

Board of Commissioners
Agenda Packet

April 4, 2016

Work Session

4 PM Outdoor Tour Operators

5:00 Call to Order

A) Invocation & Pledge of Allegiance-Bishop Emma Jones, Living Word Ministries

B) Approval of Agenda

Administrative Reports

A) **Monitor National Marine Sanctuary Boundary Expansion-Will Sassorossi, Maritime Archaeologist, NOAA**

Public Hearings

A) **Public Hearing and Action: PB 16-03 Countryside Estates:** Request for preliminary plat/use permit for a 62 lot residential subdivision in Moyock off Caratoke Highway, Tax Map 9, Parcel 79B, Moyock Township.

B) **Public Hearing and Action: PB 16-04 Ecoplexus (Goose Creek):** Request a conditional rezoning from General Business (GB) to Conditional District-Agricultural (C-AG) for the purpose of a solar array, located at the eastern portion of the former Goose Creek Golf Course, Tax Map 108, Parcel 95F, Poplar Branch Township.

C) **Public Hearing and Action: PB 15-25 Grandy Solar Farm:** Request for a use permit for a solar array located along the north side of Uncle Graham Road (former Goose Creek Golf Course), Tax Map 108 Parcel 95E, Poplar Branch Township.

D) **Public Hearing and Action: PB 16-01 Guinea Mine:** Request for a use permit to operate a 9.5 acre sand mine at Tax Map 15, Parcels 34 and 35 in the Moyock Township.

E) **Public Hearing and Action: PB 16-02 Jimmy Lewis Automobile Sales:** Request for a use permit for automobile sales at Tax Map 108, Parcel 94F, Poplar Branch Mainland Township.

Old Business

A) **Consideration and Action: PB 14-16 Lake View at Currituck Development Agreement Amendment: Request to amend the development agreement between Currituck County and Survey Road, LLC for property located in Moyock on Survey Road west of the intersection with Caratoke Highway, Tax Map 15, Parcels 83A, 83B, 83C, 83D, and 83E, Moyock Township.**

B) **Consideration and Action: PB 07-10 Lake View at Currituck: Request to amend the sketch (master) plan, preliminary plat, and use permit to allow 13 additional residential lots in the planned unit development located off Survey Road in Moyock, Tax Map 15, Parcels 83A, 83B, 83C, 83D, and 83E, Moyock Township.**

New Business

A) **Board Appointments**

1. Planning Board
2. Economic Development Advisory Board

B) **Consent Agenda**

1. Approval Of Minutes from March 21, 2016
2. Moyock Volunteer Fire Department Purchase-Approval Request
3. Budget Amendments
4. A Resolution Condemning the Action of the North Carolina Marine Fisheries Commission to Use the Supplement Process to Restrict Southern Flounder
5. Third Amendment to Tower Lease Agreement-734 Ocean Trail

C) **Commissioner's Report**

D) **County Manager's Report**

Public Comment

Please limit comments to matters other than those appearing on this agenda as a Public Hearing. Public comments are limited to 5 minutes.

Adjourn

Currituck County
Agenda Item Summary Sheet

Agenda ID Number – (ID # 1497)

Agenda Item Title

4 PM Outdoor Tour Operators

Brief Description of Agenda Item:

Work session to discuss possible revisions to the outdoor tour operator ordinance, based on suggestions put forth during a meeting of tour operators and County staff, and discussion at the January 2016 Commissioners' retreat.

Board Action Requested

Discussion

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

Currituck County
Agenda Item Summary Sheet

Agenda ID Number – (ID # 1486)

Agenda Item Title

Monitor National Marine Sanctuary Boundary Expansion-Will Sassorossi, Maritime Archaeologist, NOAA

Brief Description of Agenda Item:

In January, the National Oceanic and Atmospheric Administration (NOAA) issued a Notice of Intent (NOI) in the Federal Register to initiate a boundary review of the Monitor National Marine Sanctuary (MNMS) off Cape Hatteras, North Carolina. This is the first step in a public process to explore possible boundary expansion of the Sanctuary. This proposed expansion would provide protection for additional historic shipwrecks in the waters near the *Monitor* in an area known as the Graveyard of the Atlantic.

Board Action Requested

Information

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

Currituck County
Agenda Item Summary Sheet

Agenda ID Number – (ID # 1477)

Agenda Item Title

Public Hearing and Action: PB 16-03 Countryside Estates:

Brief Description of Agenda Item:

Request for preliminary plat/use permit for a 62 lot residential subdivision in Moyock off Caratoke Highway, Tax Map 9, Parcel 79B, Moyock Township.

Planning Board Recommendation:

Mr. Craddock moved to approve PB 16-03 as presented due to the use will not endanger the public health or safety; 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; the use will be in conformity with the Land Use Plan; the use will not exceed the county's ability to provide adequate public facilities; and Technical Review Committee conditions of approval A-E. Mr. Bell seconded the motion and motion carried unanimously.

Board Action Requested

Action

Person Submitting Agenda Item

Donna Voliva,

Presenter of Agenda Item

Ben Woody

STAFF REPORT
PB 16-03
BOARD OF COMMISSIONERS
APRIL 4, 2016

Attachment: Countryside Estates PP UP Staff Report (BOC 4.4.16) (1477 : PB 16-03 Countryside Estates)

APPLICATION SUMMARY

Property Owner: Countryside Estates, LLC 1492 South Independence Blvd. Virginia Beach, VA 23462	**Applicant:** Countryside Estates, LLC 1492 South Independence Blvd. Virginia Beach, VA 23462
Case Number: PB 16-03	**Application Type:** Major Subdivision, Preliminary Plat/Use Permit (Type II)
Parcel Identification Number: 0009-000-079B-0000	**Existing Use:** Undeveloped
Land Use Plan Classification: Full Service **Moyock Small Area Plan:** Full Service	**Parcel Size (Acres):** 55.67 acres
Number of Units: 62 residential lots	**Project Density:** 1.1 units/acre
Required Open Space: 16.7 acres (30%)	**Provided Open Space:** 19.91 acres (35%)

SURROUNDING PARCELS

	Land Use	Zoning
North	Residential	AG and GB
South	Farmland	GB and MXR
East	Undeveloped	GB
West	Farmland	AG

STAFF ANALYSIS

- After the initial submittal, the applicant requested the preliminary plat be reviewed under the UDO text amendment approved by the BOC on January 19, 2016. Staff commentary is provided in italics below to address the recent text amendment.
- The applicant is requesting preliminary plat/use permit approval of a 62 lot residential subdivision. The property is conditionally zoned C-MXR and contains the following conditions:
  - Use: Subdivision of 62 residential lots containing a minimum of 20,000 square feet that will front on 50' public streets. All lots will be served by public water and sanitary sewage.
  - The development will be in conformance with the attached land plan for Countryside Estates.

- The 50' vegetated farmland buffer shall be dedicated on the adjacent property to the south owned by Currituck F & W Land Company, LLC as an easement (recorded document).
- In the event the property to the south (N/F Currituck F & W Land Co., Inc.) remains in active cultivation at the time of final plat approval for Countryside Estates, the farmland buffer and 50' easement on the Currituck F & W Land Co., Inc. property shall be recorded.

- The applicant does propose deviations from the approved conceptual development plan. The UDO allows minor deviations provided they are limited to changes addressing technical considerations that could not reasonably be anticipated during the conditional zoning classification process, or any other change that has no material effect on the character of the approved development. The changes are as follows:
  - Slight shift in proposed lots, trail, and stormwater infrastructure (lots 53, 54, and 55).
  - Removal of the trail around the wetlands located on the western side of the property. A continuous sidewalk and trail system is proposed within the development. The applicant is recommending this change in order to reduce the potential environmental impacts adjacent to the wetlands.
- A payment in lieu of recreation and park area dedication will be accepted for this proposed development since the offer of dedication (1.58 acres) does not provide adequate opportunities for on-site recreation and park areas. The recreation and park needs of the subdivision can be better met by site development outside of the subdivision but within the immediate area of the subdivision. Based on the current tax value of the property, the required payment in lieu of recreation and park area dedication for 62 lots is $45,178.
- The application was reviewed under the current UDO, as amended.

INFRASTRUCTURE	
Water	Public
Sewer	Public
Transportation	Pedestrian: A combination of sidewalks and trails throughout the development.
	Connectivity Score: 1.1 Consideration given for providing 3 internal access points to adjacent properties. Due to the wetlands and developed properties the development is meeting the UDO as reasonably practical.
Stormwater/Drainage	Curb and gutter with stormwater ponds
Schools	Elementary Students Generated: 15 students (159)
	Middle School Students Generated: 4 students (251)
	High School Students Generated: 8 students (89)
Recreation and Park Area Dedication	1.58 acres – Payment in lieu of dedication will be accepted in the amount of $45,178.
Riparian Buffers	30' riparian buffer is required adjacent to all 404 jurisdictional wetlands

Attachment: Countryside Estates PP UP Staff Report (BOC 4.4.16) (1477 : PB 16-03 Countryside Estates)

RECOMMENDATIONS

TECHNICAL REVIEW COMMITTEE

The Technical Review Committee recommends adoption of the use permit and approval of the preliminary plat subject to the following conditions of approval:

1. The application complies with all applicable review standards of the UDO provided the following items are addressed:
    a. Walkways located within Zone 1 of the riparian buffer shall be of wood construction.
    b. ~~The northern ditch located along the North Point lot boundary is considered US Army Corps of Engineers 404 jurisdictional wetlands. The preliminary plat shall delineate the riparian buffer zones (zones 1 and 2) located on this tract and proposed lots.~~ *Staff commentary: The northern ditch is considered man made and is not subject to the riparian buffer.*
    c. ~~The proposed 25' Type A bufferyard along the northern property boundary appears to be located within Zone 1 (undisturbed) of the riparian buffer (northern ditch). In order to meet the requirements of the UDO for both the perimeter buffer requirements and the riparian buffer requirements it is suggested that the 25' Type A bufferyard be shifted south to meet the 30' undisturbed requirement of the UDO.~~ *Staff commentary: The northern ditch is considered man made and is not not subject to the riparian buffer. A Type B bufferyard is now required along the adjacent property line.*
    d. Site triangles shall be identified at property lines.
    e. A deceleration lane is required on Caratoke Highway for the proposed subdivision. The lane will be located along the road frontage of N/F John W. Whitehurst, Jr. (PIN 000800000070000) and is currently undeveloped with existing access points on Caratoke Highway. NCDOT has identified two options for the developer.
        i. Option 1 (NCDOT preferred) install the deceleration lane on Caratoke Highway and a new entrance for the lot on the internal subdivision street. A recorded agreement between Countryside Estates, LLC and John W. Whitehurst, Jr. securing the access on the internal Countryside Estates road.
        ii. Option 2: Leave the existing access points on Caratoke Highway and when the Whitehurst property is developed in the future a new driveway permit would be required for a change in use.
    f. The community meeting notes indicate that the community had concerns about drainage and the developer mentions de-mucking the property line ditch as a possible solution if necessary. The plans and narrative do not indicate any work being done to this property line ditch. We do recognize that details of the drainage design are not required to be shown on the plans until construction drawing submittal. The following are proposed conditions of approval:
        i. It appears that North Point subdivision has three drainage outlets through this parcel. Design of the subdivision shall accommodate the drainage for North Point.
        ii. North Point's drainage shall not be routed through this subdivisions stormwater system.
        iii. The property line ditch shall be graded to accommodate any revised/re-routed outlets through Countryside.

Attachment: Countryside Estates PP UP Staff Report (BOC 4.4.16) (1477 : PB 16-03 Countryside Estates)

iv. If any portion of this subdivision is proposed to drain to this property line ditch, it will be considered part of the stormwater system and will fall subject to the UDO section 7.3.4.6.: the existing ditch "shall be cleaned to remove drainage impediments."

v. The design and proposed maintenance plan of this North Point outlet drainage shall be to the satisfaction of the County Engineer.

g. The plat shall contain a note that indicates the designated needed fire flow for the subdivision. No construction may occur where the needed fire flow is greater than the available flow at the site.

h. The riparian buffer Zone 1 shall be illustrated as 30' (undisturbed) in all areas adjacent ot wetlands, excluding the man made ditches.

i. Sidewalks shall be a minimum of 5' in width and trails and pathways shall be a minimum of 8' in width.

2. The applicant demonstrates the proposed use will meet the use permit review standards of the UDO.

3. The conditions of approval necessary to ensure compliance with the review standards of the UDO and to prevent or minimize adverse effects of the development application on surrounding lands include:

a. Plan corrections shall be submitted prior to issuance of the use permit.

b. The construction plans shall indicate a vehicle turning radius for the entrance road to ensure adequate area is provided for large trucks, including emergency vehicles.

c. Prior to construction drawing approval, the written agreement between Countryside Estates, LLC and John W. Whitehurst, Jr. shall be provided to the county. Prior to final plat approval, the agreement or deed of easement shall be recorded providing access to the John W. Whitehurst, Jr. and N/F Calvary Temple Church property through Homestead Lane.

d. The proposed construction drawing shall provide the following:

i. Design of the subdivision shall accommodate the drainage for North Point.

ii. North Point's drainage shall not be routed through this subdivisions stormwater system.

iii. The property line ditch shall be graded to accommodate any revised/re-routed outlets through Countryside.

iv. If any portion of this subdivision is proposed to drain to this property line ditch, it will be considered part of the stormwater system and will fall subject to the UDO section 7.3.4.6.: the existing ditch "shall be cleaned to remove drainage impediments."

v. The design and proposed maintenance plan of this North Point outlet drainage shall be to the satisfaction of the County Engineer.

e. A sidewalk connection to Caratoke Highway shall be provided. (MSAP Policy TR1 and TR2).

PLANNING BOARD

Mr. Craddock moved to approve PB 16-03 as presented due to the use will not endanger the public health or safety; 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; the use will be in conformity with the Land Use Plan; the use will not exceed the county's ability to provide adequate public facilities; and Technical

Attachment: Countryside Estates PP UP Staff Report (BOC 4.4.16) (1477 : PB 16-03 Countryside Estates)

Review Committee conditions of approval A-E. Mr. Bell seconded the motion and motion carried unanimously.

USE PERMIT REVIEW STANDARDS

A use permit shall be approved on a finding that the applicant demonstrates the proposed use will meet the below requirements. It is staff's opinion that the evidence in the record, prepared in absence of testimony presented at a public hearing, supports the preliminary staff findings

The use will not endanger the public health or safety.

Preliminary Applicant Findings:

1. To ensure public health and safety this subdivision will be designed to meet NCDOT standards for roadways.
2. Stormwater management and erosion and sediment control will meet all applicable NCDEQ standards.
3. State and county design standards will be followed with regards to utilities, fire protection, etc.

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.

Preliminary Applicant Findings:

1. The project, a 62 lot subdivision under MXR zoning will be the same character as the adjacent properties.
2. To the North is the North Point subdivision consisting of 74 residential lots.
3. To the south, the property is zoned MXR and GB indicating plans for future residential use.
4. This subdivision will accommodate major drainage conveyance from the existing North Point subdivision.

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

Preliminary Applicant Findings:

1. The use is in conformity with the land use plan or other officially adopted plans as it has not changed in character, use, or size form the approved rezoning plan.
2. The proposed subdivision will meet the required MXR design standards regarding lot coverage, open space, etc. set forth in the Currituck County UDO.

Relevant MSAP and 2006 LUP Policies:

1. 2006 LUP POLICY HN1: Currituck County shall encourage development to occur at densities appropriate for the location. LOCATION AND DENSITY FACTORS shall include whether the development is within an environmentally suitable area, the type and capacity of sewage treatment available to the site, the adequacy of transportation facilities providing access to the site, and the proximity of the site to existing and planned urban services. For example, projects falling within the Full Services areas of the Future Land Use Map would be permitted a higher density because of the availability of infrastructure as well as similarity to the existing development pattern. Such projects could be developed at a density of two (2) or more dwelling units per acre. Projects within areas designated as Limited Service would be permitted a density of one (1) to one and one half (1.5) units per acre depending upon the surrounding development pattern and availability of resources. Projects within areas designated as Rural or Conservation by the Future Land Use Plan would be permitted a much lower density of 1 dwelling unit per 3 acres because of the lack of infrastructure in the area, the existing low density development pattern, and presence of environmentally sensitive natural areas.

Attachment: Countryside Estates PP UP Staff Report (BOC 4.4.16) (1477 : PB 16-03 Countryside Estates)

2. 2006 LUP POLICY WS3: Currituck County endorses UTILITIES EXTENSION POLICIES that focus water and sewer services (1) within existing developed areas and in nearby targeted growth areas identified as Full Service and Limited Service areas, (2) where development densities would make the provision of all public services more efficient, (3) where the land is particularly well suited for development and (4) away from environmentally sensitive areas, such as areas with extensive wetlands or the northern beaches of the Outer Banks.
3. MSAP Policy FLU 1: Promote compatibility between new development and existing development to avoid adverse impacts to the existing community. This is achieved through design and includes larger setbacks, landscaped or forested strips, transition zones, fencing, screening, density and/or bulk step downs, or other architectural and site planning measures that encourage harmony.
4. MSAP Policy TR 1: Design future transportation improvements that are consistent with Complete Streets Policy. Complete Streets Policy encourages design of transportation networks and facilities that safely accommodate pedestrians, bicyclists, rail, and vehicles.
5. MSAP Policy TR 2: Ensure that all development is designed with an interconnected, multi-modal transportation network between neighborhoods, activity centers, and other destinations to improve mobility and emergency access. Development of an interconnected road network east and west of Highway 168 that allows north-south movement for local residential traffic is strongly encouraged.

The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to: schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

Preliminary Applicant Findings:

1. The plan/use has not changed from the approved rezoning plan.
2. All applicable county guidelines regarding schools, fire and rescue, law enforcement, etc. will be followed.
3. A public pump station will be provided to accommodate the proposed subdivision and will be sized to accommodate a future subdivision to the south.

THE APPLICATION AND RELATED MATERIALS ARE AVAILABLE ON THE COUNTY'S WEBSITE

Board of Commissioners: www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm

Attachment: Countryside Estates PP UP Staff Report (BOC 4.4.16) (1477 : PB 16-03 Countryside Estates)

Planning Board Discussion ***(3/8/16)***
The Planning Board discussed the design of the subdivision shall accommodate the drainage for North Point; and North Point's drainage shall not be routed through the subdivisions stormwater system. The Planning Board also discussed the deceleration lane on Caratoke Highway.

Ms. Voliva showed on the site plan where the retention ponds will be located.

Mr. Cooper opened up the public hearing.

Mr. Miller talked about the drainage and the ditches.

Ms. Voliva said a deceleration lane is required on Caratoke Highway for the proposed subdivision. The lane will be located along the road frontage of N/F John W. Whitehurst, Jr. and is currently undeveloped with existing access points on Caratoke Highway. Prior to construction drawing approval, the written agreement between Countryside Estates, LLC and John W. Whitehurst, Jr. shall be provided to the county.

Mr. Hammer said he had some concerns with drainage, but after speaking with Mr. Miller he is satisfied with the proposal. He feels it will be an improvement for the North Point residents.

Mr. Bierwirth said his concern is drainage and Mr. Miller has been very helpful.

Mr. Miller said Mr. Bierwirth drainage issue will be as good or better.

Mr. Cooper closed the public hearing.

Mr. Craddock said the applicant and developer have reached out to the neighborhood several times to work through issues.

Ms. Voliva said if Mr. Whitehurst wants access off Caratoke Hwy. the state will still allow this.

Mr. Craddock moved to approve PB 16-03 as presented due to the use will not endanger the public health or safety; 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; the use will be in conformity with the Land Use Plan; the use will not exceed the county's ability to provide adequate public facilities; and Technical Review Committee conditions of approval A-E. Mr. Bell seconded the motion and motion carried unanimously.

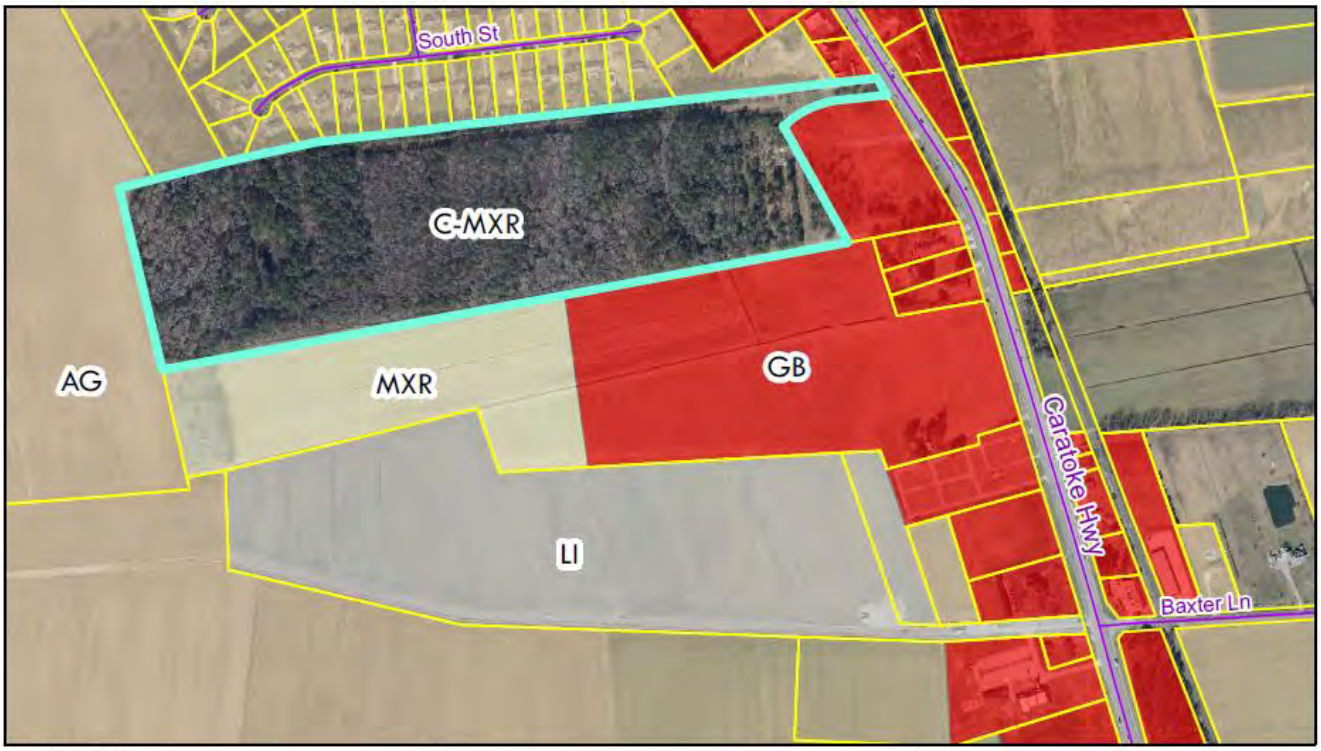
Attachment: Countryside Estates PP UP Staff Report (BOC 4.4.16) (1477 : PB 16-03 Countryside Estates)



PB 16-03
Countryside Estates
Aerial

0 290 580 1,160 Feet

Currituck County
Planning and Community
Development

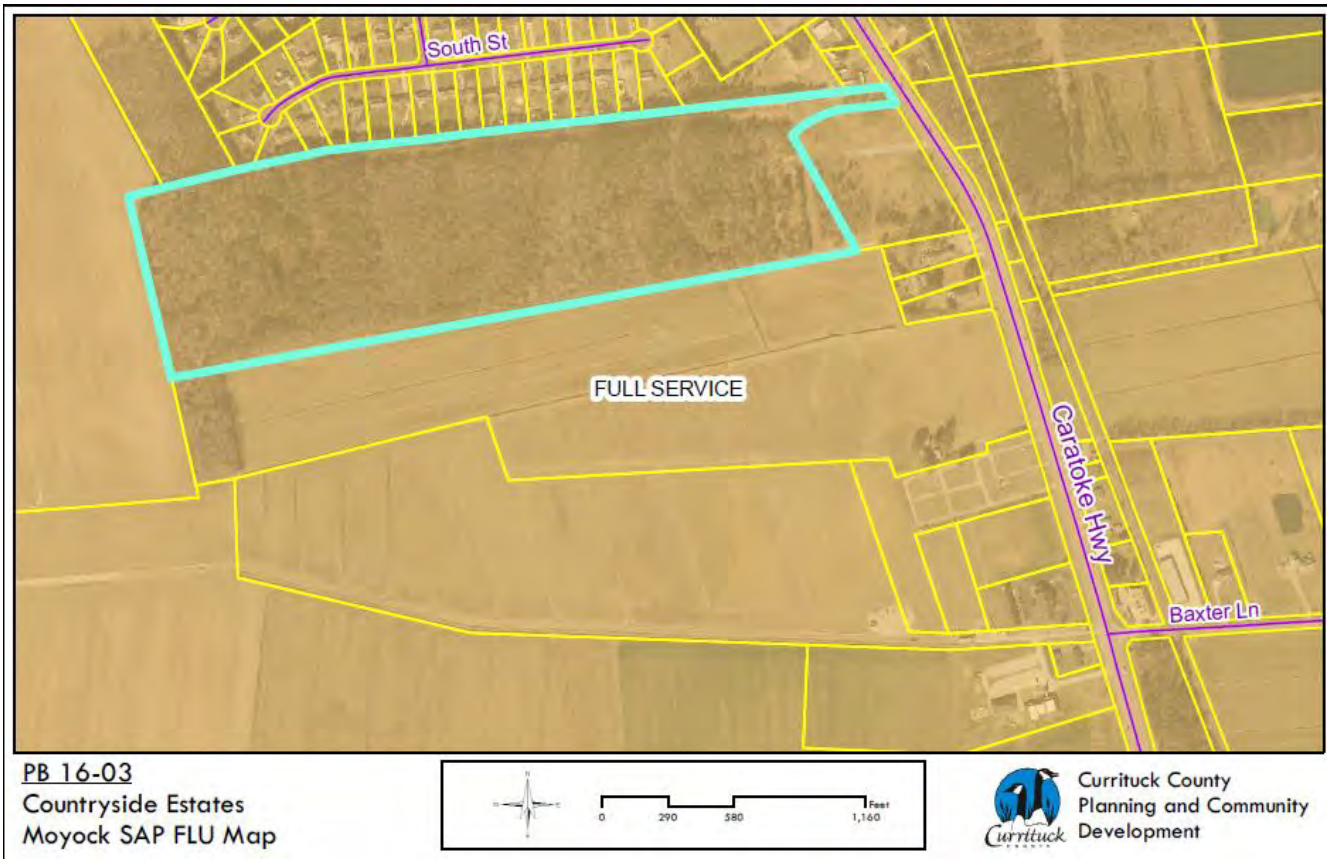


PB 16-03
Countryside Estates
Zoning

0 290 580 1,160 Feet

Currituck County
Planning and Community
Development

Attachment: Countryside Estates PP UP Staff Report (BOC 4.4.16) (1477 : PB 16-03 Countryside Estates)

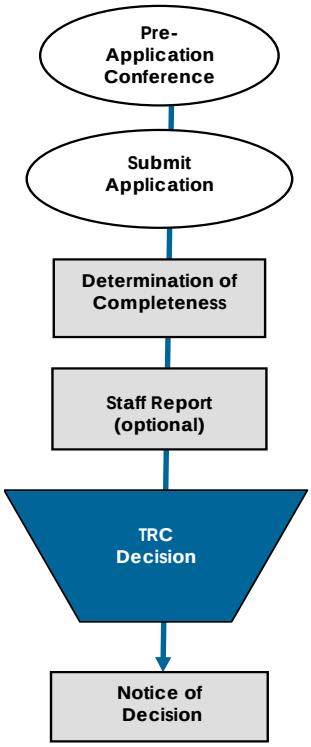


PB 16-03
Countryside Estates
Moyock SAP FLU Map

Currituck County
Planning and Community
Development

Attachment: Countryside Estates PP UP Staff Report (BOC 4.4.16) (1477 : PB 16-03 Countryside Estates)

Major Subdivision
Review Process



Type I Preliminary Plat

Contact Information

Currituck County
Planning and Community Development
153 Courthouse Road, Suite 110
Currituck, NC 27929

Phone: 252.232.3055
Fax: 252.232.3026

Website: http://www.co.currituck.nc.us/planning-community-development.cfm

General

Development of a major subdivision requires approval of a Type I (20 or fewer lots) or Type II (21+ lots) preliminary plat with a use permit, if applicable, construction drawings, and final plat. Preliminary plat and construction drawings may be submitted simultaneously as may preliminary plat and final plat. Also, a conservation and development plan is required for conservation subdivisions.

