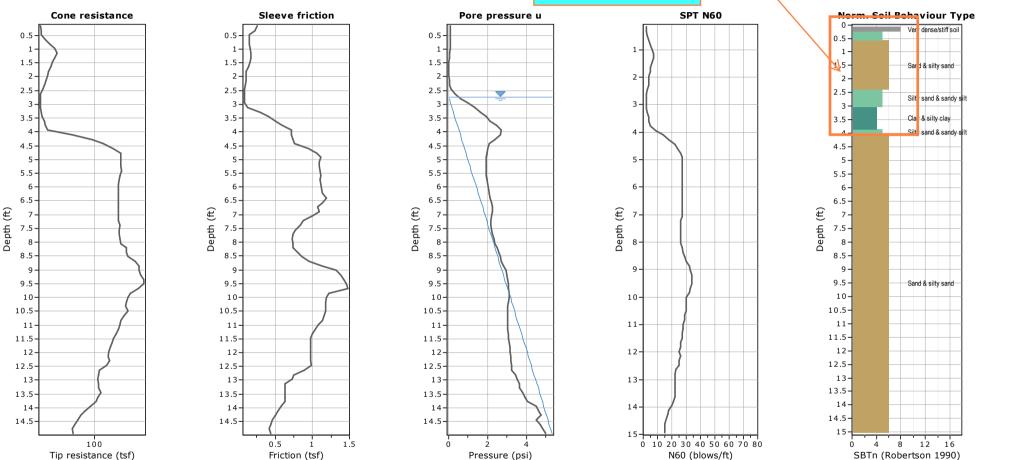
Location: 205 & 217 Middle Sound Loop Road, Wilmington, NC

These soils will need to be monitored as the sand is sandwiched high in the boring by the questionable soils

**CPT: S-10** 

Total depth: 14.93 ft, Date: 8/24/2021 Cone Type: DDG1299

Cone Operator: Cory Robison





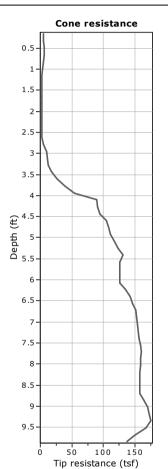
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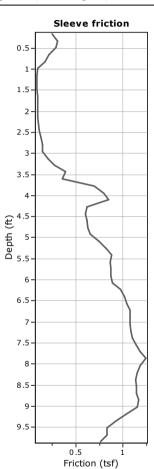
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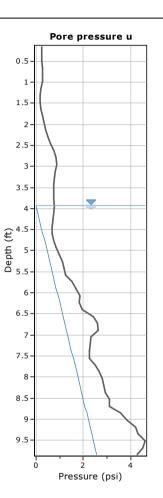
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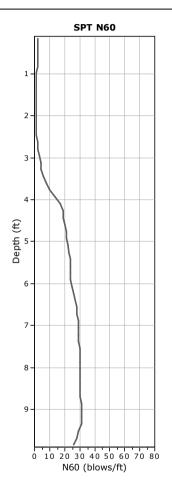
Cone Operator: Cory Robison

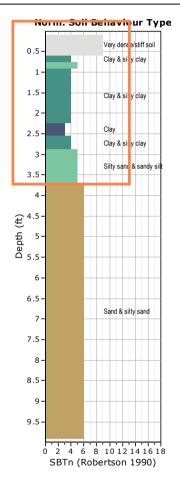














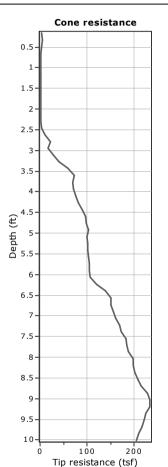
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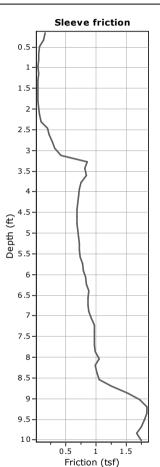
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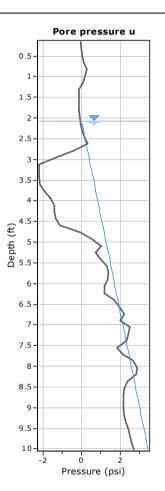
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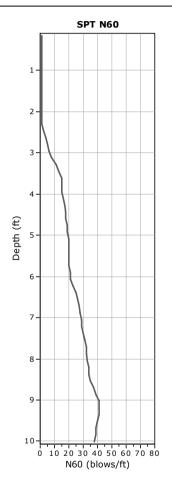
Cone Operator: Cory Robison

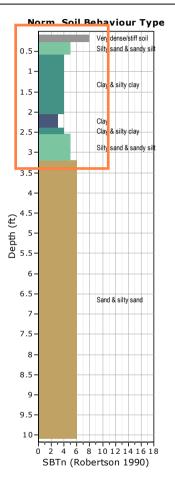
**Project:** The Residence at Canopy Pointe













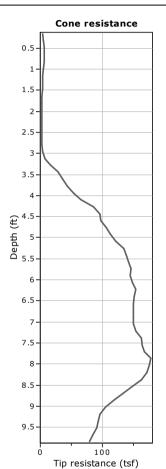
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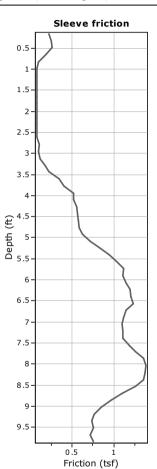
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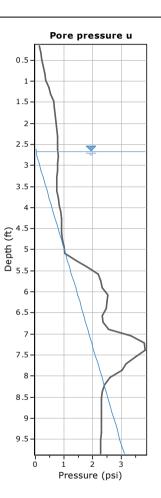
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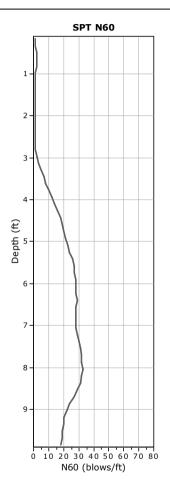
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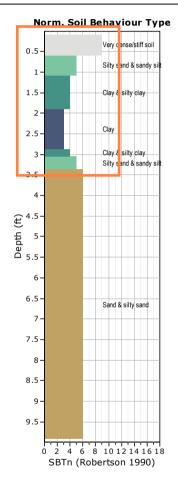












## **APPENDIX C – Additional Reports**

SHWT Report

Geotechnical • Construction Materials • Environmental • Facilities

NC Registered Engineering Firm F-1078 NC Registered Geologists Firm C-406 SC Registered Engineering Firm 3239

August 25, 2021

Mr. Christopher L. Eisenzimmer, CPA Blue Ridge Atlantic Community Development 2018 Eastwood Road Wilmington, North Carolina 28403

Reference: Report of Seasonal High Water Table Estimation and Infiltration Testing

Residence At Canopy Point

Wilmington, New Hanover County, North Carolina

ECS Project No. 49.14859

Dear Mr. Eisenzimmer:

ECS Southeast, LLP (ECS) recently conducted a seasonal high water table (SHWT) estimation and infiltration testing within the stormwater control measure (SCM) area(s) at 205 & 217 Middle Sound Loop Road in Wilmington, New Hanover County, North Carolina. This letter, with attachments, is the report of our testing.

#### Field Testing

On August 23, 2021, ECS conducted an exploration of the subsurface soil and groundwater conditions, in accordance with the NCDEQ Stormwater Design Manual section A-2, at four requested locations shown on the attached Boring Location Plan (Figure 1). ECS used GPS equipment in order to determine the boring locations. The purpose of this exploration was to obtain subsurface information of the in situ soils for the SCM area(s). ECS explored the subsurface soil and groundwater conditions by advancing one hand auger boring into the existing ground surface at each of the requested boring locations. ECS visually classified the subsurface soils and obtained representative samples of each soil type encountered. ECS also recorded the SHWT and groundwater elevation observed at the time of the hand auger borings. The attached Infiltration Testing Form provides a summary of the subsurface conditions encountered at the hand auger boring locations.

The SHWT and groundwater elevation was estimated at the boring locations below the existing grade elevation. A summary of the findings are as follows:

		100	Shallow
Location	SHWT		Groundwater
I-1	15 inches		32 inches
I-2	6 inches		20 inches
I-3	6 inches		20 inches
I-4	6 inches		24 inches

ECS has conducted four infiltration tests utilizing a compact constant head permeameter near the hand auger borings in order to estimate the infiltration rate for the subsurface soils. Infiltration tests are typically conducted at two feet above the SHWT or in the most restrictive soil horizon. Tests in clayey/silty conditions are conducted for durations of up to 30 minutes. If a more precise hydraulic conductivity value is desired for these locations, then ECS recommends collecting samples and performing laboratory permeability testing.

Report of SHWT Estimation and Infiltration Testing Residence at Canopy Point Wilmington, New Hanover County, North Carolina ECS Project No. 49.14859 August 25, 2021

#### **Field Test Results**

Below is a summary of the infiltration test results:

The Infiltration rates and SWHT Depths do not meet the NCDEQ Minimum Requirements for Stormwater Treatment.
Richard Collier, PE 2021-08-31

Location	Description	Depth	Inches/ hour	
I-1	Black/gray silty SAND	10 inches	0.041	$]_{X}$
I-2	Black sandy SILT	10 inches	<0.001	X
I-3	Black sandy SILT	10 inches	<0.001	X
I-4	Black sandy SILT	10 inches	0.003	X

Infiltration rates and SHWT may vary within the proposed site due to changes in elevation, soil classification and subsurface conditions. ECS recommends that a licensed surveyor provide the elevations of the boring locations.

#### Closure

ECS's analysis of the site has been based on our understanding of the site, the project information provided to us, and the data obtained during our exploration. If the project information provided to us is changed, please contact us so that our recommendations can be reviewed and appropriate revisions provided, if necessary. The discovery of any site or subsurface conditions during construction which deviate from the data outlined in this exploration should be reported to us for our review, analysis and revision of our recommendations, if necessary. The assessment of site environmental conditions for the presence of pollutants in the soil and groundwater of the site is beyond the scope of this geotechnical exploration.

ECS appreciates the opportunity to provide our services to you on this project. If you have any questions concerning this report or this project, please contact us.

Respectfully,

ECS SOUTHEAST, LLP

C. Brooks Way

K. Brooks Wall Project Manager

bwall@ecslimited.com

910-686-9114

W. Brandon Fulton, PSC, PWS, LSS Environmental Department Manager bfulton@ecslimited.com

W. Brandon Follow

Diditorité ecsimité d'écom

704-525-5152

Attachments: Figure 1 - Boring Location Plan

Infiltration Testing Form

GBA Document



#### **APPROXIMATE BORING LOCATIONS**





Residence at Canopy Point Wilmington, New Hanover County, North Carolina

ECS Project # 49.14859 August 23, 2021 KBW



Figure 1– Boring Location Plan

Provided by: Google Earth and Mckim&Creed

# Infiltration Testing Form Residence at Canopy Point Wilmington, New Hanover County, North Carolina ECS Project No. 49.14859 August 23, 2021

LocationDepthUSCSSoil DescriptionI-10-32"SMBlack/gray silty SAND

Seasonal High Water Table was estimated to be at 15 inches below the existing grade elevation.

Groundwater was encountered at 32 inches below the existing grade elevation.

Test was conducted at 10 inches below existing grade elevation Infiltration Rate: 0.041 inches per hour

<u>Location</u>	<u>Depth</u>	<u>USCS</u>	Soil Description
I-2	0-24"	ML	Black sandy SILT

Seasonal High Water Table was estimated to be at 6 inches below the existing grade elevation.

Groundwater was encountered at 20 inches below the existing grade elevation.

Test was conducted at 10 inches below existing grade elevation Infiltration Rate: <0.001 inches per hour

<u>Location</u>	<u>Depth</u>	<u>USCS</u>	Soil Description
I-3	0-24"	ML	Black sandy SILT

Seasonal High Water Table was estimated to be at 6 inches below the existing grade elevation.

Groundwater was encountered at 20 inches below the existing grade elevation.

Test was conducted at 10 inches below existing grade elevation Infiltration Rate: <0.001 inches per hour

# Infiltration Testing Form Residence at Canopy Point Wilmington, New Hanover County, North Carolina ECS Project No. 49.14859 August 23, 2021

Location	<u>Depth</u>	<u>USCS</u>	Soil Description
I-4	0-24"	ML	Black sandy SILT

Seasonal High Water Table was estimated to be at 6 inches below the existing grade elevation.

Groundwater was encountered at 24 inches below the existing grade elevation.

Test was conducted at 10 inches below existing grade elevation Infiltration Rate: 0.003 inches per hour

# **Important Information about This**

# Geotechnical-Engineering Report

Subsurface problems are a principal cause of construction delays, cost overruns, claims, and disputes.

While you cannot eliminate all such risks, you can manage them. The following information is provided to help.

The Geoprofessional Business Association (GBA) has prepared this advisory to help you - assumedly a client representative - interpret and apply this geotechnical-engineering report as effectively as possible. In that way, clients can benefit from a lowered exposure to the subsurface problems that, for decades, have been a principal cause of construction delays, cost overruns, claims, and disputes. If you have questions or want more information about any of the issues discussed below, contact your GBA-member geotechnical engineer. **Active involvement in the Geoprofessional Business** Association exposes geotechnical engineers to a wide array of risk-confrontation techniques that can be of genuine benefit for everyone involved with a construction project.

# Geotechnical-Engineering Services Are Performed for Specific Purposes, Persons, and Projects

Geotechnical engineers structure their services to meet the specific needs of their clients. A geotechnical-engineering study conducted for a given civil engineer will not likely meet the needs of a civilworks constructor or even a different civil engineer. Because each geotechnical-engineering study is unique, each geotechnical-engineering report is unique, prepared solely for the client. Those who rely on a geotechnical-engineering report prepared for a different client can be seriously misled. No one except authorized client representatives should rely on this geotechnical-engineering report without first conferring with the geotechnical engineer who prepared it. And no one – not even you – should apply this report for any purpose or project except the one originally contemplated.

#### Read this Report in Full

Costly problems have occurred because those relying on a geotechnicalengineering report did not read it *in its entirety*. Do not rely on an executive summary. Do not read selected elements only. *Read this report* in full.

# You Need to Inform Your Geotechnical Engineer about Change

Your geotechnical engineer considered unique, project-specific factors when designing the study behind this report and developing the confirmation-dependent recommendations the report conveys. A few typical factors include:

- the client's goals, objectives, budget, schedule, and risk-management preferences;
- the general nature of the structure involved, its size, configuration, and performance criteria;
- the structure's location and orientation on the site; and
- other planned or existing site improvements, such as retaining walls, access roads, parking lots, and underground utilities.

Typical changes that could erode the reliability of this report include those that affect:

- the site's size or shape;
- the function of the proposed structure, as when it's changed from a parking garage to an office building, or from a light-industrial plant to a refrigerated warehouse;
- the elevation, configuration, location, orientation, or weight of the proposed structure;
- the composition of the design team; or
- · project ownership.

As a general rule, *always* inform your geotechnical engineer of project changes – even minor ones – and request an assessment of their impact. The geotechnical engineer who prepared this report cannot accept responsibility or liability for problems that arise because the geotechnical engineer was not informed about developments the engineer otherwise would have considered.

