



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 27941
Telephone: 252-202-1028
E-Mail Address: gald2121@gmail.com

PROPERTY OWNER:

Name: Green Acres Land Development, Inc.
Address: PO Box 332
Powell's Point, NC 27966
Telephone: 252-491-2121
E-Mail Address: galanddev@embarqmail.com

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: President of Green Acres Land Development, Inc.

Property Information

Physical Street Address: 7177 Caratoke Hwy., Jarvisburg, NC 27939
Location: 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-0000
Total Parcel(s) Acreage: 58.81 acres
Existing Land Use of Property: Sand mine operation, agriculture

Request

Project Name: Green Acres land Development Sand Mine
Proposed Use of the Property: Sand mine operation
Deed Book/Page Number and/or Plat Cabinet/Slide Number: DB 602, DP 392; DB 602, DP 388
Total 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

**FOLIAGE SCREEN ALONG GREEN ACRES/JOEL JUSTICE PROPERTY LINE
WITH INTERIOR PHOTOGRAPHY OF PROPERTY LINE REVIEW AREA**



Aerial photo courtesy of Currituck County Government GIS Data Portal.



View from the north of eastern excavation edge on 05-29-2025. Reclamation is in process, excavation and edge sloping is complete, disturbed land to be sown with groundcover. No further mining activity.



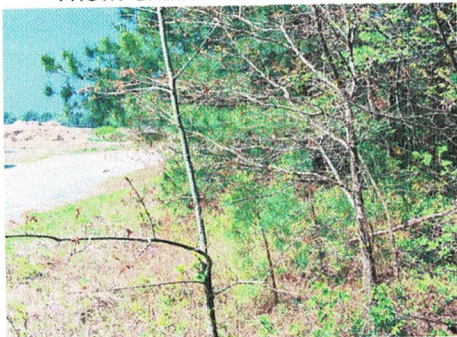
View from the north of eastern excavation edge on 05-29-2025. Reclamation is in process, excavation and edge sloping is complete, excavation edge erosion control berm is in place, disturbed land to be sown with groundcover. No further mining activity or mining vehicle access along this boundary. Existing white marker shows the northern excavation corner.

FOLIAGE SCREEN ALONG NEWBERN/POLLOCK/LANDRON PROPERTY LINE WITH INTERIOR PHOTOGRAPHY OF PROPERTY LINE



Aerial photo courtesy of Google Earth. Aerial dated 10/9/2022. Vehicles shown are no longer in place.

EXTERIOR, LOOKING WESTWARD
FROM GREEN ACRES PROPERTY



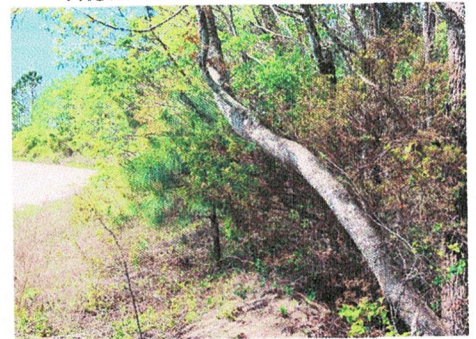
20-24' FOLIAGE
BETWEEN P/L & ACCESS RD

EXTERIOR, LOOKING EASTWARD
FROM GREEN ACRES PROPERTY



20-24' FOLIAGE
BETWEEN P/L & ACCESS RD

EXTERIOR, LOOKING WESTWARD
FROM GREEN ACRES PROPERTY



20-24' FOLIAGE
BETWEEN P/L & ACCESS RD

EXTERIOR, LOOKING WESTWARD
FROM GREEN ACRES PROPERTY



20-24' FOLIAGE
BETWEEN P/L & ACCESS RD

EXTERIOR, LOOKING WESTWARD
FROM GREEN ACRES PROPERTY



20-24' FOLIAGE
BETWEEN P/L & ACCESS RD

EXTERIOR, LOOKING WESTWARD
FROM GREEN ACRES PROPERTY



20-24' FOLIAGE
BETWEEN P/L & ACCESS RD

INTERIOR, LOOKING EASTWARD,
ALONG DITCH PROPERTY LINE



FOLIAGE ON BOTH SIDES
GREEN ACRES PROPERTY ON THE RIGHT

INTERIOR, LOOKING WESTWARD,
ALONG DITCH PROPERTY LINE



FOLIAGE ON BOTH SIDES
GREEN ACRES PROPERTY ON THE LEFT

INTERIOR, LOOKING WESTWARD,
ALONG DITCH PROPERTY LINE



FOLIAGE ON BOTH SIDES
GREEN ACRES PROPERTY ON THE LEFT

The photography above shows the current status of vegetative screening along the Green Acres/Pollock property line, illustrating that proper screening is in place on Green Acres property along that entire portion of the permit area. Photos were taken on April 15, 2025, along the adjoining parcels.