Step 1: Pre-application Conference

PUD Amended Sketch Plan/Use Permit, Type I and Type II Preliminary Plat (Optional for Construction Drawings and Final Plat)

The purpose of a pre-application conference is to provide an opportunity for the applicant to determine the submittal requirements and the procedures and standards applicable to an anticipated development application. A pre-application conference is also intended to provide an opportunity for county staff to become familiar with, and offer the applicant preliminary comments about, the scope, features, and impacts of the proposed development, as it relates to the standards in the Unified Devlopment Ordinance (UDO).

The applicant shall submit drawings that show the location, layout, and main elements of the development to be proposed as part of the application to the Planning and Community Development Department at least three business days before the pre-application conference.

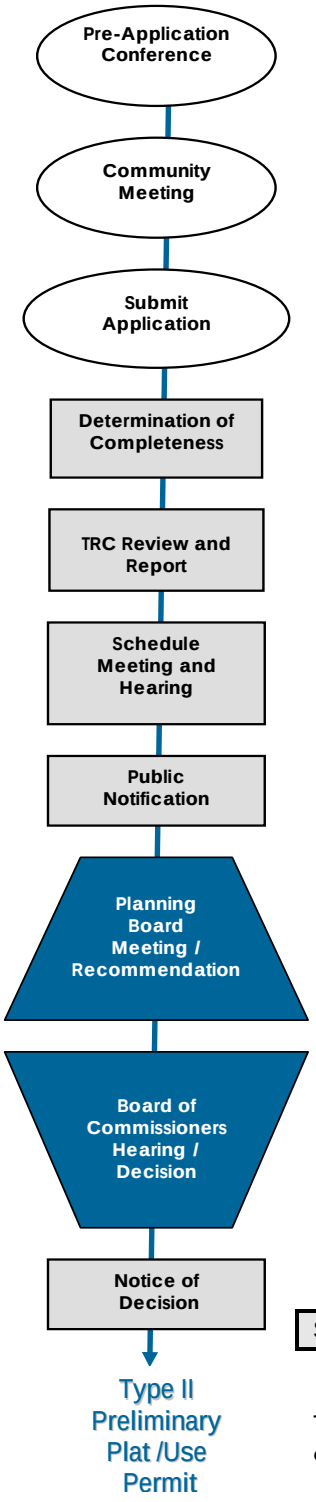
Step 2: Community Meeting

Type II Preliminary Plat

The purpose of the community meeting is to inform owners and occupants of nearby lands about the application for a major subdivision that is going to be reviewed under the UDO, and to provide the applicant an opportunity to hear comments and concerns about the application as a means of resolving conflicts and outstanding issues, where possible.

Community meetings are opportunities for informal communication between applicants and the owners and occupants of nearby lands, and other residents who may be affected by the application.

Attachment: Countryside PP Major Subdivision Application (signed) (1477 : PB 16-03 Countryside Estates)



The community meeting shall comply with the following procedures:

- **Time and Place**
  The meeting shall be held at a place that is convenient and accessible to neighbors residing in close proximity to the land subject to the proposed major subdivision.
- **Notification**
  - □ Mailed Notice
    - The applicant shall mail notice of the meeting a minimum of ten days in advance of the meeting to the Planning Director and to:
      i. All owners of the land subject to the application;
      ii. All owners of land within 200 feet of the property lines of land subject to the application (including owners of land located outside the county) whose address is known by reference to the latest ad valorem tax records; and
      iii. Commanders of military bases located within five miles of the subject application when the development proposal affects the type of uses allowed.
  - □ Posted Notice
    - The applicant shall post notice of the community meeting on the land subject to the application for at least ten days before the date fixed for the meeting, in a form established by the Planning Director. Signs used for posted notice shall have a minimum size of six square feet per side.
  - □ Notice Content
    - The notice shall state the time and place of the meeting and general nature of the major subdivision.
- **Conduct of Meeting**
  At the meeting, the applicant shall explain the development proposal and application, inform attendees about the application review process, respond to question and concerns neighbors raise about the application, and propose ways to resolve conflicts and concerns.
- **Staff Attendance**
  County staff shall attend the meeting for purpose of advising attendees about the applicable provisions of the UDO and the land use plan, but shall not serve as facilitators or become involved in discussions about the proposed major subdivision.
- **Written Summary of Community Meeting**
  The applicant shall prepare a written summary of the meeting that includes a list of meeting attendees, a summary of attendee comments, discuss issues related to the major subdivision application, and any other information the applicants deems appropriate. The meeting summary shall be included with the application materials and be made available to the public for inspection.
- **Response to Summary**
  Any person attending the community meeting may submit a written response to the applicant's meeting summary to the Planning Director within 30 days after the application is determined complete. The response may state their understanding of attendee comments, discuss issues related to the development proposal, and include any other information they deem appropriate. All written responses to the applicant's summary of the community meeting shall be transmitted to the applicant, included with the application materials, and made available to for public inspection.

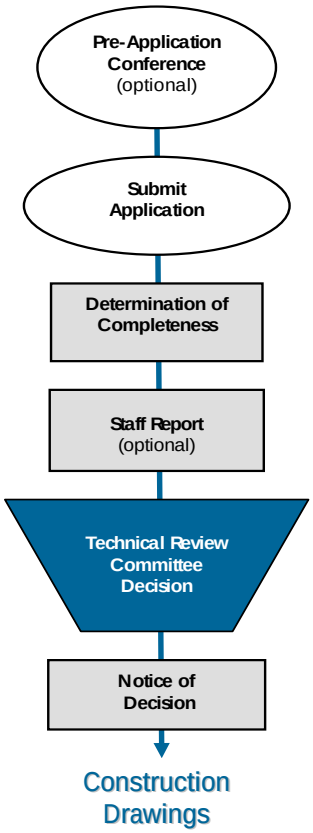
Step 3: Application Submittal and Acceptance

PUD Amended Sketch Plan/Use Permit, *Type I and Type II Preliminary Plat, Construction Drawings, Final Plat*

The applicant must submit a complete application packet on or before the application submittal date. A complete application packet consists of the following:

- Completed Currituck County Major Subdivision Application.
- Completed Use Permit Review Standards, if one or more public facilities are within 85% of the maximum capacity for a Type I subdivision and for all Type II subdivisions.
- Amended plan/plat fee ($250)
- Preliminary Plat application fee ($100 per lot)
- A plat and development plan drawn to scale.
- For a complete list of submittal requirements, see the design standards checklist.

Attachment: Countryside PP Major Subdivision Application (signed) (1477 : PB 16-03 Countryside Estates)



- Number of Copies Submitted:
  - 5 Copies of the plat and development plans
  - 5 Hard copies of ALL documents
  - 1 PDF digital copy (ex. Compact Disk – e-mail not acceptable) of all plans AND documents

On receiving an application, staff shall, within ten business days, determine whether the application is complete or incomplete. A complete application contains all the information and materials listed above, and is in sufficient detail to evaluate and determine whether it complies with appropriate review standards. If an application is determined to be incomplete, the applicant may correct the deficiencies and resubmit the application for completeness determination. Failure to resubmit a complete application within 45 calendar days after being determined incomplete will result in the application being considered withdrawn.

Step 4: Staff Review and Action

PUD Amended Sketch Plan/Use Permit, Type I and Type II Preliminary Plat, Construction Drawings, Final Plat

Once an application is determined complete, it will be distributed to the Technical Review Committee (TRC). TRC shall review the application, prepare a staff report, and provide a recommendation on the application for a preliminary plat/use permit and a decision for construction drawings and final plats. The staff report may identify and recommend conditions of approval addressing how compliance deficiencies might by corrected and adverse effects of the application might be mitigated.

Step 5: Advisory Body Review and Recommendation

PUD Amended Sketch Plan/Use Permit, Type II Preliminary Plat

The Planning Board following a public meeting shall make a recommendation on the application. After the TRC prepares a staff report and provides a recommendation on the application, staff shall schedule the application for a public meeting with the Planning Board. At the public meeting, the Planning Board shall consider the application, relevant support materials, staff report, and any public comments. It shall then recommend approval, approval subject to conditions, or denial, and clearly state that factors considered in making the recommendation. The Planning Board shall provide a recommendation on an application it reviews within two months from the date of its initial meeting to consider the application.

Step 6: Public Hearing Scheduling and Public Notification

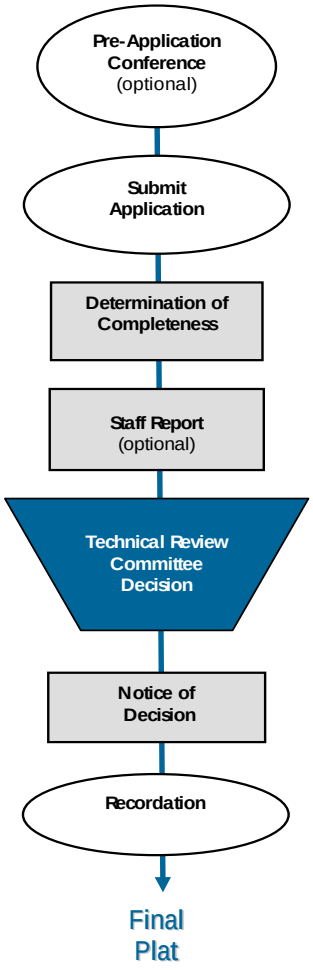
PUD Amended Sketch Plan/Use Permit, Type II Preliminary Plat

The Planning Board will provide a recommendation on the application and staff shall ensure that the public hearing on it is scheduled for a regularly scheduled Board of Commissioners meeting or a meeting specially called for by the Board of Commissioners. The required public hearing with the Board or Commissioners shall be scheduled so there is sufficient time for a staff report to be prepared and for the public notification requirements to be satisfied under state law.

The application shall meet the following public notification requirements:

- **Published Notice**
  Staff shall publish a notice of the hearing once a week for two successive calendar weeks in a newspaper having general circulation in the county. The first time notice is published, it shall not be less than 10 days nor more than 25 days before the date fixed for the hearing.
- **Mailed Notice**
  Staff shall be responsible for preparing and mailing a written notice between 10 and 25 days before the public hearing. Notice shall be mailed to:
  - All owners of the land subject to the application;
  - The applicant, if different from the land owner;
  - All owners of land within 200 feet of the property lines of land subject to the application (including owners of land located outside the county) whose address is known by reference to the latest ad valorem tax records; and
  - Commanders of military bases located within five miles of the subject application when the development proposal affects the type of uses allowed.

Attachment: Countryside PP Major Subdivision Application (signed) (1477 : PB 16-03 Countryside Estates)



- **Posted Notice**
  At least 10 days before the public hearing, posted notice shall be made by staff. A sign shall be placed in a conspicuous location as to be clearly visible to the traveled portion of the respective street. Where the land subject to the notice does not have frontage on a public street, the sign shall be erected on the nearest street right-of-way with an attached notation generally indicating the direction and distance to the land subject to the application.

Step 7: Public Hearing Procedures and Decision-Making Body Review and Decision

PUD Amended Sketch Plan/Use Permit, Type II Preliminary Plat

The applicant must be in attendance at the public hearing. During the public hearing, the Planning Director will present the staff report and any review body findings and recommendation to the Board. The applicant will then have the opportunity to present any information they deem appropriate. The burden of demonstrating that an application complies with applicable review and approval standards of the UDO is on the applicant. The public may be permitted to speak in accordance with the Board of Commissioners rules of procedure, or at their discretion, as appropriate, in support of or in opposition to the application. The applicant and Planning Director may respond to any comments, documents, or materials presented.

The Board of Commissioners shall make one of the following decisions on the application:

- Adoption of the use permit;
- Adoption of the use permit subject to conditions of approval;
- Denial of the use permit; or
- Remand of the use permit application back to the Planning Board for further consideration.

A use permit shall be approved on a finding the applicant demonstrates the proposed use will:

- Not endanger the public health or safety;
- Not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located;
- Be in conformity with the Land Use plan or other officially adopted plan;
- Not exceed the county's ability to provide adequate public facilities, including but not limited to schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

Attachment: Countryside PP Major Subdivision Application (signed) (1477 : PB 16-03 Countryside Estates)

Major Subdivision
Application

OFFICIAL USE ONLY:
Case Number: _____
Date Filed: _____
Gate Keeper: _____
Amount Paid: _____

Contact Information

APPLICANT:
Name: Countryside Estates, LLC
Address: 1492 S. Independence Blvd.
Virginia Beach, Virginia 23462
Telephone: 757-474-0888
E-Mail Address: jnapolitano@napolitanohomes.com

PROPERTY OWNER:
Name: Countryside Estates, LLC
Address: 1492 S. Independence Blvd.
Virginia Beach, Virginia 23462
Telephone: 757-474-0888
E-Mail Address: jnapolitano@napolitanohomes.com

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Same

Request

Physical Street Address: 166 Caratoke Highway, Moyock, North Carolina 23502
Parcel Identification Number(s): 0009000079B0000
Subdivision Name: Countryside Estates
Number of Lots or Units: 62 Lots
Phase: N/A

TYPE OF SUBMITTAL

- ☐ Conservation and Development Plan
- ☐ Amended Sketch Plan/Use Permit
- ☐ Preliminary Plat (or amended)
  - ☐Type I OR ☒Type II
- ☐ Construction Drawings (or amended)
- ☐ Final Plat (or amended)

TYPE OF SUBDIVISION

- ☒ Traditional Development
- ☐ Conservation Subdivision
- ☐ Planned Unit Development
- ☐ Planned Development

I hereby authorize county officials to enter my property for purposes of determining compliance with all applicable standards. All information submitted and required as part of this process shall become public record.

_____ 1-26-16
Property Owner(s)/Applicant* 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.**

Community Meeting, if applicable

Date Meeting Held: June 30th 2015 Meeting Location: Moyock

Attachment: Countryside PP Major Subdivision Application (signed) (1477 : PB 16-03 Countryside Estates)

Use Permit Review Standards, if applicable

PUD Amended Sketch Plan/Use Permit, Type II Preliminary Plat

Purpose of Use Permit and Project Narrative (please provide on additional paper if needed):

The purpose of this use permit is to construction the proposed 62 lot major subdivision, Countryside Estates. The proposed project is to be constructed on a newly created 55.67 acre parcel which has recently been rezoned to MXR. This subdivision will meet all applicable state and county design standards.

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 use permit.

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

To insure public health and safety this subdivision will be designed to be NCDOT standards for roadways, stormwater management and erosion and sediment control will all applicable NCDEQ standards. Additionally state and county design standards will be followed with regards to utilities,fire protection, etc.

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.

This project, a 62 lot subdivision under MXR zoning will be in the same character as the adjacent properties. To the North is the North Point subdivision consisting of 74 residential lots. To the south the property has been rezoned to MXR & GB indicating plans for future residential use. Additionally this subdivision will accommodate major drainage conveyance from the existing North Point subdivision.

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

This use is in conformity with the land use plan or other officially adopeted plan as it has not changed in character, use, or size from the approved rezoning plan. The proposed subdivision will meet the required MXR design standards regarding lot coverage, open space, etc. set forth in the Currituck County UDO.

D. The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

The plan/use has not changed from the approved rezoning plan. All applicable county guidelines regarding schools, fire and rescue, law enforcement, etc. will be followed. A public pump station will be provided to accommodate the proposed subdivision and will be sized to accommodate a future subdivision to the south.

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.

Property Owner(s)/Applicant* — Date: 1-26-16

***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.**

Attachment: Countryside PP Major Subdivision Application (signed) (1477 : PB 16-03 Countryside Estates)

Major Subdivision Design Standards Checklist

The table below depicts the design standards for a major subdivision. Please make sure to include all applicable listed items to ensure all appropriate standards are reviewed.

	Preliminary Plat	Construction Drawings	Final Plat
GENERAL AND ZONING			
Name of Subdivision, Township, County, State	X	X	X
Name, signature, license number, seal, and address of engineer, land surveyor, architect, planner, and/or landscape architect involved in preparation of the plat	X	X	X
Property owner(s) name and address	X	X	X
Site address and parcel identification number	X	X	X
North arrow and scale (1" = 100' or larger)	X	X	X
Vicinity map showing property's general location in relation to streets, railroads, and waterways	X	X	X
Zoning classification of the property and surrounding properties	X		
All applicable certificates and statements as listed in Section 3.1.1 of the Administrative Manual			X
A scaled drawing showing the following existing features within the property and within 50' of the existing property lines: boundary lines, total acreage, adjacent use types, sidewalks and pedestrian circulation courses, streets, rights-of-way, easements, structures, septic systems, wells, utilities lines (water, sewer, telephone, electric, lighting, and cable TV), fire hydrant, culverts, stormwater infrastructure (drainage pipes, ditches, etc.), water bodies, wooded areas, and cemeteries	X	X	X
Lot layout including lot line locations and dimension, total number of lots, total lot area, and lot numbers for entire tract (No future development area left undefined)	X	X	X
Location or areas to be used for non-residential and multi-family purposes, if applicable	X	X	X
Location of recreation and park area dedication (or payment in-lieu)	X	X	X
Proposed landscape plan including common areas, open space set-aside configuration and schedule, required buffers, fences and walls, and tree protection plan. Open space calculations must be shown on plat	X	X	
As-built for landscaping including street trees, heritage trees, and required buffers, fences, and walls. Open space calculations must be shown on plat			X
Water access and recreational equipment storage locations, if applicable	X	X	X
Cultural resources protection plan, if applicable	X	X	X
Zoning conditions and/or overlay standards listed on plat	X	X	X
Contour intervals of two feet, if required by the administrator	X	X	
Phasing schedule, if applicable	X	X	

Attachment: Countryside PP Major Subdivision Application (signed) (1477 : PB 16-03 Countryside Estates)

	Preliminary Plat	Construction Drawings	Final Plat
ENVIRONMENTAL PROTECTION			
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	X	X	X
Flood Zone line and Base Flood Elevation as delineated on the "Flood Insurance Rate Maps/Study Currituck County"	X	X	X
Delineate all soil series based on Currituck County Soils Map or NC Licensed Soil Scientist.	X		
STREETS, STORMWATER, AND INFRASTRUCTURE			
Approximate location of streets, sidewalks, pedestrian circulation paths, and utilities	X		
Street name(s) as approved by GIS	X	X	X
Sight triangles	X	X	X
Street connectivity index	X		
Location and type of site identification signs, traffic control signs, street name signs, and directional signs.		X	
Proposed street, stormwater management infrastructure, and utility construction drawings including water, sanitary sewer, telephone, electric, fire hydrant, lighting, and cable TV. Drawings must include design data, details, and profiles.		X	
Proposed lighting plan, if street lights are proposed	X	X	
Stormwater management narrative, approximate BMP locations, and preliminary grading plan	X		
Final stormwater management narrative, BMP locations, and grading plan		X	
Building pad and first floor elevation, including datum		X	X
Engineering certificate of all required improvements installed (streets, water/sewer lines, stormwater management, and lighting)			X
As-builts for streets, stormwater management infrastructure, lighting (if applicable), sidewalks, pedestrian circulation paths, and utility construction drawings including water, sanitary sewer, telephone, electric, fire hydrant, lighting, and cable TV			X
Moumentation set and control corner(s) established			X
PERMITS AND OTHER DOCUMENTATION			
ARHS septic evaluations for each individual lot or letter of commitment from centralized sewer service provider	X		
NCDENR wastewater line extension permit, if applicable		X	
NCDENR wastewater plant construction permit, if applicable		X	
NCDENR wastewater system completion/connection certifications for central systems and permit to authorize wastewater flows if a dry-line construction permit was previously issued			X
NCDENR waterline extension permit, if applicable		X	
NCDENR waterline acceptance certification			X

Attachment: Countryside PP Major Subdivision Application (signed) (1477 : PB 16-03 Countryside Estates)

	Preliminary Plat	Construction Drawings	Final Plat
Water/sewer district documents and approvals, if applicable			X
NCDENR approved stormwater permit (including application, plan, narrative, and calculations)		X	
NCDENR approved Soil Erosion and Sedimentation Control plan and permit		X	
NCDENR Coastal Area Management Act permits for improvements, if applicable		X	
NCDOT driveway permit		X	
NCDOT right-of-way encroachment agreement		X	
NCDOT pavement certification with asphalt test data			X
Street, open space, and stormwater infrastructure performance guarantees, if applicable			X
Fire chief certification for dry hydrant installation, if applicable			X
Geological analysis for development or use of land containing a significant dune, if applicable	X		
Economic and public facilities impact narrative, if required by administrator	X		
Copy of Homeowner's Association documents, restrictive covenants which are to be recorded, and establishment of reserve fund account.			X
ADDITIONAL INFORMATION FOR CONSERVATION SUBDIVISION			
Approved conservation and development plan	X		
Proposed density per acre (not including CAMA wetlands)	X		
Minimum lot area, lot width, setbacks, and lot coverage	X	X	X
Screening from major arterials	X		

Attachment: Countryside PP Major Subdivision Application (signed) (1477 : PB 16-03 Countryside Estates)

Major Subdivision Submittal Checklist – Preliminary Plat

Staff will use the following checklist to determine the completeness of your application for preliminary plat 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.

Major Subdivision

Submittal Checklist – Preliminary Plat

Date Received: _____ TRC Date: _____

Project Name: Countryside Estates

Applicant/Property Owner: Countryside Estates, LLC

Major Subdivision – Preliminary Plat Submittal Checklist		
1	Complete Major Subdivision application	✔
2	Complete Use Permit Review Standards, if applicable	✔
3	Application fee at Preliminary Plat ($100 per lot) or $250 for amended plats	✔
4	Community meeting written summary, if applicable	✔
5	Preliminary Plat with professional's seal	✔
6	Existing features plan	✔
7	Proposed landscape plan, including common areas, open space set-aside configuration and schedule, required buffers, fences and walls, and tree protection plan	✔
8	Stormwater management narrative and preliminary grading plan	✔
9	Completely executed street name approval form	✔
10	Septic evaluations by ARHS for each individual lot or letter of commitment from centralized sewer service provider	✔
11	Letter of commitment from centralized water provider, if applicable	✔
12	Wetland certification letter and map, if applicable	✔
13	Geological analysis for development or use of land containing a significant dune, if applicable	
14	Economic and public facilities impact narrative, if required by administrator	✔
15	Conservation Subdivision: Approved conservation and development plan	
16	5 copies of plans	✔
17	1- 8.5" x 11" copy of plan	✔
18	5 hard copies of ALL documents	✔
19	1 PDF digital copy of all plans AND documents (ex. Compact Disk – e-mail not acceptable)	✔

For Staff Only

Pre-application Conference

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

_____

Comments

_____

_____

Attachment: Countryside PP Major Subdivision Application (signed) (1477 : PB 16-03 Countryside Estates)

Currituck County
Planning and Community Development Department
Planning and Zoning Division
153 Courthouse Road, Suite 110
Currituck, North Carolina 27929
252-232-3055 FAX 252-232-3026

To: Countryside Estates, LLC
Nathan A. Lahy, MSA
Scott Acey, MSA

From: Donna Voliva, Senior Planner

Date: February 9, 2016

Subject: PB 16-03 Countryside Estates, Preliminary Plat TRC Comments

The following comments have been received for the February 17, 2016 TRC meeting. The preliminary plat will require Planning Board recommendation and Board of Commission's action. The preliminary plat comments listed below must be addressed and resubmitted by February 22, 2016 in order to be placed on the March 8, 2016 Planning Board meeting. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Donna Voliva 252-232-6032
Reviewed

1. The plan appears to be submitted under the current UDO (not the recent approved amendment).
2. As a general note, there are slight deviations in the lot and stormwater layout from the conditional rezoning exhibit.
3. Provide a copy of the wetland delineation and jurisdictional determination shall be provided.
4. Corner lots shall have access from the least traveled road and shall contain a five foot non-ingress/egress easement along the more traveled road.
5. The current UDO requires a 50' riparian buffer (30' undisturbed buffer – Zone 1). Reforested areas and landscape buffers should be located in the 20' Zone 2). Please show both zones on the plan with proper widths along with the wetland mitigations. Pathways or sidewalks may be located in the 30' undisturbed buffer provided they are boardwalks or walkways (wooden).
6. Sidewalks and pathways shall connect to adjacent properties (Currituck F & W Land Co., Inc.) and interconnect within the development.
7. The preliminary plat/construction drawings shall contain the following information:
    a. Connectivity score. Consideration will be given for access provided to the two lots located on Caratoke Highway.
    b. Total open space area shall be provided in the site data.
    c. Total area of all lots shall be provided in the site data.
    d. The zoning of the property is C-MXR in the site data.
    e. Proposed minimum building setbacks

Attachment: Countryside Estates PP TRC Comments2_17_16 (1477 : PB 16-03 Countryside Estates)

f. Wetland mitigation
g. Street cross section
h. Street names
i. Proposed disturbed area shall be provided in the site data.
j. Site triangles

8. Provide details on the deceleration lane restrictions. (communications with adjacent land owner and NCDOT)
9. Are there any intentions to provide on-street parking in the development?
10. The county will accept a payment in lieu of the recreation and park area dedication. Based on the current tax value the estimated payment at final plat will be $45,183.
11. During the pre-application conference we discussed the handicap accessibility codes regarding sidewalks. It was discussed that sidewalks would be 5' in width. Reducing the width to 4' will require additional improvements to meet the accessibility codes.
12. Sidewalk crosswalks will be reviewed on the construction drawings.

