

AI Summary of Public community Meeting -October 1, 2026

Public Community Meeting - Conditional Re-Zoning

Applicant: William Powell / Jernigan Oil

Location: Blues Local Brews

Date: October 1, 2026 - 4:00-6:00 PM

Approximately 6 nearby property owners were present.

This is a summary of the transcript provided.

1. Purpose of Meeting

County-required community meeting for a **conditional re-zoning request** for an approximately 12-acre parcel.

- **Proposed change:** From **Agricultural to General Business (GB) - Conditional**
- **Conditional meaning explained:** County can impose conditions on the property, and the applicant is voluntarily proposing to limit some GB uses that would otherwise be allowed.
- The applicant must also submit what will actually be built on the property as part of the conditional request.

Applicant: Jernigan Oil - two representatives present. The existing house on Market in 342 area is NOT part of the 12 acres.

2. Project Proposed

Presented via site plan on tables:

- **Building:** <5,000 sq ft convenience store with food service/ kitchen inside (QSR concept). Rendering shown was of a previous "Duck Thru / Big Red" store - new branding would be similar architecture.
- **Fuel:** Approx. 8 gasoline pumps + 4 diesel pumps on side for trucks to separate truck/car traffic. Drawing shows 6 diesel, but applicant expects 4 final.
- **No truck stop uses:** No showers, no overnight truck parking, no truck lounge. Applicant stated they will post "No Overnight Parking" signs and use a towing company to enforce. Exception only for ELD distress - must be gone by 5am.
- **Hours:** Stated as 5:00 AM - 10:00 PM, 7 days a week.
- **Size:** -20-30 employees total including cashiers, managers, food service, district manager, custodial.
- **Ownership:** Powell family currently owns land. If re-zoning is approved, Jernigan Oil would purchase from Powell.

Site selection rationale given: Gap in services for truckers on ~ 50-60 mile stretch to Outer Banks, proximity to two major highways (34 and 168), high traffic counts.

3. County Process Explained

1. This meeting minutes/ Q&A will be submitted to county.
2. Formal conditional re-zoning application filed. Deadline noted: **If filed by Oct 22 -> goes to Board of Commissioners by Jan 4. If filed by Nov 12 -> Jan 18.**
3. County planning staff review - may request additional info.

4. Planning Board review and recommendation: Deny, Approve, or Approve with Conditions.

5. Board of Commissioners public hearing - anyone can speak. Decision to approve, approve with applicant conditions, approve with additional conditions, or deny.

Notification for this meeting: **81 letters sent** to owners within 500 ft per county list. For the future Commissioner public hearing, notification will be via tax-address mail, county website posting, and large yellow posted sign with QR code.

4. Community Concerns/ Questions Recorded

A. Buffering, Noise, Light, Visual Impact & Property Values:

- Multiple residents stated they can see the lot from their property/lots behind the site. Concern that existing tree line does not screen in winter and will not hide gas station.
- Request for plan for barrier: wall, sound barrier, fence, additional plantings.
- Applicant response: Will do whatever county ordinance requires for buffering between commercial and residential. Typically trees and shrubs/berm. Does not include existing trees since those are on a different parcel of land- county would require new plantings on their property. No commitment to a wall made.
- Concern about noise from trucks using jake brakes, additional lighting, and impact on property values/ disclosure for future home sales. Attorney stated property value impact would need appraiser determination and residents have right to present concerns to Commissioners.

B. Traffic & Safety:

- Major concern: Intersection of **NC 34 and 168 described as already very dangerous** with fatalities, speeding, traffic backups, especially summer months.
- Concern about tractor-trailers turning left/right in/out of site causing backups to traffic light, stacking. Question about whether a new traffic light will be required like at 7-Eleven.
- Response: NCDOT (DOT) has already granted permission for **two curb cuts/** entrances, implying DOT believes it is safe. No new traffic light planned at this time due to proximity to existing light. Stacking plan allows for two trucks queued at fuel.
- Question on who is being marketed to: Confirmed **both auto and truck drivers** - intent is to serve truck drivers where no current service exists on Caratoke Hwy.

C. Environmental/ Stormwater:

- Concern that short lines on plan are all wetlands and that stormwater runoff from impervious surfaces will impact wetlands.
- Response: ~0.2 acres of wetlands on 12-acre site are more toward front of property and are currently in process of being mitigated with Army Corps of Engineers. Stormwater pond proposed at back corner. County will require stormwater management plan signed by engineer showing no off-site discharge.

D. Operations:

- EV charging: Not on preliminary plan but discussed.
- Restaurant type: Internal QSR concept, not sit-down restaurant.
- Previous ownership: Applicant previously owned 4 properties in Currituck County (Duck Thru stores), sold to Sunoco Recently re-entered convenience business, now operating with smaller footprint (~80 employees vs 900 previously).

E. Other:

- Question about property owners' other businesses in county: None currently, 4 in past.
- Question about timeline to build: If approved, 8 months to 3-4 years depending on state stormwater, DOT, engineering.
- Concern that notice did not reach all impacted residents beyond 500 ft, including toward Waterlily area.