Ken Elliott, Elliott Consulting
For Jeffrey A. Newbern, Sr.
April 21, 2025



Cotton-Gin
Airport

7125

1634

Jarvisburg

Jarvisburg
Church
Of Christ

Forbes Road

Black Forest Lane

US 158

Green Acres Land
Development Mine

7177 Caratoke Hwy
Powell's Point, NC 27966



Meadowlake

Catfish Lane

Jarvisburg Road

US 158

Newborn Road

Colonial Beach Road

Lee Street

Wades Lane

**NCDEQ MINING PERMIT #27-47
CURRITUCK SUP #PB 13-13
MODIFICATION**

7177 CARATOKE HWY
JARVISBURG, NC
CURRITUCK COUNTY

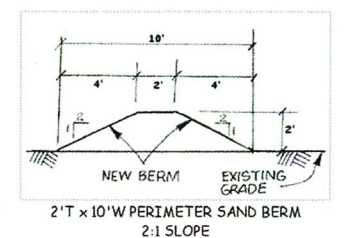
SCALE: 1 IN = 200 FT

PO BOX 67
HARBINGER, NC 27941

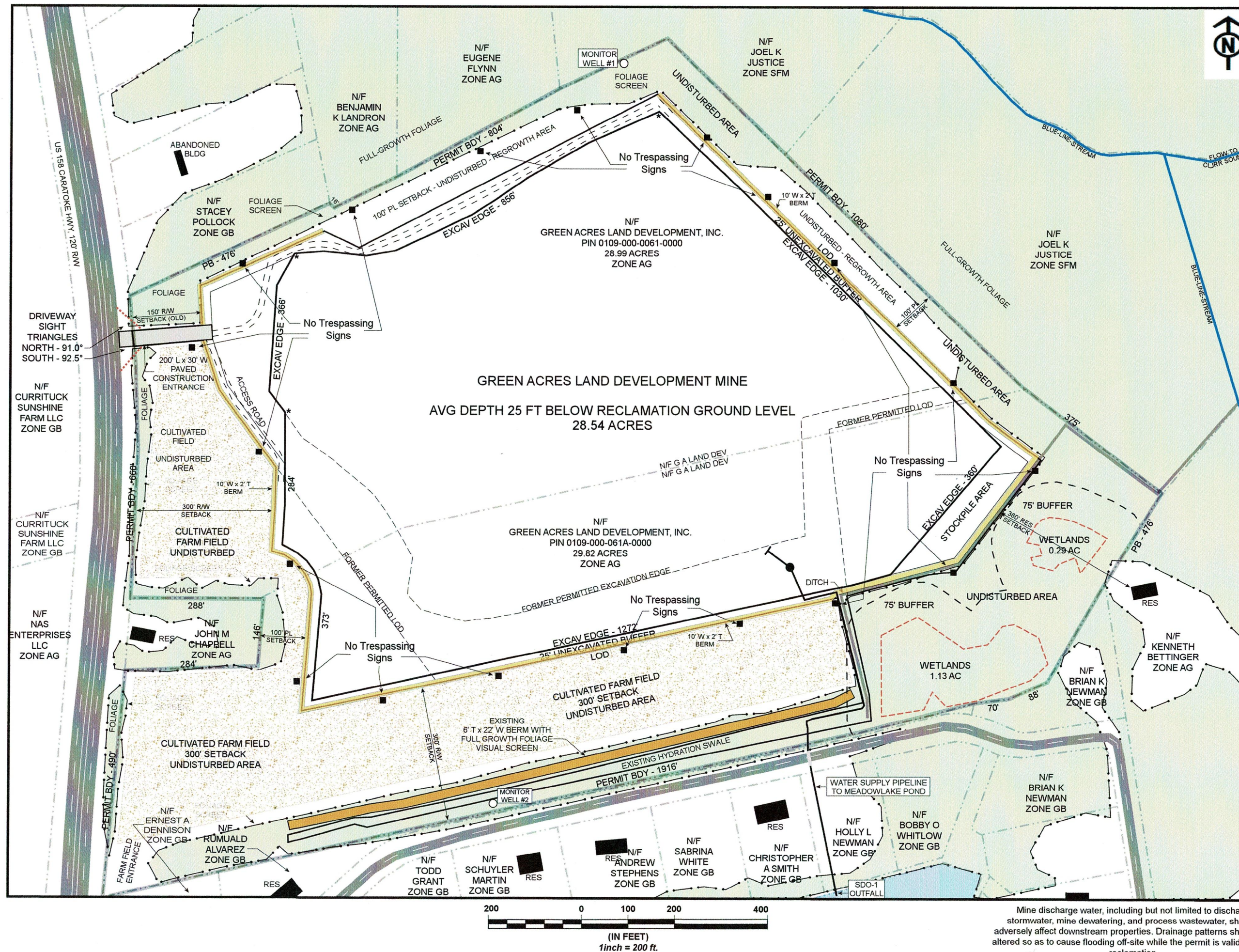
MAP BY ELLIOTT CONSULTING
JUNE 24, 2025

EXCAVATION - 28.54 AC
STOCKPILES & BERMS - 1.53 AC
ROADS & PROCESSING - 1.69 AC
UNEXCAVATED BUFFERS - 3.44 AC
TOTAL AFFECTED AREA - 35.20 AC
UNDISTURBED BUFFERS - 23.61 AC
TOTAL PERMIT AREA - 58.81 AC

THIS IS A MINE MAP.
THIS MAP IS NOT A CERTIFIED
SURVEY AND HAS NOT BEEN REVIEWED
BY A LOCAL GOVERNMENT AGENCY FOR
COMPLIANCE WITH ANY APPLICABLE
LAND DEVELOPMENT REGULATIONS.



Mine discharge water, including but not limited to discharge stormwater, mine dewatering, and process wastewater, shall not adversely affect downstream properties. Drainage patterns shall not be altered so as to cause flooding off-site while the permit is valid and after