Currituck County Parks and Recreation, Jason Weeks 252-232-3007

No comment

Currituck County Engineer, Eric Weatherly and Michelle Perry 252-232-6035
Currituck Soil and Water, Will Creef 252-232-3360

Reviewed

1. North Point drainage outlets to three ditches that route through this property. We have concerns about the one piped outlet you are routing their drainage through. How will this pipe be sized? Is the ditch along North Point's property going to be cleaned or re-graded to divert three outlets down to one outlet? What are the maintenance responsibilities for this pipe?
2. Your notes from the community meeting state, "The residents of North Point are concerned about flooding issues from poor drainage…. We assured them that the County will not allow us to do anything to detriment the drainage issues." "After the formal meeting several residences stayed around to talk with us. Again the biggest issue was drainage. We came to learn that the ditch between the communities was not draining properly and was blocked up in areas. We told them that we would assess the issue and if it were a simple matter of de-mucking part of it we would entertain doing so." Your drainage narrative and plans do not show any ditches being de-mucked. Please explain your assessment of the issue and your comments about possibly de-mucking the ditch.
3. You met another time with a resident of North Point – your notes read: "The entire group walked the ditch line between North Point and Countryside Estates and all agree that the culverts that will be installed along the ditch with the correct sized pipe will improve the drainage situation." Your drainage narrative and plans do not show culverts being installed in the ditch between North Point and Countryside Estates – please explain this plan discussed with this resident and how the pipe will be sized correctly to improve the drainage situation.
4. The existing ditch along the southern property line shall be cleaned and re-graded for positive drainage as necessary.

Currituck County Utilities, Pat Irwin 252-232-2769

Approval with corrections

1. Development is to have all 8" water lines except for hydrant legs and in dead end areas the lines can be reduced to 2" beyond the last fire hydrant.

Attachment: Countryside Estates PP TRC Comments2_17_16 (1477 : PB 16-03 Countryside Estates)

Albemarle Regional Health Services, Joe Hobbs 252-232-6603

Reviewed

1. EACH LOT IS PROPOSED TO BE SERVED (SEWAGE TREATMENT AND DISPOSAL) BY THE WASTEWATER TREATMENT PLANT OWNED BY CURRITUCK COUNTY(MOYOCK SEWER DISTRICT. THUS, EACH LOT MUST BE APPROVED FOR SEWAGE TREATMENT AND DISPOSAL BY THE NC DEPARTMENT OF WATER RESOURCES(WASHINGTON REGIONAL OFFICE) AT 252-946-6481 AND BY THE MOYOCK SEWER DISTRICT.

Currituck County GIS, Harry Lee 252-232-2034

Reviewed

1. Addresses will be assigned by GIS during Final Plat review.
2. The following street names are approved:
   Homestead (Ln)
   Dover
   Darlington
   Daytona
3. New Bern Ln is not approved.

Currituck County Fire Marshal, James Mims

Reviewed

1. I see in the narrative mention of on street parking. The fire apparatus access must be 20' wide. I do see that the streets appear to exceed this except for the cul de sacs. It must be noted that the given measurements in the code are for the wheels it does not take into account that on larger apparatus the cab, bumper, ladder and bucket extend beyond the front wheels. This must be taken into account in regards to parking designs, lighting, mailboxes and material in the middle of the cul de sac. I suggest rideover curbing in the cul de sacs.
2. Fire hydrants are to be placed so that every inch of road frontage even around corners are within 500' of a fire hydrant. Unless I have missed some of the small hydrant icons on the plans this does not appear to be the case.
3. A note should be located on the plan as to the designed needed fire flow of the subdivision.
   No construction may occur where the needed fire flow is greater than the available flow at the site.

NC State Archaeology, Lawrence Abbot

No Comment

1. An archaeological survey is not recommended.

NC Division of Coastal Management, Charlan Owens

No Comment

US Postal Service, Moyock Postmaster

1. Please contact the local postmaster (Moyock) to determine the mode of delivery and type of delivery equipment.

The following items are necessary for resubmittal:

- 3 - full size copies of the revised preliminary plat.

Attachment: Countryside Estates PP TRC Comments2_17_16 (1477 : PB 16-03 Countryside Estates)

- 1 - 8 ½" x 11" reduction of the revised preliminary plat.
- 10 – 11" x 17" reduction of the revised preliminary plat
- 1- PDF digital copy of all new and revised documents and plans.

Comments were not received from:
Currituck County Building Inspections, Bill Newns

Attachment: Countryside Estates PP TRC Comments2_17_16 (1477 : PB 16-03 Countryside Estates)

NAPOLITANO HOMES
~EST. 1977~

To: The Currituck County Planning Department

Date: July 1, 2015

RE: Community Meeting for the Race Track Property located at 166 Caratoke Highway

Napolitano Ventures held a community meeting on June 30, 2015 at 6:00 pm. at the Moyock Library for the purpose of re-zoning the property referenced above. A letter was sent to every homeowner in the North Point Neighborhood along with the property owners the County required us to notify inviting them to attend the meeting. This was the second community we held with all of the North Point homeowners concerning the re-zoning. The first was held on March 5, 2015 at the same location and time. The purpose of the first meeting was to introduce ourselves, share our vision for the property and to hear feedback and concerns from the neighbors. This allowed us to incorporate as many of their ideas as we could when we designed the new community.

At the meeting on June 30th, we reviewed what was discussed at the first meeting and then showed the attendees the community we designed. at the original meeting on March 5th we had proposed developing 75 home sites each 20,000 square foot, however when we designed the plan based on the wetlands we are only able to produce 62 home sites. We explained that we did not try to reduce our lot size to increase the number of homes.

At the first meeting we had three people taking notes and of all the notes there were 6 major topics that surfaced. We explained each topic and what we did to accommodate them in our design. They were:

1. Storm Water – The residents of North Point are concerned about flooding issues from poor drainage. We showed them in our design the amount of BMP's that will be provided and we assured them that the County will not allow us to do anything to detriment the drainage issues. We future assured them that we would work to help alleviate some of their issues if we could, but at worst case we would not increase their issues.

2. How to treat the area along the ditch that separates the two communities – We showed them that we will create a 20 ft. landscaping buffer between the communities to provide privacy for both communities.

3. The width of the streets – At the first meeting we were asked to increase the width of the streets, Eagle Creek was mentioned as what not to do. Eagle Creek's pavement is 24' wide and we will be 30' or we will design the shoulders in such a way that on street parking does not impede traffic.

Attachment: Countryside PP Community Meeting Summaries (1477 : PB 16-03 Countryside Estates)

4. Traffic on 168 and how people will be able to turn north out of the Community – We told them that we recognize the issue, and showed them the entrance design we came up with to help alleviate the concern. We will have two exiting lanes one going north and one going south. That way someone waiting to turn north does not delay those turning south

5. Soils and the fact that there was an old racetrack present – We shared with the group that when we conducted soil borings and we did extra borings in the area of the old track and all boring came out clean.

6. What will the homes look like – We shared color pictures of examples of what the homes will look like. We explained to the group that we design homes that are market driven and so what we showed are similar to what we will build, however we will make tweaks to the plans to accommodate the market.

Our conclusion from the meeting was that the residences of North Point recognize that the property would be developed sooner or later, but they just don't like change. After the formal meeting several residences stayed around to talk with us. Again the biggest issue was drainage. We came to learn that the ditch between the communities was not draining properly and was blocked up in areas. We told them that we would assess the issue and if it were simple a matter of de-mucking part of it we would entertain doing so.

That concluded the public meeting.

Respectfully,

John Napolitano
Senior Vice President
Napolitano Ventures

Attachment: Countryside PP Community Meeting Summaries (1477 : PB 16-03 Countryside Estates)

NAME	ADDRESS	PHONE	EMAIL
Pastor Ed Robb	241 Vanetta Dr. Chas	(757) 547-1867	cell 681-7090
TARA SHOEMAKER	Church	(757) 667-9826	TARASHOE71@GMAIL.COM
Larry Best	church	(757) 671-1810	ljbestage gmail.com
Dawn Wanser	church		Dawn.Wanser@Yahoo.com
Darlene Gaynes	137 South St.		buffett@mchsi.com
Hudson Gaynes	SAME		
Henry Harrelson	147 Caratoke Hwy Moyock POB 247		
FRANK H. FLORA SR.	430 CARATOKE HWY PO BOX 99 MOYOCK		
DORIS K. FLORA	430 CARATOKE HWY PO BOX 99 MOYOCK		
Justin Old			
DAVID + SARA GROSS	101 Covey Lane Moyock NC 27958	252-435-2366	davidgross212@gmail.com
Margaret + Fred Reese	143 North Point Blvd		MREESE819@AOL.COM
Joe Dubois	146 North Point Blvd	252-435-2159	Jfd082342@AOL.com
KEITH OLD	149 " "	—	—
Brian + Tracy Wilson	103 South St.	(757) 477-2373	walnut22@outlook.com
Dennis	125 " "	757) 288-8870	
JASON LITTERAL	153 Courthouse Rd Currituck, NC	252-232-6052	jason.l.litteral@currituckcountync.gov
DAN + SUSAN DAVIS	109 CREEKSIDE DR	252 435-1109	DANSUE1@CENTURYLINK.NET
GREG + CAYLE SMITH	121 South ST	435-6209	fourhammers@hotmail.com
Bob BIERWIRTH	113 South St	435-6184	rbierwir@ubgov.com

NAPOLITANO HOMES
~EST. 1977~

January 26, 2016

To: Donna Voliva

From: John Napolitano

RE: Meeting with North Point Community Representative

A meeting was held on January 25, 2016 with Robert Bierwirth of 113 South Street in the North Point community. Present at the meeting was Robert Bierwirth, John Napolitano Bob Miller engineer and Taylor Grissom Project Manager. The purpose of the meeting was to understand the drainage patterns from North Point and discuss our proposed plans to see if we all agree that when developed Countryside Estates will not increase flooding issues to North Point but help to improve some of the issues experienced by the residence.

The entire group walked the ditch line between North Point and Countryside Estates and all agree that the culverts that will be installed along the ditch with the correct sized pipe will improve the drainage situation. There is at this time a considerable amount of algae that grows in the ditch and we found out that this caused by the fact that the North Point septic are in the rear yards and so naturally after filtration in the leach fields the water entering the ditch is say a little fertilized.

The meeting concluded with all agreeing to the design being produced as a solution. We left off that when work begins we will keep in touch with Mr. Bierwirth as our liaison with the community.

Attachment: Countryside PP Community Meeting Summaries (1477 : PB 16-03 Countryside Estates)

U.S. ARMY CORPS OF ENGINEERS
WILMINGTON DISTRICT

Action Id. **SAW-2015-00934** County: **Currituck** U.S.G.S. Quad: **VA-MOYOCK**

NOTIFICATION OF JURISDICTIONAL DETERMINATION

Property Owner: **Napolitano Homes**
John Napolitano
Address: **1492 South Independence Blvd. Suite 101**

Virginia Beach, VA, 23462

Telephone Number: (757) 435-6936

Size (acres)	62.5	Nearest Town	Moyock
Nearest Waterway	**Northwest River**	River Basin	**Albemarle**
USGS HUC	**03010205**	Coordinates	Latitude: **36.5455029**
			Longitude: **-76.195737**

Location description: **parcel index number 000900000790000**

Indicate Which of the Following Apply:

A. Preliminary Determination

_ Based on preliminary information, there may be waters of the U.S. including wetlands on the above described project area . We strongly suggest you have this property inspected to determine the extent of Department of the Army (DA) jurisdiction. To be considered final, a jurisdictional determination must be verified by the Corps. This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process (Reference 33 CFR Part 331). 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.

B. Approved Determination

_ There are Navigable Waters of the United States within the above described project area subject to the permit requirements of Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.

X There are waters of the U.S. including wetlands on the above described project area subject to the permit requirements of Section 404 of the Clean Water Act (CWA)(33 USC § 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.

_ We strongly suggest you have the waters of the U.S. including wetlands on your project area delineated. Due to the size of your property and/or our present workload, the Corps may not be able to accomplish this wetland delineation in a timely manner. For a more timely delineation, you may wish to obtain a consultant. To be considered final, any delineation must be verified by the Corps.

X The waters of the U.S. including wetlands on your project area have been delineated and the delineation has been verified by the Corps. We strongly suggest you have this delineation surveyed. Upon completion, this survey should be reviewed and verified by the Corps. Once verified, this survey will provide an accurate depiction of all areas subject to CWA jurisdiction on your property which, provided there is no change in the law or our published regulations, may be relied upon for a period not to exceed five years.

_ The waters of the U.S. including wetlands have been delineated and surveyed and are accurately depicted on the plat signed by the Corps Regulatory Official identified below on _____. Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.

Attachment: Countryside USACOE Determination Letter and Map (1477 : PB 16-03 Countryside Estates)

_ There are no waters of the U.S., to include wetlands, present on the above described project area which are subject to the permit requirements of Section 404 of the Clean Water Act (33 USC 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.

X The property is located in one of the 20 Coastal Counties subject to regulation under the Coastal Area Management Act (CAMA). You should contact the Division of Coastal Management in Morehead City, NC, at (252) 808-2808 to determine their requirements.

Placement of dredged or fill material within waters of the US and/or wetlands without a Department of the Army permit may constitute a violation of Section 301 of the Clean Water Act (33 USC § 1311). If you have any questions regarding this determination and/or the Corps regulatory program, please contact **Chester Bigelow at 910-251-4595 or Chester.C.Bigelow@usace.army.mil**.

C. Basis For Determination: *USACE 1987 Federal Wetlands Delineation Manual and regulatory supplement*

D. Remarks:

E. Attention USDA Program Participants

This delineation/determination has been conducted to identify the limits of Corps' Clean Water Act jurisdiction for the particular site identified in this request. The delineation/determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are USDA Program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

F. Appeals Information **(This information applies only to approved jurisdictional determinations as indicated in B. above)**

This correspondence constitutes an approved jurisdictional determination for the above described site. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and request for appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the following address:

US Army Corps of Engineers
South Atlantic Division
Attn: Jason Steele, Review Officer
60 Forsyth Street SW, Room 10M15
Atlanta, Georgia 30303-8801

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by **August 24, 2015**.

It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this correspondence.

Corps Regulatory Official: BIGELOW.CHESTER.CHARLES.III.1205754357

Digitally signed by BIGELOW.CHESTER.CHARLES.III.1205754357
DN: c=US, o=U.S. Government, ou=DoD, ou=PKI, ou=USA, cn=BIGELOW.CHESTER.CHARLES.III.1205754357
Date: 2015.06.24 15:07:23 -04'00'

Date: June 24, 2015 Expiration Date: June 23, 2020

Attachment: Countryside USACOE Determination Letter and Map (1477 : PB 16-03 Countryside Estates)

The Wilmington District is committed to providing the highest level of support to the public. To help us ensure we continue to do so, please complete our Customer Satisfaction Survey, located online at http://regulatory.usacesurvey.com/.

Attachment: Countryside USACOE Determination Letter and Map (1477 : PB 16-03 Countryside Estates)

Moyock Development Revised Wetland Delineation Exhibit



April 7, 2015
Revised May 21, 2015
Mapped by BRO
MSA # 15021
2012

0 250 500 1,000 1,500 2,000 Feet

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: **John Napolitano** **Napolitano Homes**	File Number: **SAW-2015-00934**	Date: **#ACTION_DATE_DECISION_MAILED#**
Attached is:		See Section below
☐ INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)		A
☐ PROFFERED PERMIT (Standard Permit or Letter of permission)		B
☐ PERMIT DENIAL		C
☐ APPROVED JURISDICTIONAL DETERMINATION		D
☐ PRELIMINARY JURISDICTIONAL DETERMINATION		E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits.aspx 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. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the district engineer. This form must be received by the division engineer within 60 days of the date of this notice.

Attachment: Countryside USACOE Determination Letter and Map (1477 : PB 16-03 Countryside Estates)

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact: **District Engineer, Wilmington Regulatory Division, Attn: Chester Bigelow**	If you only have questions regarding the appeal process you may also contact: Mr. Jason Steele, Administrative Appeal Review Officer CESAD-PDO U.S. Army Corps of Engineers, South Atlantic Division 60 Forsyth Street, Room 10M15 Atlanta, Georgia 30303-8801 Phone: (404) 562-5137

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.

_____ Signature of appellant or agent.	Date:	Telephone number:

For appeals on Initial Proffered Permits send this form to:

District Engineer, Wilmington Regulatory Division, Chester Bigelow,

For Permit denials, Proffered Permits and approved Jurisdictional Determinations send this form to:

Division Engineer, Commander, U.S. Army Engineer Division, South Atlantic, Attn: Mr. Jason Steele, Administrative Appeal Officer, CESAD-PDO, 60 Forsyth Street, Room 10M15, Atlanta, Georgia 30303-8801 Phone: (404) 562-5137

Attachment: Countryside USACOE Determination Letter and Map (1477 : PB 16-03 Countryside Estates)

MSA, P.C.
5033 Rouse Drive, Virginia Beach, VA 23462-3708
Office (757) 490-9264 • Fax (757) 490-0634
www.msaonline.com

Countryside Estates
Economic & Public Facilities Narrative

Economic Impact

This proposed subdivision consisting of sixty-two (62), minimum 20,000 square foot single family lots will have the following impacts. The housing within the proposed subdivision will be priced from $275,000 – $375,000. Assuming that each lot will house a family of four the approximate increase in county residence will be 248 people. The proposed subdivision will be connected to public water and sanitary sewer which will increase revenue to those utility departments.

Water Usage Impact

The peak water demand generated from the proposed 62-unit single-family subdivision, at a daily flow of 400 gallons per connection, is 24,800 gallons per day (gpd), or 17.2 gallons per minute (gpm).

Traffic Impact

The traffic from the proposed 62-unit single-family subdivision will generate a peak two-way trip volume of 626 vehicles per day.

Optional: The maximum peak hour total will be 63 vehicles per hour.

Attachment: Countryside Economic & Public Facilities Narrative (1477 : PB 16-03 Countryside Estates)

Scott Acey <scott_188@msaonline.com>

Countryside Estates - Currituck County

Midgett, Randy <rmidgett@ncdot.gov> Wed, Feb 17, 2016 at 10:07
To: Scott Acey <Scott.Acey@msaonline.com>
Cc: "jnapolitano@napolitanohomes.com" <jnapolitano@napolitanohomes.com>, "Hoadley, James W" <jwhoadley@ncdot.gov>

Scott,

Sorry, I have been waiting on comments from our Division Traffic Engineer. He has been out lately with a child in the hospital. Below are his comments.

> The Whitehurst site is undeveloped at this time. One approach would be to construct the turn lane as proposed and leave the existing access points on NC 168. When the property is developed in the future a new driveway permit would have to be submitted by the developer since there will be a change in land use.
> · Per page 48 of driveway manual, another approach would be the developer for Countryside Estates should make a good faith effort to obtain an agreement with Whitehurst (that is recorded and transferable in the event the property is sold such that the access along NC 168 is removed and the parcel is served internally to the Countryside Estates. This in effect is them buying control of access from Whitehurst for NCDOT. (Preferred alternative)
> · No matter which course of action is taken an agreement between the Countryside Estates developer and Whitehurst parcel should exist for the internal access point. That way the next developer of the Whitehurst property knows what they have included/guaranteed when the buy the property from Whitehurst and Countryside Estates cannot block it or change their minds.
> · Also, wouldn't hurt to have the County on board with this plan or consolidating driveways since Currituck typically signs the driveway permit (or at least use too). All said above should be conditions for issuing the driveway permit.
>
> I'm in a meeting in Williamston, NC today. I should be on the road headed back to a meeting in Elizabeth City between 1 and 1:30.

Randy W. Midgett, PE
District Field Engineer
Division One – District One
NC Department of Transportation

252 331 4737 office
252 339 1766 mobile
rmidgett@ncdot.gov

1929 North Road Street
Elizabeth City, NC 27909

cid:image001.png@01D10DA4.5CC88DA0

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

[Quoted text hidden]

<Turn Lane Exhibit 1 to NCDOT.pdf>

<Turn Lane Exhibit 2 to NCDOT.pdf>

Attachment: Countryside NCDOT Response 2-17-2016 (1477 : PB 16-03 Countryside Estates)

Email correspondence to and from this sender is subject to the N.C. Public Records Law and may be disclosed to third parties.

Attachment: Countryside NCDOT Response 2-17-2016 (1477 : PB 16-03 Countryside Estates)

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Office (757) 490-9264 • Fax (757) 490-0634
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Countryside Estates
Stormwater Management Narrative

Project Description

The subject property is located at 166 Caratoke Highway (North Carolina State Route 168) in Moyock Township, Currituck County, North Carolina. The project site consists of 55.67-acres of vacant land with approximately 8.5-acres of wetlands. The subject property was previously developed with a racetrack and associated buildings and used for dog racing until the 1950s. NASCAR occupied the subject property in the 1960s. The racetrack and buildings were demolished prior to 1976 and the subject property has been vacant since.

The site is currently overgrown with thick vegetation. The eastern end of the site has multiple paved entrances from Caratoke Highway. Several overgrown areas near the eastern border of the subject property had limited amounts of debris present. A large concrete slab had been placed west of the main paved entrance. This slab covered most of the width of the property from north to south. The western end of the site is covered by an approximately 7.7-acre contiguous wetland area.

The proposed project consists of an approximately 48-acre single-family subdivision, with 62 single-family home lots, with a minimum lot size of 20,000 square feet; and associated infrastructure, including roadway improvements, sanitary sewer collection utilities, water distribution utilities, storm sewer collection systems, and stormwater management Best Management Practices (BMPs).

Stormwater Management

The subject property slopes generally from the north to the south. The majority of the property currently surface drains to existing ditches and swales along the southern property line. The east end of the site drains out to the existing Route 168 ROW, into the existing roadway drainage system. The remaining site area, the majority of the site, drains to the existing ditch that runs along the southern property line, and outfalls to an existing ditch that runs north-south onto the adjacent property to the south, and through the existing farm ditch system on that adjacent property, runs under Route 168 through an existing box culvert.

The proposed stormwater management system will consist of site grading to existing and new ditches/swales, new storm sewer systems collecting the drainage from the new subdivision roadways, and a series of wet detention pond BMPs. Runoff from the new development will be collected in the new storm sewer system and transmitted to the new wet detention BMPs, where the peak flows generated from the post-developed conditions during a 10-year, 24-hour design storm will be detained to reduce the peak discharge from the site to the pre-development peak flow generated during a 2-year, 24-hour design storm.

Attachment: Countryside Stormwater Narrative (1477 : PB 16-03 Countryside Estates)

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Countryside Estates
Recreation Dedication and Street Connectivity Narrative

Recreation and Park Area Dedication

As required per Section 6.5.1 of the Currituck County UDO the recreation and park area dedication for this sixty-two (62) lot subdivision shall be a minimum of 1.581 acres (see below). This area has been located at the Southwest corner of the property and shall be exclusive of wetlands.

62 lots x 0.0255 acres per lot = 1.581 acres

Internal Street Connectivity

As required per Section 5.6.4 of the Currituck County UDO the internal street connectivity index score required for this MXR zoned property is 1.4. The index score provided is shown below.

10 links / 9 nodes = 1.1

Per Section 5.6.4.-C. of the Currituck County UDO the minimum connectivity score may be reduced. Due to existing development patterns to the north (North Point Subdivision) there are no opportunities to connect to the existing subdivision. The property located to the south currently zoned MXR has been provided with one connection. To achieve the highest street connectivity score reasonably practical an access has been provided to Parcel 00800000070000 to the north which is zoned GB. Two access points have been provided to Parcel 0009000079A0000 located to the south of the entrance road.

Attachment: Countryside Recreation-Connectivity Narrative (1477 : PB 16-03 Countryside Estates)

Currituck County
Agenda Item Summary Sheet

Agenda ID Number – (ID # 1474)

Agenda Item Title

Public Hearing and Action: PB 16-04 Ecoplexus (Goose Creek):

Brief Description of Agenda Item:

Request a conditional rezoning from General Business (GB) to Conditional District-Agricultural (C-AG) for the purpose of a solar array, located at the eastern portion of the former Goose Creek Golf Course, Tax Map 108, Parcel 95F, Poplar Branch Township.

Planning Board Recommendation:

Mr. Craddock moved to approved PB 16-04 as presented due to its consistency with the 2006 Land Use Plan and reasonable and in the public interest. Mr. Cartwright seconded the motion and motion carried unanimously.

Board Action Requested

Action

Person Submitting Agenda Item

Debra Embrey, Web/AV Specialist

Presenter of Agenda Item

Ben Woody

STAFF REPORT
PB 16-04 ECOPLEXUS, INC.
BOARD OF COMMISSIONERS
APRIL 4, 2016

Attachment: Ecoplexus (Grandy) CZ Staff Report BOC (1474 : PB 16-04 Ecoplexus (Goose Creek))

APPLICATION SUMMARY	
Property Owner: Currituck Sunshine Farms 5504 N Prospect Rd Peoria Heights IL 61616	**Applicant:** Ecoplexus Inc 650 Townsend St #310 San Francisco CA 94103
Case Number: PB 16-04	**Application Type:** Conditional Rezoning
Parcel Identification Number: 0108-000-095F-0000	**Existing Use:** Vacant Golf Course
Land Use Plan Classification: Full Service	**Parcel Size (Acres):** 16.49
Zoning History: A-40 (1975); A (1989); *Note: In 2007 the property owner petitioned the BOC to rezone 67.07 acres from A to R and 11.41 acres from A to GB to reduce the golf course to an "Executive-style" with 9 holes plus housing and to expand the GB consistent with the GB to the north and allow compatible business uses. The BOC denied the 67.07 acre rezoning and approved the 11.41 acre rezoning.*	**Plan Request:** Solar Array
Current Zoning: GB	**Proposed Zoning:** C-AG

SURROUNDING PARCELS		
	Land Use	**Zoning**
North	Single Family Dwellings & Retail	AG and GB
South	Single Family Dwellings & Retail	AG and GB
East	Single Family Dwellings & Retail	GB
West	Single Family Dwellings	AG

STAFF ANALYSIS

The applicant originally applied for a solar array use permit for the entire project and it was determined that the property was split zoned with a portion zoned Agricultural (AG) and a portion zoned General Business (GB). A solar array is not an allowable use in the GB zoning district. A solar array requires a Conditional-AG (C-AG) zoning district, thus the reason for this rezoning request.

This conditional rezoning request for C-AG is reasonable because the property adjoins AG zoned property on three sides and this is an extension of the AG zoning district. The request

allows for the use of a vacant piece of property as the property currently sits as a closed golf course. If the conditional rezoning is approved, the applicant plans to install a solar array on the property. Should the owner wish to redevelop the project as a residential use in the future, the solar array can be removed with minimal disturbance to allow the construction of dwelling units or other more traditional land uses. A portion of the GB zoned property will remain along Caratoke Highway to continue allowing commercial uses.