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- for a different site (that may or may not include all or a portion of the original site); or
- before important events occurred at the site or adjacent to it; e.g., man-made events like construction or environmental remediation, or natural events like floods, droughts, earthquakes, or groundwater fluctuations.

Note, too, that it could be unwise to rely on a geotechnical-engineering report whose reliability may have been affected by the passage of time, because of factors like changed subsurface conditions; new or modified codes, standards, or regulations; or new techniques or tools. *If your geotechnical engineer has not indicated an "apply-by" date on the report, ask what it should be,* and, in general, *if you are the least bit uncertain* about the continued reliability of this report, contact your geotechnical engineer before applying it. A minor amount of additional testing or analysis – if any is required at all – could prevent major problems.

# Most of the "Findings" Related in This Report Are Professional Opinions

Before construction begins, geotechnical engineers explore a site's subsurface through various sampling and testing procedures. Geotechnical engineers can observe actual subsurface conditions only at those specific locations where sampling and testing were performed. The data derived from that sampling and testing were reviewed by your geotechnical engineer, who then applied professional judgment to form opinions about subsurface conditions throughout the site. Actual sitewide-subsurface conditions may differ – maybe significantly – from those indicated in this report. Confront that risk by retaining your geotechnical engineer to serve on the design team from project start to project finish, so the individual can provide informed guidance quickly, whenever needed.

# This Report's Recommendations Are Confirmation-Dependent

The recommendations included in this report – including any options or alternatives – are confirmation-dependent. In other words, they are not final, because the geotechnical engineer who developed them relied heavily on judgment and opinion to do so. Your geotechnical engineer can finalize the recommendations only after observing actual subsurface conditions revealed during construction. If through observation your geotechnical engineer confirms that the conditions assumed to exist actually do exist, the recommendations can be relied upon, assuming no other changes have occurred. The geotechnical engineer who prepared this report cannot assume responsibility or liability for confirmation-dependent recommendations if you fail to retain that engineer to perform construction observation.

#### This Report Could Be Misinterpreted

Other design professionals' misinterpretation of geotechnicalengineering reports has resulted in costly problems. Confront that risk by having your geotechnical engineer serve as a full-time member of the design team, to:

- · confer with other design-team members,
- help develop specifications,
- review pertinent elements of other design professionals' plans and specifications, and
- be on hand quickly whenever geotechnical-engineering guidance is needed.

You should also confront the risk of constructors misinterpreting this report. Do so by retaining your geotechnical engineer to participate in prebid and preconstruction conferences and to perform construction observation.

#### **Give Constructors a Complete Report and Guidance**

Some owners and design professionals mistakenly believe they can shift unanticipated-subsurface-conditions liability to constructors by limiting the information they provide for bid preparation. To help prevent the costly, contentious problems this practice has caused, include the complete geotechnical-engineering report, along with any attachments or appendices, with your contract documents, but be certain to note conspicuously that you've included the material for informational purposes only. To avoid misunderstanding, you may also want to note that "informational purposes" means constructors have no right to rely on the interpretations, opinions, conclusions, or recommendations in the report, but they may rely on the factual data relative to the specific times, locations, and depths/elevations referenced. Be certain that constructors know they may learn about specific project requirements, including options selected from the report, only from the design drawings and specifications. Remind constructors that they may

perform their own studies if they want to, and *be sure to allow enough time* to permit them to do so. Only then might you be in a position to give constructors the information available to you, while requiring them to at least share some of the financial responsibilities stemming from unanticipated conditions. Conducting prebid and preconstruction conferences can also be valuable in this respect.

#### **Read Responsibility Provisions Closely**

Some client representatives, design professionals, and constructors do not realize that geotechnical engineering is far less exact than other engineering disciplines. That lack of understanding has nurtured unrealistic expectations that have resulted in disappointments, delays, cost overruns, claims, and disputes. To confront that risk, geotechnical engineers commonly include explanatory provisions in their reports. Sometimes labeled "limitations," many of these provisions indicate where geotechnical engineers' responsibilities begin and end, to help others recognize their own responsibilities and risks. *Read these provisions closely*. Ask questions. Your geotechnical engineer should respond fully and frankly.

#### **Geoenvironmental Concerns Are Not Covered**

The personnel, equipment, and techniques used to perform an environmental study – e.g., a "phase-one" or "phase-two" environmental site assessment – differ significantly from those used to perform a geotechnical-engineering study. For that reason, a geotechnical-engineering report does not usually relate any environmental findings, conclusions, or recommendations; e.g., about the likelihood of encountering underground storage tanks or regulated contaminants. Unanticipated subsurface environmental problems have led to project failures. If you have not yet obtained your own environmental information, ask your geotechnical consultant for risk-management guidance. As a general rule, do not rely on an environmental report prepared for a different client, site, or project, or that is more than six months old.

# Obtain Professional Assistance to Deal with Moisture Infiltration and Mold

While your geotechnical engineer may have addressed groundwater, water infiltration, or similar issues in this report, none of the engineer's services were designed, conducted, or intended to prevent uncontrolled migration of moisture – including water vapor – from the soil through building slabs and walls and into the building interior, where it can cause mold growth and material-performance deficiencies. Accordingly, proper implementation of the geotechnical engineer's recommendations will not of itself be sufficient to prevent moisture infiltration. Confront the risk of moisture infiltration by including building-envelope or mold specialists on the design team. Geotechnical engineers are not building-envelope or mold specialists.



Telephone: 301/565-2733 e-mail: info@geoprofessional.org www.geoprofessional.org

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## **APPENDIX D – Supplemental Report Documents**

**GBA Document** 

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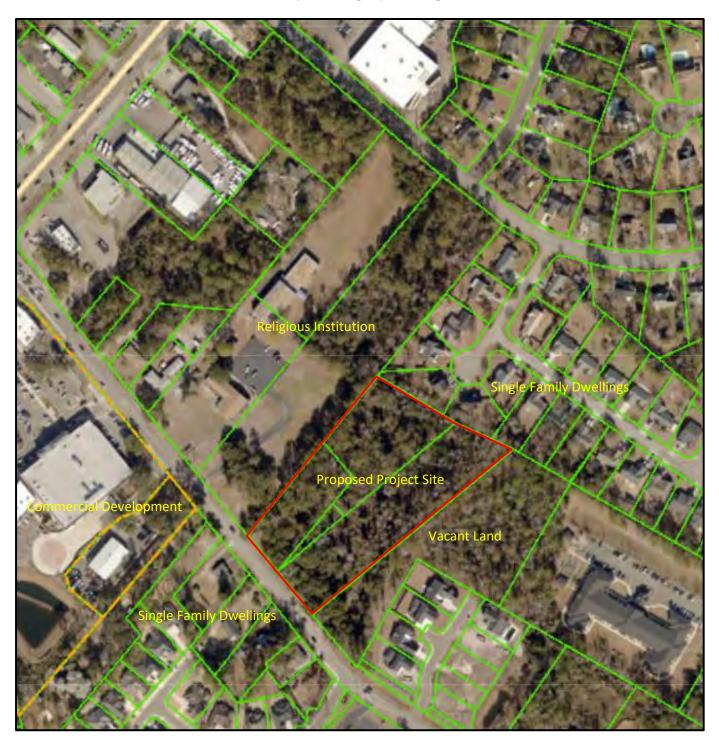
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# **ATTACHMENT 20:**

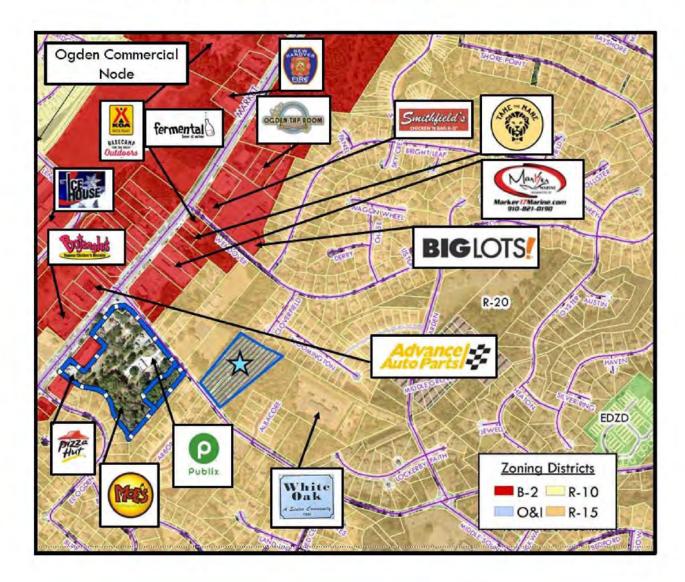
**Commercial Facilities** 

Attachment 2

Adjacent Property Use Map



- The site is located near the Market/Middle Sound commercial node, east of the intersection of Market Street and Middle Sound Loop Road.
- This node contains several commercial businesses including, but not limited to, retail
  establishments (Publix and Big Lots shopping centers), restaurants (Odgen Tap Room,
  Smithfields BBQ, Denny's, Bojangles), personal services (Tame The Mane, The Corner Buzz,
  dry cleaners), specialty restaurants (Casa Blanca Coffee, Starbucks), and craft beer
  establishments (Fermental Wine & Beer, The Sour Barn).



Z20-06 Staff Report PB 3.5.2020

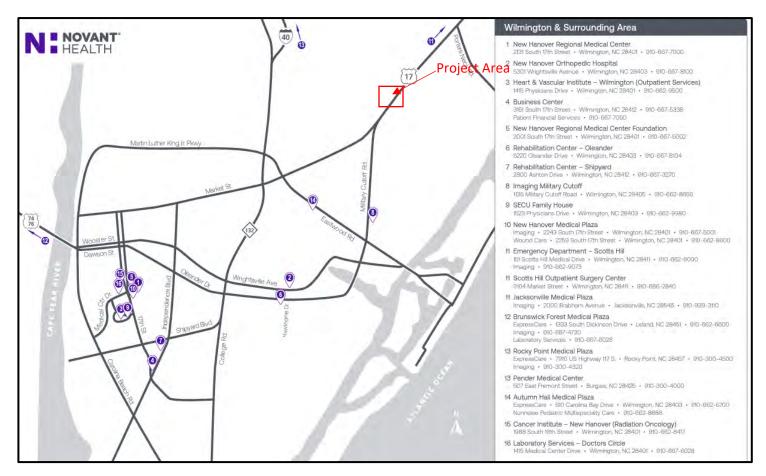
Page 4 of 11

# **ATTACHMENT 21:**

**Health Service Facilities Map** 

Attachment 30

Novant Health Facilities Location Map



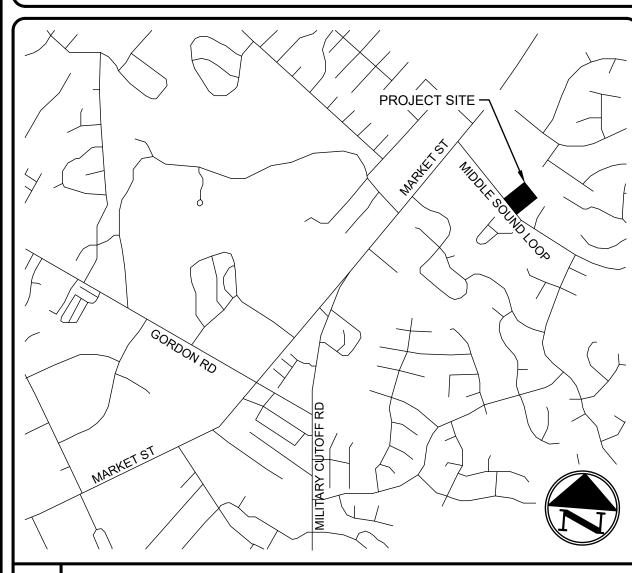
# **ATTACHMENT 22:**

**Cape Fear Public Utility Authority Approval** 

# THE RESIDENCE AT CANOPY POINTE

## TRC REVIEW DRAWINGS

205, 209, 213 & 217 MIDDLE SOUND LOOP ROAD, WILMINGTON NC 03/10/2022



VICINITY MAP

SCALE: NOT TO SCALE

## RESIDENCE AT CANOPY POINTE

## BLUE RIDGE ATLANTIC community - development

BRAD RESIDENCE AT CANOPY POINTE 1630 MILITARY ROAD, SUITE 104 WILMINGTON, NC 28403

ENGINEER: MCKIM & CREED, INC 243 N. FRONT ST. WILMINGTON, NC 28401 PHONE: 910.343.1048 TRAE H. LIVICK, PE TLIVICK@MCKIMCREED.COM

LANDSCAPE ARCHITECT: MCKIM & CREED, INC 243 N. FRONT ST. WILMINGTON, NC 28401 PHONE: 910.343.1048 TIM R. CLARK, PLA TCLARK@MCKIMCREED.COM

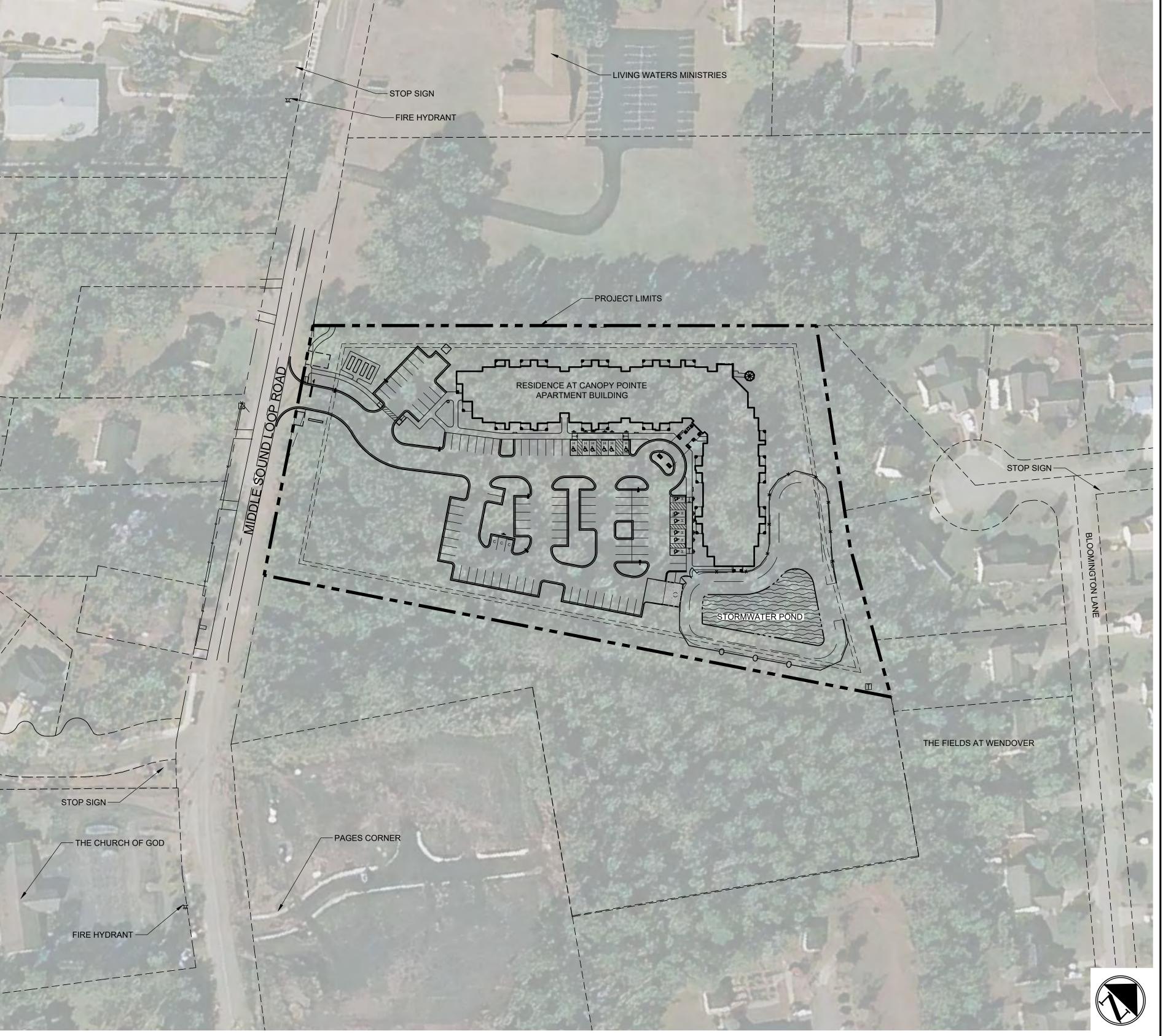
SURVEYOR: MCKIM & CREED, INC 243 N. FRONT ST. WILMINGTON, NC 28401 PHONE: 910.343.1048 CHAD BURCHETTE, PLS CBURCHETTE@MCKIMCREED.COM