PARCEL MAP

FEMA FIRM FLOOD ZONES

GROUNDWATER WELLS WITHIN
1500 FT OF MINE EXCAVATION

AMBIENT & ESTIMATED NOISE LEVELS

DRAINAGE FEATURES

GREEN ACRES LAND DEVELOPMENT MINE

7177 CARATOKE HWY
JARVISBURG, NC
CURRITUCK COUNTY

PIN 0109-000-0061-0000
PIN 0109-000-061A-0000

SCALE: 1 IN = 500 FT

OWNER & OPERATOR
JEFFREY A. NEWBERN, SR
GREEN ACRES LAND DEVELOPMENT, INC.
PO BOX 67
HARBINGER, NC 27941

GALD2121@GMAIL.COM
252-491-2121

MAP BY ELLIOTT CONSULTING
JUNE 24, 2025

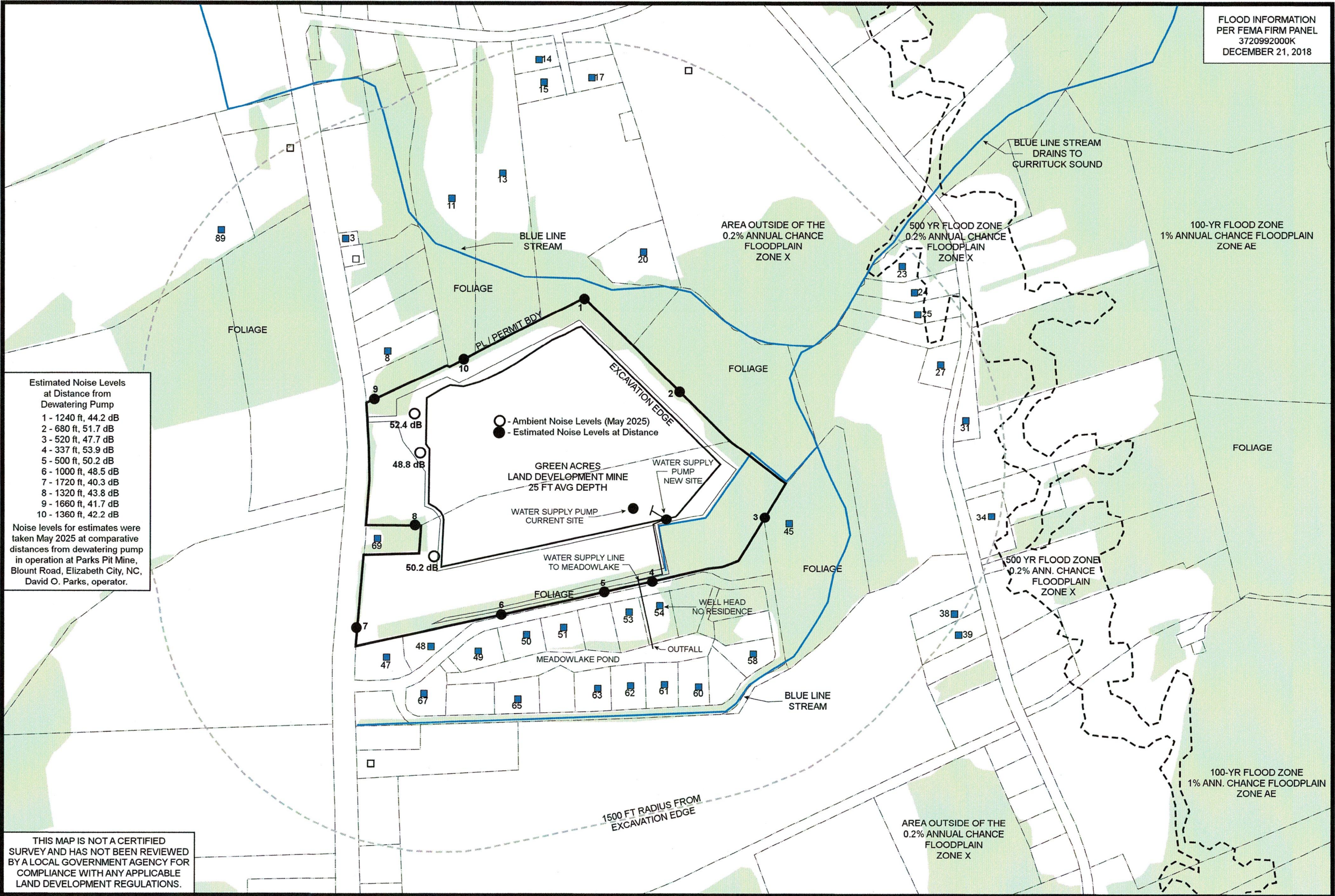


■ = ADJACENT OWNERS WITHIN
1500 FT OF EXCAVATION WITH
ACTIVE GROUNDWATER WELLS

□ = DENOTES RESIDENCE WITHIN
1500 FT OF EXCAVATION WITH
COUNTY WATER

- 3 - Lydia Leggett, 7135 Caratoke Hwy
8 - Bluejack Enterprises, 7161 Caratoke Hwy
11 - Benjamin Landron, 136 Forbes Rd
13 - Eugene Flynn, 144 Forbes Rd
14 - Susan Kwasnik, 100 Indian Kettle Rd
15 - Michael Ollom, 102 Indian Kettle Rd
17 - Laurie Locklear, 103 Indian Kettle Rd
20 - Joel Justice, 151 Black Forest Ln
23 - Solo Ventures, 270 Jarvisburg Rd
24 - Christopher Scarborough, 282 Jarvisburg Rd
25 - Ryan Carr, 286 Jarvisburg Rd
27 - Derek Snyder, 292 Jarvisburg Rd
31 - Janet Payne, 307 Jarvisburg Rd
34 - Thomas Jump, 333 Jarvisburg Rd
38 - Jason McCauley, 344 Jarvisburg Rd
39 - Elizabeth Gay, 350 Jarvisburg Rd
45 - Kenneth Bettinger, 117 Meadowlake Dr
47 - Ernest Dennison, 101 Meadowlake Dr
48 - Rumualdo Alvarez, 103 Meadowlake Dr
49 - Todd Grant, 104 Meadowlake Dr
50 - Schuyler Martin, 106 Meadowlake Dr
51 - Andrew Stephens, 108 Meadowlake Dr
53 - Christopher Smith, 112 Meadowlake Dr
54 - Holly Newman, 114 Meadowlake Dr
58 - William Gibson, 122 Meadowlake Dr
60 - Sarah Friendly, 126 Meadowlake Dr
61 - Patricia Pledger, 128 Meadowlake Dr
62 - Kenneth Bettinger, 130 Meadowlake Dr
63 - Javier Carranza, 132 Meadowlake Dr
65 - Donald Monroe, 136 Meadowlake Dr
67 - Tony Bircher, 140 Meadowlake Dr
69 - John Chappell, 7197 Caratoke Hwy
89 - Carlton Hewitt, 7130 Caratoke Hwy

FLOOD INFORMATION
PER FEMA FIRM PANEL
3720992000K
DECEMBER 21, 2018



Estimated Noise Levels
at Distance from
Dewatering Pump

- 1 - 1240 ft, 44.2 dB
2 - 680 ft, 51.7 dB
3 - 520 ft, 47.7 dB
4 - 337 ft, 53.9 dB
5 - 500 ft, 50.2 dB
6 - 1000 ft, 48.5 dB
7 - 1720 ft, 40.3 dB
8 - 1320 ft, 43.8 dB
9 - 1660 ft, 41.7 dB
10 - 1360 ft, 42.2 dB

Noise levels for estimates were
taken May 2025 at comparative
distances from dewatering pump
in operation at Parks Pit Mine,
Blount Road, Elizabeth City, NC,
David O. Parks, operator.

THIS MAP IS NOT A CERTIFIED
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COMPLIANCE WITH ANY APPLICABLE
LAND DEVELOPMENT REGULATIONS.

500 0 250 500 1000
(IN FEET)
1inch = 500 ft.