Water quality is a frequent concern of neighboring property owners. It is important to note that water quality testing is a UDO requirement for a solar array; however, was not a requirement when the property was used as a golf course (which typically requires routine application of chemicals). According to the Brookhaven National Lab and the Electric Power Research Institute, "Installed silicon-based cells pose minimal risks to human health or the environment. Because solar panels are encased in heavy-duty glass or plastic, there is little risk that the small amounts of semiconductor material present can be released into the environment."[i] The applicant will provide additional evidence to this fact.

Fire hazard is also a frequent concern of neighboring property owners. According Electric Power Research Institute, "It is theoretically possible for hazardous fumes to be released and inhalation of these fumes could pose a risk to human health."[ii] However, the Union of Concerned Scientists state that "Researchers do not generally believe these risks to be substantial given the short-duration of fires and the relatively high melting point of the materials present in the solar modules. Moreover, the risk of fire at ground-mounted solar installations is remote because of the precautions taken during site preparation including the removal of fuels and the lack of burnable materials – mostly glass and aluminum – contained in a solar panel."[iii] The applicant must provide adequate firefighting strategies for the use.

RECOMMENDATIONS

TECHNICAL REVIEW COMMITTEE

The Technical Review Committee recommends **approval** of the conditional rezoning subject to the following conditions:

1. Prior to site plan submittal, the drainage questions from the county engineer and soil and water must be addressed:
    a. We can only assume from the site plan provided that there will be ponds filled in as a result of this development. Are there any state/federal permits required?
    b. If the ponds are filled in, what will be done to deal with stormwater traversing the site?
    c. If the ponds are filled in, what will be done to for stormwater storage onsite?
2. Prior to site plan submittal, the fire marshal concerns must be addressed:
    a. I have concerns in regards to fire access and fire hydrant location.
3. The following use standards apply for a Solar Array (UDO Section 4.2.3.H):
    a. Solar arrays shall be configured to avoid glare and heat transference to adjacent lands.
    b. Appropriate ground cover/grass is required and shall be maintained as not to create a fire hazard.
    c. The solar panels, equipment, and associated security fencing shall be located at least 300 feet from any perimeter property line abutting a residential dwelling, residential zoning district, religious institution, public school, state licensed day care center, public playground, public swimming pool, or public park . The solar panels, equipment, and associated security fence shall be screened from those uses/zoning districts by a Type D buffer. The buffer may be reduced to a Type C

Attachment: Ecoplexus (Grandy) CZ Staff Report BOC (1474 : PB 16-04 Ecoplexus (Goose Creek))

when abutting a right-of-way, use, or zoning district not listed above and the setback may be reduced to 100' in these instances.

d. The total height of the solar energy system, including any mounts, shall not exceed 15 feet above the ground when orientated at maximum tilt.
e. The solar energy system owner shall have 12 months to complete decommissioning of the facility if no electricity is generated for a continuous 12 month period.
f. Operations, maintenance, and decommissioning plans are required.
g. Ground water monitoring wells shall be installed prior to construction of the solar energy system and testing data shall be submitted annually to the Planning and Community Development Department until decommissioning occurs. Monitoring wells shall be located near the center of the site and along each exterior property line at approximately the lowest ground elevation point of each property line. Testing data shall be provided to the county indicating compliance with EPA National Primary Drinking Water Standards prior to construction and annually until decommissioning occurs.
    i. Should the initial ground water testing indicate that the site is not in compliance with the EPA National Primary Drinking Water Standards, subsequent annual reports shall indicate no increase in noncompliance with those standards.
h. Prior to the issuance of a building permit, the developer shall post a performance guarantee in the form of cash deposit with the county to ensure decommissioning funds are available in an amount equal to 115 percent of the estimated decommissioning costs minus salvageable value. Estimates for decommissioning the site and salvageable value shall be prepared and certified by a registered engineer or North Carolina licensed general contractor and submitted prior to building permit approval and verified by a registered engineer or North Carolina licensed general contractor and resubmitted every two years thereafter until decommissioning occurs.

PLANNING BOARD

The Planning Board recommends approval of the conditional rezoning request subject to the same conditions outlined in the TRC comments.

CONSISTENCY STATEMENT

The conditional zoning request is consistent with the 2006 Land Use Plan because:

- It promotes a new and expanding industry that diversifies the local economy, trains and utilizes a more highly skilled labor force, and is compatible with the environmental quality of the county. (Policy ED1)
- It provides industrial development opportunities identified by Currituck Economic Development. (Policy ID1)
- Due to the water quality testing, it helps protect water quality. (Policy WQ3)

And the request is reasonable and in the public interest because:

- It promotes economic growth.
- It allows for the re-use of a vacant golf course.
- It preserves or perhaps improves water quality.

Attachment: Ecoplexus (Grandy) CZ Staff Report BOC (1474 : PB 16-04 Ecoplexus (Goose Creek))

CONDITIONS OF APPROVAL

Only conditions mutually agreed to by the owner(s) may be approved as part of a conditional zoning district. Conditions shall be limited to those that address conformance of development and use of the site with county regulations and adopted plans and that address the impacts reasonably expected to be generated by the development or use. No condition shall be less restrictive than the standards of the parallel general use zoning district.

Suggested conditions of approval:

1. A preliminary drainage analysis be approved by the TRC prior to submittal of a site plan.
2. A narrative addressing fire prevention strategies be approved by the TRC prior to submittal of a site plan.

THE APPLICATION AND RELATED MATERIALS ARE AVAILABLE ON THE COUNTY'S WEBSITE
Board of Commissioners: www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm

Attachment: Ecoplexus (Grandy) CZ Staff Report BOC (1474 : PB 16-04 Ecoplexus (Goose Creek))

Planning Board Discussion ***(3/8/16)***
Mr. Cooper asked if the 300 foot setback is what is required and the 100 foot setback if there are no homes. Water monitoring is required annually and for the decommission plan, the owner has 12 months to complete decommission of the facility if no electricity is generated for a continuous 12 month period.

Mr. Fox said he is an attorney for the applicant and has a presentation for the board. Mr. Fox introduced his witnesses.

Mr. Rogers talked about the project, site plan and setbacks. The construction entrance will be off Caratoke Highway using the two acres zoned general business road frontage. Uncle Graham Road shall not be used for construction and heavy equipment traffic, but will be used as the primary access to the site once construction is complete. The system shall be anchored to sustain 120MPH winds as called for in the building code.

Ms. Hamby talked about the drainage plan and a drainage analysis which will be reviewed later by the Technical Review Committee at site plan submittal. Fire access will be addressed at site plan submittal also.

Mr. Cleveland said he is an independent expert and talked about the technology at the site and safety of the panels.

Mr. Kirkland said he is a state certified appraiser and discussed whether the solar farm would affect property values.

Mr. Rogers said there are trees encircling almost the entire property with the exception of the road frontage of Caratoke Highway and several parcels on the western side of the property. They will do a shading impact analysis and keep as many of these trees as they can. North Carolina has positioned itself as one of the leaders in the solar industry.

Ms. Bell said in the presentation it was mentioned that the facility would produce clean, renewable energy for an average of 1,900 local homes. Where does the electricity goes before it comes to the homes?

Mr. Rogers said Dominion Power electrical grid.

Mr. Cooper opened the public hearing.

Mr. Fentress provided a handout to the board. Mr. Fentress said a staging area is a place to store materials. Mr. Fentress pointed out in an article by Colin Campbell and Benjamin Brown in the State Politics dated January 15, 2016, Mr. Wood Farless, a Bertie County farmer said "if a hurricane comes in and wipes out one of the solar farms, it's categorized as a hazardous waste." Mr. Fentress talked about drainage, amount of fill that will be required to fill ponds, hazardous waste material in solar panels, aluminum frame resulting in galvanized corrosion over a period of time, staging area and access through Uncle Graham Road, number of trips to fill ponds, logging trucks, solar farm vs. Power plant, test wells around site, and zinc poisoning to water. Mr. Fentress says the solar farm will cause public health and safety concerns. Mr. Fentress said the county's 2006 Land Use Plan (LUP) classifies Grandy as a community. The LUP also identifies Grandy as a full service area. This request is not in harmony with the area in which it is located. Mr. Fentress said Grandy is a growth area and the solar farm will stunt the growth.

Mr. McColley said he is concerned that this request will devalue real estate values.

Attachment: Ecoplexus (Grandy) CZ Staff Report BOC (1474 : PB 16-04 Ecoplexus (Goose Creek))

Mr. Proffitt said this project is supposed to be environmentally friendly, but many large trees will be cut down to accommodate the solar farm. Not all properties surrounding the golf course have natural buffers and should have buffering to protect them from the solar farm. Mr. Proffitt said just because you can do something doesn't mean you should. This request is not in harmony with the surrounding area.

Mr. Escobar is concerned with flooding and drainage issues this request may create.

Mr. Wierzbicki is concerned that this request will decrease property values and his property will be adversely impacted by the solar farm. Mr. Wierzbicki said no one in public office should forget that they are voters. Mr. Wierzbicki said when is enough an enough.

Mr. Bodino said the residents have the most at stake. The other two solar farms are not near residential areas and there is a remote chance that a solar panel/s could catch fire.

Mr. Fox reminded the board that their decision is based on competent evidence presented tonight. Mr. Fox said change is always difficult, but he feels this is appropriate use of the property.

Mr. Rogers said they do not want any homes to flood, but hopefully after the drainage study it will make drainage better in the area. Mr. Rogers said they are going to use the road frontage for heavy vehicle deliveries and not Uncle Graham Road.

Mr. Cleveland said they will not be using a toxic heavy metal for the post and it is not to be viewed as a safety issue.

Mr. Fox said the drainage is regulated by federal law, which is then delegated to enforce by DENR of North Carolina. This will all be done at the site plan stage which will be reviewed by the county.

Mr. Cooper closed the public hearing.

Mr. Cartwright asked if the hills on the golf course are a direct result of the ponds dug on the course. Could the material from the hills be used to fill in the ponds?

Ms. Hamby said yes and they will likely use some of the material.

Mr. Cartwright asked if the board should be looking at the drainage plan as part of the request before them tonight.

Ms. Glave said no that will be when the site plan is submitted.

Mr. Cooper asked staff if this would go by the county's new stormwater manual regulations.

Ms. Glave said yes.

Mr. Cooper asked if NCDOT reviewed this project.

Ms. Glave said they had no comments.

Mr. Cooper asked if the heritage trees ordinance would apply.

Ms. Glave said yes.

Attachment: Ecoplexus (Grandy) CZ Staff Report BOC (1474 : PB 16-04 Ecoplexus (Goose Creek))

Mr. Cooper asked if the panels are 150MPH and framework is 110MPH.

Mr. Cleveland said yes, but said the assembly of the panels and rack are related to the local wind speed of 120MPH.

Mr. Cooper asked if this request was reviewed by the Chief Building Inspector and did he have any comments regarding onsite requirements.

Ms. Glave said yes and additional comments would be offered during the site plan review.

Mr. Cooper asked what is the height of the required buffer vs. the height of the proposed equipment.

Ms. Glave said 6 ft. for the buffer and 15 ft. for the equipment.
Mr. Craddock asked if the solar panels are stationary.

Mr. Rogers said yes. Mr. Rogers also stated they will try to keep as many of the exterior and interior trees as possible. Once the solar farm is completed, Uncle Graham Road will be used as the permanent access.

Mr. Cooper asked what is the proposed construction time.

Mr. Rogers said if the project is approved to start in June or July and be completed by the end of the year.

Mr. Craddock asked if the applicant has considered using the ponds for dry hydrants for fire suppression.

Mr. Rogers said they don't have onsite fire suppression.

Mr. Craddock asked Mr. Kirkland if he used any local data from local counties.

Mr. Kirkland said yes. The report will be submitted to the Board of Commissioners.

Mr. Cooper asked if there are inspections or maintenance that addresses the structural aspects of the components.

Mr. Rogers said there are routine visual inspections of the facility.

Mr. Fox said if there was an issue brought to the attention of the Utility Commission, then they do have the ability to make inspections.

Mr. Craddock asked who is the responsible party to have insurance to cover in the event of a hurricane.

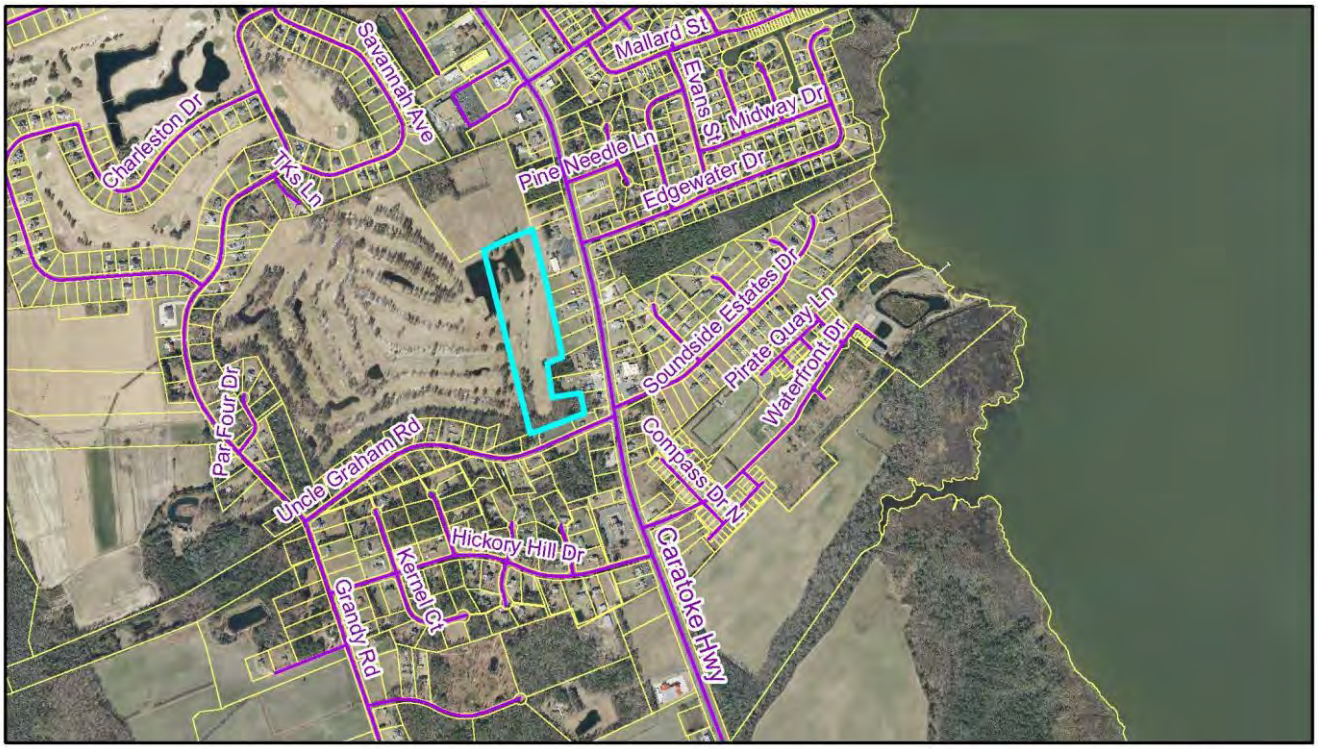
Mr. Rogers said the owner of the facility and they carry one million for general liability.

Mr. Cooper thanked the public for their feedback and the board is working through answering those questions and concerns.

Attachment: Ecoplexus (Grandy) CZ Staff Report BOC (1474 : PB 16-04 Ecoplexus (Goose Creek))

Mr. Craddock moved to approved PB 16-04 as presented due to its consistency with the 2006 Land Use Plan and reasonable and in the public interest. Mr. Cartwright seconded the motion and motion carried unanimously.

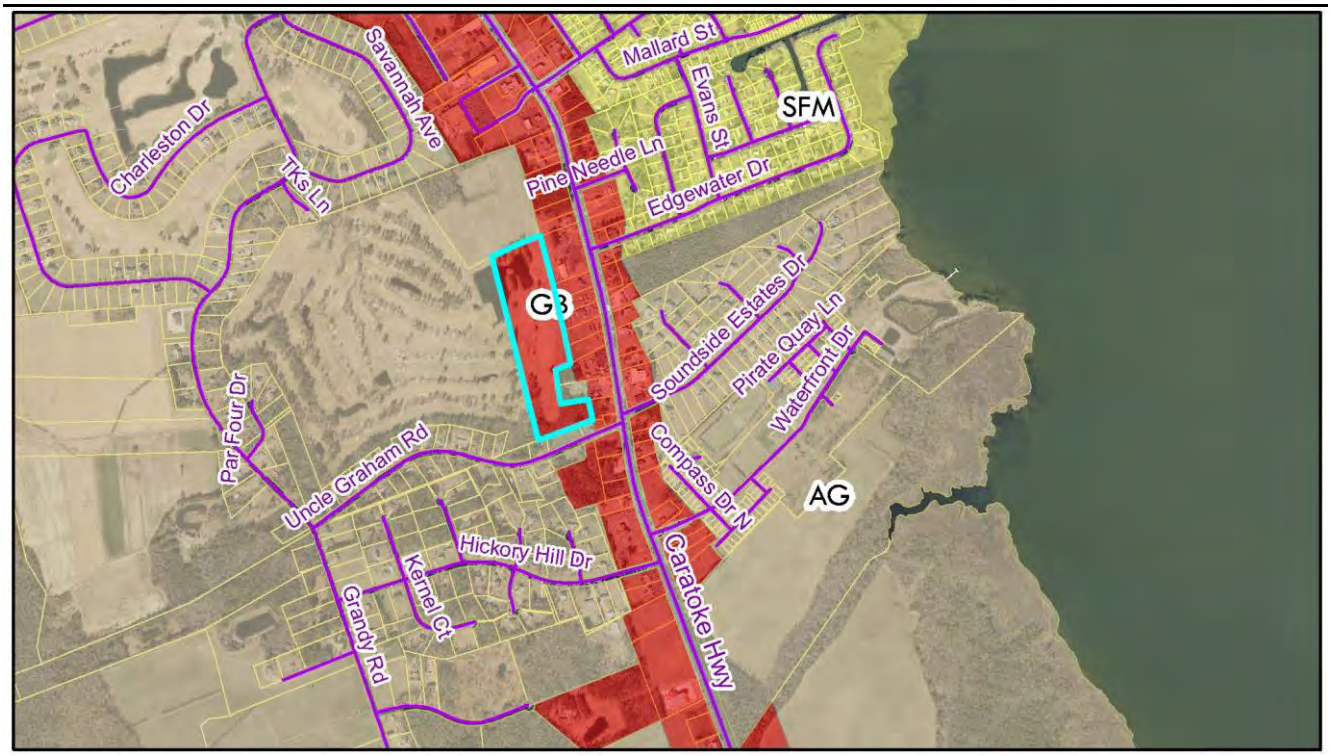
Attachment: Ecoplexus (Grandy) CZ Staff Report BOC (1474 : PB 16-04 Ecoplexus (Goose Creek))



PB 16-04 Ecoplexus (Grandy)
Conditional Zoning
Aerial Photo

0 500 1,000 2,000 Feet

Currituck County
Planning and
Community Development

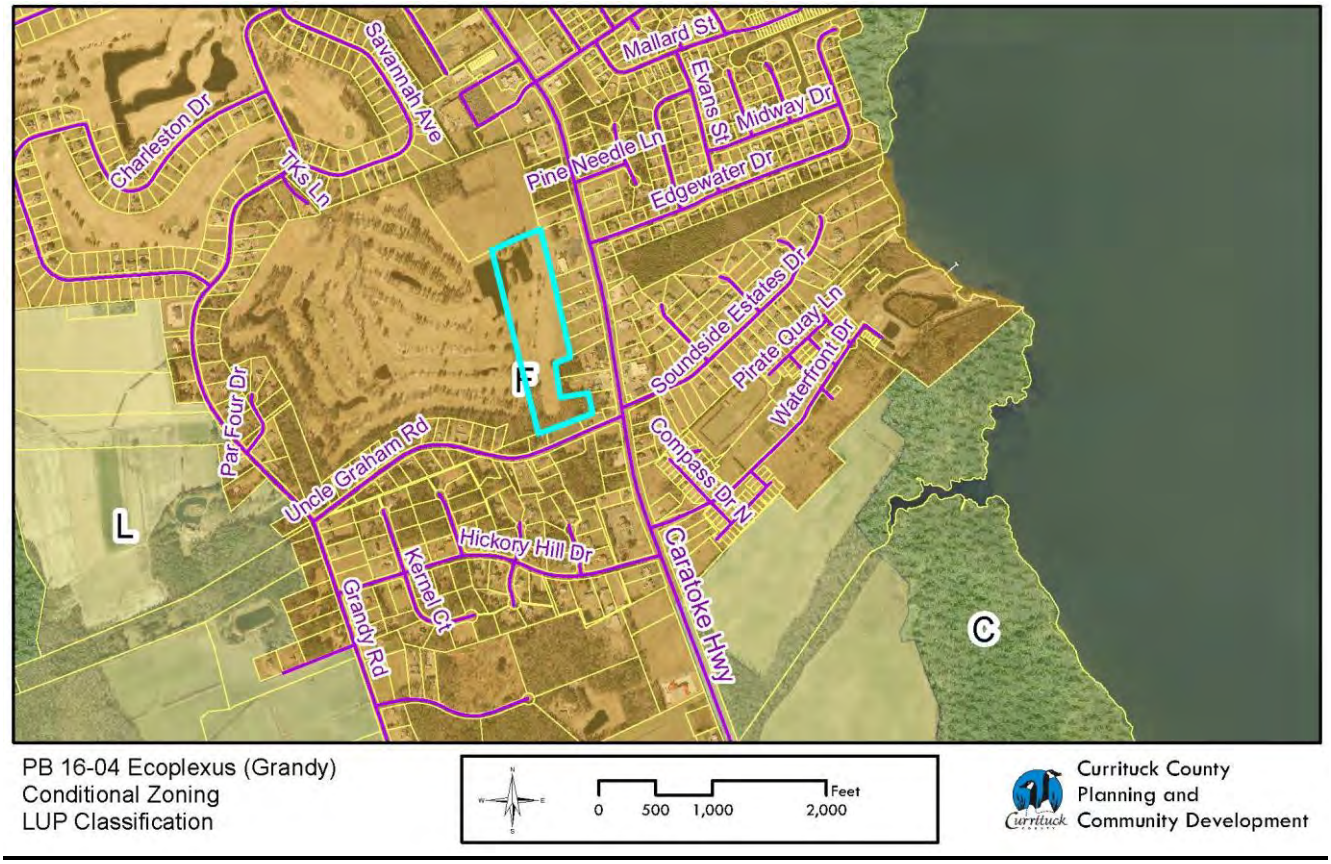


PB 16-04 Ecoplexus (Grandy)
Conditional Zoning
Zoning

0 500 1,000 2,000 Feet

Currituck County
Planning and
Community Development

Attachment: Ecoplexus (Grandy) CZ Staff Report BOC (1474 : PB 16-04 Ecoplexus (Goose Creek))



[i] Electric Power Research Institute and Brookhaven National Laboratory as cited in "*Health and Safety Concerns of Photovoltaic Solar Panels"* by Good Company. (2010) [Electric Power Research Institute functions as a member of the Green Power Partnership with the EPA. Brookhaven National Laboratory is a multipurpose research institution funded primarily by the U.S. Department of Energy's Office of Science.]

[ii] [ii]Union of Concerned Scientist as quoted in "*Health and Safety Concerns of Photovoltaic Solar Panels"* by Good Company. (2010).