PROJECT INFORMATION



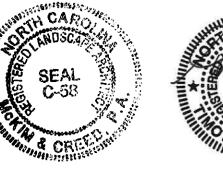


SHEET NUMBER	SHEET TITLE	
C1.0	COVER	
C2.0	EXISTING CONDITIONS AND TREE REMOVAL	
C3.0	SITE PLAN	
<del>C4.0</del>	EROSION CONTROL PLAN - STAGE 1	
<del>C5.0</del>	EROSION CONTROL PLAN STAGE 2	
C7.0	GRADING & DRAINAGE PLAN	
C8.0	UTILITY PLAN	
C10.0	LANDSCAPE PLAN	
C11.0	SITE DETAILS	
<del>C11.1</del>	SITE DETAILS	
<del>C11.2</del>	SITE DETAILS	
<del>C12.0</del>	EROSION CONTROL DETAILS	
<del>C12.1</del>	EROSION CONTROL DETAILS	
<del>C12.2</del>	EROSION CONTROL DETAILS	
C14.0	UTILITY DETAILS	
C14.1	UTILITY DETAILS	
C14.2	UTILITY DETAILS	
<del>C16.0</del>	STORMWATER DETAILS	
<del>C16.1</del>	STORMWATER POND DETAIL	
<del>C17.0</del>	LANDSCAPE DETAILS	
<del>C17.1</del>	LANDSCAPE DETAILS	

Cape Fear Public **Utility Authority** Reviewed for compliance with applicable policies and regulations - Plan Review Approved as noted Review Engineer 4/14/22
(Date)

- NCDOT encroachment required
- Meter sizing form required
- CFPUA Pre-construction meeting required prior to utility construction beginning.

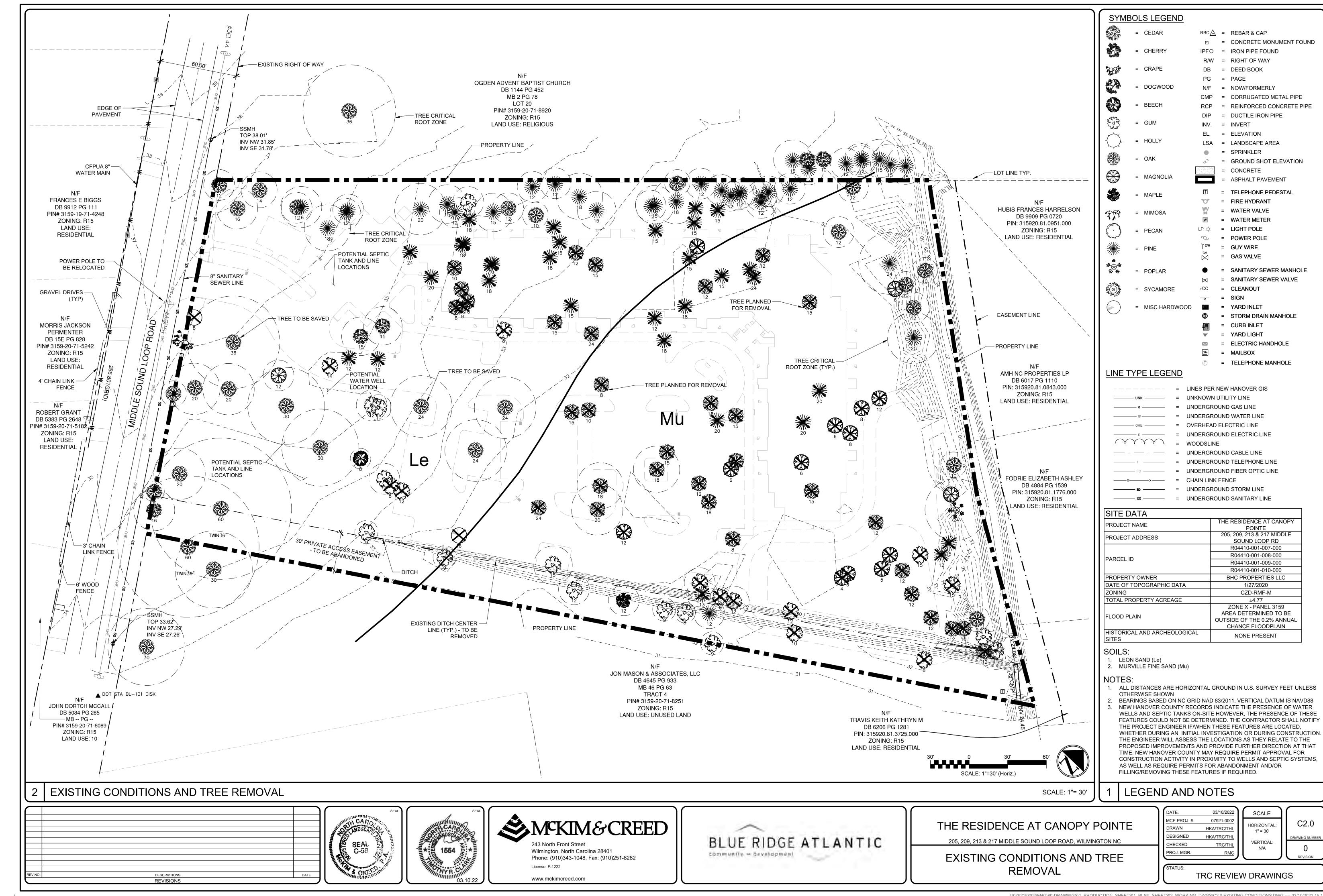
-Fees to be paid at time of building permit application or prior to CFPUA pre-construction meeting.