RECLAMATION MAP
DEQ MINING PERMIT #27-47
CURRITUCK SUP #PB 13-13
MODIFICATION

GREEN ACRES
LAND DEVELOPMENT MINE
7177 CARATOKE HWY
JARVISBURG, NC
CURRITUCK COUNTY

PIN 0109-000-0061-0000
PIN 0109-000-061A-0000

SCALE: 1 IN = 200 FT

OWNER & OPERATOR
JEFFREY A. NEWBERN, SR.
PO BOX 67
HARBINGER, NC 27941

GALD2121@GMAIL.COM
252-491-2121

MAP BY ELLIOTT CONSULTING
JUNE 24, 2025

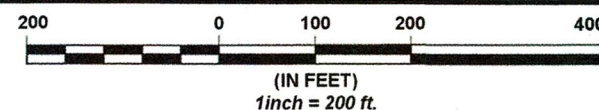
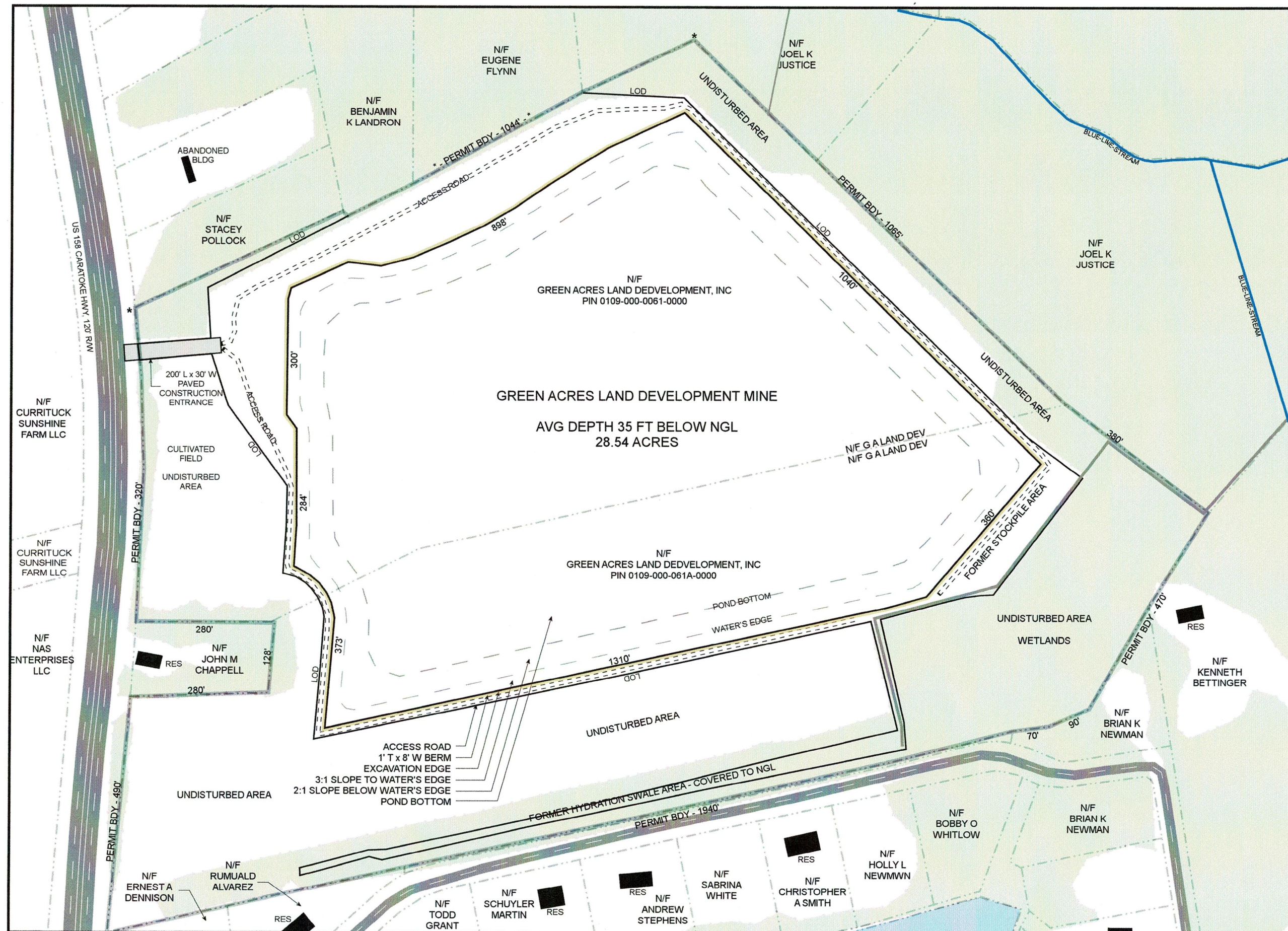
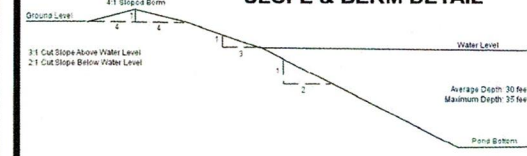
ACREAGES

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LAND DEVELOPMENT REGULATIONS.

RECLAMATION
SLOPE & BERM DETAIL



May 21, 2025

Elliott Consulting

PO Box 112
Aydlett, North Carolina 27916
Phone: 252-339-9021

► **County of Currituck, NC**

Planning and Inspections Dept.
153 Courthouse Rd., Ste. 110
Currituck, North Carolina 27929

Green Acres Land Development Sand Mine – Special Use Permit

Appendix A – Project History, Purpose of Use Permit, and Narrative

1. Mr. Jeffrey A. Newbern, Sr., president of Green Acres Land Development, Inc., PO Box 67, Harbinger, NC 27941, desires to expand his currently permitted Green Acres Land Development Sand Mine on two parcels located at 7177 Caratoke Hwy (US 158), 0.5 mile south of the Jarvisburg, NC Post Office. The two parcels are owned by Green Acres Land Development, Inc, and are identified in the Currituck County Tax Office as Parcel ID No.0109-000-0061-0000 (north parcel) and No. 0109-000-061A-0000 (south parcel), Deed Book 602, Deed Page 392, and Deed Book 602, Deed Page 388, being approximately 58.81 acres total, zoned Agricultural, and have been historically used for sand mining and agricultural activities.
 2. The mine shall be titled the Green Acres Land Development Sand Mine and will allow the applicant and operator, Jeffrey A. Newbern, Sr., to excavate sand and topsoil in a 28.54-acre excavation, operating within an approved affected area of 35.20 acres and an approved permit area of 58.81 acres. The sand mine will have an average depth of 25 feet below natural ground level, and a maximum depth of 30 feet below natural ground level.
 3. The excavated pit, stockpiles and processing areas will be constructed and located on the 58.81-acre combined parcels. There are 1.42 acres of wetlands on the south parcel (delineated by USACE in 2019, no expiration). The 28.54-acre excavation will encompass 49.73% of the 57.39 acres of uplands on the parcels, with a maximum percentage of 50% required by Currituck County Ordinance. Permitted acreage will have sufficient room for a sand mining operation.
 4. The Green Acres Land Development Mine has been operating since 2002 and has undergone six approved modifications to the State permit to expand excavation acreage or modify operating procedures. There have been no recorded violations of the State or County mining permit in the last twelve months.
-

5. Access to the excavation area will be via an existing 200-ft long by 35-ft wide paved driveway with an entrance onto Caratoke Highway, located west of the excavation area. The access road will be gated and locked at the entrance 200 feet from Caratoke Highway and 152 feet from the Caratoke Highway right-of-way. Vehicles owned or contracted by Green Acres Land Development will be allowed onsite by right, all others by permission only.
6. Green Acres Land Development will complete the development strictly in accordance with the plans submitted to Currituck County Planning and Inspections Department, and the North Carolina Department of Environmental Quality, Division of Energy, Mineral and Land Resources.
7. After completion of the project the remaining pit will become a 28.54-acre pond, utilized for environmental habitat and recreational use by the landowner, and will increase the scenic and recreational value of the property.
8. The property contains one zoning designation: AG, Agricultural. All mining activities occur within the AG, Agricultural zoning district. Sand mining is a Permitted Use in an AG, Agricultural zoning district with an approved Use Permit.
9. The property is surrounded by the following land uses:
 - A. North: undeveloped woodland, zoned General Business; undeveloped woodland, zoned Agricultural.
 - B. South: Meadowlake subdivision, which has twelve parcels adjacent to Green Acres Mine. Six are developed parcels with one business and five residences zoned GB General Business, five undeveloped parcels zoned GB General Business, and one developed parcel with residence zoned Ag Agricultural.
 - C. East: two undeveloped parcels with woodland, zoned SFM Single Family-Mainland.
 - D. West: three undeveloped parcels zoned Ag Agricultural and GB General Business
10. Currituck County Soil Maps indicate one type of soil on the property: Pt (Portsmouth fine sandy loam) CnA (Conetoe loamy sand), No (Nimmo coarse sandy loam), and Mu (Munden fine sandy loam).
11. Current Currituck County Flood Maps indicate the entire mining permit area to be located in the area of minimal flood hazard, outside of the 500-year flood plain (Flood Zone X, 0.2% annual chance flood hazard) according to FIRM panel map 3720992000K, dated December 21, 2018. Flood zone lines near the permit area are illustrated on the attached parcel map.