[iii] Electric Power Research Institute as cited in "*Health and Safety Concerns of Photovoltaic Solar Panels"* by Good Company. (2010)

Attachment: Ecoplexus (Grandy) CZ Staff Report BOC (1474 : PB 16-04 Ecoplexus (Goose Creek))

Conditional Rezoning
Application

OFFICIAL USE ONLY:
Case Number: 16-04
Date Filed: 2-4-16
Gate Keeper: Susan
Amount Paid: $240

Complete 2/5/16 tdg

Contact Information

APPLICANT:
Name: Ecoplexus, Inc.
Address: 650 Townsend St., #310
San Francisco, CA 94103
Telephone: (415) 626-1802
E-Mail Address: nrogers@ecoplexus.com

PROPERTY OWNER:
Name: Currituck Sunshine Farms
Address: 5504 N. Prospect Rd
Peoria Heights, IL 61616
Telephone: (309) 253-0900
E-Mail Address: jwowens1@gmail.com

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Tenant under Option to Lease

Property Information

Physical Street Address: +/- 180 Uncle Graham Rd, Grandy, NC 27939

Location: West of Carotoke Hwy, adjacent to gRandy Rd, access by Uncle Graham Rd

Parcel Identification Number(s): ~~0108000095A0000~~ 0108.000.095F.0000 (after exempt plat/recombination plat)

Total Parcel(s) Acreage: approximately 17.19 acres

Existing Land Use of Property: Vacant Goose Creek Golf Course

Request

Current Zoning of Property: GB

Proposed Zoning District: AG (conditional)

Community Meeting

Date Meeting Held: 10/8/15 tdg

Meeting Location: _____

* Community meeting held for Project w/i last 6 months.
tdg

Attachment: Application (1474 : PB 16-04 Ecoplexus (Goose Creek))

Conditional Rezoning Request

To Chairman, Currituck County Board of Commissioners:

The undersigned respectfully requests that, pursuant to the Unified Development Ordinance, a conditional zoning district be approved for the following use(s) and subject to the following condition(s):

Proposed Use(s):

Solar Farm

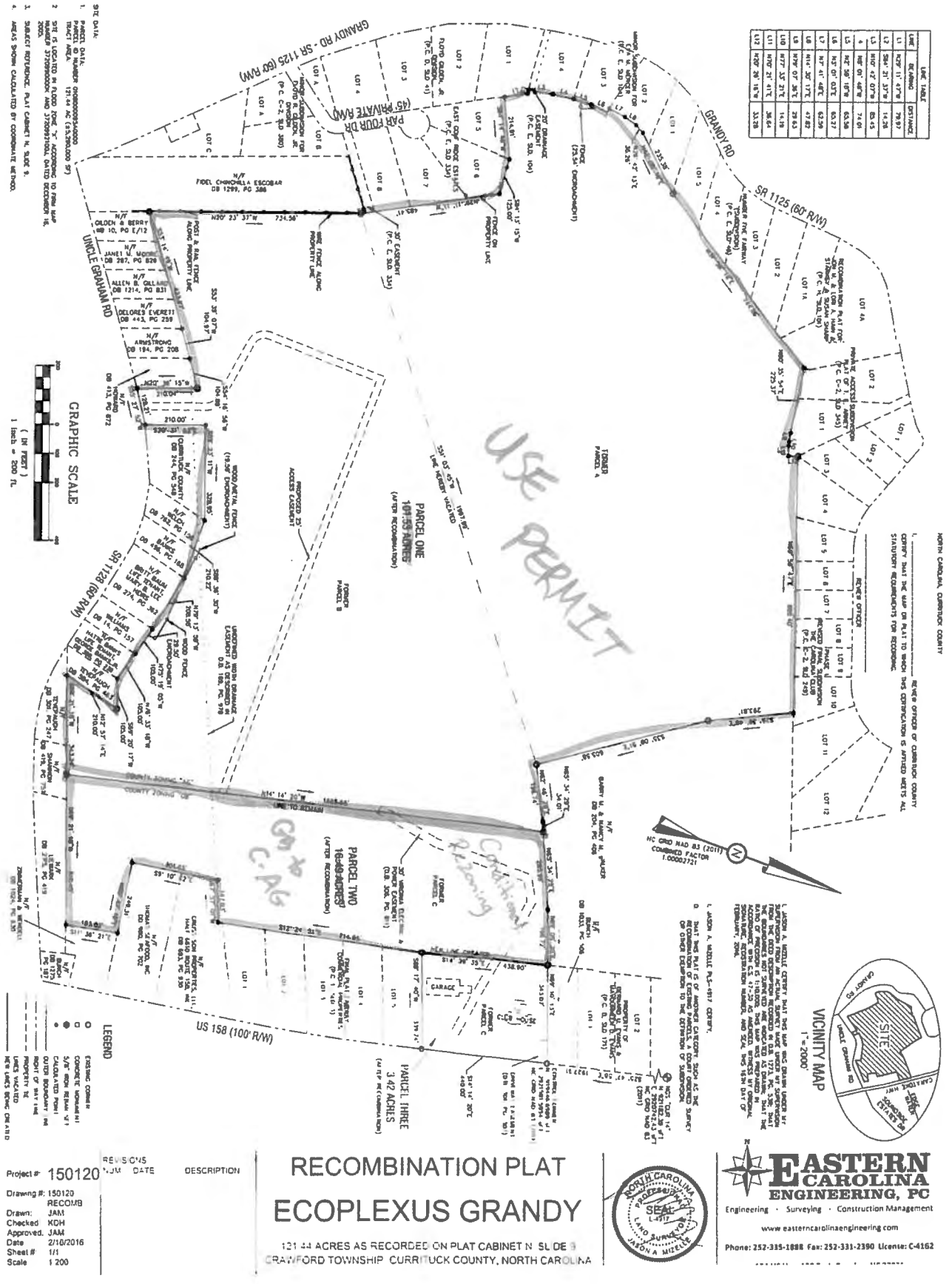
Proposed Zoning Condition(s):

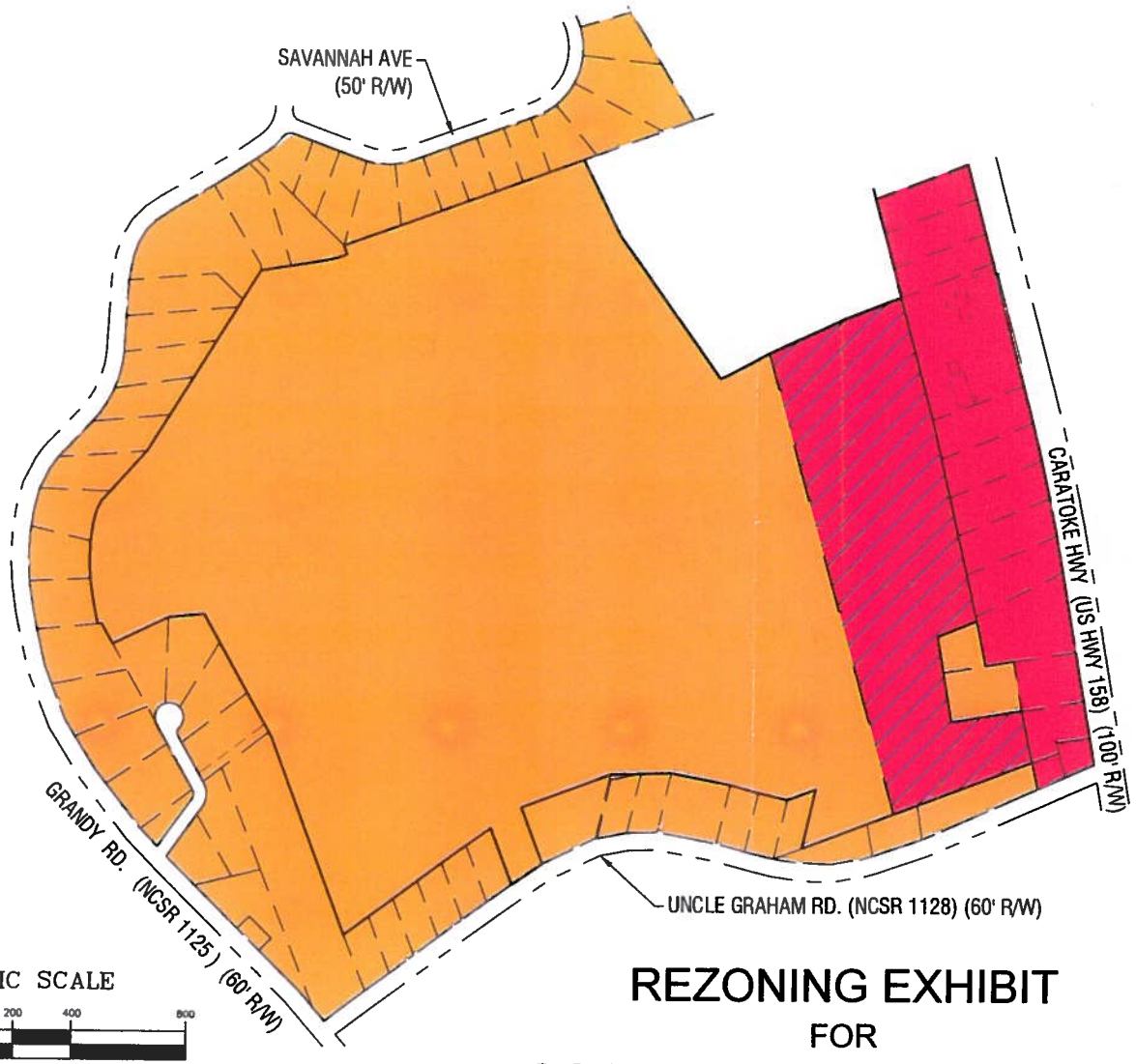
An application has been duly filed requesting that the property involved with this application be rezoned from: GB to: AG - C

It is understood and acknowledged that if the property is rezoned as requested, the property involved in this request will be perpetually bound to the conceptual development plan, use(s) authorized, and subject to such condition(s) as imposed, unless subsequently changed or amended as provided for in the Currituck County Unified Development Ordinance. It is further understood and acknowledged that final plans for any development be made pursuant to any such conditional zoning district so authorized and shall be submitted to the Technical Review Committee.

2-5-16
Date

NOTE: Form must be signed by the owner(s) of record. If there are multiple property owners a signature is required for each owner of record.


RECOMBINATION PLAT
ECOPLEXUS GRANDY
121.44 ACRES AS RECORDED ON PLAT CABINET N, SLIDE 9
CRAWFORD TOWNSHIP, CURRITUCK COUNTY, NORTH CAROLINA
EASTERN CAROLINA ENGINEERING, PC
Engineering · Surveying · Construction Management
www.easterncarolinaengineering.com
Phone: 252-335-1888 Fax: 252-331-2390 License: C-4162
PARCEL ONE 101.55 ACRES
PARCEL TWO 16.49 ACRES
PARCEL THREE 3.42 ACRES
GRANDY RD - SR 1125 (60' R/W)
SR 1125 (60' R/W)
SR 1128 (60' R/W)
US 158 (100' R/W)
UNCLE GRAHAM RD
PAR FOUR DR (45' PRIVATE R/W)
GRAPHIC SCALE
VICINITY MAP
LEGEND
USE PERMIT
Project #: 150120
Drawing #: 150120 RECOMB
Drawn: JAM
Checked: KDH
Approved: JAM
Date: 2/10/2016
Sheet #: 1/1
Scale: 1 200



GRAPHIC SCALE

400 0 200 400 800

(IN FEET)

1 inch = 400 ft.

REZONING EXHIBIT
FOR
GOOSE CREEK SOLAR PARK

RECEIVED
FEB - 4 2016

LEGEND

- USE Permit — ZONING – AG
- ZONING – GB
- ZONING – GB TO AG

EASTERN CAROLINA ENGINEERING, PC
Engineering · Surveying · Construction Management
www.easterncarolinaengineering.com
Phone: 252-335-1888 Fax: 252-331-2390 License: C-4162
154 US Hwy 158 East, Camden, NC 27921

ecoplexus

Attachment: Rezoning Exhibit (1474 : PB 16-04 Ecoplexus (Goose Creek))

Currituck County
Department of Planning and Community Development
153 Courthouse Road, Suite 110
Currituck, North Carolina 27929
252-232-3055
FAX 252-232-3026

MEMORANDUM

To: Nathan Rogers, Ecoplexus Inc
Currituck Sunshine Farms
Kim Hamby, Eastern Carolina Engineering

From: Tammy Glave
Senior Planner

Date: February 11, 2016

Re: Ecoplexus (Goose Creek) Conditional Rezoning from GB to C-AG, TRC Comments

The following comments have been received for the February 17, 2016 Technical Review Committee meeting. The use permit will require Planning Board recommendation and Board of Commission's action. The use permit comments listed below must be addressed and resubmitted by February 22, 2016 in order to be placed on the March 8, 2016 Planning Board meeting. TRC comments are valid for six months from the date of the TRC meeting.

Planning, (Tammy Glave, 252-232-6025)
Approved with comments:
1. The lot must be subdivided out prior to the Planning Board meeting.

Currituck County Building Inspections (Bill Newns, 252-232-6023)
Reviewed without comment.

Currituck County Engineer (Eric Weatherly/Michelle Perry, 252-232-6035 / Currituck Soil and Water (Will Creef, 252-232-3360)
Reviewed with comment:
1. We can only assume from the site plan provided that there will be ponds filled in as a result of this development. Are there any state/federal permits required?
2. If the ponds are filled in, what will be done to deal with stormwater traversing the site?
3. If the ponds are filled in, what will be done to for stormwater storage onsite?

Currituck County Fire Marshal (James Mims, 252-232-6641)
Reviewed with comment:
1. No comment in regards to rezoning, but I do have concerns in regards to fire access and fire hydrant location.

Currituck County GIS (Harry Lee, 252-232-4039)
Reviewed without comment.

Currituck County Parks and Recreation (Jason Weeks, 252-232-3007)
Reviewed without comment.

Attachment: Ecoplexus Goose Creek TRC Comments 2-17-16 (1474 : PB 16-04 Ecoplexus (Goose Creek))

Currituck County Utilities (Pat Irwin, 252-232-6061)
Reviewed without comment.

Albemarle Regional Health Services (Joe Hobbs, 252-232-6603)
Reviewed without comment.

NCDOT (Randy Midgett, 252-331-4737)
Reviewed with comment:

1. Driveway / Encroachment Permits may be required if altering drive connection or performing utility work in Right of Way for US 158.

NC Division of Coastal Management (Charlan Owens, 252-264-3901)
Reviewed without comment.

NC State Archeology (Lawrence Abbott, 919-807-6554)
Reviewed without comment.

The following items are necessary for resubmittal:

- 3 - full size copies of revised plans.
- 1- 8.5”x11” copy of all revised plans.
- 1- PDF digital copy of all revised or new documents and plans.

Attachment: Ecoplexus Goose Creek TRC Comments 2-17-16 (1474 : PB 16-04 Ecoplexus (Goose Creek))

Grandy Solar Farm
Community Meeting Notes

Ecoplexus held two Community Meetings for the Grandy Solar Farm. The first was held on May 14th, 2015 at 7:00 PM at the Sanctuary Vineyards Tasting Room in Jarvisburg. Nathan Rogers, Project Development Manager, and Halsey Kendrick, Senior Project Manager were present as representatives of Ecoplexus. Mr. Jim Owens was present as the landowning party. Ecoplexus sent out 73 letters to adjoining property members, and at least 50 members of the community were in attendance. Unfortunately, the sign-in sheet was generally ignored.

For approximately the first half hour of the first meeting, Mr. Rogers gave a presentation on the proposed solar farm. The presentation covered the following items:

- Ecoplexus company profile
- Policies driving solar development in North Carolina
- Economic Impacts of N.C. Clean Energy Development
- A background on distributed electrical generation
- Project Overview
- Pictures of the inside of a solar farm
- Q&A

The presentation itself went more or less uninterrupted; however, the Q&A session turned chaotic rather quickly. It should be noted that Ecoplexus originally proposed a “solar park” concept, featuring walking trails around the perimeter of the facility and architectural fencing in order to enhance the overall aesthetic. Ecoplexus and the landowner were prepared to provide a 30-year open space easement to the County at no charge in support of the proposal. This idea was roundly dismissed by the local residents, due to concerns over safety. It was asked if it was possible for it to be a “private” park, available to local residents only. Others expressed concern over maintenance and insurance of the public areas, though they expressed that they currently use the property for recreation, as is, despite the fact that it is privately owned. Mr. Rogers expressed that he did not believe a private park was feasible, and that a maintenance agreement for any type of public facilities would need to be worked out between Ecoplexus, the landowner, and, potentially, the County.

Additional concerns were focused around the impact to property values and aesthetics. A number of residents expressed that they purchased their houses during the last property “boom” prior to 2008, and are now under water; they were concerned that a solar facility would reduce their property values even further. Mr. Rogers expressed that there is no evidence of solar farms in North Carolina negatively impacting property values. Additionally, Mr. Rogers noted that a vegetative buffer would enclose the Facility, greatly diminishing any visual impact: one likely utilizing some combination of the existing stand of trees and new plantings.

Other topics that were discussed during the open-forum Q&A session include the following:

- Alternative land uses

Attachment: 3-Grandy Solar Farm - Community Meeting Notes (1474 : PB 16-04 Ecoplexus (Goose Creek))

- Whether or not the power would be used by local residents
- Whether or not local residents would save money on their electricity bills
- A discussion about required upgrades and how pays for those
- A discussion about the future of electrical generation
- Safety of the facility
- Whether or not the facility would ever be used as a golf course again

A second community meeting was held on October 8th, 2015, at 7:00 PM at the Sanctuary Vineyards Tasting Room in Jarvisburg. Nathan Rogers, Project Development Manager, was again present as the representative of Ecoplexus. And Mr. Owens was also present again as the landowning party. Richard Kirkland, a licensed NC real estate appraiser, was also present. Ecoplexus sent out letters to the same 73 adjoining property members, and, again, at least 50 members of the community were in attendance.

Mr. Rogers opened by giving a short presentation covering project updates and changes from the previous community meeting, including dropping the "solar park" concept; an overview of contractual updates with Dominion; a discussion of the changes to regulations regarding solar farms that the Currituck County Board of Commissioners had passed or were considering; and a discussion of site assessment developments, including the on-going conversations with the United States Army Corps of Engineers over whether or not the ponds on site could be drained.

Mr. Kirkland then gave his presentation. He discussed how you evaluate property value impacts by conducting a "matched pair analyses," which looks at, in this case, two nearly identical properties, with the only difference being one property is next to a solar facility and the other is not. Mr. Kirkland described how none of the matched pair analyses he has performed – including in other states including Mississippi and Tennessee – have shown negative impacts on property values. He went on to describe how he's tracking over 138 solar farms in North Carolina and noting adjoining land uses, most of which are either agricultural or residential, with adjoining commercial uses representing less than 10% of the total. Mr. Kirkland discussed that he's found "typical" distances from a solar farm to a house to be between 100' - 150', on average. Mr. Kirkland then went on to explain what variables negatively impact property values, which include noise, smell, toxics, and noxious uses including homeless shelters and adult establishments, and how none of those are relevant when discussing a solar facility.

After Mr. Kirkland's presentation, Mr. Rogers presented a list of allowed uses in Agricultural Districts, and explained the difference between uses allowed "by right" vs. those allowed under a conditional or special use permit. The point of this exercise was to explain that there are many other less desirable, more invasive uses allowed currently in Agricultural Zones. Mr. Rogers invited the community to make suggestions as to which of the uses, if any, would be seen as more desirable than a solar farm. Notably, none were proposed.

The landowner, Mr. Owens, then introduced himself and spoke briefly about the history of his involvement with the project. He explained how he bought the property as an investment vehicle, without not knowing exactly what he was going to do with hit, but had entertained overtures of a solar farm, which he felt was a very benign use and friendly

Attachment: 3-Grandy Solar Farm - Community Meeting Notes (1474 : PB 16-04 Ecoplexus (Goose Creek))

neighbour. Mr. Owens expressed that there are too many golf courses in the area, and that the Goose Creek course was not cost effective for the owners, hence why they decided to sell it.

A general, open-forum Q&A session ensued. Questions included the following:

- What type of setback would be required
- The ability of the site to properly drain
- Whether or not grading would be required
- If the trees would remain or be taken down
- What wind speed the facility would be designed to accommodate
- What type of visual buffering would be required

At one point, Gary Woodson, Board Member of the Outer Banks Home Owner's Association, was introduced. Mr. Woodson had been asked by the Association to represent them at the meeting. He expressed how they were studying the Crawford/Sligo project for comparison. Questions he asked about included distance from residences, fencing specifications, buffering, and setbacks. Mr. Woodson agreed that the Association should be "careful what they ask for" and understand that Mr. Owens is going to put something on the property. Interestingly, he never expressed disapproval for the project.

The Q&A session then resumed, with questions and comments including:

- What it would cost to make improve the golf course
- Why a neighbourhood couldn't be built and re-zoned for residential
- Comment by a local developer that the property is not well suited for residential and that a solar facility would be a good interim use
- Comment by a local resident that she has took look at transmission lines, but at least the solar farm will be very short in height
- A comment by another neighbour stating that solar farm will be a good neighbour, and that he wouldn't want some of the other uses, so long as it can be made aesthetically pleasing
- Whether or not there are concerns over reflectivity

Attachment: 3-Grandy Solar Farm - Community Meeting Notes (1474 : PB 16-04 Ecoplexus (Goose Creek))

Written Response to Community Meeting
Grandy Solar Farm
Meeting Date 10/8/15
Sanctuary Vineyards 7pm

What follows is a response to the above meeting only and lists topics presented by the applicant/ owner, which were not satisfactory to the vast majority of the residents in attendance.

1. Offer of proof of applicant's claim that project would not adversely impact the value of the surrounding properties
2. Applicant's inadequate response to the serious of impact of filling the ponds on site and the damage and injury this would have on the welfare and value of the surrounding property
3. Owner's response to the possible use of the property as a golf course
4. The proposed "typical setback from solar farm to house to be 100' to 150'

For the most part attendees at the meeting courteously held our response as we listened to the statements by Mr. Rogers, with the only exception when I asked Mr. Rogers if he received permission to drain the ponds, did he plan to fill them in, and he answered - yes.

Mr. James Owens introduced himself as the owner of the Goose Creek property, described his background, and proceeded to inform us of the plan for its use was as follows:

He said he plans to use 100 acres of the 121 acres for a solar farm. The remaining 21 acres zoned GB will remain as GB. He plans 21 acres to be developed with general business ventures and believes this overall plan for each property as they stand to be in harmony with the land use plan and will conform to the UDO of Currituck County.

Owens went on to describe the benefits of a solar farm for the surrounding residential properties stating the following:

1. Quiet, non-intrusive neighbor compared to other uses allowed in an agricultural areas such as poultry or hog farms.
2. The 100-acre solar farm would be a "Green" neighbor causing no pollutants, no toxicity, and requiring no fossils fuels to produce electricity.
3. He also said he had purchased "this interesting" property not sure what he was going to do with it, but because of the above reasons he decided on a solar farm since he was sure it would not adversely effect the residential properties surrounding it on three sides. He went on to say that about the same time, he bought the Grandy site, he also bought over 200 acres of farmland, AKA the Shirley Weber farm, which he plans to develop into an upscale residential community.

With that said, Rogers then introduced appraiser Kirkland retained by Ecoplexus. Kirkland then proceeded to extol the benefits of having a solar farm as a residential neighbor. About four properties were shown and he reported no resultant decrease in property values. Several in attendance spoke up that these examples in no realistic fashion resembled the property being considered here and offered reasons why. To me, and obviously many

more, this appraiser's so called finding of fact was an insult on our basic intelligence. It was loudly voiced by one that the comparison was like comparing "apples to oranges, in that yes both were fruits but there the comparison ends. At this time Mr. Gary Woodson introduced himself as a N.C licensed contractor, the President of O.B.H.O.A(a commercial and residential real estate brokerage firm), and a developer of many properties in Currituck, Dare, and Camden counties and during the many years in this business has obtained an intricate knowledge of the guidelines and standards of appraisals. He respectfully posed many comments and questions to Kirkland, while exposing many flaws in the comparisons presented. Woodson commented on two very important but silent factors often used in arriving at a value of a property, but not considered in the appraiser's report - location and appearance of the sight surrounding the subject residence. At this time, Mr.Woodson asked to see a show of hands of those in attendance who opposed the construction of the solar farm on Goose Creek. Among fifty or more in attendance, all but about four or five raised their hand. In addition, Woodson asked if any County Commissioners were present. At that time, Mr. Mike Payment identified himself. Woodson asked if the Board of Commissioners had recently passed a setback concerning solar farms. Mr. Payment answered yes, and went on to say that the UDO recently was amended to extend the buffer to 300' from all property lines. This was the extent of Mr. Payment's comments.

In response to the possibility of reopening the Golf course, Mr. Owens stated that that Currituck could not and would not sustain another course and sighted others in the area, i.e. Moyock, The Point, Carolina Club, and Holly Ridge(which is not a USGA sanctioned course as are the others including Goose Creek). At this remark, I interrupted him by saying "not true". He asked me to explain. To which I told him to continue and would offer my comments when he finished. He went on to say he made an offer to Kevin McCord(seller) to lease the property and continue to operate the property as a golf course, but McCord declined. Owens went on to state that he reached out to others in the golf community to lease the facility, but received no response. He declined to reveal the parties contacted, nor did he reveal the rental fee required. At that point I told Owens that I played this course at least once a week starting in the mid nineties and most of the time it was so crowded it would take sometimes over 5 hours to play a round, even long after the Carolina Club was opened in 1999. The course remained very busy until play started to decline in 2007 mainly because the owners of the course refused, year after year, to properly maintain the facility, choosing to use the profits generated toward other business endeavors. I went on to say that there existed then and exists now many golfers in this county as well as many families who visit the outer banks who would patronize a course costing $140 for a round of **four** instead of $400, and Goose Creek, then and now, is **that** course. I added that most everybody I talked to including the head grounds-keeper at the Carolina Club stated Kevin McCord had bought a gold mine at the price of a vacant lot. I told Owens that even Kevin told me when I congratulated him on his purchase that he would have the course back in shape and expected great things. The price McCord paid at bankruptcy and the price he sold to Owens is public record (double).This could explain why McCord declined Owens's offer to rent and continue operation of the course.

At this point, I asked Owens if he planned to fill the many pond and washes on the course. He replied, yes. I replied this action would have a devastating effect on all the properties

surrounding the course. I informed him that the ponds (6.5 acres surface area) are all connected by culverts and washes and contain 12,500,000 gallons of water collected from drainage from 1500' of Rt 158, from part of Savannah road, from all of Grandy road from north Savannah to Uncle Graham intersection, from all of Par Four Dr, and furthermore all of hole number two adjacent to Uncle Graham road drains onto the residential properties there. At least two drainage culverts drain from the course onto private property. One on my property and one property on Savannah as well.I told him that the whole course consists of slow draining soils, and I went on to describe the serious flooding all of our properties have experienced on three occasions in the last fifteen years. Most of the time, although not superb, the existing drainage ponds and drainage system are, at best, adequate-unless a perfect storm of events occurs. This usually happen in the winter when the course is not using the irrigation system and the pond's normal water level is about three feet below the banks. Heavy rains from Northeasters fill the ponds to capacity and the outfall or empting ditch that runs out to the Currituck sound through the culvert under the Food Lion parking lot under 158 cannot handle the volume. At that point, floodwater backs up covering the entire course, except for the elevated tees and greens, runs onto our property. The storm in the winter of 2002 was the worst when floodwater ran into my pool. Some residences had water touching their house. I went on to explain that if he eliminated the ponds these events will happen not three times in fifteen years, but every time we get more than five inches of rain in twenty four hours or as many times as mother nature dictates. His only comment was that he would look into it.

At this time I asked Mr. Owens if he would consider placing his solar on the 230 acres he owns at 158 in the area off Fisher Landing Rd. where the smallest adjoining property is over 100 acres and where only three residences are located, the nearest being 1000'away,and their property line does not adjoin his. Eighty-percent of this land is devoid of trees, and the only vegetation is soybeans. I said this would require no clearing and present no drainage problems. He promptly replied that he already had plans for this area as he had stated at the beginning of the meeting. At this time, attendees became contentious, many talking at once, and asking many questions and offering comments. At one point, the lady sitting next to Mr. Payment voiced her support for the solar farm. Mr. Randy Mills, living on Grandy Rd., spoke up asking her where she lived since he did not recognize her. She replied that she did not live there but she recently received a property in the area from a relative, although she had not decided what to do with it. She went on to say in the past "she has to look at transmission lines, but at least the solar farm will be very short in height" (This is quoted directly from the applicant's Meeting Notes, page 3, 6 lines from bottom). At this point, the tone of the meeting became contentious. I left and can offer no further report of events.

Steve Fentress
247 Grandy Rd.
Grandy N.C. 27939
2/7/16

Currituck County
Agenda Item Summary Sheet

Agenda ID Number – (ID # 1472)

Agenda Item Title

Public Hearing and Action: PB 15-25 Grandy Solar Farm:

Brief Description of Agenda Item:

Request for a use permit for a solar array located along the north side of Uncle Graham Road (former Goose Creek Golf Course), Tax Map 108 Parcel 95E, Poplar Branch Township.

Planning Board Recommendation:

Mr. Craddock moved to approve PB 15-25 as presented as it will not negatively affect property values and it is in the public interest with the following conditions:

1. Uncle Graham Road shall not be used for construction and heavy equipment traffic, but will be used as the primary access to the site once construction is complete. Caratoke Highway is to be used for the construction and heavy equipment traffic.
2. They system shall be anchored to sustain 120MPH winds as called for in the building code.

Mr. Cartwright seconded the motion and motion carried unanimously.