5. Next Steps

Meeting adjourned. Attorney/recorder will submit meeting summary and recording to planning staff as part of application file.

AFFIDAVIT OF E. CROUSE GRAY. JR.

I, E. Crouse Gray, Jr., after being duly sworn, deposes and says:

1. That I am over the age of eighteen and make this affidavit of my personal knowledge.
2. That I am an attorney duly licensed by the State of North Carolina.
3. That pursuant to the Excel spreadsheet of neighbor names and addresses provided to me by Jennie Turner, Planning and Inspections Director of Currituck County, I have this date mailed a letter notifying each individual/entity on said spreadsheet of the Community Meeting that is being held on October 1, 2026 at 4:00 p.m. at Blue 42 Brewing Barn, which is located at 2132 Caratoke Highway, Moyock, NC 27958

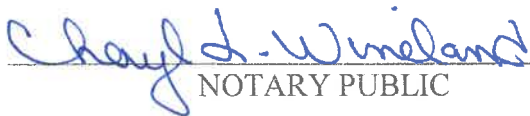
This the 21st day of September, 2026.



E. Crouse Gray, Jr.

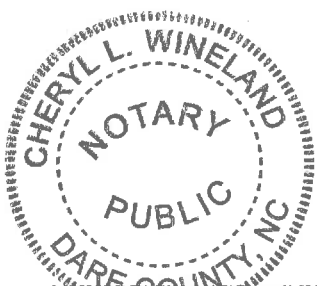
STATE OF NORTH CAROLINA
COUNTY OF DARE

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS,
THE 21ST DAY OF SEPTEMBER, 2026.



NOTARY PUBLIC

MY COMMISSION EXPIRES: 09.23.2029



ANGE STEVE RAY
BARROWS MICHELLE BETH
BESS THOMAS RAY JR
BRIGHTSPEED OF EASTERN NORTH
COTTOM TROY JOSEPH
CURRITUCK COUNTY
EARLEY SUSAN POWELL
FEREBEE AMANDIA L
GAY CHRISTOPHER JASON
GREGORY JACQUELYN D
HARDY GREGORY ALAN
KIDWELL ROGER EARL BLAKE III
MACDONALD MICHAEL FRED JR
MOYOCK STORAGE LLC
POWELL WILLIAM L
RICHARDS RANDALL LOUIS
ROBINSON ANNE ELIZABETH
SAYERS JONATHAN
SCHABINGER JOHN
SEYMORE RAYMOND FREDDIE HEIRS
SHEARER KARRIE ANN
SHEEPDOG FIREARMS TRAINING ACADEMY LLC
SHOULDERS MICHAEL JOSEPH
SLIGO PROPERTIES LLC
SPELLMAN W. A. HEIRS
SWOOPE JESSE C
TUCKER JOAN FEREBEE (DECEASED)
WALKER FRANCES PRATT
WRIGHT SAMANTHA

BESS STEVEN DARRYL
CAROLINA LLC

ATTN: PLANNING

GAY RAELEAN ANN
C/O DAVID REED

ROCHON JENNAH LEIGH
MACDONALD KRISTINA LOUISE

POWELL EDDIE JO

ROBINSON WILLIAM BRYAN JR
SAYERS CHELSEA
SCHABINGER JAYCIE

SHEARER JAMIE DANIEL

C/O LEROY MADDOX

C/O DARNELL TUCKER
C/O SAM WALKER
HERO ALEXANDER

103 MAPLE CIR	MOYOCK	NC	27958
100 PRESERVE CT	MOYOCK	NC	27958
535 BURNT MILL RD	EDENTON	NC	27932
1120 SOUTH TRYON ST, SUITE 700	CHARLOTTE	NC	28203
103 PRESERVE CT	MOYOCK	NC	27958
153 COURTHOUSE RD, SUITE 108	CURRITUCK	NC	27929
916 W STOKES ST	AHOSKIE	NC	27910
2111 CARATOKE HWY	MOYOCK	NC	27958
117 SLIGO WAY	MOYOCK	NC	27958
4870 FT TOTTEN DR NE #201	WASHINGTON	DC	20011
104 PRESERVE CT	MOYOCK	NC	27958
2078 CARATOKE HWY	MOYOCK	NC	27958
102 PRESERVE WAY	MOYOCK	NC	27958
501 N MAIN ST	CULPEPER	VA	22701
136 POWELL RD	SHAWBORO	NC	27973
106 RICHARDS LN	MOYOCK	NC	27958
110 SLIGO WAY	MOYOCK	NC	27958
114 SLIGO WAY	MOYOCK	NC	27958
101 PRESERVE CT	MOYOCK	NC	27958
PO BOX 452	MOYOCK	NC	27958
558 EDMUNDS LN	CLOVER	SC	29710
730 BELLS ISLAND RD	CURRITUCK	NC	27929
112 SLIGO WAY	MOYOCK	NC	27958
PO BOX 100	CURRITUCK	NC	27929
1409 HALLWOOD RD	CATONSVILLE	MD	21228
119 GOOSE CASTLE TERR	CURRITUCK	NC	27929
143 HIGHLAND AVENUE APT 7	JERSEY CITY	NJ	07306
205 S WATERLILY RD	COINJOCK	NC	27923
2141 CARATOKE HWY	MOYOCK	NC	27958