Appendix B – Currituck County Applicable Standards, Findings of Fact

1. The proposed use will not endanger the public health or safety.
 - a. Site of the Proposed Use is located 330 feet from Caratoke Highway (US 158). Proposed Use access road will intersect with Caratoke Highway via a paved construction entrance at an 91.0° sight angle (north) and 92.5° (south), which is within specification of county UDO Section 4.2.5.A(5)(a). Caratoke Highway is a four-lane public road and is considered heavily travelled. The last traffic count taken in 2023 by NCDOT along Caratoke Highway near the Green Acres parcel showed an annual daily traffic count of 20,000 vehicles per day, an average of 833 vehicles per hour. The mine operator estimates there will be an maximum of 20 vehicles per day leaving the mine site and intersecting with Caratoke Highway, an increase of 1-2 vehicles per hour (0.24%) over the current traffic volume. Maximum trips per hour are anticipated to average 2-3 during peak operation of the mine.
 - b. Closest occupied residence (Bettinger) to the Proposed Use area is located 360 feet from location of mining activity and 560 feet from the proposed location of the dewatering pump. Residence is screened by 280-ft wide area of dense woodland. All other residences in Meadowlake subdivision are located a minimum of 400 feet from mining activity with 100-ft wide screen of woodland and 8-ft tall berms. A comparison of noise levels was taken from a similar sand mine operation utilizing a dewatering pump located at Parks Pit sand mine in Elizabeth City. Noise levels measured there across open land were found to be 47.7 decibels at 520 feet from the dewatering pump operation and 48.5decibels at 1000 feet from other mine activity, below the maximum 60 dB allowed by Chapter 9, Article II, Section 9-33 of the Currituck County Code of Ordinances. Noise levels were also measured along Caratoke Highway at the same distances from the highway as the closest residences to the mine site. Noise levels were found to be 48.8 - 52.4 decibels. The noise that may be generated by the Proposed Use will not be at a level that would materially endanger the public health and safety.
 - c. The Proposed Use will have adequate sediment and erosion control measures in place around all active areas of the site, including erosion control berms, groundcover on active areas to control erosion, and construction entrances on access roads to prevent sedimentation from leaving the site. All stormwater will drain internally to the mine excavation. Except for a 200-foot long by 35-foot-wide paved driveway, there will be no impervious surfaces inside the permit area.
 - d. **The Green Acres Land Development Mine will no longer be dewatered for mining purposes.** The operator will perform excavation activities with a long-reach excavator and loaders. The operator of the mine, Jeffrey A. Newbern, Sr., has no intention to resume dewatering the Green Acres Land Development Mine for mining purposes in the future.

- e. Per the approved DEQ Mining Permit #27-47, Operating Condition III.4.C, dewatering activities will be limited to pumping to the pipe that discharges to the residential lake located south of the mine. No dewatering shall be permitted to the hydration ditch.
 - f. At the request of property owners in the Meadowlake subdivision located south of the mine, the operator pumps fresh water by pipe from Green Acres Mine to Meadowlake Pond in Meadowlake Subdivision, to augment water level in the pond. The reason for the property owner's request for higher water level in the pond was in order to increase the recreational value of the pond, including fishing and other water sports.
 - g. Water amount added to Meadowlake Pond is approximately 12,000 gallons per day. This is the only outside discharge from mine dewatering from the Green Acres Mine. The Green Acres pump supplying this water will operate intermittently to maintain desired water level in the Meadowlake Pond. Water level there is monitored daily by Green Acres personnel and adjacent landowners.
 - h. 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.
 - i. 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.
 - j. Water removed from Green Acres Mine for water supply to Meadowlake subdivision pond will continue to be tested quarterly by a State-certified laboratory for turbidity, total suspended solids, enterococcus, and on premises for salinity and pH. The purpose of this analysis is to prevent excess sedimentation from leaving the mining activity area. Results from the analyses are reported quarterly to Currituck County Planning and Inspections Department.
 - k. Data from Currituck County Water Department indicates approximately thirty-three (33) active groundwater pumps and wells in use within 1500 feet of the proposed Green Acres Mine expansion area, closest being 420 feet away.
2. The Proposed Use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.
-

- a. Mining activities in the subject parcel will occur behind a natural full growth foliage visual screen minimum 60 feet wide north and south of mining activity which will limit the impact of noise from the Proposed Use and will screen the activity from adjoining properties. 20-ft tall x 35-ft wide intermittent visual screening exists westward between mining activity and Caratoke Hwy. One residence located 300 feet west of mining activity is screened by 100-ft wide full growth woodland. The Green Acres mine site is adjacent to undeveloped farm fields to the west and undeveloped woodland to the east. Mining activities will occur behind other internal sand berms which, along with distance, will screen activities from the east and west.
 - b. The Proposed Use will comply with the setbacks required by UDO Section 4.2.5.A(3)(a) and will include all landscape buffers that meet the requirements of UDO Section 4.2.5.A(3)(b), both of which will limit the Proposed Use's impact on adjoining property.
 - c. The Applicant has requested the services of Mr. Kim B. Tate, SRA, RES, of Tate Appraisal & Consultation, Inc., who will present appraiser testimony on the issue of whether the Proposed Use would substantially injure the value of adjoining property to the Green Acres mine site.
 - d. The Proposed Use is intended to serve the growing residential and commercial area of Lower Currituck County in which the Green Acres mine site is located. Sand is a required component in many types of residential and commercial construction, and the location of the Proposed Use will benefit the local community with reduced costs of this commodity due to lower transportation costs.
 - e. Green Acres Land Development Mine site is located on a parcel zoned AG Agricultural. Mining is a permitted use on a parcel zoned AG Agricultural with an approved Use Permit.
3. The Proposed Use will be in conformity with the Land Use Plan or other officially adopted plan.
- a. The Green Acres Land Development Mine parcel is in the Jarvisburg Land Use Plan Subarea and is designated as a G-1 Transect classification in the Imagine Currituck 2040 Vision Plan. The G-1 Transect classification is intended for agricultural lands and compatible low-density residential growth. There will be no commercial or residential development on the Subject Property, and surrounding lands will remain agricultural or wooded areas.
 - b. The Subject Property is in the AG Agricultural zoning district. Sand mining is a permitted use in an AG Agricultural zoning district with an approved Use Permit and is therefore not an incompatible land use.

- c. The Proposed Use is believed to be in conformity with the Imagine Currituck 2040 Vision Plan and the Currituck County Unified Development Ordinance.
4. The Proposed Use will not exceed the county's ability to provide adequate public-school facilities.
- a. The Proposed Use will not add any additional burden on schools or other public facilities due to the nature of the Proposed Use itself. The site will have no structures, no electrical requirements, phone or public water requirements. There are no planned residences or commercial businesses on the property. The proposed Use is expected to have minimal to no impact on the County's public facilities.