Board Action Requested

Action

Person Submitting Agenda Item

Debra Embrey, Web/AV Specialist

Presenter of Agenda Item

Ben Woody

STAFF REPORT
PB 15-25GRANDY SOLAR FARM
BOARD OF COMMISSIONERS
APRIL 4, 2016

Attachment: Grandy Solar Farm UP Staff Report BOC (1472 : PB 15-25 Grandy Solar Farm)

APPLICATION SUMMARY

Property Owner: Currituck Sunshine Farms 5504 N Prospect Rd Peoria Heights IL 61616	**Applicant:** Ecoplexus Inc. 650 Townsend St #310 San Francisco CA 94103
Case Number: PB 15-25	**Application Type:** Use Permit
Parcel Identification Number: 0108000095E0000	**Existing Use:** Closed Golf Course
Land Use Plan Classification: Full Service	**Parcel Size (Acres):** 101.53
Request: Solar Array *Note: In 2007 the property owner petitioned the BOC to rezone 67.07 acres from A to R and 11.41 acres from A to GB to reduce the golf course to an "Executive-style" with 9 holes plus housing and to expand the GB consistent with the GB to the north and allow compatible business uses. The BOC denied the 67.07 acre rezoning and approved the 11.41 acre rezoning.*	**Zoning:** AG

SURROUNDING PARCELS

	Land Use	Zoning
North	Single Family Dwellings & Retail	AG and GB
South	Single Family Dwellings & Retail	AG and GB
East	Single Family Dwellings & Retail	GB
West	Single Family Dwellings	AG

STAFF ANALYSIS

- Ecoplexus, Inc. seeks a use permit for a 20 megawatt solar array on the abandoned Goose Creek Golf Course in Grandy. If approved, the applicant states that the facility would produce clean, renewable energy for an average of 1,900 local homes, in addition to providing short-term economic stimulus and job creation along with long-term tax revenue while requiring no provisions of additional services or infrastructure.

- The solar PV Facility will consist of direct current (DC) photovoltaic solar modules (panels) arranged in rows that are affixed to a metal racking structure and attached to the ground with either driven posts or helical ground screws. The whole concept of efficient solar power is to absorb as much light as possible while reflecting as little light as possible, so solar panels are designed to produce less glare and reflectance than standard window glass.

- Based on the limited amount of impervious coverage intended for this site, it will be exempted from the Stormwater Manual. It is anticipated that the amount of coverage created for this site will be below 10 percent of the site. Stormwater runoff will be handled by the existing ditch system on the site. Where necessary for placement of equipment or for access, existing ditches will be filled or rerouted and new grass lined drainage swells will be created as approved by Soil and Water.

- The following use standards shall apply (UDO Section 4.2.3.H).
  - Solar arrays shall be configured to avoid glare and heat transference to adjacent lands.
  - Appropriate ground cover/grass is required and shall be maintained as not to create a fire hazard.
  - The solar panels, equipment, and associated security fencing shall be screened from rights-of-way and developed land by a Type C buffer.
  - The total height of the solar energy system, including any mounts, shall not exceed 15 feet above the ground when orientated at maximum tilt.
  - The solar energy system owner shall have 12 months to complete decommissioning of the facility if no electricity is generated for a continuous 12 month period.
  - Operations, maintenance, and decommissioning plans are required.
  - All components of the solar array (including security fencing) shall be setback at least 300 feet from all exterior property lines.
  - Ground water monitoring wells shall be installed prior to construction of the solar energy system and testing data shall be submitted annually to the Planning and Community Development Department until decommissioning occurs. Monitoring wells shall be located near the center of the site and along each exterior property line at approximately the lowest ground elevation point of each property line. Testing data shall be provided to the county indicating compliance with EPA National Primary Drinking Water Standards prior to construction and annually until decommissioning occurs.
    - Should the initial ground water testing indicate that the site is not in compliance with the EPA National Primary Drinking Water Standards, subsequent annual reports shall indicate no increase in noncompliance with those standards.
  - Prior to the issuance of a building permit, the developer shall post a performance guarantee in the form of cash deposit with the county to ensure decommissioning funds are available in an amount equal to 115 percent of the estimated decommissioning costs minus salvageable value. Estimates for decommissioning the site and salvageable value shall be prepared and certified by a registered engineer or North Carolina licensed general contractor.

INFRASTRUCTURE	
Stormwater/Drainage	The ponds on the property are to be filled in. They are nonjurisdictional wetlands. An Erosion and Sedimentation Control permit will be required from NCDEQ if more than one acre is disturbed. There will be no increase in stormwater runoff from the property, according to the applicant.

Attachment: Grandy Solar Farm UP Staff Report BOC (1472 : PB 15-25 Grandy Solar Farm)

Lighting	The applicant proposes no exterior lighting to be included as part of the facility.
Landscaping	The solar panels, equipment, and associated security fence shall be screened from rights-of-way and developed land by a Type C buffer.
Water/Wastewater	The project will not use water or wastewater.
Transportation/Access	The property has road frontage/access on Uncle Graham Road (SR 1128).

RECOMMENDATIONS

TECHNICAL REVIEW COMMITTEE

The Technical Review Committee recommends adoption of the use permit subject to the following conditions of approval:

1. The application complies with all applicable review standards of the UDO provided the following outstanding items are addressed:
    a. Appropriate ground cover/grass is required. (UDO Section 4.2.3.H) Please note the proposed groundcover.
    b. Operations, maintenance, and decommissioning plans are required prior to issuance of a building permit.
    c. Post a performance guarantee to ensure proper decommissioning prior to the issuance of a building permit.
    d. Street address must be posted on the property.
    e. Ground water monitoring wells shall be installed and initial testing data provided prior to the issuance of the building permit and then annually thereafter to show compliance with EPA Nation Primary Drinking Water standards. Please show well locations on the plan.

PLANNING BOARD

The Planning Board recommends adoption of the use permit subject to the same conditions outlined in the TRC comments and the following:

1. Uncle Graham Road shall not be used for construction and heavy equipement traffic, but may be used as the primary access to the site once construction is complete. Caratoke Highway is to be used for the construction and heavy equipment traffic.
2. They system shall be anchored to sustain 120MPH winds as called for in the building code.

USE PERMIT REVIEW STANDARDS

A use permit shall be approved on a finding that the applicant demonstrates the proposed use will meet the below requirements. It is staff's opinion that the evidence in the record, prepared in absence of testimony presented at a public hearing, supports the preliminary findings.

The use will not endanger the public health or safety.

Preliminary Applicant Findings:

1. The solar photovoltaic technology is an extremely safe for of electrical generation and has no pollutants, discharges, or emissions of toxic compounds during its use.
2. Security fencing will surround the site.

Attachment: Grandy Solar Farm UP Staff Report BOC (1472 : PB 15-25 Grandy Solar Farm)

3. Code compliant wiring practices and materials will be used.
4. Bonding of all metals to prevent fire in the case of a ground fault.
5. The panels are rated to 150 MPH wind speeds.
6. The racking system will be engineered to withstand a minimum of 120 MPH three second wind gust.

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.

Preliminary Applicant Findings:

1. The solar facility is a very benign, innocuous land use. The facility will produce no odors, air emissions, or hazardous material. Additionally, it will not produce any noises that are discernible beyond the interior of the facility. Additionally, after construction of the facility is complete, vehicular trips to/from the site will consist of a single pickup truck several times a year for routine maintenance.
2. The solar facilities are generally considered to be less noxious uses that even traditional agriculture, given that farming can create nuisance in the form of dirt kicked up by tractors, odors from fertilizer application, and migration of pesticides and herbicides from the soil into the groundwater.
3. Ecoplexus has commissioned a licensed real estate appraiser that performed a number of "matched pair analyses" for its solar developments in North Carolina. None of the analyses produced any evidence of deleterious impacts on property values due to the presence of the solar facility.
4. The proposed use will be in harmony with the surrounding area, noting that the proposed facility can actually enhance it. For example, while traditional agriculture produces dust and runoff, the proposed solar farm will produce neither. Nor is there any traffic created after the construction period has finished.
5. The proposed facility represents a consistent, predictable land use that will be in harmony with the surrounding area by not contributing to urbanization of the landscape.

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

Preliminary Staff Findings:

1. The Land Use Plan classifies this site as Full Service within the Grandy subarea. Areas designated as Full Service are those parts of the county where a broad range of infrastructure and service invesetments have been provided or will be made available by the public and/or private sectors. The proposed use is in keeping with the policies of the plan, some of which are:
    a. POLICY ED1: New and expanding industries and businesses should be especially encouraged that: 1) diversity the local economy, 2) train and utilize a more highly skilled labor force, and 3) are compatible with the environmental quality and natural amenity-based economy of Currituck County.
    b. POLICY ID1 Provide industrial development opportunities for cluster industries identified by Currituck Economic Development such as defense aero-aviation, port and maritime related industries, alternative energy, agriculture and food, and local existing business support.

The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to: schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

Preliminary Staff Findings:

Attachment: Grandy Solar Farm UP Staff Report BOC (1472 : PB 15-25 Grandy Solar Farm)

a. The use will not create any burden on public facilities and will have no impact on schools.

THE APPLICATION AND RELATED MATERIALS ARE AVAILABLE ON THE COUNTY'S WEBSITE
Board of Commissioners: www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm

Attachment: Grandy Solar Farm UP Staff Report BOC (1472 : PB 15-25 Grandy Solar Farm)

Planning Board Discussion ***(3/8/16)***

Mr. Cooper asked if the 300 foot setback is what is required and the 100 foot setback if there are no homes. Water monitoring is required annually and for the decommission plan, the owner has 12 months to complete decommission of the facility if no electricity is generated for a continuous 12 month period.

Mr. Fox said he is an attorney for the applicant and has a presentation for the board. Mr. Fox introduced his witnesses.

Mr. Rogers talked about the project, site plan and setbacks. The construction entrance will be off Caratoke Highway using the two acres zoned general business road frontage. Uncle Graham Road shall not be used for construction and heavy equipment traffic, but will be used as the primary access to the site once construction is complete. The system shall be anchored to sustain 120MPH winds as called for in the building code.

Ms. Hamby talked about the drainage plan and a drainage analysis which will be reviewed later by the Technical Review Committee at site plan submittal. Fire access will be addressed at site plan submittal also.

Mr. Cleveland said he is an independent expert and talked about the technology at the site and safety of the panels.

Mr. Kirkland said he is a state certified appraiser and discussed whether the solar farm would affect property values.

Mr. Rogers said there are trees encircling almost the entire property with the exception of the road frontage of Caratoke Highway and several parcels on the western side of the property. They will do a shading impact analysis and keep as many of these trees as they can. North Carolina has positioned itself as one of the leaders in the solar industry.

Ms. Bell said in the presentation it was mentioned that the facility would produce clean, renewable energy for an average of 1,900 local homes. Where does the electricity goes before it comes to the homes?

Mr. Rogers said Dominion Power electrical grid.

Mr. Cooper opened the public hearing.

Mr. Fentress provided a handout to the board. Mr. Fentress said a staging area is a place to store materials. Mr. Fentress pointed out in an article by Colin Campbell and Benjamin Brown in the State Politics dated January 15, 2016, Mr. Wood Farless, a Bertie County farmer said "if a hurricane comes in and wipes out one of the solar farms, it's categorized as a hazardous waste." Mr. Fentress talked about drainage, amount of fill that will be required to fill ponds, hazardous waste material in solar panels, aluminum frame resulting in galvanized corrosion over a period of time, staging area and access through Uncle Graham Road, number of trips to fill ponds, logging trucks, solar farm vs. Power plant, test wells around site, and zinc poisoning to water. Mr. Fentress says the solar farm will cause public health and safety concerns. Mr. Fentress said the county's 2006 Land Use Plan (LUP) classifies Grandy as a community. The LUP also identifies Grandy as a full service area. This request is not in harmony with the area in which it is located. Mr. Fentress said Grandy is a growth area and the solar farm will stunt the growth.

Mr. McColley said he is concerned that this request will devalue real estate values.

Attachment: Grandy Solar Farm UP Staff Report BOC (1472 : PB 15-25 Grandy Solar Farm)

Mr. Proffitt said this project is supposed to be environmentally friendly, but many large trees will be cut down to accommodate the solar farm. Not all properties surrounding the golf course have natural buffers and should have buffering to protect them from the solar farm. Mr. Proffitt said just because you can do something doesn't mean you should. This request is not in harmony with the surrounding area.

Mr. Escobar is concerned with flooding and drainage issues this request may create.

Mr. Wierzbicki is concerned that this request will decrease property values and his property will be adversely impacted by the solar farm. Mr. Wierzbicki said no one in public office should forget that they are voters. Mr. Wierzbicki said when is enough an enough.

Mr. Bodino said the residents have the most at stake. The other two solar farms are not near residential areas and there is a remote chance that a solar panel/s could catch fire.

Mr. Fox reminded the board that their decision is based on competent evidence presented tonight. Mr. Fox said change is always difficult, but he feels this is appropriate use of the property.

Mr. Rogers said they do not want any homes to flood, but hopefully after the drainage study it will make drainage better in the area. Mr. Rogers said they are going to use the road frontage for heavy vehicle deliveries and not Uncle Graham Road.

Mr. Cleveland said they will not be using a toxic heavy metal for the post and it is not to be viewed as a safety issue.

Mr. Fox said the drainage is regulated by federal law, which is then delegated to enforce by DENR of North Carolina. This will all be done at the site plan stage which will be reviewed by the county.

Mr. Cooper closed the public hearing.

Mr. Cartwright asked if the hills on the golf course are a direct result of the ponds dug on the course. Could the material from the hills be used to fill in the ponds?

Ms. Hamby said yes and they will likely use some of the material.

Mr. Cartwright asked if the board should be looking at the drainage plan as part of the request before them tonight.

Ms. Glave said no that will be when the site plan is submitted.

Mr. Cooper asked staff if this would go by the county's new stormwater manual regulations.

Ms. Glave said yes.

Mr. Cooper asked if NCDOT reviewed this project.

Ms. Glave said they had no comments.

Mr. Cooper asked if the heritage trees ordinance would apply.

Ms. Glave said yes.

Attachment: Grandy Solar Farm UP Staff Report BOC (1472 : PB 15-25 Grandy Solar Farm)

Mr. Cooper asked if the panels are 150MPH and framework is 110MPH.

Mr. Cleveland said yes, but said the assembly of the panels and rack are related to the local wind speed of 120MPH.

Mr. Cooper asked if this request was reviewed by the Chief Building Inspector and did he have any comments regarding onsite requirements.

Ms. Glave said yes and additional comments would be offered during the site plan review.

Mr. Cooper asked what is the height of the required buffer vs. the height of the proposed equipment.

Ms. Glave said 6 ft. for the buffer and 15 ft. for the equipment.
Mr. Craddock asked if the solar panels are stationary.

Mr. Rogers said yes. Mr. Rogers also stated they will try to keep as many of the exterior and interior trees as possible. Once the solar farm is completed, Uncle Graham Road will be used as the permanent access.

Mr. Cooper asked what is the proposed construction time.

Mr. Rogers said if the project is approved to start in June or July and be completed by the end of the year.

Mr. Craddock asked if the applicant has considered using the ponds for dry hydrants for fire suppression.

Mr. Rogers said they don't have onsite fire suppression.

Mr. Craddock asked Mr. Kirkland if he used any local data from local counties.

Mr. Kirkland said yes. The report will be submitted to the Board of Commissioners.

Mr. Cooper asked if there are inspections or maintenance that addresses the structural aspects of the components.

Mr. Rogers said there are routine visual inspections of the facility.

Mr. Fox said if there was an issue brought to the attention of the Utility Commission, then they do have the ability to make inspections.

Mr. Craddock asked who is the responsible party to have insurance to cover in the event of a hurricane.

Mr. Rogers said the owner of the facility and they carry one million for general liability.

Mr. Cooper thanked the public for their feedback and the board is working through answering those questions and concerns.

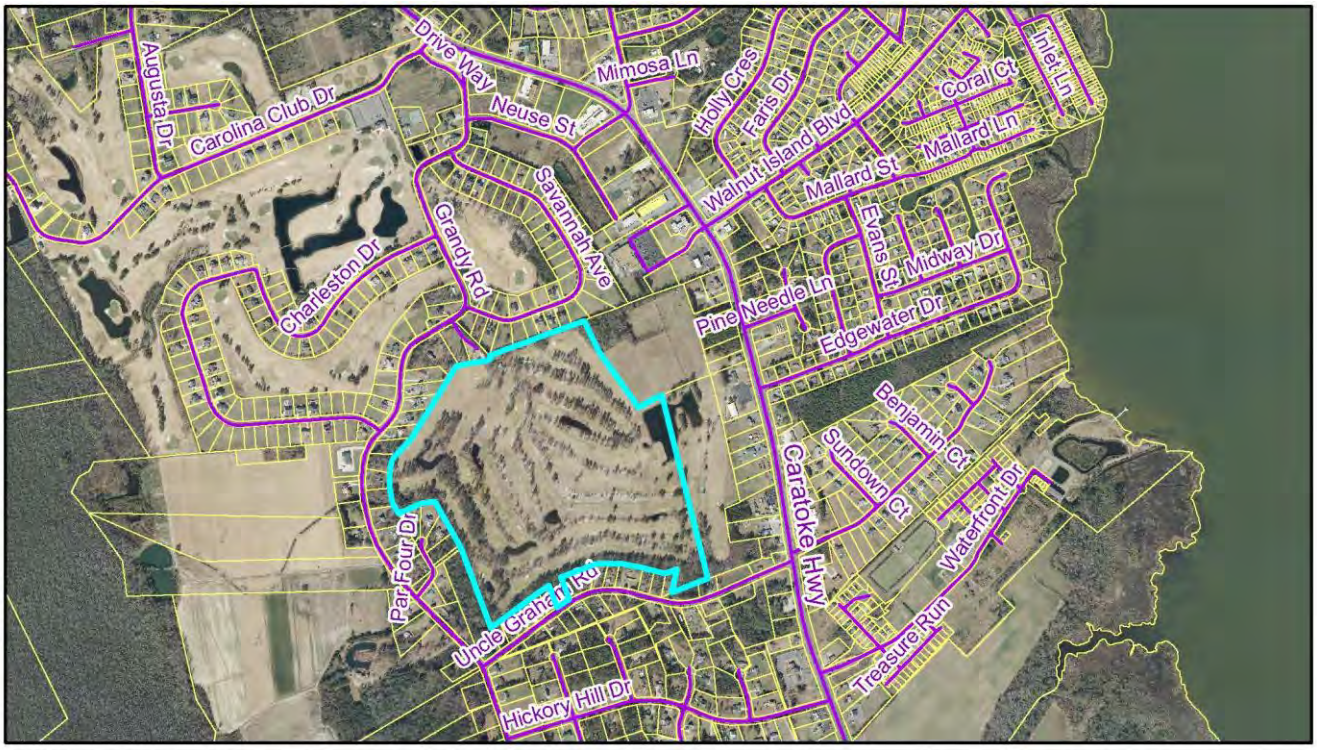
Attachment: Grandy Solar Farm UP Staff Report BOC (1472 : PB 15-25 Grandy Solar Farm)

Mr. Craddock moved to approve PB 15-25 as presented as it will not negatively affect property values and it is in the public interest with the following conditions:

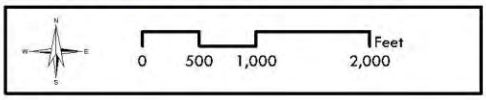
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2. They system shall be anchored to sustain 120MPH winds as called for in the building code.

Mr. Cartwright seconded the motion and motion carried unanimously.

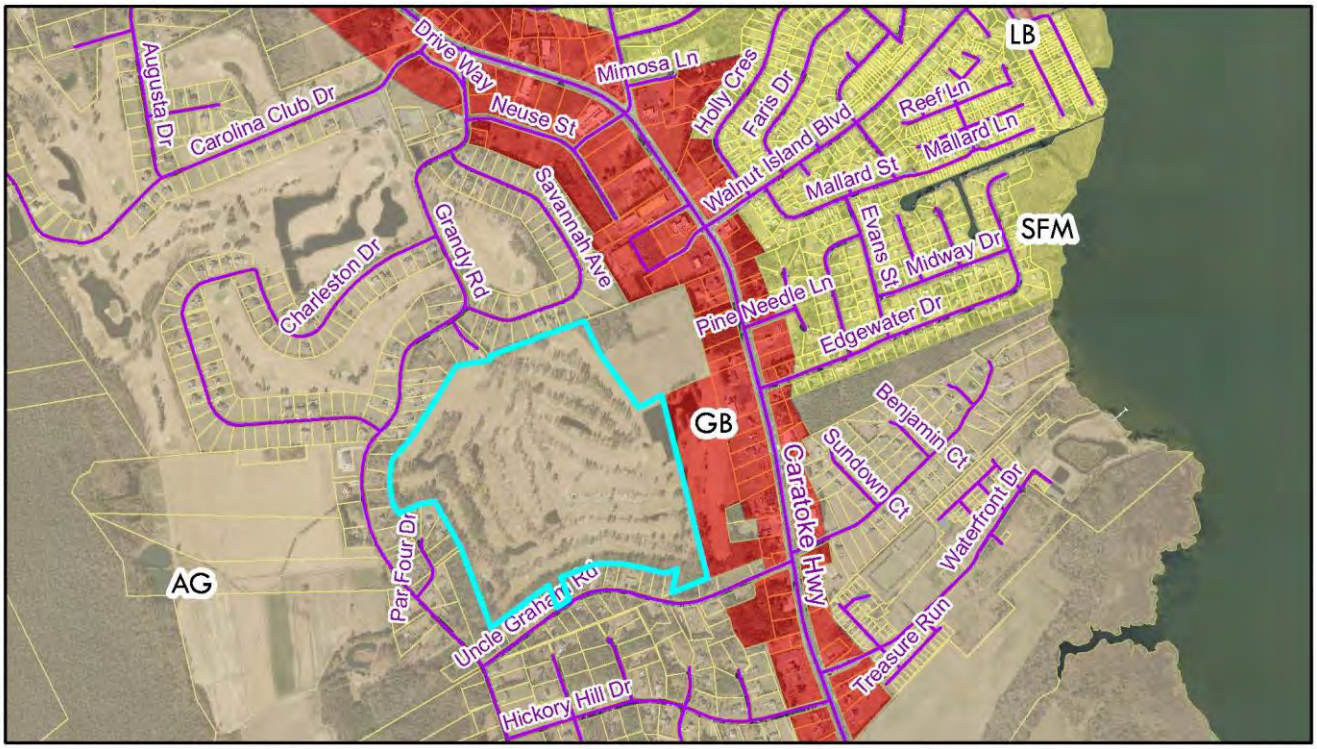
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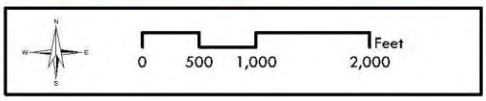
PB 15-25 Grandy Solar Farm
Use Permit
Aerial Photo



Currituck County
Planning and
Community Development

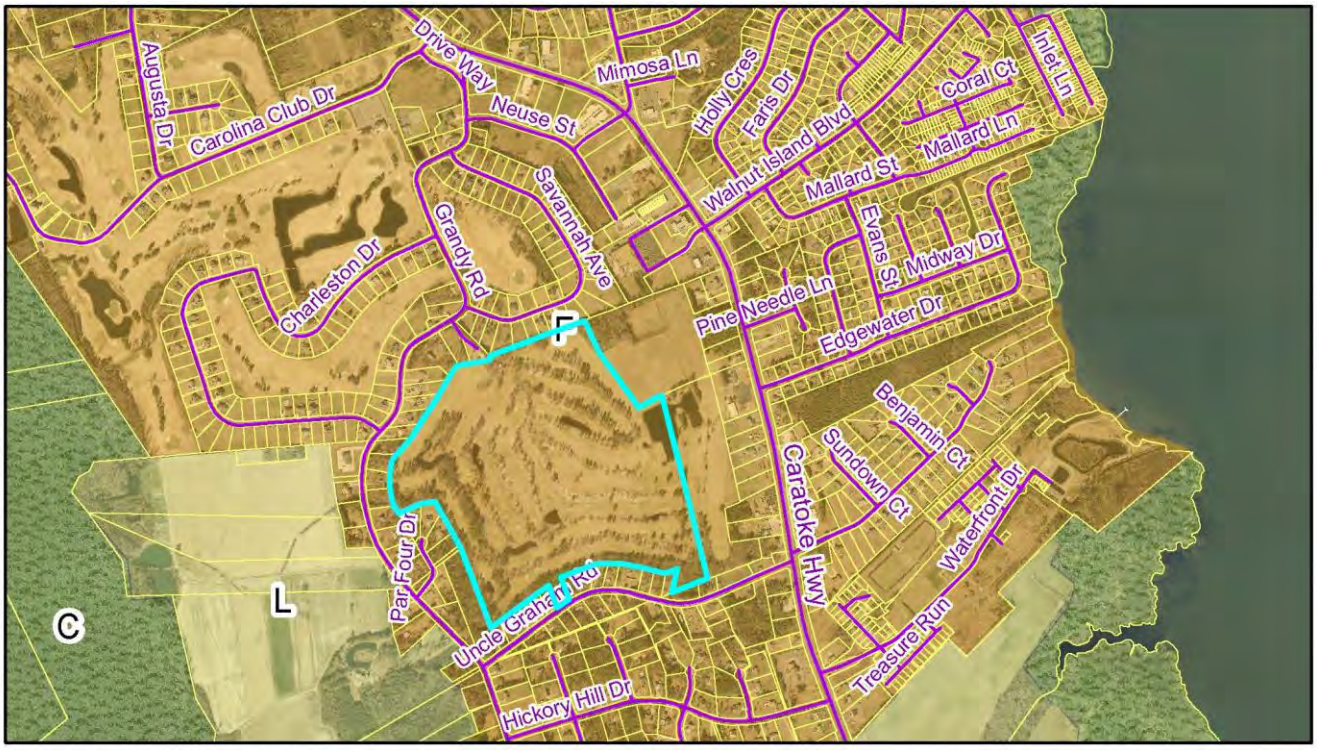


PB 15-25 Grandy Solar Farm
Use Permit
Zoning

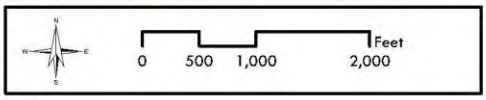


Currituck County
Planning and
Community Development

Attachment: Grandy Solar Farm UP Staff Report BOC (1472 : PB 15-25 Grandy Solar Farm)



PB 15-25 Grandy Solar Farm
Use Permit
LUP



Currituck County
Planning and
Community Development

Attachment: Grandy Solar Farm UP Staff Report BOC (1472 : PB 15-25 Grandy Solar Farm)

Attachment: Application (1472 : PB 15-25 Grandy Solar Farm)

Use Permit Application

Submitted BEFORE 1/4/16 text amendment PB-15-17

OFFICIAL USE ONLY:
Case Number: PB 15-25
Date Filed: 12.22.15
Gate Keeper: ST
Amount Paid: 150.00

(Revised acreage + PIN)

Contact Information

APPLICANT:
Name: Ecoplexus, Inc.
Address: 650 Townsend St., #310
San Francisco, CA 94103
Telephone: (415) 626-1802
E-Mail Address: nrogers@ecoplexus.com

PROPERTY OWNER:
Name: Currituck Sunshine Farms,
Address: 5504 N. Prospect Rd
Peoria Heights, IL 61616
Telephone: (309) 253-0900
E-Mail Address: jwowens1@gmail.com

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Tenant under Option to Lease

Property Information

Physical Street Address: 6562 Caratoke Highway, Grandy, NC 27939
Location: west side of Caratoke Highway (US 158) across from Edgewater Drive
Parcel Identification Number(s): ~~0108000095A0000~~ 0108-000-095-0000 (after exempt plat & recombo plat)
Total Parcel(s) Acreage: +/-100.9 Acres
Existing Land Use of Property: vacant Goose Creek golf course

Request

Project Name: Grandy Solar Farm (Grandy PV1)
Proposed Use of the Property: solar energy farm
Deed Book/Page Number and/or Plat Cabinet/Slide Number: DB 1273, Pg 539 PC N, Sld 9
Total square footage of land disturbance activity: unknown at this time - minimum of 9 acres
Total lot coverage: +/- 1.55 Acres
Total vehicular use area: +/- 1.50 Acres
Existing gross floor area: 0
Proposed gross floor area: 0

Community Meeting

Date Meeting Held: May 14 and Oct. 8, 2015
Meeting Location: Sanctuary Vineyards Tasting Room

Attachment: Application (1472 : PB 15-25 Grandy Solar Farm)

Purpose of the Use Permit and Project Narrative (please provide on additional paper if needed):

PLEASE SEE ATTACHED DOCUMENTATION.