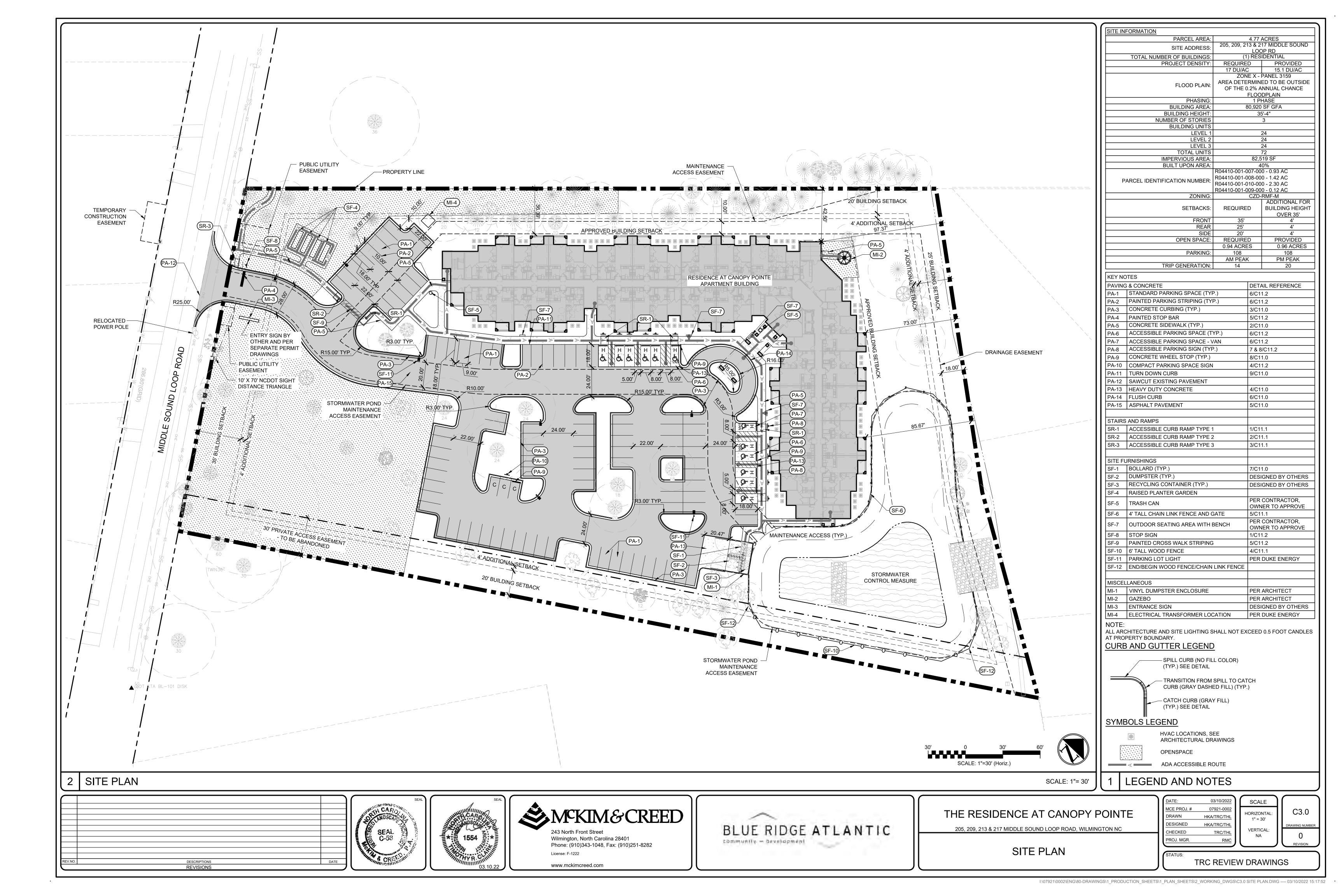


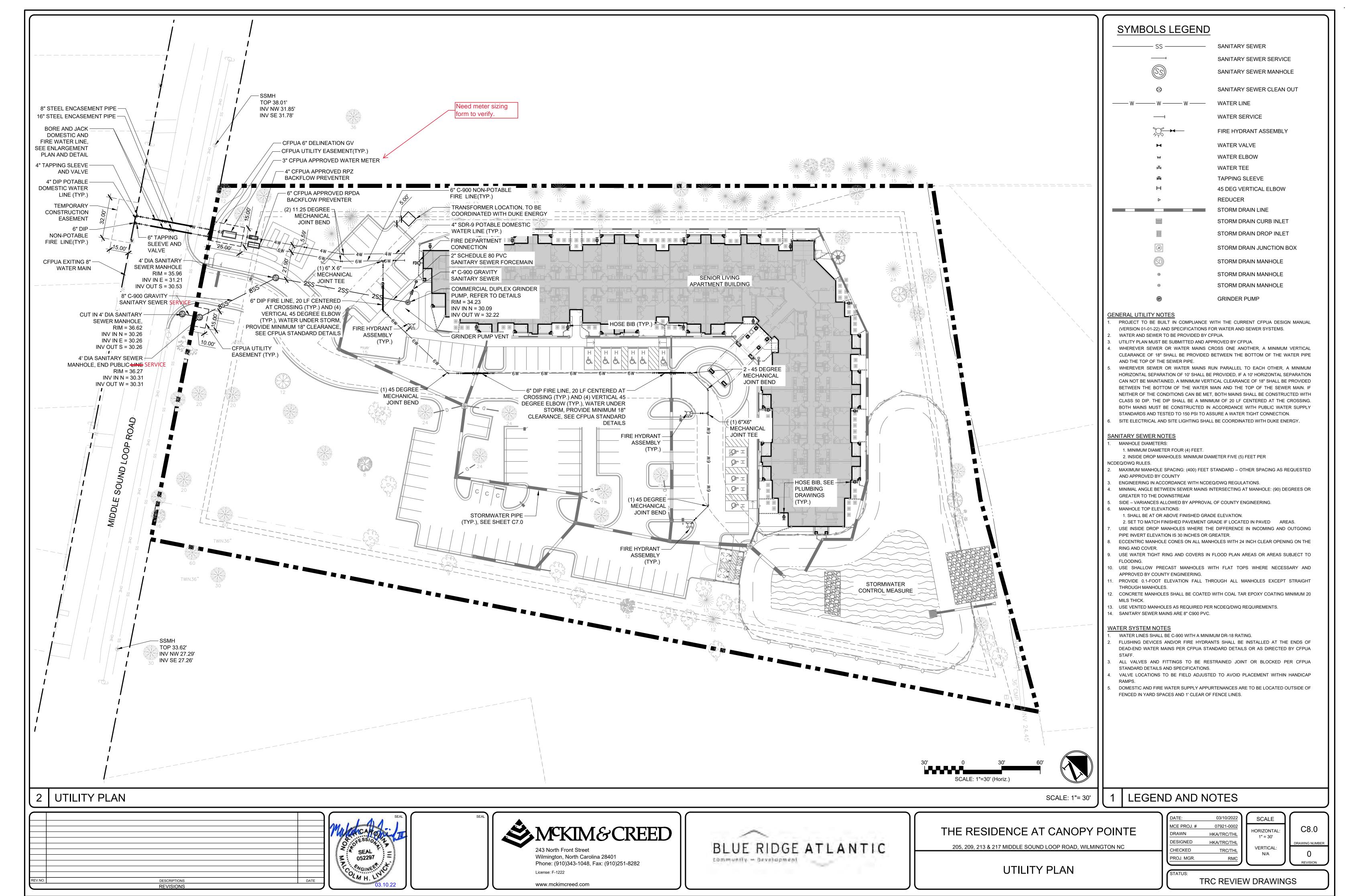
2 LOCATION MAP

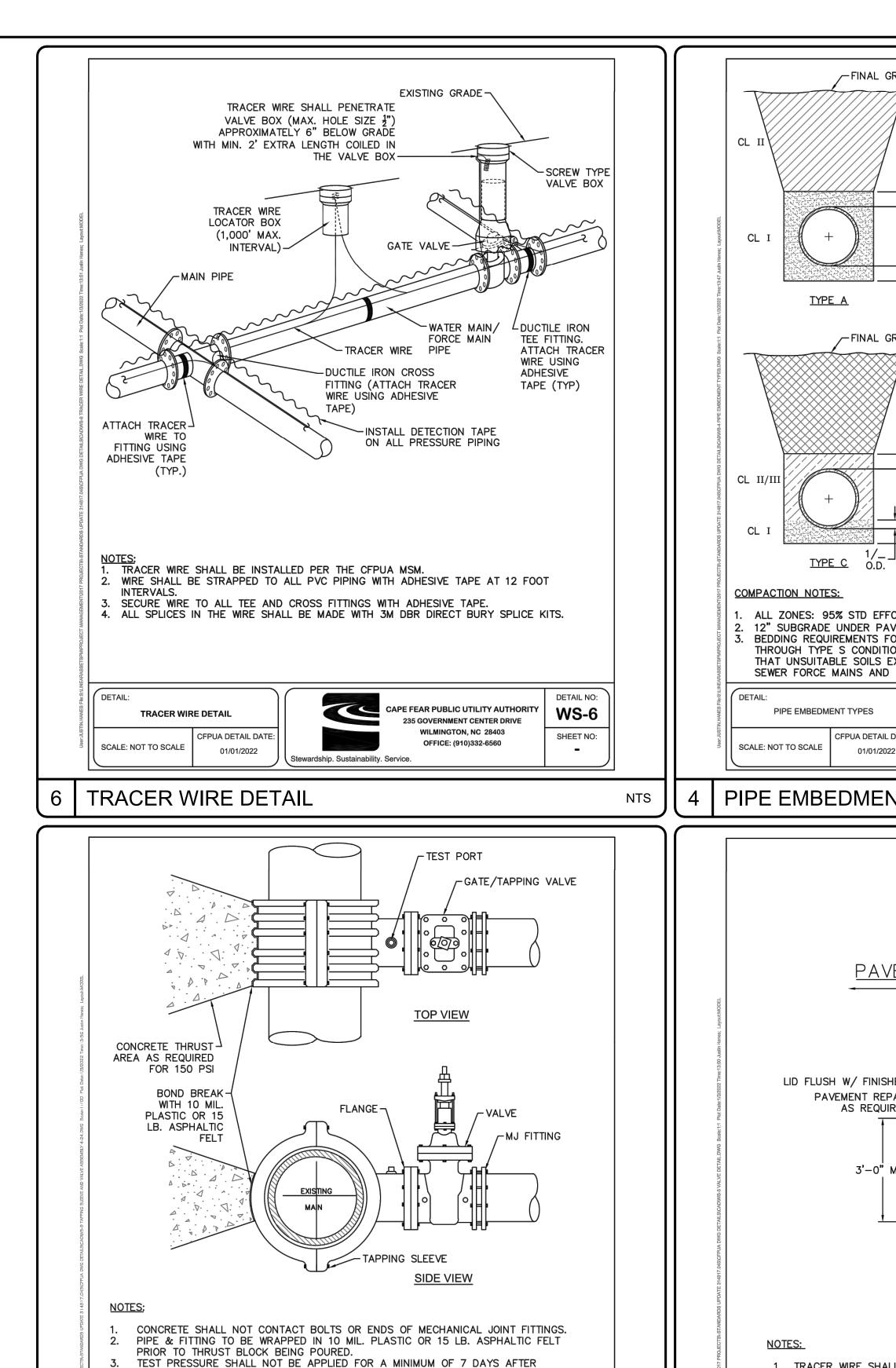
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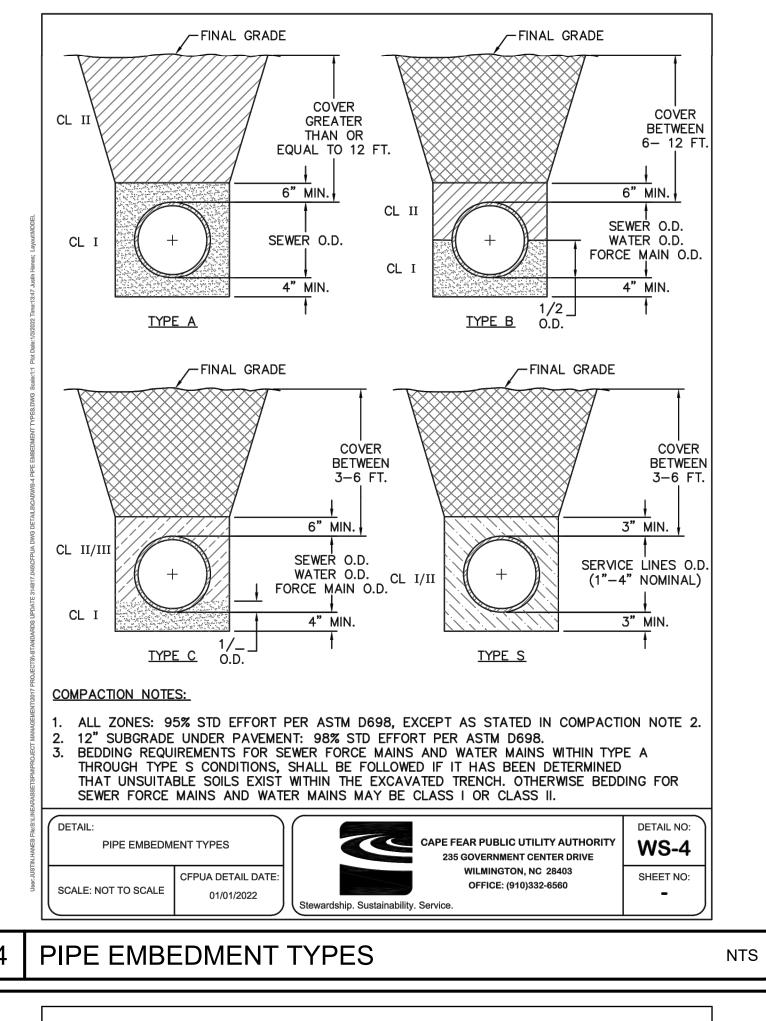
SHEET INDEX

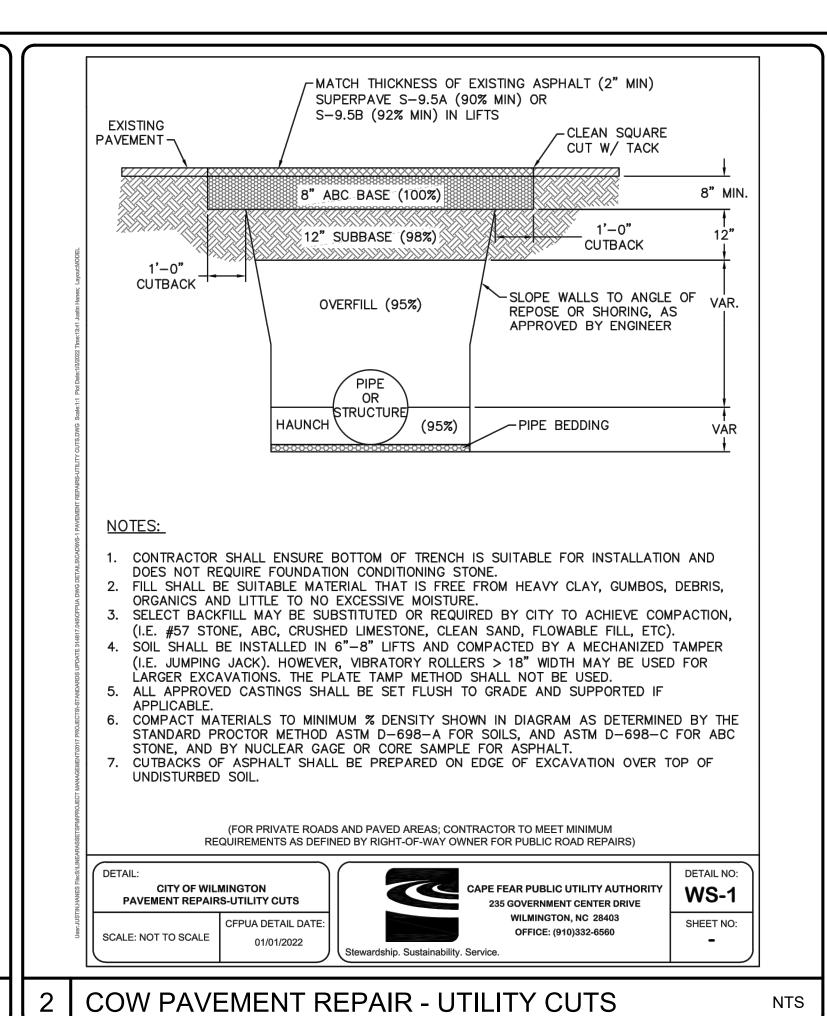


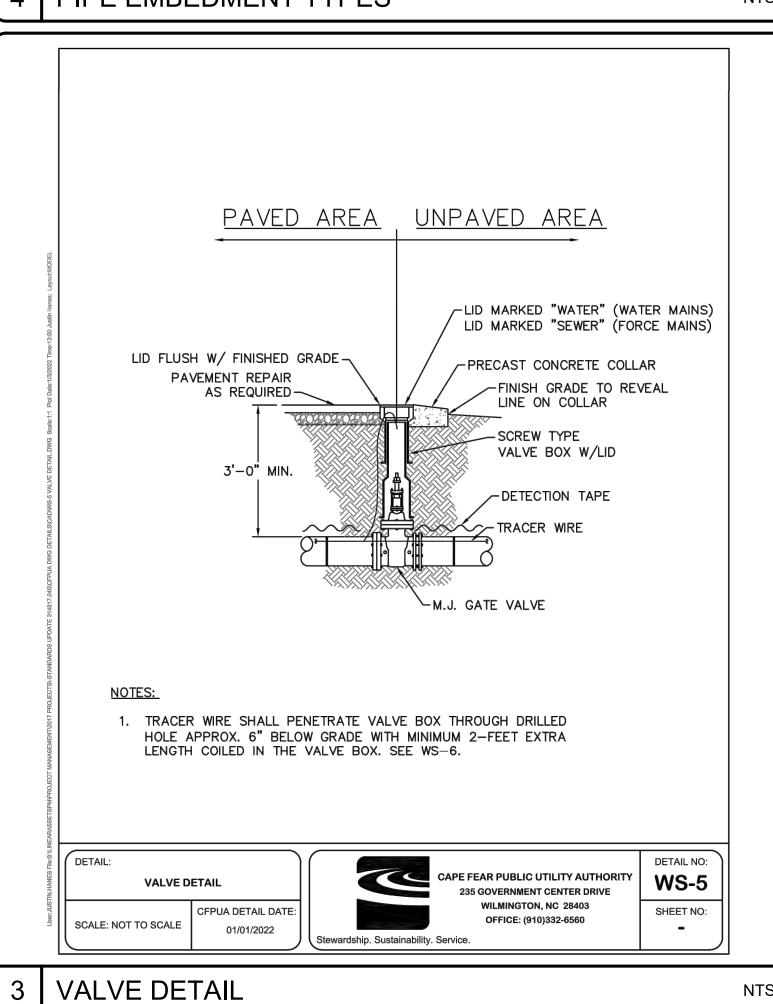


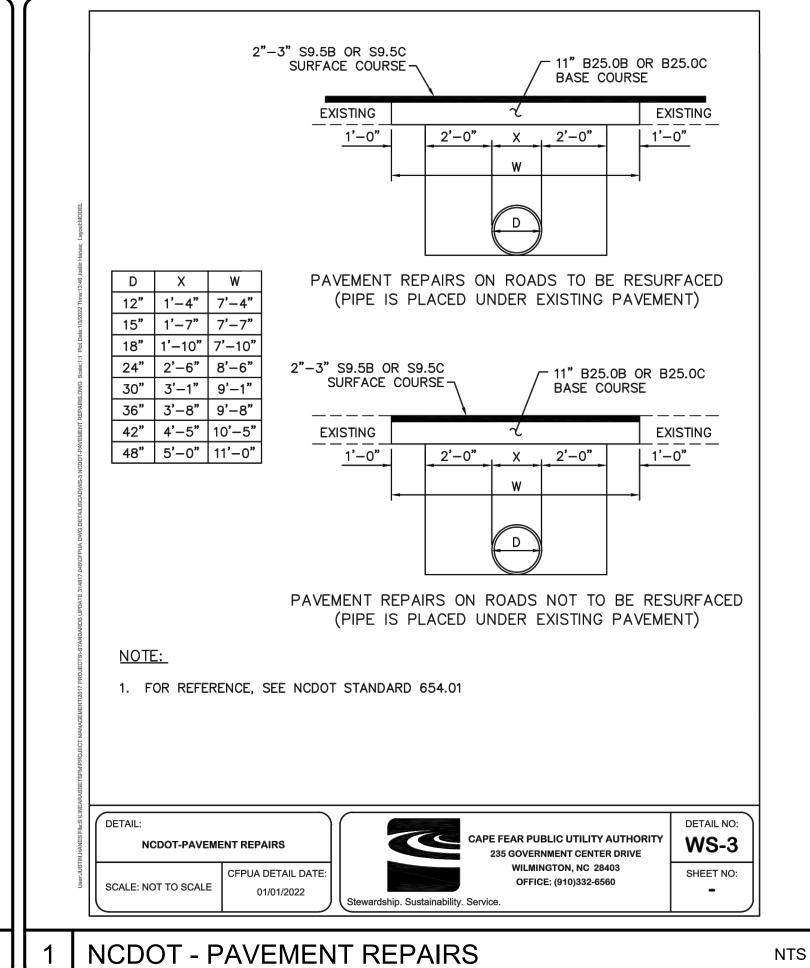


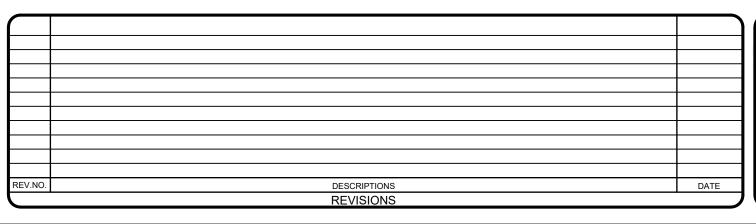














THRUST BLOCK PLACEMENT.