Additional Considerations for the Operation of the Green Acres Land Development Mine

- 1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by the Currituck County Board of Commissioners.
- 2. All trucks hauling mined or quarried materials (i.e., sand, clay, topsoil) shall be covered with a tarpaulin when materials extend above the raised board of the truck.
- 3. All trucks hauling mined or quarried materials will utilize the single paved mine access road entrance to Caratoke Highway. A locking gate provides security to the access road entrance.
- 4. The mine operator estimates there will be a maximum of 20 vehicles per day leaving the mine site and intersecting with Caratoke Highway, an increase of 1-2 vehicles per hour over the current traffic volume. Maximum trips per hour are anticipated to average 2-3 during peak operation of the mine.
- 5. No bulk waste, hazardous waste, commercial waste, garbage, construction, or demolition waste will be placed on the site.
- 6. A weekly log shall be maintained by the operator to ensure on-going maintenance of sediment and erosion control devices.
- 7. This Special Use Permit is requested to be valid for 10 years.
- 8. "No Trespassing" signs will be posted around the mining permit area at a maximum distance of 250 feet apart indicating that a mining operation is being conducted on the property.

9. Copies of the following documents shall be provided to Currituck Planning and Inspections Department prior to the start of this project:
 - a. Approved NCDEQ Division of Energy, Mineral & Land Resources mining permit.
 - b. Approved NCDEQ Stormwater Program and National Pollutant Discharge Elimination System general permit for removing water from the Green Acres Mine site and transfer to Meadowlake Pond..
 - c. Approved water usage registration with the NC Division of Water Resources.
10. The hours of operation of the mine shall not be beyond sunrise to sunset. No mining activities will be conducted on Saturdays from Memorial Day through Labor Day, or any Sunday.
11. A sign shall be placed at the entrance to the property showing the applicant's name, telephone number and basic permit information.
12. All provisions of state and federal permits shall remain valid, and any conditions required within the permits shall be upheld throughout the lifetime of the mining operation.
13. If any conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.
14. Sequence of events for the development and operation of the Green Acres Land Development Mine:
 - a. Operator will obtain all required mining permits from NCDEQ.
 - b. Operator will maintain existing 35' 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 25 feet and maximum 30 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 28.54-acre pond will be utilized by Green Acres Land Development, Inc. for scenic & recreational purposes, and for wildlife habitat.
15. Reclamation of the sides of the excavated pond and the general permit area will be conducted simultaneously with mining operations according to NCDEQ specifications. Annual Reclamation Reports will be submitted to Currituck County Planning and Inspections and to NCDEQ in August of each year.
16. Green Acres Land Development will maintain a State-required minimum 25-ft wide bonded unexcavated buffer (no excavation in buffer, but roadways, berms and erosion & sedimentation control measures may be installed within it) between mining activity and the undisturbed buffer, per NCDEQ mining permit requirements.
-

17. Green Acres Land Development will maintain a minimum 100-ft property line setback, required by Currituck County ordinance, on all sides of the permit area between affected area and adjacent property lines.
 18. Green Acres Land Development will maintain a minimum 300-ft setback, required by Currituck County ordinance, on all sides of the permit area between affected area and adjacent residences, commercial buildings, or public highways.
 19. Green Acres Land Development will maintain an existing reclamation bond of \$30,800 with NCDEQ to guarantee correct reclamation of the property once excavation has been completed.
 20. All provisions of State and local permits shall be met.
 21. If at any time the NCDEQ permits for this mining project are revoked or suspended, the revocation or suspension will cause the Currituck County Use Permit to become void.
 22. Any modifications to the State permit will be filed within 10 days to Currituck County Planning and Inspections Department.
 23. Surrounding areas use (agriculture) will not be affected by location of sand mine. Sand mine will enhance storm water drainage of adjacent fields and can supply water for irrigation efforts. Excavated pond can also serve as water source for the local volunteer fire department and EMS service if needed.
 24. On a yearly basis, the operator anticipates an average of no more than 4-5 people will be present for excavation purposes on site at any given time. Vehicular traffic will be minimal, operator anticipates a daily maximum of 20 trucks transporting sand. Noise from loaders and excavators will be mitigated by presence of sand berms and foliage along perimeter of sand mine. Dewatering pump will be located at furthest point away from residences in corner of excavation surrounded by berms or below ground level, running at idle speed.
 25. No fume generation or land clearing burning will be necessary to prepare area for excavation.
 26. Dust from access and haul roads will be controlled by 10-mph maximum speed limit for haul trucks on the premises, and application of water to roads will help minimize dust. Topsoil stockpile areas and berms will be stabilized with groundcover to reduce wind and water erosion.
 27. The mine access road entering from Caratoke Highway will be properly graded and drained to minimize potholes and standing water. Roadside drainage ditches will have rock dams installed to mitigate sedimentation leaving the site.
-

28. Limited ingress/egress to site will insure safe traffic movement. Trucks will exit Green Acres mine site on a paved access road directly onto four-lane US 158 Caratoke Highway. Proposed maximum removal is up to 20 truckloads per day.
29. No explosives will be used during excavation of the Bayview Sand Mine.
30. No solvents or other chemical reagents will be stored onsite during excavation of the Green Acres Mine.
31. Green Acres Land Development will maintain a locked gate at the mine access road entrance to help prevent inadvertent public entry.
32. Drainage patterns of the area will not be altered to cause flooding off-site while the permit is valid and after reclamation.
33. An approved NCDEQ Division of Energy, Mineral & Land Resources Mining Permit for modification of the Green Acres Land Development Mine, and an NCDEQ DEMLR NCG02 Notice of Intent General Permit application for dewatering is on file with the Currituck County Planning and Inspections Department.
34. An NCDEQ DEMLR Stormwater permit application will be submitted if required by NCDEQ. A stormwater permit has not been required thus far due to minimal impervious surface impact in the affected area.
35. No sewage will be generated during the mining operation or after reclamation.
36. No permanent constructions will be present on the mine site or permit area.
37. No single-family homes or dwellings will be constructed on this property during the permit period.
38. Sole drinking water supply in this area is well water. No drinking water wells are planned to be in this project area. Closest private well or septic system is located 360 feet from proposed excavation edge.
39. The proposed mining operation should not negatively affect or impact the ability of Currituck County to provide public services. The remaining sand pit will be available as a water source to the local Volunteer Fire Department and EMS.

The applicant shall complete the development strictly in accordance with the plan submitted to and approved by the Currituck County Board of Commissioners, in addition to those additional requirements contained herein. The applicant acknowledges that if any of the conditions affixed hereto or any part thereof shall be held invalid or void then this permit shall be void and of no effect.



Ken Elliott

Elliott Consulting

For Jeffrey A. Newbern, Sr., president

Green Acres Land Development, Inc.

