



# Special Use Permit Application

**OFFICIAL USE ONLY:**

Case Number: \_\_\_\_\_  
Date Filed: \_\_\_\_\_  
Gate Keeper: \_\_\_\_\_  
Amount Paid: \_\_\_\_\_

**Contact Information****APPLICANT:**Name: Jeffrey A. Newbern, Sr.Address: PO Box 67  
Harbinger, NC 27941Telephone: 252-491-2121E-Mail Address: galanddev@embarqmail.com**PROPERTY OWNER:**Name: Jeffrey A. Newbern, Sr.Address: PO Box 67  
Harbinger, NC 27941Telephone: 252-491-2121E-Mail Address: galanddev@embarqmail.comLEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Same**Property Information**Physical Street Address: 7177 Caratoke Hwy., Jarvisburg, NC 27939Location: 0.5 mi south of Jarvisburg, NC Post office on east side of US 158 Caratoke Hwy.Parcel Identification Number(s): 0109-000-0061-0000, 0109-000-061A-0000Total Parcel(s) Acreage: 58.81 acresExisting Land Use of Property: Sand mine operation, agriculture**Request**Project Name: Green Acres land Development Sand MineProposed Use of the Property: Sand mine operationDeed Book/Page Number and/or Plat Cabinet/Slide Number: DB 602, DP 392; DB 602, DP 388Total square footage of land disturbance activity: 1,460,131.2 sqft (33.52 acres)Total lot coverage: 33.52 acres Total vehicular use area: \_\_\_\_\_

Existing gross floor area: \_\_\_\_\_ Proposed gross floor area: \_\_\_\_\_

**Community Meeting**Date Meeting Held: Feb 24, 2025 Meeting Location: Powell's Point Senior Center

Purpose of the Special Use Permit and Project Narrative (please provide on additional paper if needed):  
Modification of existing Currituck County Use Permit #PB 13-13. Operator is requesting to increase excavation acreage from 40% to 50% of parcel size inside currently permitted area. Modification narrative attached.

The applicant shall provide a response to the each one of the following issues. The Board of Commissioners must provide specific findings of fact based on the evidence submitted. All findings shall be made in the affirmative for the Board of Commissioners to issue the Special Use Permit.

A. The use will not endanger the public health or safety.

Narrative attached.

B. The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.

Narrative attached.

C. The use will be in conformity with the Land Use Plan or other officially adopted plan.

Narrative attached.

D. The use will not exceed the county's ability to provide adequate public school facilities.

Narrative attached.

I, the undersigned, do certify that all of the information presented in this application is accurate to the best of my knowledge, information, and belief. Further, I hereby authorize county officials to enter my property for purposes of determining zoning compliance. All information submitted and required as part of this application process shall become public record.

Applicant

May 19, 2025

Date

Property Owner(s)

May 19, 2025

Date

\*NOTE: Form must be signed by the owner(s) of record, contract purchaser(s), or other person(s) having a recognized property interest. If there are multiple property owners/applicants a signature is required for each.

**Special Use Permit Conceptual Plan Design Standards Checklist**

The table below depicts the design standards of the Special Use Permit application. Please make sure to include all applicable listed items to ensure all appropriate standards are reviewed.

**Special Use Permit  
Conceptual Plan Design Standards Checklist**

Date Received:

TRC Date: \_\_\_\_\_

Project Name: Green Acres land Development Sand Mine

Applicant/Property Owner: Jeffrey A. Newbern, Sr.