Chapter 4: Use Standards

SECTION 4.1: USE TABLE Subsection 4.1.2: Use Table

TABLE 4.1.1.A: SUMMARY USE TABLE

Z = Zoning Compliance Permit, U = Special Use Permit, MP = Allowed with Master Plan,
CZ = Allowed in a Conditional Zoning District, blank cell = Prohibited

ZONING DISTRICT
[NOTE: OVERLAY OR SUB-DISTRICT REQUIREMENTS MAY FURTHER LIMIT USES]

ADDITIONAL REQ.
(4.2.1)

USE CATEGORY	USE TYPE	RC	AG	SH	SO	SF	MDR	CB	LB	VC	LI	HI	PDR	PDM	PO-O	
	Rooming or boarding house						Z	Z		Z			MP	MP	MP	2.3.1
INSTITUTIONAL USE CLASSIFICATION																
Community Services	Community center			Z	Z	U	Z	Z	~~X~~	Z	Z		MP	MP	MP	
	Cultural facility	U		Z	Z		Z	~~X~~	Z	Z			MP	MP	MP	
	Library			Z	Z		Z	Z	~~X~~	Z	Z		MP	MP	MP	
	Museum			Z			Z	~~X~~	Z	Z			MP	MP	MP	
	Senior center						Z	~~X~~	Z	Z			MP	MP	MP	
	Youth club facility						Z	~~X~~	Z	Z			MP	MP	MP	
Day Care	Adult day care center						Z	~~X~~	Z	Z			MP	MP	MP	
	Child care center			Z	Z		Z	~~X~~	Z	Z			MP	MP	MP	
Educational Facilities	College or university							~~X~~	Z	Z			MP	MP	MP	1.A
	School, elementary		Z	Z	Z		Z	~~X~~	Z	Z			MP	MP	MP	
	School, middle		Z	Z	Z		Z	~~X~~	Z	Z			MP	MP	MP	
	School, high						Z	~~X~~	Z	Z			MP	MP	MP	
	Vocational or trade school							~~X~~	Z	Z	Z	Z		MP	MP	1.B
Government Facilities	Government maintenance, storage, or distribution facility							Z	Z	Z	Z	Z	MP	MP	MP	
	Government office		Z	Z	Z		Z	Z	Z	Z	Z		MP	MP	MP	
Health Care Facilities	Blood/tissue collection facility							~~X~~		U	Z					
	Drug or alcohol treatment facility							~~X~~	U	U	Z					3.C
	Hospital							~~X~~	Z	Z	Z			MP	MP	3.C.2
	Medical treatment facility							~~X~~	Z	Z			MP	MP	MP	
Institutions	Assisted living facility						Z	~~X~~	Z	Z			MP	MP	MP	
	Auditorium, conference, and convention center							~~X~~	Z	Z				MP	MP	3.D
	Club or lodge			U			U	~~X~~	Z	Z	Z		MP	MP	MP	
	Halfway house						U	~~X~~			U					3.D.2
	Nursing home						Z	~~X~~	Z	Z			MP	MP	MP	
	Psychiatric treatment facility						U	~~X~~			U					
	Religious institution		Z	Z	Z	Z	Z	Z	Z	Z	Z		MP	MP	MP	3.D.1
Parks and Open Areas	Arboretum or botanical garden	Z	Z	Z	Z		Z	~~X~~	Z	Z			MP	MP	MP	
	Cemetery, columbaria, mausoleum						Z	~~X~~			Z	Z		MP		3.E
	Community garden	Z	Z	Z	Z	Z	Z	~~X~~	Z	Z			MP	MP	MP	
	Park, public or private	Z	Z	Z	Z	Z	Z	~~X~~	Z	Z	Z		MP	MP	MP	
Public Safety	Correctional facility							~~X~~			U	U				
	Law enforcement, fire, or EMS facility		Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	MP	MP	MP	

Chapter 4: Use Standards

SECTION 4.1: USE TABLE Subsection 4.1.2: Use Table

TABLE 4.1.1.A: SUMMARY USE TABLE

Z = Zoning Compliance Permit; U = Special Use Permit; MP = Allowed with Master Plan;
CZ = Allowed in a Conditional Zoning District; blank cell = Prohibited