CFPUA DETAIL DATE:

01/01/2022

TAPPING SLEEVE AND VALVE ASSEMBLY (4"-24")

TAPPING SLEEVE AND VALVE ASSEMBLY

(4"-24")

SCALE: NOT TO SCALE

4. BRANCH SHALL NOT EQUAL RUN DIAMETER UNLESS APPROVED BY CFPUA

ewardship, Sustainability, Service



License: F-1222

www.mckimcreed.com

CAPE FEAR PUBLIC UTILITY AUTHORITY

235 GOVERNMENT CENTER DRIVE

WILMINGTON, NC 28403

OFFICE: (910)332-6560

**WS-9** 

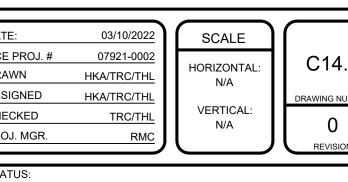
SHEET NO:

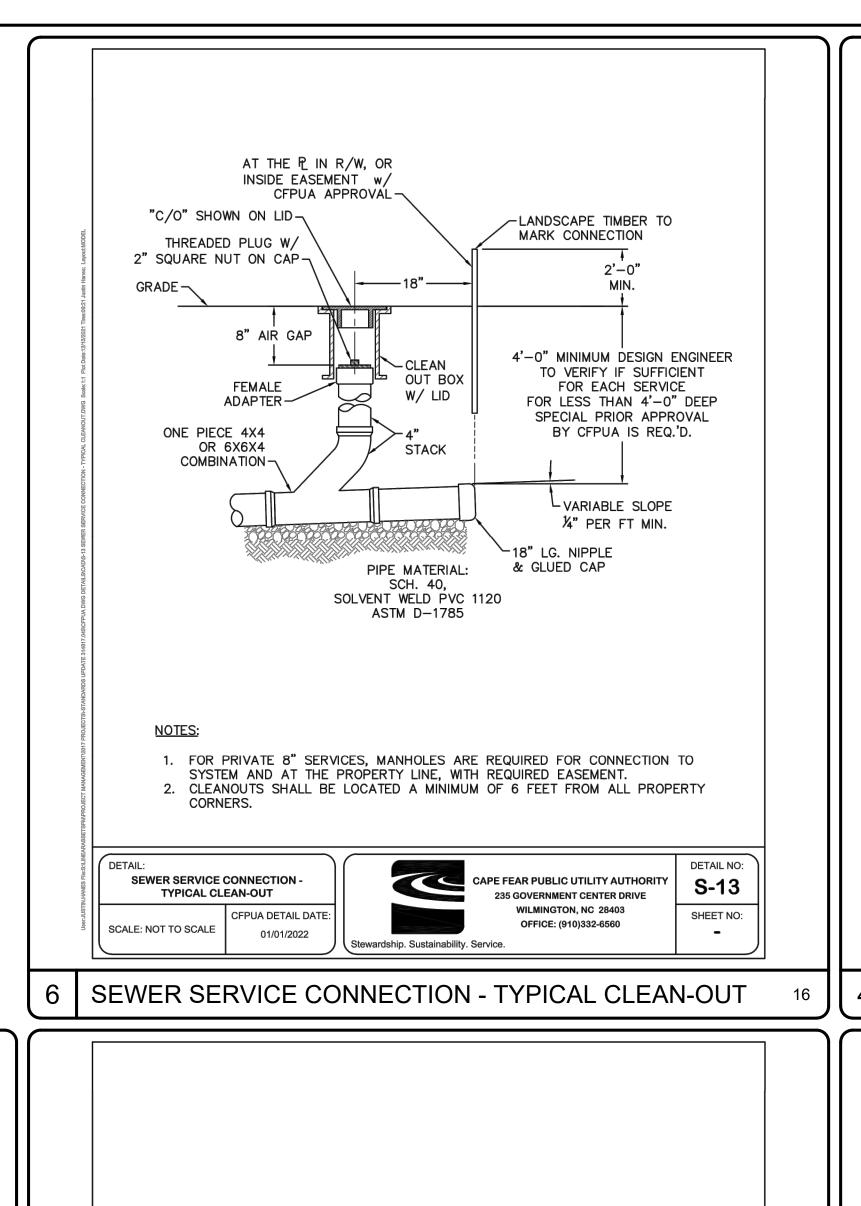
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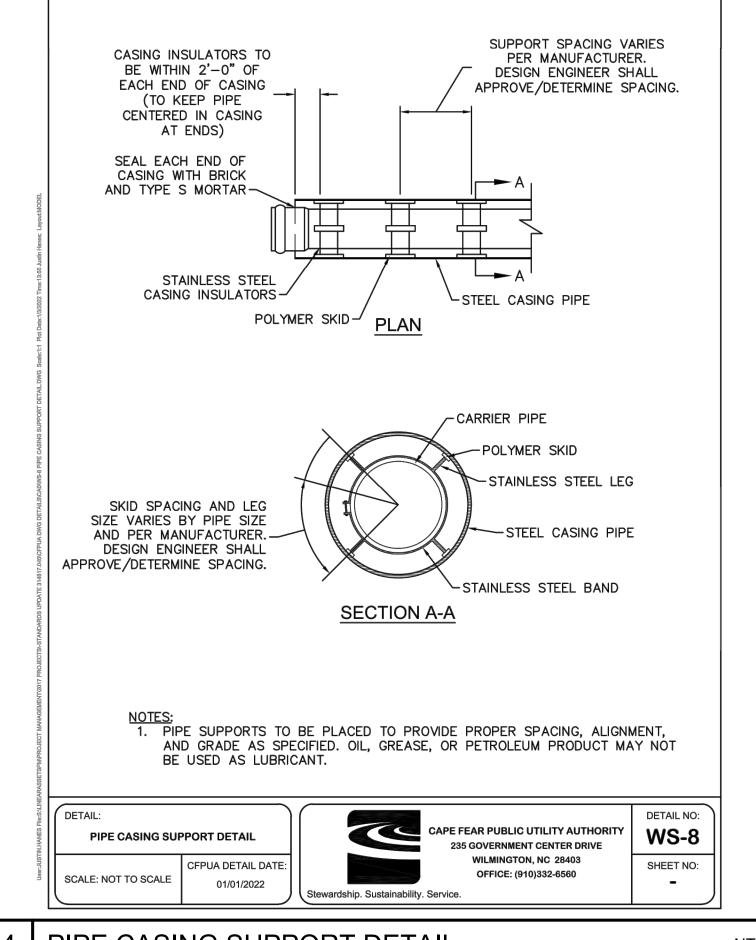
BLUE RIDGE ATLANTIC community - development



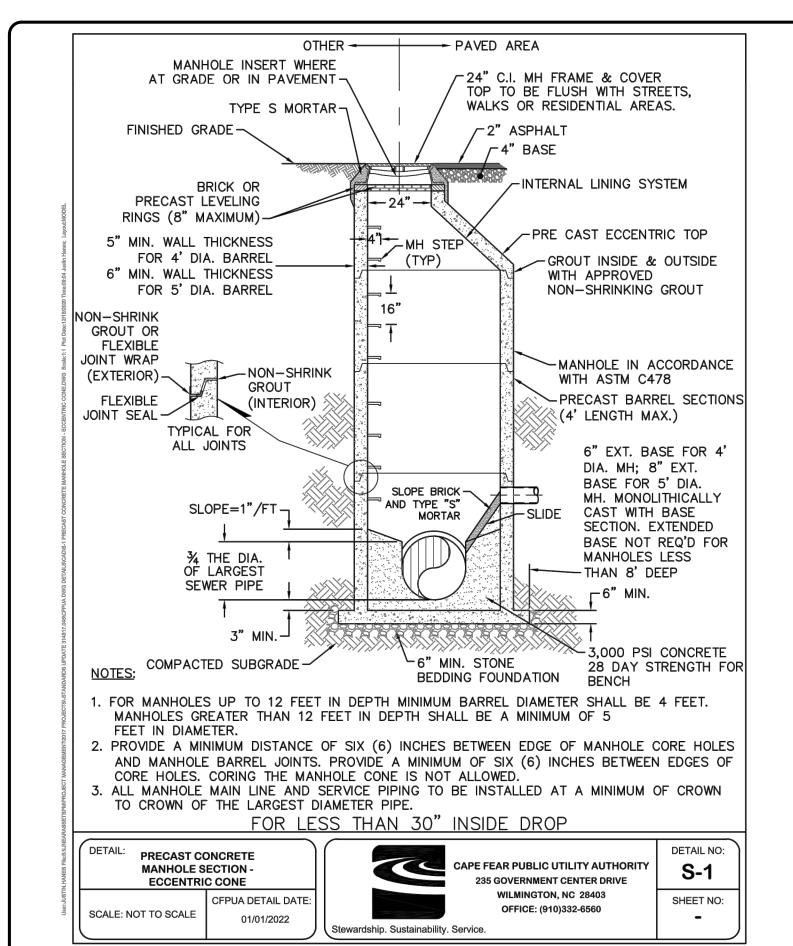
DRAWN DESIGNED 205, 209, 213 & 217 MIDDLE SOUND LOOP ROAD, WILMINGTON NC CHECKED UTILITY DETAILS TRC REVIEW DRAWINGS





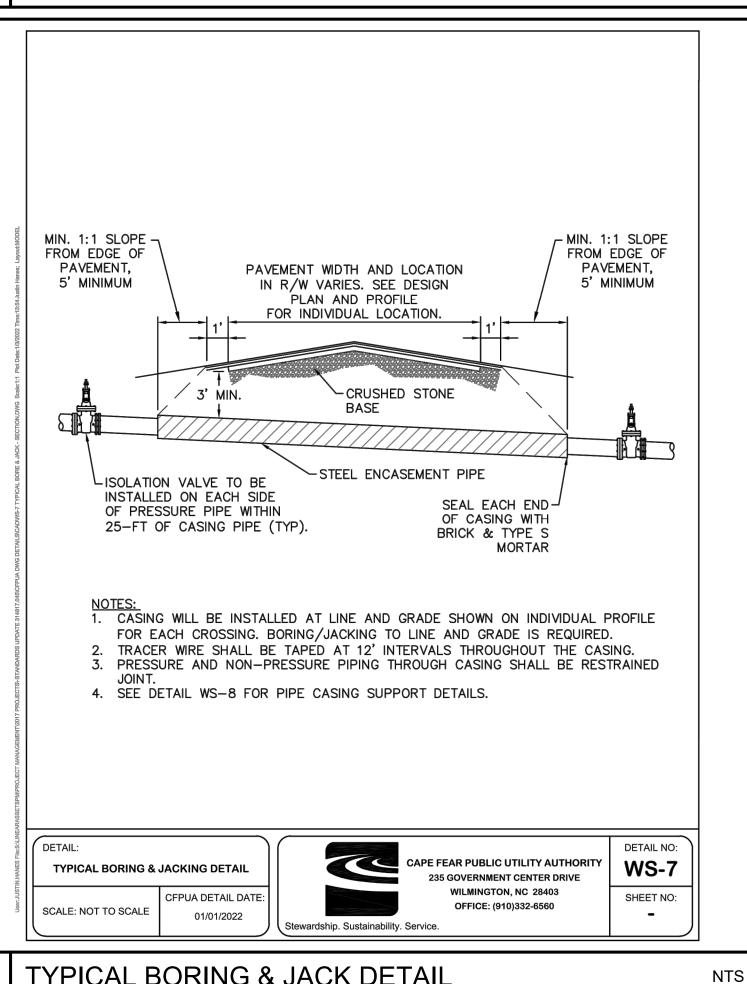


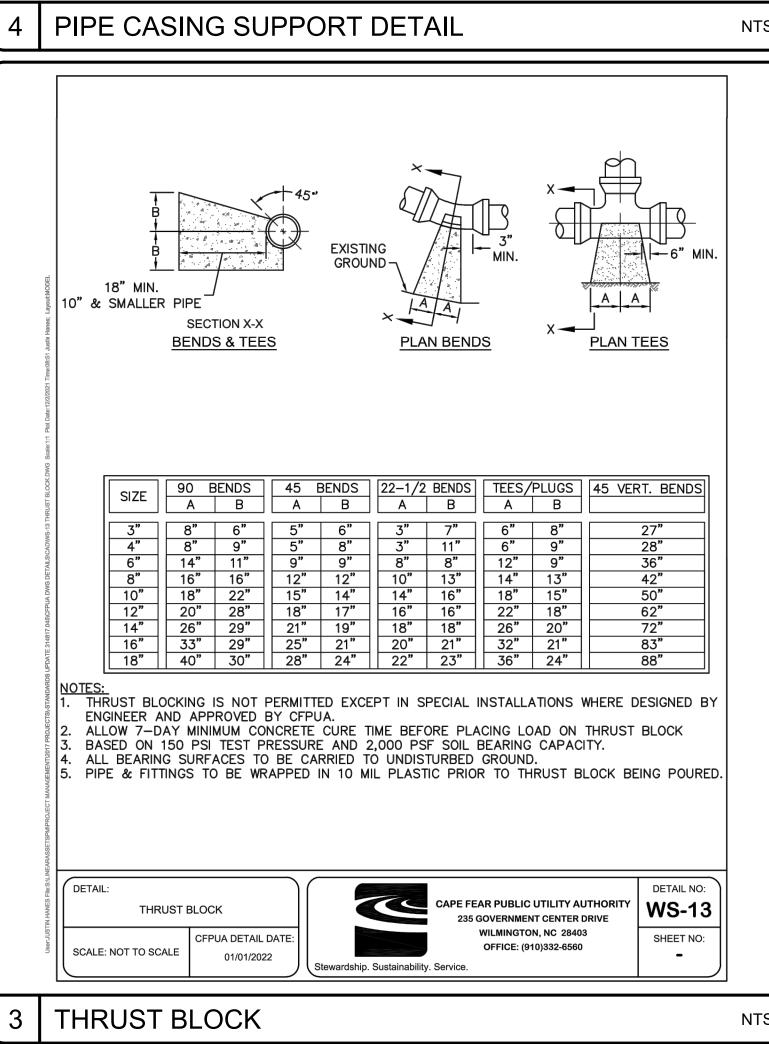
CAPE FEAR PUBLIC UTILITY AUTHORITY STANDARD NOTES: 1. ALL PROPOSED ADDITIONS TO THE CAPE FEAR PUBLIC UTILITY AUTHORITY (CFPUA) WATER DISTRIBUTION AND SANITARY SEWER COLLECTION SYSTEMS, AS SHOWN AND SPECIFIED HEREIN, SHALL BE DESIGNED AND CONSTRUCTED TO CONFORM TO STATE RULES AND THE CFPUA'S MINIMUM TECHNICAL STANDARDS. THE CFPUA MINIMUM TECHNICAL STANDARDS ARE CONTAINED IN THE CURRENT DESIGN GUIDANCE MANUAL, MATERIAL SPECIFICATION MANUAL, TECHNICAL SPECIFICATIONS FOR CONSTRUCTION. AND STANDARD DRAWING DETAILS. 2. SEWER MANHOLE INSERTS REQUIRED AT ALL MANHOLES. STAINLESS STEEL MANHOLE INSERTS REQUIRED AT MANHOLES LOCATED IN TRAFFIC AREAS. 3. WATER AND SEWER SERVICES SHALL BE PERPENDICULAR TO MAIN AND TERMINATE 18" INSIDE RIGHT-OF-WAY LINE. SEWER SERVICES IN CUL-DE-SACS ARE REQUIRED TO BE PERPENDICULAR, OR MUST ORIGINATE IN END OF LINE MANHOLE AND TERMINATE 18" INSIDE RIGHT-OF-WAY LINE. 4. ALL SEWER SERVICES CONNECTING INTO DUCTILE IRON MAINS SHALL ALSO BE CONSTRUCTED OF DIP. 5. MINIMUM 10' UTILITIES EASEMENT PROVIDED ALONG THE FRONTAGE OF ALL LOTS AND AS SHOWN FOR NEW DEVELOPMENTS. 6. NO FLEXIBLE COUPLINGS SHALL BE USED. 7. ALL STAINLESS STEEL FASTENERS SHALL BE TYPE 316. 8. CLEANOUTS SHALL BE LOCATED A MINIMUM OF 6 FEET FROM ALL PROPERTY CORNERS. 9. WATER METER BOXES ARE TO BE A MINIMUM OF 5 FEET FROM THE PROPERTY CORNER. 10. UNUSED SERVICES SHALL BE ABANDONED. ABANDONED WATER SERVICES SHALL BE DISCONNECTED FROM MAIN. 11. A MINIMUM OF 10' OF MAIN LINE, 5' UPSTREAM AND 5' DOWNSTREAM SHALL BE REPLACED FOR NEW SEWER SERVICE CONNECTIONS TO EXISTING CLAY GRAVITY SEWER MAINS. 12. A MINIMUM OF 20' OF MAIN LINE, 10' UPSTREAM AND 10' DOWNSTREAM SHALL BE REPLACED FOR NEW CUT IN MANHOLES ON EXISTING CLAY GRAVITY SEWER MAINS 13. PROVIDE A MINIMUM DISTANCE OF SIX (6) INCHES BETWEEN EDGE OF MANHOLE CORE HOLES AND MANHOLE BARREL JOINTS. PROVIDE A MINIMUM DISTANCE OF SIX (6) INCHES BETWEEN EDGES OF CORE HOLES. CORING THE MANHOLE CONE IS NOT PERMITTED 14. WATER MAIN AND FORCE MAIN PIPE INSTALLED BY OPEN CUT SHALL BE BURIED AT A MINIMUM OF THREE (3) FEET AND A MAXIMUM OF FIVE (5) FEET BELOW FINISHED GRADE. DEPTHS GREATER THAN FIVE (5) FEET MUST BE APPROVED BY CFPUA. 15. ALL MANHOLE MAIN LINE AND SERVICE PIPING TO BE INSTALLED AT A MINIMUM OF CROWN TO CROWN OF THE LARGEST DIAMETER PIPE. STANDARD NOTES CAPE FEAR PUBLIC UTILITY AUTHORITY **WS-14** (REQUIRED ON ALL PLAN AND PROFILE SHEETS) 235 GOVERNMENT CENTER DRIVE WILMINGTON, NC 28403 SHEET NO: CFPUA DETAIL DATE: OFFICE: (910)332-6560 SCALE: NOT TO SCALE 01/01/2022 tewardship, Sustainability, Service