June 25, 2025

Elliott Consulting

202 Elliott Road
PO Box 112
Aydlett, North Carolina 27916
Phone: 252-339-9021

► **Millicent Ott, Planner II**

Currituck County Planning & Inspections Department
Planning & Zoning Division
153 Courthouse Road, Suite 110
Currituck, North Carolina 27929

Dear Ms. Ott:

I am writing to you on behalf of Jeffery A. Newbern, Sr., president of Green Acres Land Development, Inc. This letter is in response to your memorandum of June 11, 2025, requesting further information about Mr. Newbern's application for an amended Special Use Permit for the Green Acres Land Development Mine in Jarvisburg. Items in the response are as follows:

- Owner on the application – Corrected SUP application page 4 is attached.
- Special Use Finding of Fact – Amended Green Acres SUP Considerations document has been submitted which now contains statements regarding the G-1 Transect classification and the Finding of Fact number 4 regarding adequate public-school facilities.
- Future dewatering scenario – Mr. Newbern hereby states that he has no intention in the foreseeable future to resume dewatering the Green Acres Land Development Mine for mining purposes. If, by chance, Mr. Newbern does decide to resume dewatering for mining purposes at some future date, he would first apply for approval of a modification of his State mining permit and then apply for approval of an amended Special Use Permit from Currituck County, which would require an appearance before the Currituck County Board of Commissioners.
- Regrowth area and foliage screening on north property line – Full foliage screening is in place along the north property line as shown in the attached photos. Mr. Newbern has completed excavation of the mine along the north side of the permit area and the area north of the pond is under reclamation to perform final sloping of the excavation edge along with installation of groundcover. Once reclamation of the pond's north side is complete, the north side will no longer be accessible by mining equipment.
- Regrowth area and foliage screening on east property line – Full foliage screening is in place along the east property line as shown in the attached photos. Mr. Newbern has completed excavation of the mine along the east side of the current permitted excavation area and this area is under reclamation to perform final sloping of the excavation edge along with installation of groundcover. Some stockpiles remain along the excavation edge which are being used for reclamation of the excavation slopes. Once reclamation of the pond's east and north sides are complete, the east side will no longer be accessible by mining equipment from the north. Mining equipment access to new areas permitted in this modification will be along the pond's western and southern boundaries.

- Existing pump data – Data sheet is included with this letter. Mr. Newbern plans to add a second muffler to the diesel engine to provide further noise mitigation.
- Current and proposed location of the pump - Mr. Newbern will move the water supply pump for Meadowlake Pond to a new location eastward of its present location, shown on the current parcel map. Like its current location, the new location will remain below natural ground level and behind berms to mitigate noise and will be further screened by existing full-growth woodland. New location will be 500 feet from the nearest residence, same as the current location but with better noise mitigation from woodland screening and engine muffler modification.
- Need for pumping water into Meadowlake Pond – In 2021, Mr. Newbern installed a dewatering pipe from the existing Green Acres dewatering pump to an installed discharge point on Meadowlake Pond at 114 Meadowlake Drive, with permission of the landowner. This equipment installation was performed at the request of Meadowlake property owners who wanted an increased water level in the pond for aesthetic and recreational purposes. The installation was installed at Mr. Newbern's expense. The installation allowed diversion of a portion of the water removed from the mine during dewatering activity to be used as supply for the Meadowlake Pond. In January 2024, Mr. Newbern ceased all mine dewatering activity but continued running the pump for Meadowlake Pond supply only. Pump speed was decreased and volume of water discharged to Meadowlake Pond was adjusted to approximately 12,000 gallons per day. Water discharged to Meadowlake Pond has been continually tested quarterly for total suspended solids, turbidity, Enterococcus, pH, and salinity, with results submitted quarterly to Currituck Planning. Pond level is measured quarterly with results submitted to Currituck Planning. Pond level is monitored daily by Green Acres personnel and by adjacent landowners.
- Future cessation of pumping water to Meadowlake Pond – Green Acres Land Development has no plans in the foreseeable future to cease supplying water to Meadowlake Pond. If at some time pumping ceases permanently at Green Acres Mine, then Meadowlake Pond water level will revert to the current water level present in surrounding ponds. Right now, there are thirteen other ponds within a one-mile-radius of Green Acres. The closest pond to Green Acres besides Meadowlake Pond has a current water level of six feet below normal ground level. Elevation there is 12 feet above sea level, same as that of the land surrounding Meadowlake Pond. The enhanced water level in Meadowlake Pond currently is approximately 1.5 to 2.0 feet below normal ground level.
- Proposed noise measurements – Proposed noise measurements were estimated at ten locations around the perimeter of the Green Acres Mine permit area. Distances were measured from the ten locations to the new discharge pump location. Actual noise measurements were then taken with a calibrated Amprobe SM-10 noise meter at identical distances from an active dewatering pump at the Parks Pit mine site on Blount Road in Elizabeth City, NC. Noise measurements were taken across open land from the pump at the distances indicated at the Green Acres Mine. This method of noise measurement gave a more accurate measure of proposed noise level at Green Acres because of lack of measurable distance points at Green Acres, and interference from adjacent Caratoke Highway ambient

noise. Estimated noise levels at the Green Acres Mine are shown on the attached parcel map.

- NCDEQ DWR Annual Water Transfer Report – The submitted 2024 report reflects intermittent water supply to Meadowlake Pond of approximately 2000 gallons/day. The 2025 report due in March 2026 will reflect a more stabilized and regular discharge to Meadowlake Pond of approximately 12,000 gallons/day for approximately 20 days/month. This rate should remain the same during excavation of the expanded mining area.
- Stockpiles at Green Acres Mine – The majority of stockpiles produced during excavation of the expanded mining area will be inside the excavation area and so will be flexible in size and diameter according to excavation needs. All stockpiles inside the excavation area will be removed by the end of excavation and the ground they were on will become part of the expanded pond. One 0.78-acre stockpile area at the southeast corner of the permit area outside of the excavation area will be used as a final loading area before final reclamation. Any stockpiles in this area will be limited to a maximum 25-ft height. One other stockpile area outside of the mine excavation is a 1240-ft-long by 22-ft-wide by 8-ft-tall, foliated berm along the southern permit area boundary formed during construction of a former hydration swale. This berm will be deconstructed at final reclamation and used to fill in the unused hydration swale.
- Mine Access Road Condition – Green Acres Mine will continue usage of a 200-ft-long by 30-ft-wide paved all-weather access road with an 80-ft setback for a locked access gate.
- Gated Entrance Access – Fire-EMS personnel should have 24/7 access to the Green Acres Mine though use of onboard bolt cutters to cut the single padlock or chain securing the gated entrance. There will be no Green Acres personnel operating mining equipment on premises whenever the gated entrance is locked. The bolt-cutter option was verbally approved by Chief Ralph Melton, Currituck County Fire & Emergency Medical Services, on 06/25/2025.
- Access Road signage - The Green Acres Mine entrance will have updated signage posted with mine name, address, and emergency contact information in 6" tall numbers.
- Visible Directional Marker at Mine Entrance – Mine access road entrance is apparent to Green Acres personnel through usage since 2002.
- Water Supply and Fire Suppression – All vehicles and mining equipment will have fire extinguishers onboard for fire suppression. Due to the nature of sand mining, most mining equipment operates in isolated areas of the mine surrounded by sand which limits spread of equipment fires to other areas. The Green Acres Mine itself has water available nearby for use by the Fire-EMS Department.
- Onsite Fuel Storage – There are no onsite fuel storage tanks on the Green Acres Mine premises. Mining equipment is fueled directly by commercial fuel services or by onboard tanks on Green Acres service trucks.

Mr. Newbern appreciates your consideration of his application for an amended Special Use Permit for the Green Acres Mine and asks that it be expedited as soon as possible.