		ZONING DISTRICT															ADDITIONAL REQ. (4.2.1)
USE CATEGORY	USE TYPE	RC	AG	SFM	SEQ	SFR	SFI	MXR	GB	LB	VC	LI	HI	PD-R	PD-M	PD-O	
Transportation	Security training facility		U														1F
	Airport		U						~~XXX~~						MP	MP	
	Helicopter landing facility								~~XXX~~			U	U		MP		1G
	Passenger terminal, surface transportation			U	U				~~XXX~~		Z		U	U		MP	
	Solar array											Z			MP	MP	MP
Utilities	Solar Energy Facility		U														3K
	Telecommunications antenna collocation on tower or building		Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	MP	MP	MP	3M
	Telecommunications tower, freestanding		U			U	U		U	U		U	U				3M
	Utility, major	U	U	U	U	U	U	U	U	U	U	U	U				3M
	Utility, minor	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	MP	MP	MP	3M
	Wind energy facility, large														MP	MP	MP

COMMERCIAL USE CLASSIFICATION

Adult Entertainment	AI												U				4A
Animal Care	Animal grooming								~~XXX~~	Z	Z	Z		MP	MP	MP	4B
	Animal shelter								~~XXX~~				Z		MP		4B
	Kennel		U						~~XXX~~	Z	Z	Z	Z		MP	MP	4B
	Veterinary clinic		U						~~XXX~~	Z	Z	Z		MP	MP	MP	4B
Eating Establishments	Dinner theater								~~XXX~~	Z	Z			MP	MP	MP	4B
	Restaurant, with indoor or outdoor seating								~~XXX~~	Z	Z			MP	MP	MP	
	Specialty eating establishment					Z	Z	Z	Z	Z	Z			MP	MP	MP	4C
Offices	Business and sales					Z	Z	Z	Z	Z				MP	MP	MP	4D
	Professional services					Z	Z	Z	Z	Z				MP	MP	MP	4D
Parking, Commercial	Parking lot									Z	Z	Z	Z	MP	MP	MP	4E
	Parking structure										Z			MP	MP	MP	4E
Recreation/Entertainment, Indoor	Fitness center										Z			MP	MP	MP	4E.1
	Recreation, indoor						Z	Z	Z	Z	Z			MP	MP	MP	
	Theater						Z	Z	Z	Z	Z			MP	MP	MP	
							Z	Z	Z	Z				MP	MP	MP	
Recreation/Entertainment, Outdoor	Automotive Racing												U				
	Arena, amphitheater, or stadium								~~XXX~~		U			MP	MP	MP	4F.1
	Athletic facility		Z	Z		Z	Z		~~XXX~~	Z	Z			MP	MP	MP	4F.2
	Golf course		U	U			U							MP	MP	MP	
	Golf driving range						Z		~~XXX~~	Z				MP	MP		
	Marinas						U		~~XXX~~		Z	Z		MP	MP	MP	4F.3

SECTION 4.1: USE TABLE
Subsection 4.1.2: Use Table

TABLE 4.1.1.A.: SUMMARY USE TABLE

Z = Zoning Compliance Permit; U = Special Use Permit; MP = Allowed with Master Plan;
 CZ = Allowed in a Conditional Zoning District; blank cell = Prohibited

USE CATEGORY	USE TYPE	ZONING DISTRICT [NOTE: OVERLAY OR SUB-DISTRICT REQUIREMENTS MAY FURTHER LIMIT USES]															ADDITIONAL REQ. (4.2.1)
		RC	AG	SFM	SFO	SFR	SFI	PDR	GB	LB	VC	LI	NI	PDR	PDM	PDO	
Retail Sales & Services	Outdoor shooting range		U										U				4.F.5
	Outdoor tour operator								X	U	Z				MP	MP	4.F.6
	Outdoor tour operator, Aviation		U						X	U	Z				MP	MP	4.F.7
	Recreation, outdoor							U	Z	Z	Z			MP	MP	MP	4.F.4
	Artisan Food and Beverage Producer								Z			Z		MP	MP	MP	
	Auction House											Z			MP		
	Bar, nightclub, or cocktail lounge								Y		Z			MP	MP	MP	4.G.1
	Brewery, Large											Z		MP	MP	MP	
	Convenience store							Z	Z	Z	Z	Z		MP	MP	MP	
	Crematory												U				
	Distillery											Z					
	Drug store or pharmacy							Z	Z	Z	Z			MP	MP	MP	
	Entertainment establishment							Z	Z	Z	Z			MP	MP	MP	
	Financial institution							Z	Z	Z	Z			MP	MP	MP	
	Flea market											Z	Z	MP	MP		4.G.2
	Funeral home								Z	Z	Z				MP	MP	
	Grocery store							Z	Z		Z			MP	MP	MP	
	Home Improvement Sales Establishment								Z	Z	Z	Z	Z				4.G.6
	Laundromat							Z	Z	Z	Z	Z		MP	MP	MP	
	Pawn shop								U			U					
Vehicle Sales and Services, Light	Personal services establishment							Z	Z	Z	Z	Z		MP	MP	MP	
	Repair establishment								Z	Z	Z	Z	Z		MP	MP	4.G.3
	Retail sales establishments							Z	Z	Z	Z			MP	MP	MP	
	Shopping center								Z/U		Z				MP	MP	4.G.4
	Tattoo parlor/body piercing establishment											Z	Z				4.G.5
	Winery								Z			Z		MP	MP	MP	
Vehicle Sales and Services, Heavy	Aircraft parts, sales, and maintenance											Z	Z				
	Automotive wrecker service											Z	Z			MP	4.H.1
	Boat and marine rental, sales, and service								Z			Z	Z				4.H.2
	Automotive parts and installation								Z		Z	Z			MP	MP	4.I.1
	Automobile repair and servicing (including painting/bodywork)								Z		Z	Z			MP	MP	4.I.2
	Automobile sales or rentals								Z/U		Z	Z			MP	MP	4.I.3
	Car wash or auto detailing								Z		Z	Z		MP	MP	MP	4.I.4
	Taxicab service								X	Z	Z			MP	MP	MP	4.I.5