<b>Special Use Permit Conceptual Plan Design Standards Checklist</b>		
1	Property owner name, address, phone number, and e-mail address.	<input type="checkbox"/>
2	Site address and parcel identification number.	<input type="checkbox"/>
3	North arrow and scale to be 1" = 100' or larger.	<input type="checkbox"/>
4	Vicinity map showing property's general location in relation to streets, railroads, and waterways.	<input type="checkbox"/>
5	Existing zoning classification and zoning setback lines of the property.	<input type="checkbox"/>
6	A scaled drawing showing existing boundary lines, total acreage, adjacent use types, location of streets, rights-of-way, and easements.	<input type="checkbox"/>
7	Approximate location of the following existing site features and infrastructure within the property and within 50' of the existing property lines: Pedestrian circulation, vehicular use areas, structures, septic systems, wells, utility lines, water lines, culverts, storm drainage pipes, ditches, canals, streams, wooded areas, ponds, and cemeteries.	<input type="checkbox"/>
8	Approximate location of the following proposed site features and infrastructure: Structures and usages, parking and circulation plan (including streets, drives, loading and service areas parking layout and pedestrian circulation features), fences and walls, exterior lighting, drainage patterns and facilities intended to serve the development, landscape buffers and screening, and riparian buffers.	<input type="checkbox"/>
9	Approximate Flood Zone line and Base Flood Elevation as delineated on the "Flood Insurance Rate Maps/Study Currituck County."	<input type="checkbox"/>
10	Approximate location of all designated Areas of Environmental Concern or other such areas which are environmentally sensitive on the property, such as Maritime Forest, CAMA, 404, or 401 wetlands as defined by the appropriate agency.	<input type="checkbox"/>
11	Sight distance triangles.	<input type="checkbox"/>
12	Proposed common areas, open space set-asides, and required buffers.	<input type="checkbox"/>
13	Architectural drawings and/or sketches illustrating the design and character of the proposed uses.	<input type="checkbox"/>

**Special Use Permit Submittal Checklist**

Staff will use the following checklist to determine the completeness of your application within ten business days of submittal. Please make sure all of the listed items are included. Staff shall not process an application for further review until it is determined to be complete.

## Special Use Permit Submittal Checklist

Date Received: \_\_\_\_\_

TRC Date: \_\_\_\_\_

Project Name: Green Acres land Development Sand Mine

Applicant/Property Owner: Jeffrey A. Newbern, Sr.

**Special Use Permit Submittal Checklist – Documents provided on USB flash drive or CD**

1	Complete Special Use Permit application	<input type="checkbox"/>
2	Community meeting written summary	<input type="checkbox"/>
3	Conceptual plan, if applicable	<input type="checkbox"/>
4	Architectural elevations, if applicable	<input type="checkbox"/>
5	Application fee (\$500)	<input type="checkbox"/>

**For Staff Only**

**Pre-application Conference**

Pre-application Conference was held on \_\_\_\_\_ and the following people were present:

\_\_\_\_\_  
\_\_\_\_\_

**Comments**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Addendum-1

### Page 6 - Mine Permit Application Modification – Green Acres Land Development Mine

#### C. Protection of Natural Resources

##### 1. Sequence of Events for Development and Operation:

- a. Operator will obtain all required mining permits from NCDEQ.
- b. Operator will maintain existing 30' wide paved construction entrance joining intersection of mine access road and US 158 Caratoke Highway. Paved entrance will be 200 feet long.
- c. Operator will maintain existing locking gate to be located across the mine access road entrance 80 feet from intersection with the Caratoke Highway right-of-way.
- d. Operator will remove topsoil in unexcavated area down to 2.5 feet below natural ground level, and stockpile overburden for use in erosion control berms.
- e. Operator will construct a 2-ft tall x 10-ft wide (2:1) vegetated berm for erosion control along the perimeter of processing areas.
- f. Operator will maintain existing foliage and cultivated field visual screen along perimeter of the affected area.
- g. Operator will maintain existing Godwin Dri-Prime or similar model water transfer pump at the south corner of the main excavation. The pump will remove approximately 12,000 gallons of water per day from the main excavation and discharge it into Meadowlake Pond adjacent to excavation for use by residents upon their need.
- h. Operator will continue existing excavation of the main pond (28.54 acres) by digging with long-reach excavator and removing sand & topsoil to maximum depth feasible without dewatering the excavation.
- i. 3:1 cut slopes will be constructed around excavation edge down to normal groundwater level. As water is removed from excavation, 2:1 cut slopes will be constructed below normal groundwater level around excavation edge.
- j. Pond will be excavated to average 35 feet and maximum 40 feet below normal ground level. Excavated material (sand) will be stockpiled in unexcavated portion of proposed excavation area. Sand will be loaded onto trucks and removed from area via paved construction entrance to US 158 Caratoke Highway.
- k. After all excavation is complete, operator will establish groundcover on 3:1 above-water slopes of excavation and will construct a minimum 8-ft wide 4:1 berm around excavation edge to prevent erosion of pond slopes, with outside edge of berm graded down to natural ground level.
- l. Former stockpile / berm areas and processing areas outside of main excavations will be graded, leveled, and seeded with groundcover. Areas will be allowed to return to previous non-erosive field state.
- m. Former hydration swale area will be filled with soil removed during its construction. Ground will be levelled and sown with ground cover.
- n. Internal roadways and haul roads will be graded, leveled, seeded with groundcover, and allowed to return to natural field state. A field path will remain around the perimeter of the excavated pond.