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 use permit.

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

PLEASE SEE ATTACHED DOCUMENTATION.

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.

PLEASE SEE ATTACHED DOCUMENTATION

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

PLEASE SEE ATTACHED DOCUMENTATION.

D. The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

PLEASE SEE ATTACHED DOCUMENTATION.

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.

Property Owner(s)/Applicant*

12/11/15
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.**

Attachment: 2-Grandy Solar Farm - Special Use Permit Application - Written Responses - 151211 (1472 : PB 15-25 Grandy Solar Farm)

SPECIAL USE PERMIT APPLICATION

Grandy Solar Farm

Written Responses

December 11th, 2015

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SECTION 1. Purpose of Special Use Permit and Project Narrative

Section 1.1. Introduction

Ecoplexus, Inc. ("Ecoplexus" and/or "the Company" and/or "the Applicant"), a San Francisco-based developer of solar photovoltaic (PV) facilities for the utility, municipal, and commercial markets, seeks a Conditional Use Permit for its 20 megawatt (MW) Grandy Solar Farm ("the Facility"). If approved, the Facility would produce clean, renewable energy for an average of 1,900 local homes, in addition to providing short-term economic stimulus and job creation along with long-term tax revenue while requiring no provision of additional services or infrastructure.

Section 1.2. Applicant Background

Founded in 2008 and based in San Francisco with offices in Durham, Dallas, Tokyo, and Istanbul, Ecoplexus' central focus is the development of distributed utility scale solar photovoltaic projects in the 5-20 MW range, along with large-scale government and commercial solar facilities. Ecoplexus has successfully developed and constructed 60 MW to date, with an additional 25 MW scheduled to come online by the end of 2015, and closed project financings totaling over $200 million. The Company has approximately 400 MW of projects in various stages of development across six different states and internationally.

Ecoplexus maintains a broad range of internal expertise, including project development; real estate; design and engineering; project management and construction; procurement and logistics; operations and maintenance; power production modeling; and some of the most sophisticated project finance capabilities in the industry. The Company augments this expertise by maintaining deep, established relationships with the same top-tier consultants, legal experts, and accountants that service some of the largest institutional investors in the world. Ecoplexus has utilized these resources to finance over $100 million in utility-scale projects in the last year and a half alone, with one of the ten largest banks in the nation and a global insurer with over $2 trillion in assets serving as the federal tax equity investors.

In addition, while Ecoplexus has acted as a general contractor in the past, the Company typically subcontracts the actual construction of its facilities to large AC and DC electrical firms with deep experience in bringing utility-scale solar facilities online.

Section 1.3. Project Narrative – Facility Description

The 20 MW_{AC} solar PV Facility will consist of direct current (DC) photovoltaic solar modules (panels) arranged in rows that are affixed to a metal racking structure and attached to the ground with either driven posts or helical ground screws. Ecoplexus anticipates using what's known as a "fixed tilt" system, in which the panels are mounted at a fixed angle relative to the sun, rather than a "single-axis tracking" system that would allow the panels to rotate in an east-west direction and track the sun throughout the duration of the day; however, a single-axis

tracking system could potentially be specified by the future buyer of the Facility. In either case, the maximum height of the Facility will be 10' above grade, as measured from grade to the upper lip of the solar module.

The electrical current from the modules will be collected by a series of inverters, which will invert the direct current (DC) produced by the modules to alternating current (AC), which is the type of current used by both the electrical grid and common appliances. The outputs of the inverters are collected at a main service board, routed to a "step-up" utility transformer that increases the voltage, or pressure, of the system to 34.5 kilovolts (kV) to match that of Dominion North Carolina Power's electrical distribution system, and then sent onward to a point of interconnection with the grid at a series of utility pole on site.

The Applicant has successfully completed the required interconnection study, which involves a detailed analysis and evaluation of possible impacts to the grid by the proposed project, and received an Interconnection Agreement (IA) from Dominion North Carolina Power ("the Utility"). The IA provides permission to Ecoplexus to construct and operate the Facility as proposed and details the upgrades required on the local distribution system in order to accommodate the Facility, as well as their cost. Said cost of such upgrades will be borne solely by Ecoplexus and will not be charged to the Utility's customers. The power from the Facility will be sold to the Utility under a Power Purchase Agreement (PPA), the term of which will be for 30 years. The final terms of the PPA are currently being negotiated, and the Applicant expects it to be mutually executed by February of 2016.

The Applicant has also successfully received a Certificate of Public Convenience and Necessity (CPCN) from the North Carolina Utilities Commission (NCUC). The CPCN is required for all new electrical generators in North Carolina over 2 MW in size. The NCUC docket number for the CPCN application is SP-4897, Sub 0; copies of each filing related to the proceeding are available by utilizing the docket search function on the NCUC website at www.ncuc.com. A copy of the CPCN has been included as part of the Use Permit application package.

Section 1.4. Project Narrative – Site Description

The site of the proposed Facility is an approximately 121-acre parcel located at approximately 6562 Caratoke Highway, Grandy, in Polar Branch Township, on the site of the former Goose Greek Golf-Country Club. The parcel is owned by Currituck Sunshine Farms, LLC, and is currently vacant. The site is bordered on the north, south, and west by smaller, agriculturally-zoned tracts that feature single family homes or are currently vacant. To the east, along Caratoke Highway, are a number of tracts zoned General Business (GB) that feature small businesses or are vacant. The host parcel itself consists of cleared land, non-jurisdictional ponds and manmade drainage features, and rows of planted pines. The property is encircled by a stand of thick, mature pines that average 60-80' in height.

The Currituck County Geographic Information Systems (GIS) map shows several types of potential wetlands occurring in the western portion of the parcel. However, the National

Wetlands Inventory does not identify any wetlands on site, other than the manmade freshwater ponds. Ecoplexus' wetland consultants have participated in a site visit with the local United States Army Corps of Engineers (USACE) representative, who has stated that neither the ponds nor any other features on site qualify as USACE-jurisdictional wetlands. Issuance of an Approved Jurisdictional Determination (JD) confirming that there are no wetlands on site is forthcoming within the next 60 days. Similarly, neither the Currituck County GIS nor external topographical maps reveal any major features or "Blue Line" streams that would be subject to local or state buffer/setback requirements. Additionally, the parcel is not located within a Federal Emergency Management Administration (FEMA) Special Flood Hazard Area. A copy of the FEMA Federal Insurance Rate Map (FIRM) panel has been included with the application package.

Section 1.5. Project Narrative – Zoning

The majority of the host parcel itself and the coterminous parcels on the northern, western, and southern sides all fall under the Agriculture (AG) Zoning District. The adjoining parcels to the east, along Caratoke Highway, are zoned General Business (GB), as is the eastern portion of the host parcel. The parcel and all surrounding parcels feature a "Full Service" Land Use Class designation. The "solar array" use type, which is classified under the Utilities Use Category as per Table 4.1.1. of the Currituck County Unified Development Ordinance (UDO), is permitted in an AG Zoning District by way of a Use Permit. Currently, the applicable site setback for solar arrays is a uniform 300' on all sides. However, at the time of this writing, the Currituck County Planning Board approved a subsequent amendment to the UDO requiring a 300' setback from residential dwellings, residential zoning districts, religious institutions, public schools, state licensed day care centers, public playgrounds, public swimming pools, or public parks, but allowing for a 100' setback from adjoining properties that do not fall under any of these categories. This modified language is set to go before the Board of Commissioners (BOC) for a vote after the date of this application submittal; as such, Ecoplexus has enclosed a site plan that conforms with these new regulations, but will amend it accordingly, in the event that the BOC does not approve the amended UDO language.

It should also be noted that the approximately 5 acres of GB-zoned road frontage abutting Caratoke Highway will be subdivided and left free for commercial development at some point in the future.

Section 1.6. Project Narrative – Use Specific Standards

UDO Sec. 4.2.3.H.1. states that "Solar arrays shall be configured to avoid glare and heat transference to adjacent lands." In general, since the whole concept of efficient solar power is to absorb as much light as possible while reflecting as little light as possible, solar panels are designed to produce less glare and reflectance than standard window glass. More specifically, solar panels use "high-transmission, low-iron" glass, which absorbs more light, thus producing smaller amounts of glare and reflectance than normal glass.

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In addition to the superior refractive/reflective properties of solar glass versus standard glass, many PV suppliers use stippled solar glass for their panels. The basic concept behind stippling is for the surface of the glass to be "textured" with small indentations. As a result, stippling allows more light energy to be channeled/transmitted through the glass while diffusing (weakening) the reflected light energy. These concepts explain why the reflection off of a high-quality solar panel will look hazy and less defined than the same reflection off of standard glass. This occurs because the stippled and light-trapping PV glass and cell texture are transmitting a larger percentage of light to the solar cell while breaking up the intensity of the reflected energy.

In addition, as of 2015, there are many PV installations at airports and Air Force bases, including a 7 MW solar farm at the Indianapolis International Airport, and 2.1 MW solar farm at the Chattanooga, Tennessee, Airport. The FAA has issued the categorical statement "No Hazard to Air Navigation," which is the status consistently applied to large PV arrays installed on and around airfields. In a major study conducted by the FAA, it was determined that the percentage of sunlight reflected by PV panels was more than asphalt and less than bare soil[1].

Regarding heat transference to adjacent lands, this is not a concern with solar electric systems. As opposed to a solar thermal system that is intended to heat water, a solar electric system is designed to harvest sunlight (photons) and not heat. In fact, solar panels operate at a reduced efficiency as the air temperature rises; this is why maximum solar output will occur on a sunny, clear day in winter. Moreover, the panels are arranged rows with both ample inter-row spacing and approximately half an inch of space between each panel in order to maximize wind diffusion throughout the array, thus using natural ventilation to reduce the ambient temperature of each panel and the overall system.

Section 1.7. Project Narrative - Development Standards

The Applicant is aware that it must conform to several design specifications contained in Chapter 5, Development Standards, of the UDO. Each of these is discussed in subsequent sections.

Section 1.7.1. Project Narrative - Development Standards: Landscaping

As per Sec. 10.4.4. of the UDO, solar arrays fall under the "Institutional" Use Classification within the "Utilities" use category. Given this, the Facility would traditionally be subject to the landscaping requirements for Public and Institutional Uses as per Table 5.2.4., Required Site Landscaping Plantings. However, UDO Sec. 5.2.9., Alternative Landscape Plan, allows for deviations from the applicable landscaping standards for utility uses. In addition, UDO Sec. 5.2.3.D, Credit for Existing Vegetation, allows for existing vegetation to be credited towards overall buffer requirements.

Ecoplexus proposes to utilize the existing stand of trees along the northern, southern, western property lines to the greatest degree possible in achieving the required vegetative buffer. Areas where the trees are less than sufficient to achieve the desired buffering standards, or places in

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which portions of the trees need to be removed to mitigate shading impacts, will be provisioned with additional plantings in order to achieve the required level of opacity under the Type D buffer. Ecoplexus understands that utilizing existing vegetation will require documentation of the location, species, and diameter of trees to remain. Along the eastern property line that borders the GB-zoned parcels, Ecoplexus proposes a "Type C" buffer; however, the Applicant requests deviation from the requirements for canopy tree planting as allowed under UDO Sec. 5.2.9., Alternative Landscape Plan. This is because canopy trees would result in deleterious shading impacts that negatively impact the overall output of the system.

The final landscaping plan will be developed in close consultation with, and approved by, the Planning Director, prior to applying for a Building Permit.

Section 1.7.2. Project Narrative - Development Standards: Fencing

The Applicant is aware that the UDO is highly prescriptive in terms of fencing in order to maintain visual harmony and protect adjacent properties from indiscriminate placing of fences and walls. Given that the proposed Facility will be a medium voltage electrical facility similar to that of a utility substation, the fencing must comply with National Electric Code © ("Code") requirements, which state that a fence "shall not be less than 2.1 m (7 ft) in height or a combination of 1.8 m (6 ft) or more of fence fabric and a 300-mm (1ft) or more extension utilizing three or more strands of barbed wire or equivalent." Typically, most solar facilities are enclosed by a 6' tall chain link fence topped with three strands of barbed wire. The height of such a fence would be acceptable under UDO Sec. 5.3.4., Height Standards. However, use of barbed or concertina wire would necessitate approval of a site security plan as specified in UDO Sec. 5.3.5. That being said, chain link fences with barbed wire are generally seen as being aesthetically unappealing; as such, Ecoplexus is also evaluating fencing alternatives that would both satisfy Code requirements and potentially be viewed as more visually appealing than traditional chain link fence. The leading contender is what's known as an "agricultural fence" or "deer fence," which features wooden posts with wire mesh. In addition to being to being more aesthetically pleasing, deer fencing does not pose a safety threat to deer in the same way that barbed wire does. Ecoplexus understands that this type of fencing satisfies Code requirements, though the NEC will need to be consulted in order to provide formal verification.

Final fencing details will be developed in close consultation with, and approved by, the Planning Director prior to applying for a Building Permit. If needed, the Applicant will submit a site security plan for approval if deviations from UDO standards are proposed.

Section 1.7.3. Project Narrative - Development Standards: Exterior Lighting

The Applicant proposes no exterior lighting to be included as part of the Facility.

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Section 1.7.4. Project Narrative - Development Standards: Development Entry Points and Driveway/Access Standards

The Applicant has reviewed UDO Sec. 5.6.6., Development Entry Points, and understands that, typically, all non-residential uses in excess of 20 acres are required to include a minimum of two entry points with one additional entry point for every 20 additional acres. However, upon completion of construction, vehicle trips to and from the site would be limited to a single maintenance vehicle several times per year to respond to operational issues or perform routine maintenance. As such, the Applicant requests that the County consider reducing these standards to allow only one entry point for the proposed development, which, in this case, will be off of Uncle Graham Road. The UDO allows for an exception to these standards if "Alternative access can be provided in a manner acceptable to the County that is supported by a transportation impact analysis" (Sec. 5.6.6.D.1).

Regardless, any entry points will conform with North Carolina Department of Transportation (NCDOT) regulations as well the applicable design standards under Sec. 5.6.7 and associated subsections, including an apron of either asphalt or 6" of concrete for a distance of 15' from the edge of the pavement. The Applicant will secure the required Driveway Permit from NCDOT prior to applying for a Building Permit.

Section 1.7.5. Project Narrative - Development Standards: Off-Street Parking and Loading

The proposed Facility will require no off-street parking or loading areas. The GB-zoned road frontage where the former clubhouse and outbuilding remain will be used as a laydown and staging area during construction. However, after construction is complete, no formal parking spaces will be needed. Table 5.1.3.C. of the UDO states that solar arrays shall have no minimum parking requirements; hence, the Applicant's proposal is in conformance with County policy.

Section 1.7.6. Project Narrative – Development Standards: Internal Circulation

The proposed Facility will not require any internal streets, as post-construction vehicle traffic will be limited to a single pickup truck several times a year for operations and maintenance purposes. Internal circulation will be achieved by provision of a proposed 20' wide gravel access path located around the perimeter of the Facility. Internal circulation to other parts of the Facility will be achieved by provision of a grass path roughly 8' wide.

Section 1.8. Project Narrative – Infrastructure and Public Facilities

The proposed Facility will require no provision of infrastructure (water, sewer, roads, etc.) or public facilities (schools, fire fighting, police) from Currituck County.

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Section 1.9. Project Narrative – Environmental Protection

The Applicant is aware that the proposed Facility must conform to several standards described in UDO Chapter 7., Environmental Protection. Each relevant standard is discussed in subsequent sections below.

Section 1.9.1. Project Narrative – Environmental Protection: Tree Protection

Currently, the site features a thick stand of mature trees encircling the property on the northern, western, and southern portions of the perimeter, with the exception of a small exposed portion along the western property line. Additionally, there are a number of linear stands of presumably non-heritage trees within the interior of the property. At present, the perimeter stand of trees is to remain in order to provide a visual buffer and satisfy landscaping requirements as per Sec. 5.2.3.D, Credit for Existing Vegetation, pending documentation of the location, species, and diameter of the trees that are to remain. However, the interior stands of trees will necessarily need to be removed in order to accommodate construction of the Facility.

The Applicant is aware that, prior to any tree-clearing activities, a tree inventory will need to be performed. Should either any heritage trees be identified or non-heritage trees be able to be preserved and credited towards landscaping, a tree protection zone diagram shall be prepared and submitted concomitantly with the tree inventory and demarcated on the final site plan and grading plan. Any such trees within a tree protection zone shall be protected during construction according to the standards set forth in UDO Sec. 7.2.5., including provision of protective fencing, signage, and trenching, as needed, to protect the roots of trees within tree protection zones from removal of adjacent trees.

Section 1.9.2. Project Narrative – Environmental Protection: Stormwater Management

This proposed Facility will require a state Stormwater Management Permit that will be issued by NCDENR. The state Stormwater Management Permit is triggered by one of two situations: the first of which being if an Erosion and Sedimentation Control Permit is required. Erosion and Sedimentation Control Permits are required in the event of proposed disturbance of more than one acre; this permit requires a concomitant application for a Stormwater Management Permit. The second scenario requiring Stormwater Management Permit is for any site intending to create 10,000 square feet of impervious surface that is not already covered under a different permit. While the proposed Facility will require an Erosion and Sedimentation Control and Stormwater Management Permit due to the disturbance of more than one acre, it will qualify as a low-density project and no detention or treatment of stormwater will be required.

Currituck County has a Stormwater Manual and requirements for stormwater plans. Based on the limited amount of impervious coverage intended for this site, it will be exempt from the County's stormwater plan requirements as per Section 2.2.3.G., Stormwater Plan Exemptions, which states: "Development or expansion on a nonresidential, multi-family, or mixed-use lot by less than 5,000 square feet of impervious surface or resulting in less than 10 percent total lot

coverage. This exemption does not include multiple, incremental expansions that result in a reduction of stormwater management standards." It is anticipated that amount of coverage created for this site will be well below 10 percent of the site.

Stormwater runoff will be handled as much as possible by the existing ditch system on the site. Where necessary for placement of equipment or for access, existing ditches will be filled or rerouted and new grass lined drainage swales will be created.

Section 1.9.3 Project Narrative – Environmental Protection: Floodplain Development and Flood Damage Prevention

The host site does not lie within a FEMA-designated SFHA (Zone X). A copy of the FEMA FIRM panel (CD 370078; Panel 9921; Suffix J) has been included with the application package.

Section 1.9.4. Project Narrative – Environmental Protection: Sedimentation and Erosion Control

All utility-scale solar facilities in North Carolina are required to obtain an Erosion and Sedimentation Control Permit from the North Carolina Department of Environment and Natural Resources (NCDENR), prior to commencement of construction. Sec. 7.5.1 of the UDO requires approval of the erosion and sedimentation control plan by the NC Sedimentation Control Commission (which is understood by the Applicant to be the appropriate regional office of NCDENR). As such, presuming the use permit is issued with conditions by the Currituck County Board of Commissioners, prior to returning to the TRC for approval of conditions and issuance of the final permit, the Applicant will have obtained approval of its sedimentation and erosion control plan by the Washington regional NCDENR office.

Section 1.9.5. Project Narrative – Environmental Protection: Riparian Buffers and Drainage Easements

UDO Sec. 7.6.4. prescribes a 50' riparian buffer for all surface waters, estuarine waters, wetlands, and canals. This buffer requires the first 30' (Zone 1) to be left completely undisturbed, with the exception development activities allowed under Sec. 7.6.5., Development Within Buffer. The subsequent 20' (Zone 2) allows for grading and replacement of removed vegetation but precluding development activities, with the exception of those allowed under the aforementioned section. Also, Staff informed the Applicant that it shall maintain a 25' drainage easement along one side of major drainage ways and an additional 25' drainage easement along any ditch that drains an adjacent property.

The County's riparian buffer requirements generally mimic those of NCDENR Division of Water Resources (DWR), which require a 50' riparian buffer on either side of a jurisdictional intermittent, perennial, or modified natural stream located in the Neuse, Tar-Pamlico, and Catawba River basins, or Randleman, Goose Creek, and Jordan Lake Watersheds. And while NCDENR DWR does not require riparian buffers in Currituck County, it does require that a

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stream determination be performed if any stream crossings or roads will be placed within 50' of a potentially jurisdictional stream in a coastal county.

As discussed previously, the property hosts neither any major drainage features as characterized by Currituck County, nor any "Blue Line" streams. Given this information, the Applicant does not feel that there are any "potentially" jurisdictional streams that would necessitate NCDENR involvement.

SECTION 2. Findings of Fact

Section 2.1. The use will not endanger the public health or safety.

Solar photovoltaic technology has proven to be a highly reliable and extremely safe form of electrical generation: one with no pollutants, discharges, or emissions of toxic compounds during its use. Alexandre Edmund Becquerel first observed the photovoltaic effect, in 1839. In 1954, Bell Labs introduced the first solar PV device that produced a usable amount of electricity. By 1958, solar cells were being used in small-scale scientific and commercial applications[2]. These include solar-powered watches and calculators.

Most solar PV applications use solar panels made from Crystalline Silicon (c-Si) or "solar grade silicon," which feature silicon modules or wafers cut from either cylindrical or cast square ingots. The advantages of using silicon in solar panels include its high level of efficiency, abundance in nature, and lack of toxicity; disadvantages include its weight and relative inflexibility. Other components of solar panels include glass, aluminum (from which the frame is fabricated), and a bonding compound to hold all of the components together.

Solar PV is now a common, mainstream form of electrical generation. There are over 17,500 MW of cumulative solar electric capacity operating in the United States, which is enough to power more than 3.5 million average American homes.[3] In 2014, North Carolina added 397 MW of installed solar PV capacity[4]. Moreover, solar PV has been installed on or adjacent to a variety of uses: residential, commercial, industrial, and municipal, as well as educational and other institutional uses; these are in addition to ground-mounted "utility-scale" solar PV arrays, such as the type contemplated by the Facility proposed herein. In all, 6,201 MW of PV was installed in the U.S. in 2014, and there are over 600,000 on-site solar PV systems in operation in the U.S. today[5].

In addition, the Grandy Solar Farm will employ a variety of design and engineering features intended to enhance the overall safety of the proposed Facility. These include:

- Security fencing
- Code complaint wiring practices and materials
- "Bonding" of all metals to prevent fire in the case of a ground fault
- Usage of panels rated to 150 MPH wind speed

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- Racking system will be engineered to withstand a minimum of 110 MPH 3-second wind gust

Section 2.2. 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.

A solar facility is a very benign, innocuous land use. The Facility will produce no odors, air emissions, or hazardous materials. Additionally, it will not produce any noises that are discernible beyond the interior of the facility. (The only component of the Facility that will make any noise are the inverters, which produce a slight electrical "hum" that can be heard within an approximate radius of 100'.) Additionally, after construction of the Facility is complete, vehicular trips to/from the site will consist of a single pickup truck several times a year for routine maintenance. As such, the Facility will produce effectively no traffic whatsoever during its operational life. Moreover, solar facilities are generally considered to be less noxious uses than even traditional agriculture, given that farming can create nuisances in the form of dirt kicked up by tractors, odors from fertilizer application, and migration of pesticides and herbicides from the soil into the groundwater.

Regarding land values, negative impacts to property values are typically associated with certain types of nuisances, including noise, odor, traffic, and hazardous materials. Ecoplexus has commissioned a licensed real estate appraiser to perform a number of "matched pair analyses" for its proposed solar developments in North Carolina. Matched pair analyses evaluate prices for nearly identical homes, with the main difference between that one set of homes is adjacent to a solar farm while the others are not. The analyses also look at sales prices of the same homes before and after construction of the facility. None of the analyses produced any evidence of deleterious impacts on property values due to the presence of the solar facility. This is due to the fact that solar produce none of the types of nuisances – noise, odor, traffic, or hazardous materials – that are associated with land uses thought to have a negative impact on property values.

In addition, Ecoplexus will have the same licensed NC real estate appraiser who produced the above-referenced reports available to testify at the Use Permit hearing before the BOC.

In terms of how the proposed use will be in harmony with the surrounding area, it is worth noting that the proposed Facility can actually enhance it. For example, while traditional agriculture (which is allowed by right under the parcel's current zoning designation) produces dust and runoff, the proposed solar farm will produce neither. (This is echoed in the underlying logic behind the County's Agricultural Buffer.) Nor is there any traffic that will be created after the construction period has finished. Also, the Facility will be nearly silent, with the exception of the slight electrical "hum" produced by the inverters. And given that the maximum height of the Facility will be 10', it will be roughly the same height or shorter than other nearby structures, including the nearby single-story homes. The proposed Facility also represents a consistent, predictable land use that will be in harmony with the surrounding area by not contributing to urbanization of the landscape. Given that the PPA with Dominion North Carolina

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Power will be for 30 years, no substantial changes to the site will take place during that time. This means no additional traffic, subdivision of the land, or need for additional services during that time.

Section 2.3. The use will be in conformity with the Land Use Plan or other officially adopted plan.

The Applicant has reviewed the Currituck County's 2006 Land Use Plan and has identified numerous policies that it believes are relevant to the Facility proposed herein. Each of these has been provided below (in italics), along with a brief explanation of how the proposed Facility comports with the specific policy.

POLICY ES1: New development shall be permitted to locate only in areas with SUITABLE SOIL and where ADEQUATE INFRASTRUCTURE is available. For existing development located on poor soils, and where sewage treatment upgrades are necessary, engineering solutions may be supported, provided that environmental concerns are fully addressed.

Utility-scale solar farms can be engineered such that they can be sited on a variety of different soils, including poor ones. A soils test will be performed prior to construction in order to assess what type of racking structure and foundation design are most suitable for the soils on site. Also, the proposed Facility will require no provision of County infrastructure.