SECTION 4.1: USE TABLE
Subsection 4.1.2: Use Table

TABLE 4.1.1.A.: SUMMARY USE TABLE

Z = Zoning Compliance Permit; U = Special Use Permit; MP = Allowed with Master Plan;
 CZ = Allowed in a Conditional Zoning District; blank cell = Prohibited

		ZONING DISTRICT													ADDITIONAL REQ. (4.2.1)		
		[NOTE: OVERLAY OR SUB-DISTRICT REQUIREMENTS MAY FURTHER LIMIT USES]															
USE CATEGORY	USE TYPE	RC	AG	SFH	SFO	SFR	SFI	MXR	GB	LB	YC	LI	HI	PD-R		PD-M	PD-O
Visitor Accommodations	Bed and breakfast inn			Z	Z		Z	Z	Z	Z	Z			MP	MP	MP	4.1.1
	Hotel or motel								Z/U		Z / U			MP	MP	MP	4.1.2
	Hunting lodge		U					Z	Z	Z				MP	MP	MP	
	Private Campgrounds		C Z	C Z			C Z		CZ								
INDUSTRIAL USE CLASSIFICATION																	
Extractive Industry	All uses		U									U	U				5.A
	Contractor service								Z		Z	Z	Z		MP	MP	
Industrial Services	Crabshedding		Z					Z	X			Z	Z	MP	MP		5.B.1
	Fuel oil/bottled gas distributor											Z	Z		MP		
	General industrial service and repair											Z	Z		MP		5.B.2
	Heavy equipment sales, rental, and service											Z	Z		MP		5.B.3
	Laundry, dry cleaning, and carpet cleaning plants											Z	Z		MP		5.B.4
	Manufactured home and prefabricated building sales											Z	Z				5.B.5
	Property management offices and operations								Z		Z	Z	Z		MP	MP	5.B.6
	Research and development								Z	Z	Z	Z	Z	MP	MP	MP	
Manufacturing and Production	Manufacturing, heavy												Z				5.C.1
	Manufacturing, light											Z	Z		MP		5.C.2
Warehouse and Freight Movement	Cold storage plant											Z	Z				
	Outdoor storage (as a principal use)											Z	Z				5.D.1
	Self-service storage											Z	Z		MP		5.D.2
	Truck or freight terminal											Z	Z		MP		5.D.3
	Warehouse (distribution)											Z	Z		MP		5.D.3
	Warehouse (storage)											Z	Z	MP	MP	MP	5.D.3
	Warehouse (distribution) Medical Waste												U	MP	MP	MP	5.D.4
	Warehouse (Storage and Distribution): Limited Access											Z	Z		MP	MP	5.B.7
Waste-Related Services	Incinerator												U				5.E.1
	Landfill, land clearing and inert debris or construction debris											U	U				5.E.2
	Public convenience center/transfer station		U	U	U	U	U	U	U	U	U	U	U				5.E.3



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, WILMINGTON DISTRICT
WASHINGTON REGULATORY OFFICE
2407 WEST FIFTH STREET
WASHINGTON NORTH CAROLINA 27889

February 13, 2026

Regulatory Program/Division

Sent Via email: caroline@archesson.com

Caroline Copeland
A.R. Chesson Construction
315 W Main St
Williamston, NC 27892

Dear Ms. Copeland:

This letter is in response to your request to the Wilmington District, Washington Regulatory Office for a preliminary jurisdictional determination (PJD). The project/review area is located at 2120 Caratoke Highway, at Latitude 36.452910 and Longitude - 76.082310; in Sligo, Currituck County, NC. The review area for this determination is limited to an approximately 12-acre area comprised of one parcel (parcel number: 0032000065J0000), which is illustrated on the enclosed site maps. This project has been assigned the file number SAW-2025-02053 (2120 Caratoke Hwy / A.R. Chesson Construction / Moyock / Currituck). This file number should be referenced in all correspondence concerning this project.

Based on our review of the information you furnished, a site inspection conducted on December 16, 2025, and other information available to our office, we have preliminarily determined the above-referenced area may contain approximately 0.23 acres and 750 linear feet of waters of the United States under the U.S. Army Corps of Engineers (Corps) regulatory jurisdiction. These waters are identified in the enclosed site maps, Potential Wetlands and Waters dated September 17, 2025, and include three features deemed to be WOTUS. This determination was made in accordance with the Corps regulatory authority pursuant to Section 404 of the Clean Water Act, and based upon criteria contained in the 1987 Corps of Engineers Wetland Delineation Manual and the Atlantic and Gulf Coastal Plain regional supplement.