Thank you,



Ken Elliott
Elliott Consulting
6/25/2025

CD80M Dri-Prime® Pump

WITH YANMAR FINAL TIER 4 (FT4) DIESEL ENGINE

The Godwin Dri-Prime CD80M pump offers flow rates to 460 USGPM and has the capability of handling solids up to 1.6" in diameter.

The CD80M is able to automatically prime to 28' of suction lift from dry. Automatic or manual starting/stopping available through integral mounted control panel or optional wireless-remote access.

Indefinite dry-running is no problem due to the unique Godwin liquid bath mechanical seal design. Solids handling, dry-running, and portability make the CD80M the perfect choice for dewatering and bypass applications.



Features and Benefits

- Simple maintenance normally limited to checking fluid levels and filters.
- Dri-Prime (continuously operated Venturi air ejector priming device) requiring no periodic adjustment. Optional compressor clutch available.
- Extensive application flexibility handling sewage, slurries, and liquids with solids up to 1.6" in diameter.
- Dry-running high pressure liquid bath mechanical seal with high abrasion resistant solid silicon carbide faces.
- Close-coupled centrifugal pump with Dri-Prime system coupled to a diesel engine or electric motor.
- All cast iron construction with cast steel impeller for increased impact resistance when pumping solids.
- Also available in a critically silenced unit which reduces noise levels to less than 70 dBA at 30'.
- Standard engine Yanmar 3TNV80F (FT4) EPA emissions compliant diesel engine.

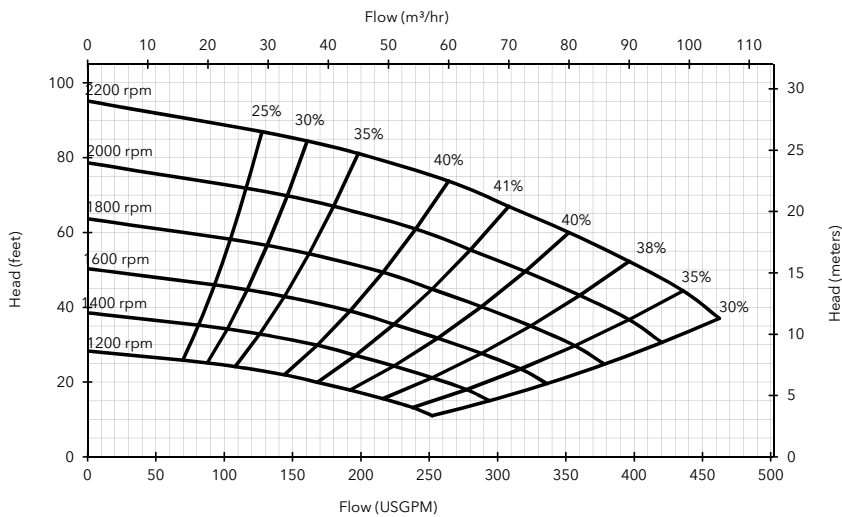
Specifications

Suction connection	3" 125# ANSI B16.1
Delivery connection	3" 125# ANSI B16.1
Max capacity	460 USGPM †
Max solids handling	1.6"
Max impeller diameter	7.5"
Max operating temp	176°F*
Max pressure	41 psi
Max suction pressure	29 psi
Max casing pressure	62 psi
Max operating speed	2200 rpm

* Please contact our office for applications in excess of 176°F.

† Larger diameter pipes may be required for maximum flows.

Performance Curve



Materials

Pump casing & suction cover	Cast iron BS EN 1561 - 1997
Wearplates	Cast iron BS EN 1561 - 1997
Pump Shaft	Carbon steel BS 970 - 1991 817M40T
Impeller	Cast Steel BS3100 A5 Hardness to 200 HB Brinell
Non-return valve body	Cast iron BS EN 1561 - 1997
Mechanical seal	Silicon carbide face; Viton elastomers; Stainless steel body

Engine option 1

Yanmar 3TNV80F (FT4), 18 HP @ 2200 rpm

Impeller diameter 7.5"

Pump speed 2200 rpm

Suction Lift Table

Total Suction Head (feet)	Total Delivery Head (feet)				
	10	15	20	25	30
Output (USGPM)					
10	450	435	430	415	400
15	440	430	425	410	385
20	411	385	350	315	290
25	370	330	300	280	255

Fuel capacity: 30 US Gal

Max Fuel consumption @ 2200 rpm: 1.2 US Gal/hr

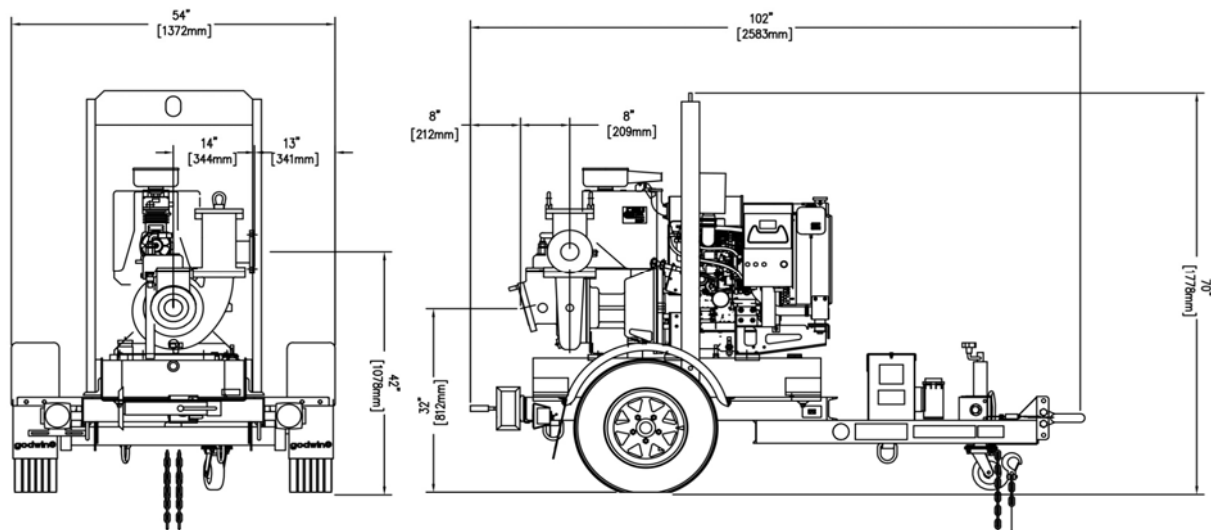
Max Fuel consumption @ 1800 rpm: 0.8 US Gal/hr

Weight (Dry): 1,580 lbs

Weight (Wet): 1,800 lbs

Dim.: (L) 102" x (W) 54" x (H) 70"

Performance data provided in tables is based on water tests at sea level and 20°C ambient. All information is approximate and for general guidance only. Please contact the factory or office for further details.



84 Floodgate Road
Bridgeport, NJ 08014 USA
(856) 467-3636 . Fax (856) 467-4841

Reference number : 95-1031-3000
Date of issue : May 5, 2015
Issue : 1

www.godwinpumps.com