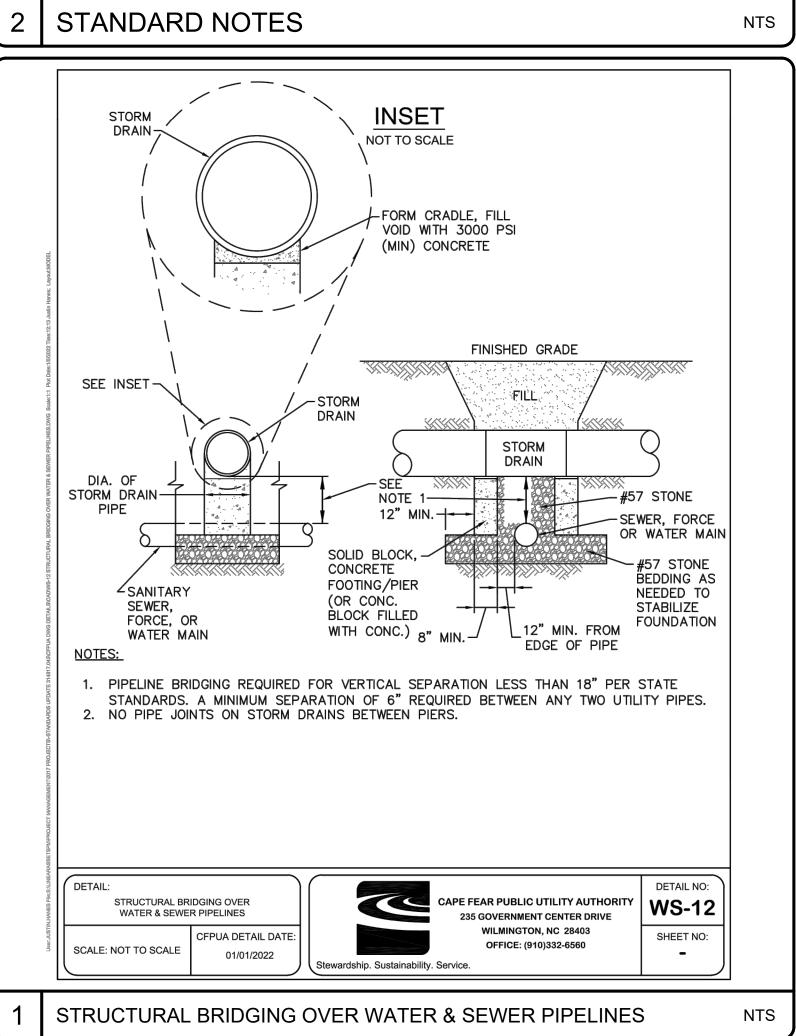


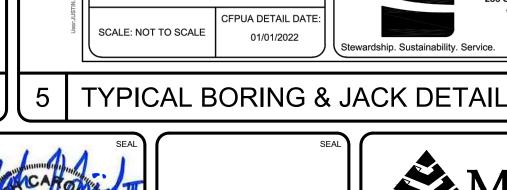
PRECAST CONCRETE MANHOLE - ECCENTRIC CONE

REVISIONS

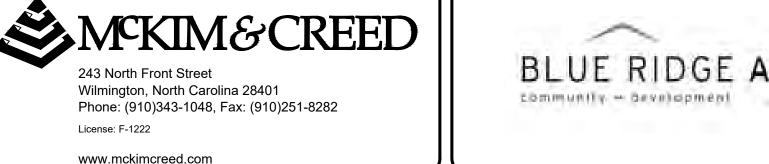






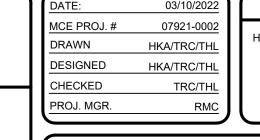


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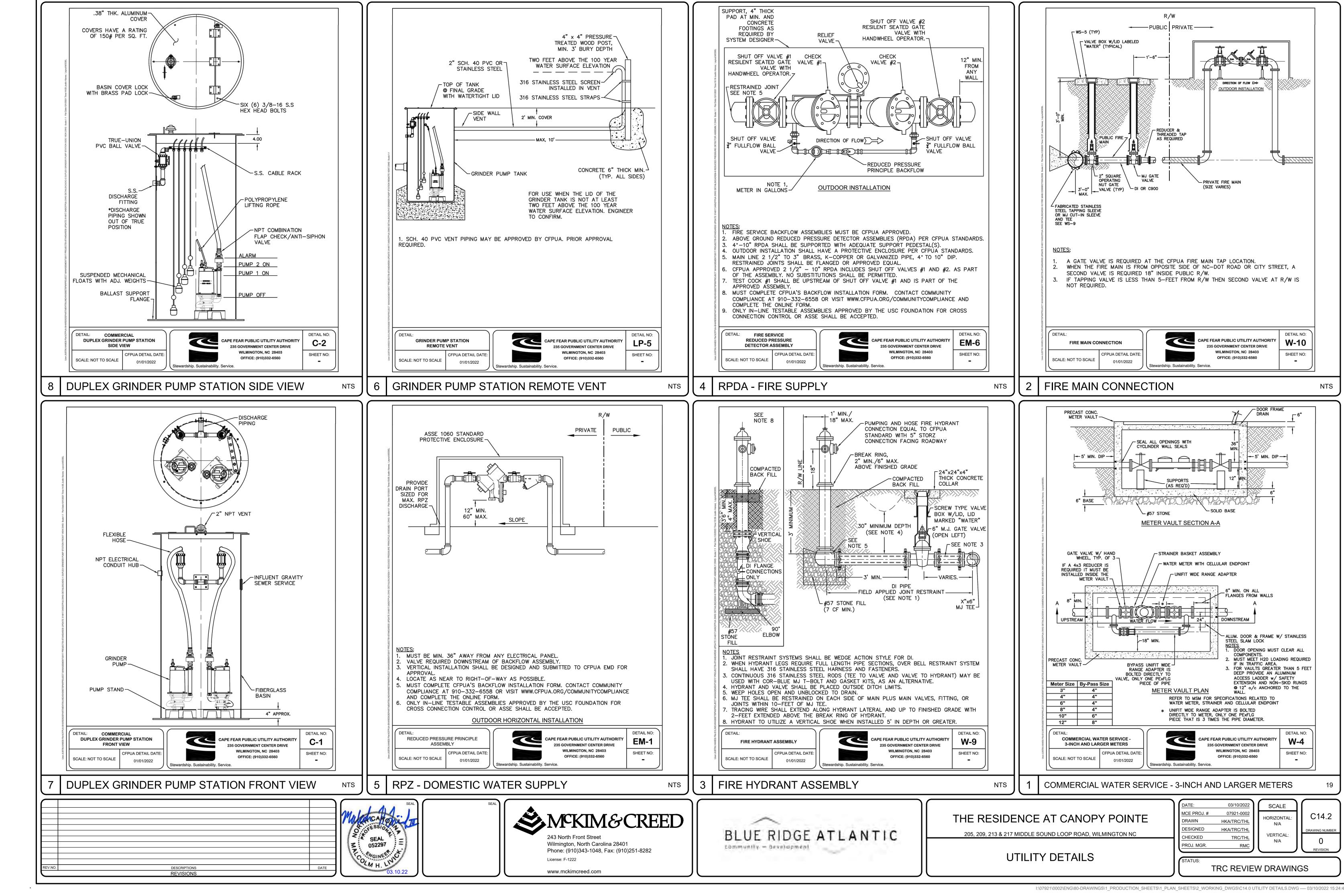






**UTILITY DETAILS** 

SCALE HORIZONTAL: VERTICAL: TRC REVIEW DRAWINGS

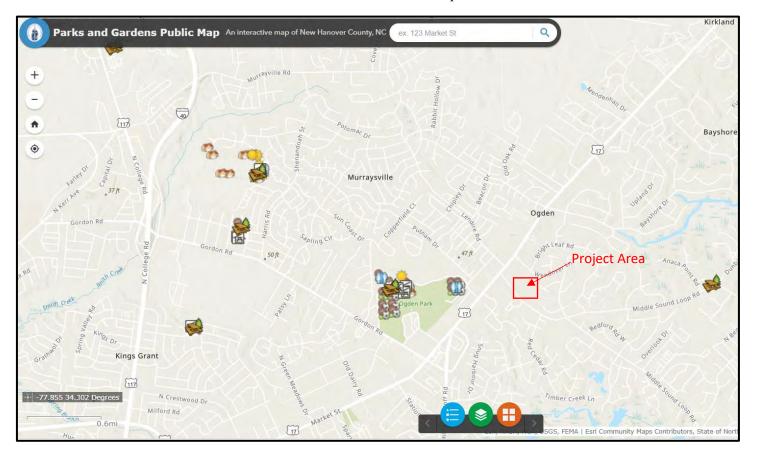


## **ATTACHMENT 23:**

**Recreational Parks Map** 

Attachment 33

Recreational Parks Map



## **ATTACHMENT 24:**

**Proposed Project Trip Generation Letter** 

RAMEY KEMP & ASSOCIATES, INC. 5808 Faringdon Place, Suite 100 Raleigh, NC 27609 Phone: 919-872-5115 www.rameykemp.com

February 5, 2020

Abigail Lorenzo Senior Transportation Planner Wilmington Urban Area Metropolitan Planning Organization (WMPO) 305 Chestnut Street, 4<sup>th</sup> Floor Wilmington, North Carolina 28401

Subject: Trip Generation Letter

Middle Sound Loop Senior Apartments - Wilmington, North Carolina

Dear Ms. Lorenzo:

This letter provides trip generation information prepared by Ramey Kemp & Associates, Inc. (RKA) for the proposed Middle Sound Loop Senior Apartments located on Middle Sound Loop Road just west of Sunnybranch Road in Wilmington, North Carolina.

The proposed development is anticipated to consist of a 72 attached senior adult housing dwelling units.

Average weekday daily, AM peak hour trips, and PM peak hour trips for the proposed development were estimated using methodology contained within the 10<sup>th</sup> Edition of the ITE *Trip Generation Manual*. Traffic volumes for Senior Adult Housing - Attached (ITE Code 252) were generated utilizing ITE equations [for the peak hour adjacent street traffic] and dwelling units as the independent variable. Refer to Table 1 for a breakdown of the trip generation for the proposed development.

**Table 1: Site Trip Generation** 

Land Use (ITE Code)	Independent Variable	Average Weekday Daily Traffic (vpd)	AM Peak Hour Trips (vph)		PM Peak Hour Trips (vph)	
			Enter	Exit	Enter	Exit
Senior Adult Housing - Attached (252)	72 Dwelling Units	264	5	9	11	9

It is estimated the proposed development will generate 264 daily trips (in and out) during a typical 24-hour weekday period with 14 total trips (5 entering and 9 exiting) generated during the AM peak hour and 20 total trips (11 entering and 9 exiting) during the PM peak hour.

The expected daily and peak hour trip generation are well below the WMPO's [1,000 vpd daily and 100 vph] and NCDOT's [3,000 vpd] thresholds; therefore, a Traffic Impact Analysis (TIA) should not be warranted based on each agency's guidelines.

If you should have any questions, please feel free to contact me at (336) 725-5470.

Sincerely,

Ramey Kemp and Associates, Inc.

Attachments: Site Plan

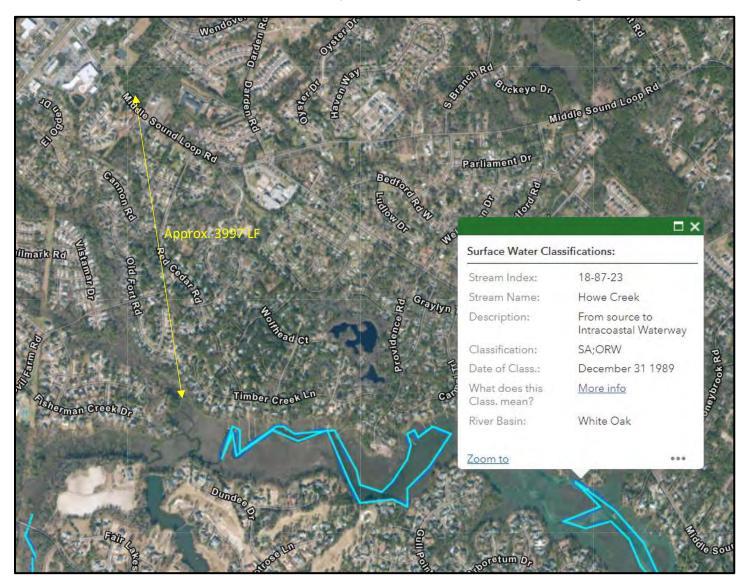


## **ATTACHMENT 25:**

**Waterbodies Map** 

Attachment 11

Distance to Nearest Waterbody and NCDWR Water Classification Map



## **ATTACHMENT 26:**

**State Environmental Clearinghouse Comments** 



## STATE OF NORTH CAROLINA DEPARTMENT OF ADMINISTRATION

Roy Cooper Governor Pamela B. Cashwell Secretary

January 11, 2022

Andrea Gievers
The Residence at Canopy Pointe
c/o NC Department of Public Safety
Office of Recovery and Resiliency
Durham, NC 27709-

Re: SCH File # 22-E-4600-0126 Proposed project is for the construction of The Residence at Canopy Pointe. The proposed project involves the construction of a three-story building that will provide 70 residential units, as well as a computer center, on the first floor, a movie room, on the second floor, and a multi-purpose room,

#### Dear Andrea Gievers:

The above referenced environmental impact information has been submitted to the State Clearinghouse under the provisions of the National Environmental Policy Act. According to G.S. 113A-10, when a state agency is required to prepare an environmental document under the provisions of federal law, the environmental document meets the provisions of the State Environmental Policy Act. Attached to this letter for your consideration are comments made by the agencies in the review of this document.