Section 404 of the Clean Water Act requires a Department of the Army (DA) permit be obtained prior to the discharge of dredged or fill material into waters of the United States, including wetlands. Section 10 of the Rivers and Harbors Act of 1899 requires a DA permit be obtained for any work in, on, over or under navigable waters of the United States.

For purposes of computation of impacts, compensatory mitigation requirements, and other resource protection measures, a permit decision made based on a preliminary

jurisdictional determination will treat all waters including 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 jurisdictional determination, which is an appealable action, by contacting the Corps district for further instructions. Please **sign and return** the attached PJD form within 30 days of receipt. If a signed PJD form is not received within 30 days of the date of this letter, the Corps will presume concurrence.

This determination has been conducted to identify the limits of Corps' Clean Water Act jurisdiction for the review area identified in this request. The 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.

You are cautioned that work performed in areas which may be waters of the United States, as indicated in the preliminary JD, without a Department of the Army permit could subject you to enforcement action.

If you have any questions concerning this correspondence, please contact Joshua Tutt, project manager of the Washington Field Office at 910-251-4629, by mail at the above address, or by email at joshua.c.tutt@usace.army.mil. Please take a moment to complete our customer satisfaction survey located at <https://regulatory.ops.usace.army.mil/customer-service-survey/>.

Sincerely,

Joshua C. Tutt

Josh Tutt
Regulatory Specialist

Enclosures

cc: Dylan Warren, Terracon (via Dylan.Warren@terracon.com)

U.S. Army Corps of Engineers (USACE)
PRELIMINARY JURISDICTIONAL DETERMINATION (PJD)

For use of this form, see Sec 404 CWA, Sec 10 RHA, Sec 103 MPRSA; the proponent agency is CECW-COR.

Form Approved -
OMB No. 0710-0024
Expires 2027-09-30

DATA REQUIRED BY THE PRIVACY ACT OF 1974

Authority Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Program of the U.S. Army Corps of Engineers; Final Rule for 33 CFR Parts 320-332.

Principal Purpose This form is used by USACE staff in evaluating your request to determine whether there are any aquatic resources within the review area that may be subject to federal jurisdiction under the regulatory authorities referenced above.

Routine Uses This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public, and may be made available as part of a public notice or FOIA request as required by federal law. Your name and property location where federal jurisdiction is to be determined will be included in any resulting jurisdictional determination (JD), which may be made available to the public on the District's website and/or on the Headquarters USACE website.

Disclosure Submission of requested information is voluntary; however, if information is not provided, the request for a JD cannot be evaluated nor can a PJD be issued.

The Agency Disclosure Notice (ADN)

The public reporting burden for this collection of information, 0710-0024, is estimated to average 25 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

SECTION I - BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR PJD: 2/13/2026

B. NAME AND ADDRESS OF PERSON REQUESTING PJD: Caroline Copeland
315 W Main St , Williamston, NC 27892

C. DISTRICT OFFICE, FILE NAME, AND NUMBER:
Wilmington District, 2120 Caratoke Hwy / A.R. Chesson Construction / Moyock / Currituck, SAW-2025-02053

D. PROJECT LOCATION AND BACKGROUND INFORMATION:

(USE THE TABLE BELOW TO DOCUMENT MULTIPLE AQUATIC RESOURCES AND/OR AQUATIC RESOURCES AT DIFFERENT SITES)

State: NC County/Parish/Borough: Currituck City: Sligo

Center coordinates of site (lat/long in degree decimal format): Latitude: 36.452910° Longitude: -76.082310°

Universal Transverse Mercator: _____

Name of nearest waterbody: Cowells Creek

E. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

☐ Office (Desk) Determination. Date: 2/13/2026

☐ Field Determination

Date(s): 12/16/2025

TABLE OF AQUATIC RESOURCES IN REVIEW AREA WHICH "MAY BE" SUBJECT TO REGULATORY JURISDICTION.

Site Number	Latitude (decimal degrees)	Longitude (decimal degrees)	Estimated amount of aquatic resources in review area (acreage and linear feet, if applicable)	Type of aquatic resources (i.e., wetland vs. non-wetland waters)	Geographic authority to which the aquatic resource "may be" subject (i.e., Section 404 or Section 10/404)
W1	36.452913	-76.082308	0.23 Acre	Wetland	404
D1	36.452913	-76.082308	613 Foot	Non-Wetland	404
D2	36.452913	-76.082308	142 Foot	Non-Wetland	404