- o. Remaining affected areas inside main permit area will be fertilized and returned to natural field state.
- p. Remaining pond will be utilized by landowner for scenic & recreational purposes, and for wildlife habitat.

## Addendum-2

### Page 7 - Mine Permit Application – Green Acres Land Development Mine

#### C. Protection of Natural Resources

##### 3. Impact of Mine Dewatering on Neighboring Wells:

1. Operator dewateres approximately 12,000 gallons per day to maintain water level in nearby Meadowlake Pond. Dewatering is strictly for maintenance of water level in Meadowlake Pond.
2. At the request of property owners in Meadowlake subdivision, the operator pumps fresh water by pipe from Green Acres Mine to Meadowlake Pond in Meadowlake Subdivision to augment water level in the pond. Water amount added to Meadowlake Pond is approximately 12,000 gallons per day.
3. Water pumped to Meadowlake Pond is tested quarterly for TSS, turbidity, enterococcus, pH, and salinity. Test results are reported annually to NCDEQ.
4. Previously installed groundwater monitoring well #1 will continue to be maintained on north side of excavation area (see map), located 122 feet north of excavation edge. Monitoring well is checked monthly for groundwater levels and results reported quarterly to Currituck County Planning & Inspections Department.
5. Previously installed groundwater monitoring well #2 will continue to be maintained on south side of excavation area (see map), located 290 feet from proposed excavation edge. Monitoring well is checked monthly for groundwater levels and results reported quarterly to Currituck County Planning & Inspections Department.
6. Operator will continue to excavate the Green Acres Mine by long-reach excavator or dragline. Water level in excavated pond has returned to normal groundwater levels since 2020.
7. Operator will maintain his dewatering NPDES General Permit #NCG020641 for mine dewatering issued by NCDEQ until the end of life of the Green Acres Mine. NCDEQ requires an issued NCG02 permit to be maintained for recording purposes as long as a mining permit is active, whether the operator is dewatering or not.
8. If mine dewatering activity were to resume at Green Acres Mine in the future, groundwater monitoring well #1 will be sampled and tested semi-annually for drinking water specifications during any periods of dewatering activity.
9. If mine dewatering activity were to resume at Green Acres Mine in the future, groundwater monitoring well #2 will be sampled and tested semi-annually for drinking water specifications during any periods of dewatering activity.
10. If mine dewatering activity were to resume at Green Acres Mine in the future, operator will continue to maintain an existing 1350-ft long x 20-ft wide closed-end hydration ditch serving as sediment pond for mining operation. Hydration ditch was established along south perimeter of permit area located between mining operation and Meadow Lake Subdivision. Hydration ditch is filled with overflow water during dewatering operation and provides groundwater hydration to adjacent subdivision. Hydration ditch was in use for mine dewatering from 2013 to 2020.