If any further environmental review documents are prepared for this project, they should be forwarded to this office for intergovernmental review.

Should you have any questions, please do not hesitate to call.

Sincerely,

**CRYSTAL BEST** 

State Environmental Review Clearinghouse

Attachments

Mailing Address: NC DEPARTMENT OF ADMINISTRATION 1301 MAIL SERVICE CENTER RALEIGH, NC 27699-1301 Telephone: (919)807-2425 Fax: (919)733-9571 COURIER: #51-01-00

Email: state.clearinghouse@doa.nc.gov Website: www.ncadmin.nc.gov Location: 116 WEST JONES STREET RALEIGH, NORTH CAROLINA

**NEW HANOVER** Agency Response: 1/10/2022 County.: Review Closed: 1/10/2022 LYN HARDISON **CLEARINGHOUSE COORDINATOR DEPT OF ENVIRONMENTAL QUALITY Project Information** National Environmental Policy Act ping Type: Applicant: The Residence at Canopy Pointe Project Desc.: Proposed project is for the construction of The Residence at Canopy Pointe. The proposed project involves the construction of a three-story building that will provide 70 residential units, as well as a computer center, on the first floor, a movie room, on the second floor, and a multipurpose room, on the third. Outdoor sitting areas and an exercise room are also part of the plan. As a result of this review the following is submitted: ☐ No Comment Comments Below ✓ Documents Attached

Date Received: 12/10/2021

Reviewed By: LYN HARDISON Date: 1/10/2022

Control No.:

22-E-4600-0126



ROY COOPER Governor ELIZABETH S. BISER Secretary

To: Crystal Best

State Clearinghouse

NC Department of Administration

From: Lyn Hardison

Division of Environmental Assistance and Customer Service

Washington Regional Office

RE: 22-0126

Scoping - Proposed project is for the construction of a threestory building that will provide 70 residential units, as well as a computer center, on the first floor, a movie room, on the second

floor, and a multi-purpose room, on the third.

New Hanover County

Date: January 10, 2022

The Department of Environment Quality has reviewed the proposal for the referenced project. Based on the information provided, two (2) contamination site were identified within one mile of the project site. In addition, several of our agencies have identified permits that may be required and offered some valuable guidance. The comments are attached for the applicant's review.

The Department will continue to be available to assist the applicant with any question or concerns.

Thank you for the opportunity to respond.

**Attachments** 

## State of North Carolina Department of Environmental Quality INTERGOVERNMENTAL REVIEW PROJECT COMMENTS

Reviewing Regional Office: WIRO

Project Number: <u>22-0126</u> Due Date: <u>01/06/2022</u>

County: New Hanover

After review of this project it has been determined that the DEQ permit(s) and/or approvals indicated may need to be obtained in order for this project to comply with North Carolina Law. Questions regarding these permits should be addressed to the Regional Office indicated on the reverse of the form. All applications, information and guidelines relative to these plans and permits are available from the same Regional Office.

	PERMITS	SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Process Time (statutory time limit)
	Permit to construct & operate wastewater treatment facilities, non-standard sewer system extensions & sewer systems that do not discharge into state surface waters.	nent facilities, non-standard sewer system sions & sewer systems that do not application for a ward of construction contracts. On-site inspection may be required. Post-	
	Permit to construct & operate, sewer extensions involving gravity sewers, pump stations and force mains discharging into a sewer collection system	Fast-Track Permitting program consists of the submittal of an application and an engineer's certification that the project meets all applicable State rules and Division Minimum Design Criteria.	30 days (N/A)
	NPDES - permit to discharge into surface water and/or permit to operate and construct wastewater facilities discharging into state surface waters.	Application 180 days before begins activity. On-site inspection. Preapplication conference usual. Additionally, obtain permit to construct wastewater treatment facility-granted after NPDES. Reply time, 30 days after receipt of plans or issue of NPDES permit-whichever is later.	90-120 days (N/A)
	Water Use Permit	Pre-application technical conference usually necessary.	30 days (N/A)
	Well Construction Permit  Owned by the applicant, and for a large capacity (>100,000 gallons per day) water supply well.		7 days (15 days)
	Dredge and Fill Permit	Application copy must be served on each adjacent riparian property owner. On-site inspection. Pre-application conference usual. Filling may require Easement to Fill from N.C. Department of Administration and Federal Dredge and Fill Permit.	55 days (90 days)
	Permit to construct & operate Air Pollution Abatement facilities and/or Emission Sources as per 15 A NCAC (2Q.O100 thru 2Q.0300)	Sources as in an area without local zoning, then there are additional	
$\boxtimes$	Any open burning associated with subject proposal must be in compliance with 15 A NCAC 2D.1900	NCAC N/A	
$\boxtimes$	Demolition or renovations of structures containing asbestos material must be in compliance with 15 A NCAC 20.1110 (a) (1) which requires notification and removal prior to demolition. Contact Asbestos Control Group 919-707-5950	Department of Health and Human Services, must be notified of plans to demolish a building, including residences for commercial or industrial expansion, even if no asbestos is present in the building.	
	The Sedimentation Pollution Control Act of 1973 must be properly addressed for any land disturbing activity. An erosion & sedimentation control plan will be required if one or more acres are to be disturbed. Plan must be filed with and approved by applicable Regional Office (Land Quality Section) at least 30 days before beginning activity. A NPDES Construction Stormwater permit (NCG010000) is also usually issued should design features meet minimum requirements. A fee of \$65 for the first acre or any part of an acre. An express review option is available with additional fees.		
	Sedimentation and erosion control must be addressed in accordance with NCDOT's approved program. Particular attention should be given to design and installation of appropriate perimeter sediment trapping devices as well as stable Stormwater conveyances and outlets.		
$\boxtimes$	Sedimentation and erosion control must be addressed in accordance with <u>New Hanover Local Government's</u> approved program. Particular attention should be given to design and installation of appropriate perimeter sediment trapping devices as well as stable Stormwater conveyances and outlets.		
	Compliance with 15A NCAC 2H .0126 - NPDES Stormwater Program which regulates three types of activities: Industrial,		
	Municipal Separate Storm Sewer System & Construction activities that disturb ≥1 acre.  Compliance with 15A NCAC 2H 1000 -State Stormwater Permitting Programs regulate site development and post-construction stormwater runoff control. Areas subject to these permit programs include all 20 coastal counties, and various other counties and watersheds throughout the state.		

Reviewing Regional Office: WIRO

Project Number: <u>22-0126</u> Due Date: <u>01/06/2022</u>

County: New Hanover

	PERMITS	SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Process Time (statutory time limit)		
	On-site inspection usual. Surety bond filed with DEQ Bond amount varies with type mine and number of acres of affected land. Affected area greater than one acre must be permitted. The appropriate bond must be received before the permit can be issued.		30 days (60 days)		
	If permit required, application 60 days before begin construction.  Applicant must hire N.C. qualified engineer to: prepare plans, inspect construction, and certify construction is according to DEQ approved plans. May also require a permit under mosquito control program. And a 404 permit from Corps of Engineers. An inspection of site is necessary to verify Hazard Classification. A minimum fee of \$200.00 must accompany the application. An additional processing fee based on a percentage or the total project cost will be required upon completion.		30 days (60 days)		
	Oil Refining Facilities	N/A	90-120 days (N/A)		
	File surety bond of \$5,000 with DEQ running to State of NC conditional that any well opened by drill operator shall, upon abandonment, be plugged according to DEQ rules and regulations.		10 days N/A		
	Geophysical Exploration Permit  Application filed with DEQ at least 10 days prior to issue of permit.  Application by letter. No standard application form.		10 days N/A		
	Application fee based on structure size is charged. Must include descriptions & drawings of structure & proof of ownership of riparian property		15-20 days N/A		
	Compliance with the T15A 02H .0500 Certifications are required whenever construction or operation of facilities will result in a discharge into navigable water as described in 33 CFR part 323.		60 days (130 days)		
	Compliance with Catawba, Goose Creek, Jordan Lake, Randleman, Tar Pamlico or Neuse Riparian Buffer Rules is required.				
	Nutrient Offset: Loading requirements for nitrogen and phosphorus in the Neuse and Tar-Pamlico River basins, and in the Jordan and Falls Lake watersheds, as part of the nutrient-management strategies in these areas. DWR nutrient offset information: <a href="http://deq.nc.gov/about/divisions/water-resources/planning/nonpoint-source-management/nutrient-offset-information">http://deq.nc.gov/about/divisions/water-resources/planning/nonpoint-source-management/nutrient-offset-information</a>				
	CAMA Permit for MAJOR development	\$250.00 - \$475.00 fee must accompany application	75 days (150 days)		
	CAMA Permit for MINOR development \$100.00 fee must accompany application		22 days (25 days)		
	Abandonment of any wells, if required must be in accordance with Title 15A. Subchapter 2C.0100.				
	any excavation operation.				
$\boxtimes$	Plans and specifications for the construction, expansion, or alteration of a public water system must be approved by the Division of Water Resources/Public Water Supply Section prior to the award of a contract or the initiation of construction as per 15A NCAC 18C .0300 et. seq., Plans and specifications should be submitted to 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. All public water supply systems must comply with state and federal drinking water monitoring requirements. For more information, contact the Public Water Supply Section, (919) 707-9100.				
$\boxtimes$	If existing water lines will be relocated during the construction, plans for the water line relocation must be submitted to the Division of Water Resources/Public Water Supply Section at 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. For more information, contact the Public Water Supply Section, (919) 707-9100.				
	Plans and specifications for the construction, expansion, or alteration of the water system must be approved through the delegated plan approval authority. Please contact them at for further information.				

Reviewing Regional Office: WIRO

Project Number: 22-0126 Due Date: 01/06/2022

County: New Hanover

Other Comments (attach additional pages as necessary, being certain to comment authority)

Division	Initials	No	Comments	
		comment		Review
DAQ			See checked boxes	/ /
DWR-WQROS			See checked box &	/ /
Aquifer & Surface)	&			
OWR-PWS	HLC		see above comments	1/7/2021
DEMLR (LQ & SW)			See checked boxes	/ /
DWM – UST	LEP		As per a search of the UST Section databases, no reported petroleum releases are known to exist at this location, nor are there any records of registered USTs at this location.  To view/find other petroleum related incidents in the area please use the LINK TO UST Section GIS MAP: http://deq.nc.gov/about/divisions/waste-management/waste-management-rules-data/waste-management-gis-maps	
Other Comments				/ /
	Question	s regarding thes	REGIONAL OFFICES se permits should be addressed to the Regional Office marked below.	
Asheville Reg	ional Office		Fayetteville Regional Office Mooresville Regional	Office

Swannanoa, NC 28778-8211 Fayetteville, NC 28301-5043 Mooresville, NC 28115 Phone: 828-296-4500 Phone: 910-433-3300 Phone: 704-663-1699 Fax: 828-299-7043 Fax: 910-486-0707 Fax: 704-663-6040 **Raleigh Regional Office Washington Regional Office Wilmington Regional Office** 3800 Barrett Drive, 943 Washington Square Mall, 127 Cardinal Drive Ext., Raleigh, NC 27609 Washington, NC 27889 Wilmington, NC 28405 Phone: 919-791-4200 Phone: 252-946-6481 Phone: 910-796-7215 Fax: 252-975-3716 Fax: 910-350-2004 Fax: 919-571-4718 **Winston-Salem Regional Office** 450 Hanes Mill Road, Suite 300, Winston-Salem, NC 27105 Phone: 336-776-9800

Fax: 336-776-9797

ROY COOPER Governor ELIZABETH S. BISER Secretary MICHAEL SCOTT Director



Date: December 17, 2021

To: Michael Scott, Director

Division of Waste Management

Through: Janet Macdonald

Inactive Hazardous Sites Branch – Special Projects Unit

From: Bonnie S. Ware

Inactive Hazardous Sites Branch

Subject: NEPA Project # 22-0126, The Residence at Canopy Pointe, New Hanover County, North Carolina

The Superfund Section has reviewed the proximity of sites under its jurisdiction to the The Residence at Canopy Pointe project. Proposed project involves the construction of a three-story building that will provide 70 residential units, as well as a computer center, on the first floor, a movie room, on the second floor, and a multi-purpose room, on the third. Outdoor sitting areas and an exercise room are also part of the plan.

Two (2) Superfund Section sites were identified within one mile of the project as shown on the attached report. The Superfund Section recommends that site files be reviewed to ensure that appropriate precautions are incorporated into any construction activities that encounter potentially contaminated soil or groundwater. Superfund Section files can be viewed at: <a href="http://deq.nc.gov/waste-management-laserfiche.">http://deq.nc.gov/waste-management-laserfiche.</a>

Please contact Janet Macdonald at 919.707.8349 if you have any questions concerning the Superfund Section review portion of this SEPA/NEPA inquiry.

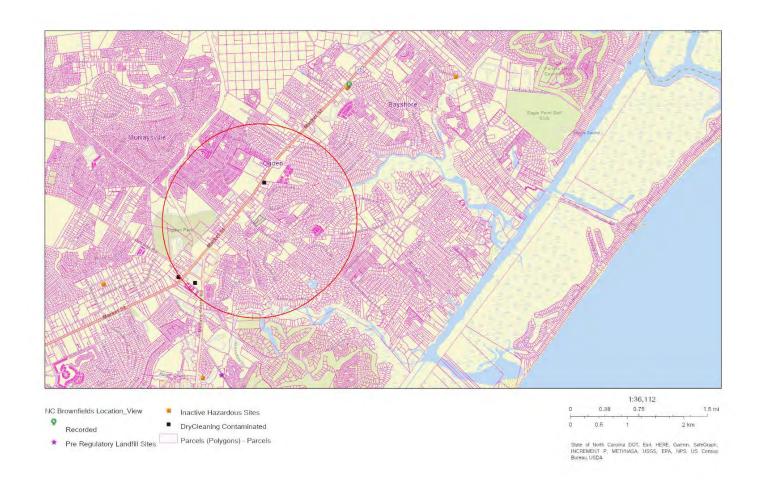


## SUPERFUND SECTION SITES ONLY: SEPA/NEPA

#### Area of Interest (AOI) Information

Area: 2,253.62 acres

Dec 17 2021 15:36:23 Eastern Standard Time



Superfund Section Sites Only: 22-0126 New Hanover County

#### Summary

Name	Count	Area(acres)	Length(mi)
Certified DSCA Sites	2	N/A	N/A
Federal Remediation Branch Sites	0	N/A	N/A
Inactive Hazardous Sites	0	N/A	N/A
Pre-Regulatory Landfill Sites	0	N/A	N/A
Brownfields Program Sites	0	N/A	N/A