- 1) The Corps of Engineers believes that there may be jurisdictional aquatic resources in the review area, and the requestor of this PJD is hereby advised of his or her option to request and obtain an approved JD (AJD) for that review area based on an informed decision after having discussed the various types of JDs and their characteristics and circumstances when they may be appropriate.
- 2) In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "preconstruction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an AJD for the activity, the permit applicant is hereby made aware that: (1) the permit applicant has elected to seek a permit authorization based on a PJD or no JD whatsoever, which do not make an official determination of jurisdictional aquatic resources; (2) the applicant has the option to request an AJD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an AJD could possibly result in less compensatory mitigation being required or different special conditions; (3) the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the USACE has determined to be necessary; (5) undertaking any activity in reliance upon the subject permit authorization without requesting an AJD constitutes the applicant's acceptance of the use of the PJD or reliance on no JD whatsoever; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of USACE permit authorization based on a PJD or no JD whatsoever constitutes agreement that all aquatic resources in the review area affected in any way by that activity will be treated as jurisdictional, and waives any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an AJD or a PJD, the JD will be processed as soon as practicable. Further, an AJD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331. If, during an administrative appeal, it becomes appropriate to make an official determination whether geographic jurisdiction exists over aquatic resources in the review area, or to provide an official delineation of jurisdictional aquatic resources in the review area, the USACE will provide an AJD to accomplish that result, as soon as is practicable. This PJD finds that there "may be" waters of the U.S. and/or that there "may be" navigable waters of the U.S. on the subject review area, and identifies all aquatic features in the review area that could be affected by the proposed activity, based on the following information:

F. SUPPORTING DATA. Data reviewed for PJD (check all that apply)

Checked items should be included in subject file. Appropriately reference sources below where indicated for all checked items:

- ☒ Maps, plans, plots or plat submitted by or on behalf of the PJD requestor:

Map: Potential Wetlands and Waters dated 9/17/2025

- ☒ Data sheets prepared/submitted by or on behalf of the PJD requestor.

- ☒ Office concurs with data sheets/delineation report.

- ☐ Office does not concur with data sheets/delineation report.

Rationale: _____

- ☐ Data sheets prepared by the USACE:

- ☐ Corps navigable waters' study:

CORPS STUDY LABEL dated CORPS STUDY DATE

- ☐ U.S. Geological Survey Hydrologic Atlas:

- ☐ USGS NHD data.

- ☐ USGS 8 and 12 digit HUC maps.

- ☐ U.S. Geological Survey map(s). Cite scale & quad name:

USGS TOPO LABEL dated USGS TOPO DATE

- ☐ USDA Natural Resources Conservation Service Soil Survey.

Citation: NRCS SOILS LABEL dated NRCS SOILS DATE

- ☐ National Wetlands Inventory map(s).

Cite Name: USFWS NWI LABEL dated USFWS NWI DATE

- ☐ State/Local Wetland Inventory map(s):

LOCAL NWI LABEL dated **LOCAL NWI DATE**

☐ FEMA/FIRM maps:

FEMA NFHL LABEL dated **FEMA NFHL DATE**

100-year Floodplain Elevation is: **ELEVATION**. (National Geodetic Vertical Datum of 1929)

☒ Photographs:

☐ Aerial (*Name & Date*): _____

or

☒ Other (*Name & Date*): Site Photos

☐ Previous determination(s). File no. and date of response letter:

PREVIOUS DETERMINATION LABEL dated **PREVIOUS DETERMINATION DATE**

☐ Other information (*please specify*):

OTHER INFORMATION LABEL dated **OTHER INFORMATION DATE**

IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the USACE and should not be relied upon for later jurisdictional determinations.

Name of Regulatory Staff Member Completing PJD

Joshua Tutt

Date

2/13/2026

Signature of Regulatory Staff Member Completing PJD

Joshua C. Tutt

Name of Person Requesting PJD

Date

Signature of Person Requesting PJD (*REQUIRED, unless obtaining the Signature is Impracticable*)

¹ Districts may establish timeframes for requester to return signed PJD forms. If the requester does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.

U.S. Army Corps of Engineers (USACE)
**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS
AND REQUEST FOR APPEAL**

Form Approved –
OMB No. 0710-0003
Expires 2027-10-31

For use of this form, see Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act of 1899, and Section 103 of the Marine Protection, Research, and Sanctuaries Act; the proponent agency is CECW-COR.

DATA REQUIRED BY THE PRIVACY ACT OF 1974

- Authority** The authorities for requesting this information are Sections 9, 10, 13, and 14, Rivers and Harbors Act of March 3, 1899; Section 404, Clean Water Act; and Section 103 Marine Protection Research and Sanctuaries Act of 1972.
- Principal Purpose** This information serves as notification to affected parties regarding the USACE administrative appeal options and process, as well as to facilitate requests for appeal of USACE decisions with which they disagree.
- Routine Uses** Routine uses will include: (a) To serve as notification to affected parties of the Corps administrative appeal options and process and to facilitate requests for appeal of Corps decisions with which they disagree. (b) Records may be referred to the Department of Justice for possible criminal prosecution. (c) Records may be referred to other Federal, State, and local agencies for evaluation and enforcement purposes.
- Disclosure** Disclosure of this information is voluntary on your part. However, failure of individual to provide requested information could result in inability to determine all pertinent information regarding a Department of the Army permit matter.