#### Certified DSCA Sites

#	Site_ID	Site_Name	Count
1	DC650007	Coastal Dry Cleaners - Ogden Plaza	1
2	DC650012	Three Dollar Crystal Cleaners	1

#### Department of Environmental Quality Project Review Form

**Date Received: 12-10-2021** County: New Hanover Project Number: 22-0126 Due Date: 1-6-2022 Project Description: Scoping - Proposed project involves the construction of a three-story building that will provide 70 residential units, as well as a computer center, on the first floor, a movie room, on the second floor, and a multi-purpose room, on the third. Outdoor sitting areas and an exercise room are also part of the plan. This Project is being reviewed as indicated below: Regional Office Area In-House Review Regional Office ✓ Air Air Ouality Asheville Coastal Management ✓ DWR Parks & Recreation Fayetteville Marine Fisheries ✓ DWR - Public Water Mooresville Waste Mgmt Military Affairs Raleigh ✓ DEMLR (LQ & SW) Water Resources Mgmt DMF-Shellfish Sanitation (Public Water, Planning & Water Washington ✓ DWM ✓ Wildlife Maria Quality Program) Wilmington **DWR-Transportation Unit** Wildlife/DOT Winston-Salem In-House Reviewer/Agency: Manager Sign-Off/Region: 12-21-2021 Response (check all applicable) No objection to project as proposed. No Comment Other (specify or attach comments) Insufficient information to complete review If you have any questions, please contact: Lyn Hardison at lyn.hardison@ncdenr.gov or (252) 948-3842

943 Washington Square Mall Washington NC 27889 Courier No. 16-04-01

**NEW HANOVER** Agency Response: 1/10/2022 County.: Review Closed: 1/10/2022 JEANNE STONE **CLEARINGHOUSE COORDINATOR DEPT OF TRANSPORTATION Project Information** National Environmental Policy Act ping Type: Applicant: The Residence at Canopy Pointe Project Desc.: Proposed project is for the construction of The Residence at Canopy Pointe. The proposed project involves the construction of a three-story building that will provide 70 residential units, as well as a computer center, on the first floor, a movie room, on the second floor, and a multipurpose room, on the third. Outdoor sitting areas and an exercise room are also part of the plan. As a result of this review the following is submitted: ☐ No Comment ✓ Documents Attached Comments Below

Date Received: 12/10/2021

Reviewed By: JEANNE STONE Date: 12/16/2021

Control No.:

22-E-4600-0126

#### Stone, Jeanne B

From: Sarder, Nazia

Sent: Thursday, December 16, 2021 9:59 AM

To: Stone, Jeanne B
Cc: Norowzi, Behshad M

Subject: Clearinghouse 22-E-4600-0126 Review

**Attachments:** 22E46000126\_The Residence at Canopy Pointe.pdf

#### Good morning,

I have reviewed the clearinghouse below (and attached) and I have the following comments:

- 1. Please refer to the <u>Wilmington MTP</u>. For existing and future roadway/ transit recommendations surrounding this area in Wilmington, you may review the plan for the following projects near the proximity of this area:
  - a. US 17
  - b. Military Cutoff Road

Clearinghouse **22-E-4600-0126:** Clearinghouse Review of Request for Proposed The Residence at Canopy Pointe - Wilmington, New Hanover County, NC.

Regards,

#### Nazia Sarder

Transportation Engineer III
Transportation Planning Division
North Carolina Department of Transportation

919 707 0980 office 919 274 5349 cell nsarder@ncdot.gov

1554 Mail Service Center Raleigh, NC 27699

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## STATE OF NORTH CAROLINA DEPARTMENT OF ADMINISTRATION

Roy Cooper Governor Pamela B. Cashwell Secretary

February 2, 2022

Andrea Gievers
The Residence at Canopy Pointe
c/o NC Department of Public Safety
Office of Recovery and Resiliency
Durham, NC 27709-

Re: SCH File # 22-E-4600-0126 Proposed project is for the construction of The Residence at Canopy Pointe. The proposed project involves the construction of a three-story building that will provide 70 residential units, as well as a computer center, on the first floor, a movie room, on the second floor, and a multi-purpose room,

#### Dear Andrea Gievers:

The above referenced environmental impact information has been submitted to the State Clearinghouse under the provisions of the National Environmental Policy Act. According to G.S. 113A-10, when a state agency is required to prepare an environmental document under the provisions of federal law, the environmental document meets the provisions of the State Environmental Policy Act. Attached to this letter for your consideration are comments made by the agencies in the review of this document.

If any further environmental review documents are prepared for this project, they should be forwarded to this office for intergovernmental review.

Should you have any questions, please do not hesitate to call.

Sincerely,

**CRYSTAL BEST** 

State Environmental Review Clearinghouse

Attachments

Mailing Address: NC DEPARTMENT OF ADMINISTRATION 1301 MAIL SERVICE CENTER RALEIGH, NC 27699-1301 Telephone: (919)807-2425 Fax: (919)733-9571 COURIER: #51-01-00

Email: state.clearinghouse@doa.nc.gov Website: www.ncadmin.nc.gov Location: 116 WEST JONES STREET RALEIGH, NORTH CAROLINA Control No.: 22-E-4600-0126 Date Received: 12/10/2021 **NEW HANOVER** Agency Response: 1/10/2022 County.: Review Closed: 1/10/2022 **DEVON BORGARDT CLEARINGHOUSE COORDINATOR DEPT OF NATURAL & CULTURAL RESOURCE Project Information** National Environmental Policy Act ping Type: Applicant: The Residence at Canopy Pointe Project Desc.: Proposed project is for the construction of The Residence at Canopy Pointe. The proposed project involves the construction of a three-story building that will provide 70 residential units, as well as a computer center, on the first floor, a movie room, on the second floor, and a multipurpose room, on the third. Outdoor sitting areas and an exercise room are also part of the plan. As a result of this review the following is submitted: ☐ No Comment Comments Below ✓ Documents Attached

Reviewed By: DEVON BORGARDT Date: 2/2/2022



#### North Carolina Department of Natural and Cultural Resources

#### **State Historic Preservation Office**

Ramona M. Bartos, Administrator

Governor Roy Cooper Secretary D. Reid Wilson Office of Archives and History Deputy Secretary, Darin J. Waters, Ph.D.

January 26, 2022

**MEMORANDUM** 

TO: Andrea Grievers

andrea.l.gievers@rebuild.nc.gov

Office of Recovery and Resiliency NC Department of Public Safety

FROM: Ramona M. Bartos Peller Ramona M. Bartos

Deputy State Historic Preservation Officer

SUBJECT: Construct The Residence at Canopy Pointe, 205 Middle Sound Loop Road, Wilmington,

New Hanover County, ER 21-3173

Thank you for your letter of December 8, 2021, regarding the above-referenced undertaking. We apologize for the delay and any inconvenience it may have caused. We have reviewed the submittal and offer the following comments.

We have conducted a review of the project and are aware of no historic resources which would be affected by the project. Therefore, we have no comment on the project as proposed.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

Thank you for your cooperation and consideration. If you have questions concerning the above comment, contact Renee Gledhill-Earley, environmental review coordinator, at 919-814-6579 or <a href="mailto:environmental.review@ncdcr.gov">environmental.review@ncdcr.gov</a>. In all future communication concerning this project, please cite the above referenced tracking number.

#### Gievers, Andrea

**From:** Gievers, Andrea

Sent: Wednesday, December 8, 2021 10:18 AM

**To:** State Clearinghouse

**Cc:** Best, Crystal

**Subject:** NEPA Scoping Pkg - The Residence at Canopy Pointe

**Attachments:** NCORR Residence at Canopy Point SCH Scoping Pkg 12.8.21.pdf

#### Dear Ms. Best:

I have attached the NEPA scoping package for The Residence at Canopy Pointe proposed project. The North Carolina Office of Recovery and Resiliency (NCORR) as a recipient of Community Development Block Grant – Disaster Recovery (CDBG-DR) funds from the United States Department of Housing and Urban Development (HUD) is considering funding this proposed affordable housing project, The Residence at Canopy Pointe, 205 Middle Sound Loop Road, Wilmington, New Hanover County, NC 28411. The site is comprised of approximately 4.77 densely wooded acres. The proposed project involves the construction of a three-story building with 70 residential units, as well as a computer center, on the first floor, a movie room, on the second floor, and a multi-purpose room, on the third floor. Outdoor sitting areas and an exercise room are also part of the plan. The buildings and parking lot will be nestled into the existing property fabric, by preserving as much vegetation as possible, provide buffers to adjacent properties, and employing low impact design techniques, for stormwater management. The conceptual plan proposes to utilize a stormwater detention pond, which will treat collected runoff, from the added built upon area, before it discharges offsite and eventually into downstream receiving waters. Consultation letters are also being sent to SHPO, USFWS and the Catawba Indian Nation.

Please send via email a confirmation of receipt and a listing date for the State Clearinghouse's project review completion. If you have any questions or require additional information regarding this project review request, please feel free to contact Andrea Gievers at (845) 682-1700 or via email at <a href="mailto:Andrea.L.Gievers@Rebuild.NC.gov">Andrea.L.Gievers@Rebuild.NC.gov</a>. Thank you for your time and assistance.

Sincerely,

Andrea

Andrea Gievers, JD, MSEL, ERM
Environmental SME
Community Development
NC Office of Recovery and Resiliency
Andrea.L.Gievers@Rebuild.NC.Gov
(845) 682-1700



### **North Carolina Department of Public Safety**

#### Office of Recovery and Resiliency

Roy Cooper, Governor Casandra Skinner Hoekstra, Interim Secretary

Laura H. Hogshead, Director

December 8, 2021

State Environmental Review Clearinghouse 1301 Mail Service Center Raleigh, NC 27699-1301

RE: NEPA Scoping - HUD CDBG-DR Program Proposed The Residence at Canopy Pointe 205 Middle Sound Loop Road Wilmington, NC 28411

#### Dear Project Review Team:

The North Carolina Office of Recovery and Resiliency (NCORR) as a recipient of Community Development Block Grant – Disaster Recovery (CDBG-DR) funds from the United States Department of Housing and Urban Development (HUD) is considering funding this proposed affordable housing project, The Residence at Canopy Pointe, 205 Middle Sound Loop Road, Wilmington, New Hanover County, NC 28411. The State of North Carolina was adversely impacted by the landfall of Hurricanes Matthew (October 8, 2016) and Florence (September 14, 2018). These hurricanes damaged or destroyed hundreds of homes worsening the affordable housing shortage. This proposed project will increase affordable housing inventory for low- and moderate-income families. Therefore, funding for the proposed project will be provided in part by the HUD CDBG-DR North Carolina Affordable Housing Development Fund Program for Hurricane Florence storm recovery activities in North Carolina.

NCORR is serving as the responsible entity for compliance with the HUD environmental review procedures set forth in 24 CFR Part 58, and processes environmental reviews for proposed projects on a case-by-case basis. The proposed project entails constructing a three-story building that will provide 70 residential units, as well as a computer center, on the first floor, a movie room, on the second floor, and a multi-purpose room, on the third. Outdoor sitting areas and an exercise room are also part of the plan. The buildings and parking lot will be nestled into the existing property fabric, by preserving as much vegetation as possible, provide buffers to adjacent properties, and employing low impact design techniques, for stormwater management. The conceptual plan proposes to utilize a stormwater detention pond, which will treat collected runoff, from the added built upon area, before it discharges offsite and eventually into downstream receiving waters. It is important to note, that the Cape Fear Public Utility Authority have sewer and water lines in place,

Mailing Address: Post Office Box 110465 Durham, NC 27709



Telephone: 984.833.5350 <u>www.ncdps.gov</u> www.rebuild.nc.gov along Middle Sound Loop Road, thus there is no need to perform work outside the proposed project location. The proposed project will be located on property with street frontage on Middle Sound Loop Road, adjacent to Living Water Ministries, to the west, White Oaks Apartments, to the east, and The Fields at Wendover neighborhood, to the north (see attached New Hanover County GIS Map).

The proposed project site is comprised of four contiguous parcels, (Tract 1 - R04410-001-007-000; Tract 2 - R04410-001-009-000; Tract 3 - R04410-001-010-000; and Tract 4 - R04410-001-008-000) that encompass approximately 4.77 acres (see attached New Hanover County GIS Map). The parcels have been conditionally zoned Multi-Family, medium density (see attached New Hanover County Zoning Map), and the county's Future Land Use Plan designates the property as residential (see attached). The proposed project site is not located within a special flood hazard zone (see attached FEMA FIRMette).

The site is relatively flat and densely wooded, with shrubs and woody vines making up the understory, while pines and Red Maple are the dominant tree species. Numerous trees have been blown over during recent hurricanes (i.e., Florence and Isaias). There are no snags within the project limits. There are no streams or wetlands within the project limits, but a man-made ditch extends into Tract 3, from north to south. The ditch does not hold water and is devoid of vegetation, due to shading. See attached photos, which illustrate the existing conditions.

Approximately 4.5 acres of the proposed project site will be disturbed, with approximately 2.3 acres being converted to built-upon area. Due to the proposed land disturbance exceeding 1 acre, a NC Division of Energy, Minerals and Land Resources NPDES NCG010000 permit is required and will ensure best management practices, such as installing silt fence, temporary sediment basins/traps and construction entrance, are installed prior undertaking land disturbance activities. The measures will be inspected at least every seven days and/or after a rain event that produces more than one inch of rain within a twenty four hour period. Non-potable water will be used to contain dust, during the construction process.

New Hanover County is one of North Carolina's twenty coastal counties, but the proposed project is located more than 3900 linear feet from Howe Creek, the nearest saltwater waterbody (see attached Distance to Nearest Saltwater Waterbody Map) and is not located within an area designated as a Coastal Barrier Resource System Area (see attached Coastal Barrier Resource System Area Map).

The proposed project is also being submitted to the NC State Historic Preservation Office (SHPO) for consultation. The proposed project site is not located within an area designated as a National or State Historic District and there are no known historic structures on the property (see attached NC State Historic Preservation Office's HPOWEB 2.0 Map). Historical aerial photos (see attached) show two residential structures being built, between 1958 and 1969, on the southern portion of the property. By 2009, both structures were demolished, and the rubble removed from the property.

The proposed project is being reviewed using the USFWS Raleigh Ecological Services' online 10-step project review process. The USFWS Information for Planning and Consultation (IPaC) Biological Assessment (see attached) identified the Northern Long-eared Bat (NLEB), which is listed on the USFWS Endangered and Threatened Species List, as being of concern in New Hanover County. This review found that only the NLEB may be affected by the proposed development, and the review package will be submitted to USFWS-Raleigh ES Field Office for consultation.

If you have any questions or require additional information regarding this project review request, please feel free to contact Andrea Gievers at (845) 682-1700 or via email at <a href="mailto:Andrea.L.Gievers@Rebuild.NC.gov">Andrea.L.Gievers@Rebuild.NC.gov</a>. Thank you for your time and assistance.

Sincerely,

Andrea Gievers, JD, MSEL, ERM

Environmental Subject Matter Expert

NCORR – Community Development

#### Attachments:

- 1. Vicinity Map
- 2. New Hanover County GIS Map
- 3. New Hanover County Zoning Map and Future Land Use Map
- 4. USGS Topographic Map and LiDAR Map
- 5. The Residence at Canopy Pointe Conceptual Plan
- 6. USFWS Official Species List, IPaC Biological Assessment, and NLEB Consultation Letter
- 7. Natural Heritage Program Occurrences Report
- 8. Distance to Nearest Saltwater Waterbody Map
- 9. FEMA FIRMette Map
- 10. Coastal Barrier Resource Area Map
- 11. NC State Historic Preservation Office HPOWEB 2.0 Map
- 12. Historical Aerial Photo Packet
- 13. Existing Conditions Site Photos