The Agency Disclosure Notice (ADN)

The Public reporting burden for this collection of information, 0710-0003, is estimated to average 1 hour per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

PURPOSE: This form is used to facilitate the initiation of the administrative appeals process. The appeals process allows an affected party to pursue an administrative appeal of certain Corps of Engineers decisions with which they disagree.

Upon release, this form will also be available on the Corps website <https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/>

Applicant: Caroline Copeland		File Number: SAW-2025-02053	Date: 2/13/2026 2/13/2026
Documents Attached (select all that apply):			Form Reference Section:
☐	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)		A
☐	PROFFERED PERMIT (Standard Permit or Letter of permission)		B
☐	PERMIT DENIAL WITHOUT PREJUDICE		C
☐	PERMIT DENIAL WITH PREJUDICE		D
☐	APPROVED JURISDICTIONAL DETERMINATION		E
☒	PRELIMINARY JURISDICTIONAL DETERMINATION		F

SECTION I

The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/appeals/> or 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. 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 WITHOUT PREJUDICE: Not appealable

You received a permit denial without prejudice because a required Federal, state, and/or local authorization and/or certification has been denied for activities which also require a Department of the Army permit before final action has been taken on the Army permit application. The permit denial without prejudice is not appealable. There is no prejudice to the right of the applicant to reinstate processing of the Army permit application if subsequent approval is received from the appropriate Federal, state, and/or local agency on a previously denied authorization and/or certification.

D: PERMIT DENIAL WITH PREJUDICE: You may appeal the 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.

E: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information for reconsideration

- **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 division engineer. This form must be received by the division engineer within 60 days of the date of this notice.
- **RECONSIDERATION:** You may request that the district engineer reconsider the approved JD by submitting new information or data to the district engineer within 60 days of the date of this notice. The district will determine whether the information submitted qualifies as new information or data that justifies reconsideration of the approved JD. A reconsideration request does not initiate the appeal process. You may submit a request for appeal to the division engineer to preserve your appeal rights while the district is determining whether the submitted information qualifies for a reconsideration.

F: PRELIMINARY JURISDICTIONAL DETERMINATION: Not appealable

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.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision you may contact:	If you have questions regarding the appeal process, or to submit your request for appeal, you may contact:
Name: Joshua Tutt	Name: Krista Sabin, Regulatory Appeals Review Officer
Street Address, City, State: 2407 West Fifth Street Washington, NC 27889	Street Address, City, State: 60 Forsyth Street SW Room 9M 15 Atlanta, GA 30303-8801
Phone: 910-251-4629	Phone: 904-314-9631
Email: joshua.c.tutt@usace.army.mil	Email: CESAD-Regulatory@USACE.army.mil

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. Use additional pages as necessary. 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. RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15-day notice of any site investigation and will have the opportunity to participate in all site investigations.	
Email address of appellant and/or agent	Telephone number
Signature of appellant or agent	
Date	

Elevations and Description of Design Elements

The proposed development consists of a single-story convenience store building, a gasoline fueling canopy, and a separate diesel fueling canopy, along with associated parking, site lighting, and landscaping. The attached renderings show the building as it will appear from Caratoke Highway.

Building. The convenience store is a single-story building approximately 18 feet in height with a flat roof concealed behind a parapet. Exterior walls feature an alternating masonry pattern of Triangle Brick Company “Old Colony” brick and “Ultra White” split-face block, both set with white grout, creating vertical bands of red brick and white block on all sides of the building. The front elevation includes a storefront glass entry system beneath a red awning, which shelters customers from precipitation when entering and leaving the building. An illuminated “Big Red’s” building sign is mounted above the awning. Decorative wall-pack light fixtures are installed on both side elevations, and red downspouts complement the awning and signage colors.

Fueling Canopies. The gasoline and diesel canopies are each approximately 19 feet in height and are equipped with recessed LED lighting to give motorists clear visibility while fueling. The gasoline canopy carries Shell’s white, yellow, and red fascia with a red illuminated light bar and an illuminated Shell pecten logo. The diesel canopy is positioned separately from the gasoline canopy and has a blue fascia displaying the word “DIESEL” so that commercial truck drivers can readily identify the diesel fueling lanes.

Site Lighting. Light poles approximately 20 feet in height and painted white will be placed around the perimeter of the parking area, with emphasis on illuminating site driveways and points of access.

Landscaping. Based on a preliminary review, the site is anticipated to require approximately 91 canopy trees, 52 understory trees, and 304 shrubs. Final plant quantities, species, and placement will be refined during detailed site design to fully satisfy the requirements of Currituck County.

Proposed Development Schedule

Should Currituck County approve the Conditional Rezoning Application, then a Final Site Plan will be prepared and be submitted. It is anticipated that will take anywhere from 6 - 9 months. Once the Final Site Plan is reviewed and approved by Currituck County, then construction will start within 3-4 months and should take approximately 9-12 months to complete.