POLICY ES2: NON-COASTAL WETLANDS, including FRESHWATER SWAMPS, AND INLAND, NON-TIDAL WETLANDS, shall be conserved for the important role they play in absorbing floodwaters, filtering pollutants from stormwater runoff, recharging the ground water table, and providing critical habitat for many plant and animal species. Currituck County supports the efforts of the U.S. Army Corps of Engineers in protecting such wetlands through the Section 404 permit program of the Clean Water Act, as well as Section 401 water quality certifications by the State of North Carolina.

The USACE has confirmed that there are no jurisdictional wetlands on site, and an Approved JD will be forthcoming, evidencing that no wetlands are present.

POLICY AG1: ACTIVE AGRICULTURAL LANDS having a high productive potential, and especially those removed from infrastructure and services, should be conserved for continued agricultural use.

The proposed Facility is to be developed on a parcel that has not been used for agricultural purposes for many years. As such, it does not represent a conversion of agricultural land into non-agricultural uses.

POLICY CD7: Attractive, environmentally beneficial LANDSCAPING shall be provided by new commercial or office developments, and in the rehabilitation and upgrading of existing developments. Appropriate BUFFERING or other effective DESIGN FEATURES may be employed

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to allow less intensive forms of commercial and office development to adjoin existing or planned residential uses.

While not a commercial or office development, the proposed Facility will feature landscaping as required by the County, and the existing stand of trees will be left in place to the greatest degree possible.

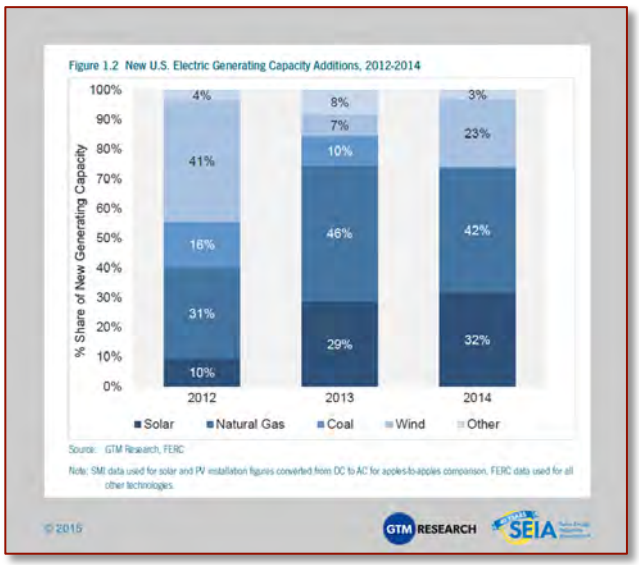
POLICY ID1: To diversify the local economy and broaden the local tax base, the County shall encourage a public service and regulatory environment conducive to COMPATIBLE INDUSTRIAL DEVELOPMENT. "Compatible" shall be defined as, among other things, industries that do not adversely impact the environmental quality of the area, or overburden the local infrastructure.

While not an industrial development, the proposed Facility is part of an industry that is new to Currituck County, thus helping to diversify the local economy. Additionally, it will broaden the local tax base without adversely impacting the environmental quality of the area or overburdening local infrastructure.

POLICY ID9: Currituck County shall not support the exploration or development of ENERGY PRODUCING FACILITIES within its jurisdiction including, but not limited to, oil and natural gas wells, and associated staging, transportation, refinement, processing or on-shore service and support facilities.

This policy might, at first, seem that it would discourage permitting a solar farm. HOWEVER, the land use plan was written in 2006, long before utility-scale solar started to emerge as an industry and potential land use. Additionally, now in the year 2015, solar competes directly with natural gas in terms of new electrical generation capacity. (Please see the chart below.)

Figure 1. New U.S. Electrical Generation Capacity, 2012 vs. 2014[6]



Attachment: 2-Grandy Solar Farm - Special Use Permit Application - Written Responses - 151211 (1472 : PB 15-25 Grandy Solar Farm)

As is clear from the above chart based on data provided by the Federal Energy Regulatory Commission (FERC), natural gas and solar are both increasing their shares of new electrical capacity, while other forms of generation, particularly coal, are decreasing. Therefore, the best way to combat new drilling or "fracking" for oil and natural gas and to achieve the goal of this Policy is to permit new solar generation capacity.

POLICY PP2: Currituck County shall continue to implement a policy of ADEQUATE PUBLIC FACILITIES, sufficient to support associated growth and development. Such facilities may include but not be limited to water supply, school capacity, park and open space needs, fire fighting capability, and law enforcement.

Again, the proposed Facility will require no additional provision of infrastructure or public facilities.

POLICY PP3: The costs of infrastructure, facilities and services (e.g. schools, parks, water supply, etc.) related to the DEMAND CREATED BY NEW GROWTH AND DEVELOPMENT shall be borne, in equitable proportion, by those creating the additional demand. So as to lessen the burden on the general property tax payer, this approach may include a land transfer tax, impact fees on new development, upzoning fees, and user fees for new facilities.

While the proposed Facility will not create any additional demand for infrastructure, facilities, or services of its own, by virtue of adding an approximately $32 million solar facility to the tax base (of which personal property taxes can be levied on approximately $6.475 million of that total), it will pay above and beyond its share for the cost of adding new infrastructure, services, and facilities for other types of growth and development for which provision of such is needed.

POLICY WQ3: Currituck County supports policies, plans and actions that help protect the water quality of the county's estuarine system by preventing SOIL EROSION AND SEDIMENTATION, and by controlling the quantity and quality of STORMWATER RUNOFF entering the estuary.

As detailed in the Project Narrative, the Applicant will comply with all applicable policies in this regard. The Facility will require an Erosion and Sedimentation Control Permit along with a Stormwater Management Permit, both of which will be obtained from NCDENR. However, the Facility will be exempt from Currituck County stormwater requirements due to the fact that the site will feature less than 10% impervious surfaces.

POLICY WQ4: RUNOFF AND DRAINAGE from development, forestry and agricultural activities shall be of a quality and quantity as near to natural conditions as possible. Post development runoff shall not exceed pre-development volumes.

Given that the proposed Facility will feature minimal impervious surfaces and because the spacing between each solar panel and each row of panels allows for infiltration of water in, around, and through the system, the soil will have the same absorption capacity as it does, if not more so, in its current state.

Attachment: 2-Grandy Solar Farm - Special Use Permit Application - Written Responses - 151211 (1472 : PB 15-25 Grandy Solar Farm)

POLICY WQ5: Development that preserves the NATURAL FEATURES OF THE SITE, including existing topography and significant existing vegetation, shall be encouraged. If COASTAL AND NON-COASTAL WETLANDS are considered part of a lot's acreage for the purpose of determining minimum lot size or development density, Low Impact Development techniques or appropriate buffers shall be integrated into the development. Open space developments shall be encouraged to REDUCE IMPERVIOUS SURFACE AREAS associated with new development and redevelopment.

The Applicant intends to maximize existing topography and vegetation to the greatest degree possible.

POLICY ED1: NEW AND EXPANDING INDUSTRIES AND BUSINESSES should be especially encouraged that: 1) diversify the local economy, 2) train and utilize a more highly skilled labor force, and (3) are compatible with the environmental quality and natural amenity-based economy of Currituck County.

The proposed Facility meets all three of the requirements above. It represents another major investment by the solar industry in Currituck County, which is one of the fastest growing sectors in both the United States and North Carolina, with the clean energy industry having contributed approximately $4.2 billion to North Carolina's Gross State Product between 2007-2014[7]. Each solar farm that is permitted and built represents dozens of temporary but full-time construction and construction support-services jobs (e.g., fencing and grading contractors), in addition to jobs for more skilled workers such as electricians, surveyors, and engineers. The proposed Facility will preserve the environmental quality of the County by: avoiding any impacts to the County's estuarine system and wetlands, producing no emissions after construction, and utilizing construction techniques that minimize long-term soil impacts (i.e., ground-screws or driven piles for the racking system instead of poured concrete).

POLICY CA1: The important economic, tourism, and community image benefits of attractive, functional MAJOR HIGHWAY CORRIDORS through Currituck County shall be recognized. Such highway corridors, beginning with US 158 and NC 168, shall receive priority attention for improved appearance and development standards, including driveway access, landscaping, buffering, signage, lighting and tree preservation.

The portion of the property currently abutting Caratoke Highway will be subdivided out from the larger portion of the parcel and left free for suitable commercial development.

POLICY ML1: Currituck County recognizes the particular interest of residents and property owners in the Mainland Area in PRESERVING FARMLAND AND OPEN SPACE. The County shall exercise diligence in applying policies, plans and actions that will encourage compact growth and the preservation of farmland and open space in the Mainland Area.

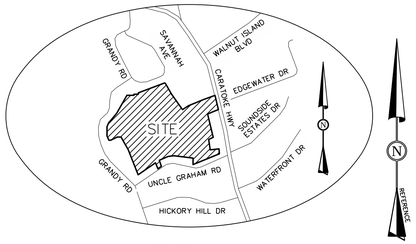
While most solar facilities are developed on converted farmland, the Facility proposed herein is to be developed on a vacant, marginal piece of land that had been formerly used for recreational purposes, hence supporting the County's stated goal of preserving farmland.

Attachment: 2-Grandy Solar Farm - Special Use Permit Application - Written Responses - 151211 (1472 : PB 15-25 Grandy Solar Farm)

REFERENCES

1. Federal Aviation Administration. (November 2010). *Technical Guidance for Evaluating Selected Solar Technologies on Airports.* Pgs. 37- 40. http://www.faa.gov/airports/environmental/policy_guidance/media/airport_solar_guide.pdf
2. Solar Energy Industries Association. (2014). http://www.seia.org/policy/solar-technology/photovoltaic-solar-electric
3. Greentech Media and Solar Energy Industries Association. (2015). *U.S. Solar Market Insight Report: 2014 Year-In-Review. Executive Summary.*
4. Ibid.
5. Ibid.
6. Greentech Media, Solar Energy Industries Association, and the Federal Energy Regulator Commission. (2015). http://www.seia.org/news/us-installs-62-gw-solar-pv-2014-30-over-2013
7. RTI International/ScottMadden. (February 2015). *The Economic, Utility Portfolio, and rate Impact of Clean Energy Development in North Carolina – 2015 Update.*

Attachment: 2-Grandy Solar Farm - Special Use Permit Application - Written Responses - 151211 (1472 : PB 15-25 Grandy Solar Farm)



VICINITY MAP
1"=2000'

SITE DATA:

1. OWNER:
   CURRITUCK SUNSHINE FARM, LLC
   5504 N. PROSPECT RD.
   PEORIA HEIGHTS, IL 61616

   DEVELOPER:
   ECOPLEXUS, INC.
   NATHAN ROGERS
   (415) 626-1802
   650 TOWNSEND ST, SUITE 310
   SAN FRANCISCO, CA 94103

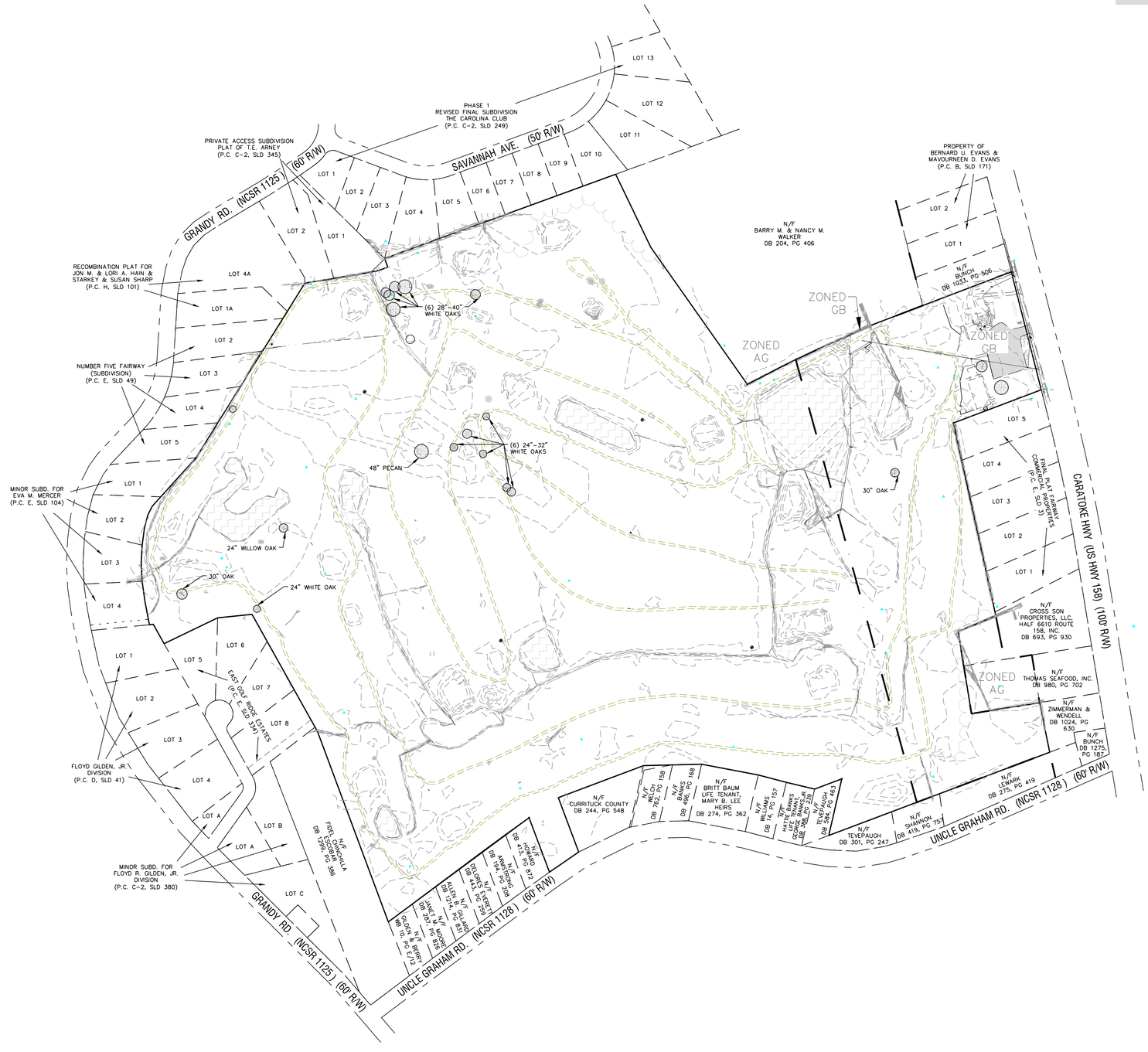
2. PARCEL DATA:
   PARCEL ID NUMBER: 0108000095A0000
   TRACT AREA: 121.44 AC (±5,290,000 SF)
   CURRENT ZONING: AGRICULTURE (AG) 100.8 AC.
   GENERAL BUSINESS (GB) 20.6 AC.
   LAND USE CLASS: FULL SERVICE (EX. GOLF COURSE)

3. SITE IS LOCATED IN FLOOD ZONE "X" ACCORDING TO FIRM MAP NUMBER 3720990000K AND 3720992100J, DATED DECEMBER 16, 2005.

4. THIS IS NOT A BOUNDARY SURVEY. BOUNDARY INFORMATION TAKEN FROM SURVEY BY ISSUED & SEALED BY MANSON RAY MEEKINS, L-2592, ON 11/12/13.

LEGEND

PROPERTY BOUNDARY
RIGHT-OF-WAY
ZONING LIMIT
ADJACENT PROPERTY LINE
EXISTING ASPHALT
EXISTING HERITAGE TREE



GRAPHIC SCALE

200 0 100 200 400 800

(IN FEET)
1 inch = 200 ft.

EASTERN CAROLINA ENGINEERING, PC
Engineering · Surveying · Construction Management
www.easterncarolinaengineering.com
Phone: 252-335-1888 Fax: 252-331-2390 License: C-4162
154 US Hwy 158 East, Camden, NC 27921

PRELIMINARY
NOT FOR CONSTRUCTION
DO NOT USE FOR RECORDATION OR SALE

CONCEPTUAL PLAN FOR USE PERMIT
GRANDY PV1
GOOSE CREEK SOLAR PARK
POPLAR BRANCH TWSP., CURRITUCK COUNTY, NORTH CAROLINA

ecoplexus

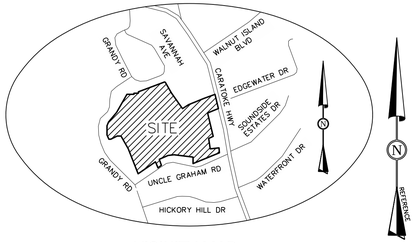
REVISIONS:
NUM. DATE DESCRIPTION

Project #: 150120
Drawing #: 150120-PRESENTATION-005315
Drawn: JAM
Checked: KDH
Approved: KDH
Date: 12/14/2015
Sheet #: 1/2
Scale: 1:200

Know what's below. Call before you dig.

SHEET TITLE: EXISTING CONDITIONS OVERVIEW
SHEET NUMBER: C100

Attachment: 150120 - Presentation - 121415 (1472 : PB 15-25 Grandy Solar Farm)



VICINITY MAP
1"=2000'

SITE DATA:

1. OWNER:
CURRITUCK SUNSHINE FARM, LLC
5504 N. PROSPECT RD.
PEORIA HEIGHTS, IL 61616

DEVELOPER:
ECOPLEXUS, INC.
NATHAN ROGERS
(415) 626-1802
650 TOWNSEND ST, SUITE 310
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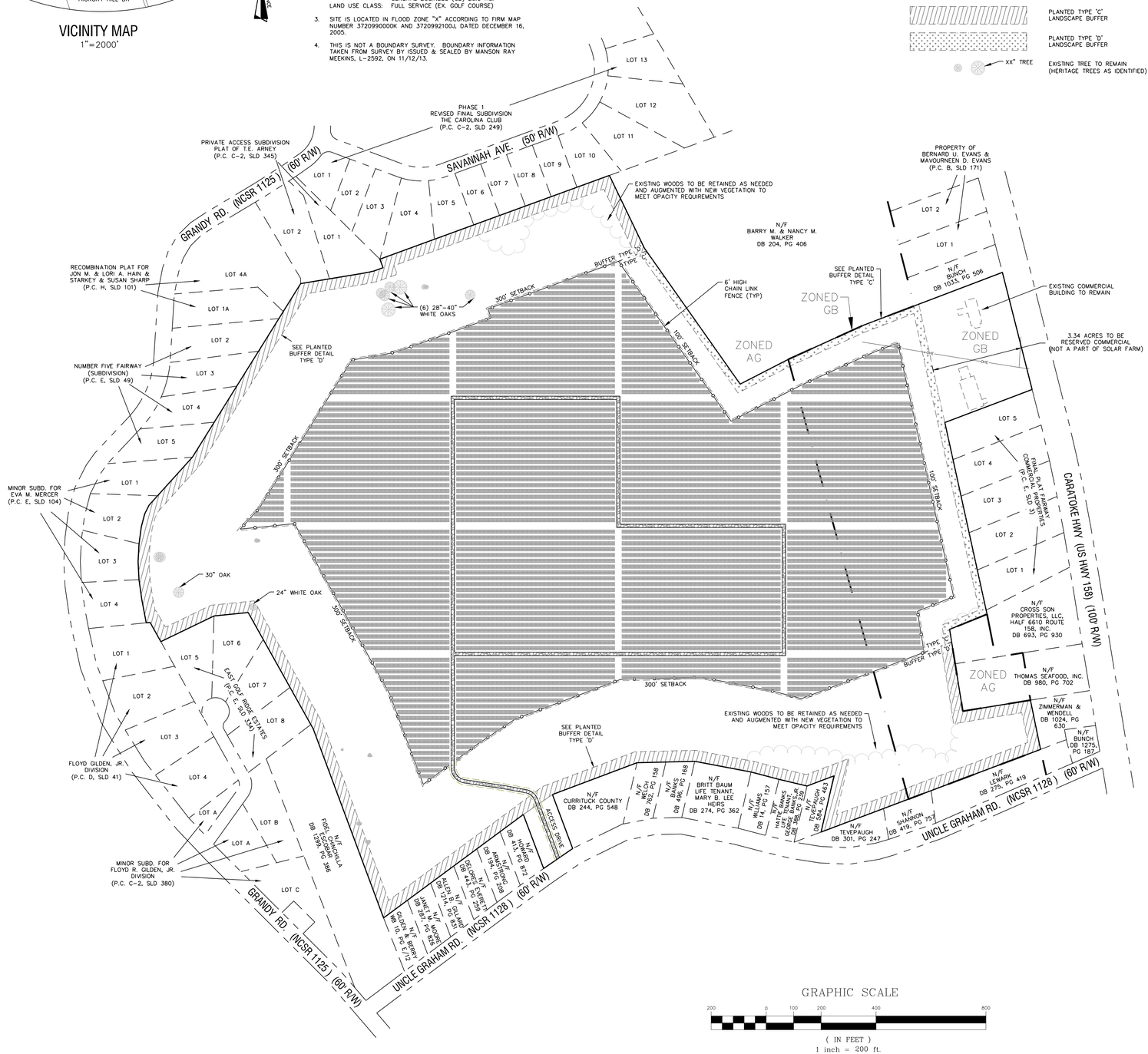
2. PARCEL DATA:
PARCEL ID NUMBER: 0108000095A0000
TRACT AREA: 121.44 AC (±5,290,000 SF)
CURRENT ZONING: AGRICULTURE (AG) 100.8 AC.
GENERAL BUSINESS (GB) 20.6 AC.
LAND USE CLASS: FULL SERVICE (EX. GOLF COURSE)

3. SITE IS LOCATED IN FLOOD ZONE "X" ACCORDING TO FIRM MAP NUMBER 3720990000K AND 3720992100J, DATED DECEMBER 16, 2005.

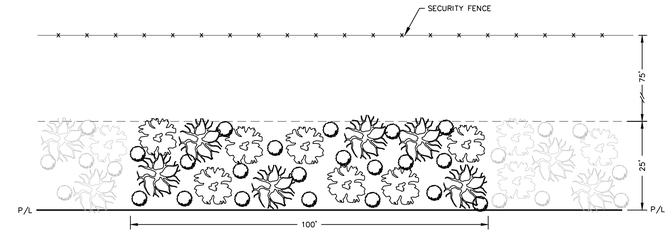
4. THIS IS NOT A BOUNDARY SURVEY. BOUNDARY INFORMATION TAKEN FROM SURVEY BY ISSUED & SEALED BY MANSON RAY MEEKINS, L-2592, ON 11/12/13.

LEGEND

- PROPERTY BOUNDARY
- RIGHT-OF-WAY
- ZONING LIMIT
- ADJACENT PROPERTY LINE
- EXISTING WOODS LINE
- PROPOSED CHAIN LINK FENCE
- PROPOSED GRAVEL
- PLANTED TYPE 'C' LANDSCAPE BUFFER
- PLANTED TYPE 'D' LANDSCAPE BUFFER
- XX" TREE — EXISTING TREE TO REMAIN (HERITAGE TREES AS IDENTIFIED)



GRAPHIC SCALE
200 0 100 200 400 800
(IN FEET)
1 inch = 200 ft.



REQUIREMENTS PER 100 FEET:

CANOPY TREE: 12 ACI*
UNDERSTORY STREE: 14 ACI*
SHRUBS: 20 TOTAL

CANOPY TREES SHALL HAVE A MINIMUM CALIPER OF 2 INCHES OR BE 8' IN HEIGHT AT THE TIME OF PLANTING. SPECIES SHALL HAVE A MINIMUM MATURE HEIGHT OF 30'.

UNDERSTORY TREES SHALL HAVE A MINIMUM CALIPER OF 1.5" OR BE 6' IN HEIGHT AT THE TIME OF PLANTING. SPECIES SHALL HAVE A MINIMUM MATURE HEIGHT OF NO GREATER THAN 30'.

SHRUBS SHALL BE A MINIMUM SIZE OF 3 GALLONS AT THE TIME OF PLANTING AND HAVE A MINIMUM MATURE HEIGHT OF 36" ABOVE GRADE.

12 ACI* CANOPY TREES = 6 @ 2" CAL OR 8' MIN. HEIGHT

14 ACI* UNDERSTORY TREE = 7 @ 2" CAL OR 6' MIN. HEIGHT
-OR-
= 10 @ 1.5" CAL OR 6' MIN. HEIGHT

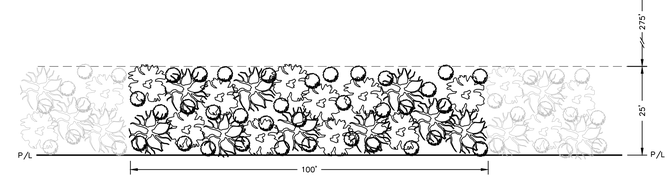
*AGGREGATE CALIPER INCH (ACI) = TOTAL COMBINED CALIPER INCHES

**CALIPER IS MEASURE AT 6" ABOVE GRADE.

NOTE: IN AREAS OF EXISTING DENSE VEGETATION, ADDITIONAL PLANTINGS WILL BE ADDED AS NECESSARY TO ACHIEVE REQUIRED OPACITY.

- CANOPY TREE (2 SPECIES MIN.)
- UNDERSTORY TREE (2 SPECIES MIN.)
- SHRUB

TYPE 'C' LANDSCAPE BUFFER SECTION
NTS



REQUIREMENTS PER 100 FEET:

CANOPY TREE: 18 ACI*
UNDERSTORY STREE: 20 ACI*
TALL SHRUBS: 35 TOTAL

CANOPY TREES SHALL HAVE A MINIMUM CALIPER OF 2 INCHES OR BE 8' IN HEIGHT AT THE TIME OF PLANTING. SPECIES SHALL HAVE A MINIMUM MATURE HEIGHT OF 30'.

UNDERSTORY TREES SHALL HAVE A MINIMUM CALIPER OF 1.5" OR BE 6' IN HEIGHT AT THE TIME OF PLANTING. SPECIES SHALL HAVE A MINIMUM MATURE HEIGHT OF NO GREATER THAN 30'.

TALL SHRUBS SHALL BE A MINIMUM SIZE OF 3 GALLONS AT THE TIME OF PLANTING AND HAVE A MINIMUM MATURE HEIGHT OF 60" ABOVE GRADE.

18 ACI* CANOPY TREES = 9 @ 2" CAL OR 8' MIN. HEIGHT

20 ACI* UNDERSTORY TREE = 10 @ 2" CAL OR 6' MIN. HEIGHT
-OR-
= 14 @ 1.5" CAL OR 6' MIN. HEIGHT

*AGGREGATE CALIPER INCH (ACI) = TOTAL COMBINED CALIPER INCHES

**CALIPER IS MEASURE AT 6" ABOVE GRADE.

NOTE: IN AREAS OF EXISTING DENSE VEGETATION, ADDITIONAL PLANTINGS WILL BE ADDED AS NECESSARY TO ACHIEVE REQUIRED OPACITY.

- CANOPY TREE (2 SPECIES MIN.)
- UNDERSTORY TREE (2 SPECIES MIN.)
- TALL SHRUB

TYPE 'D' LANDSCAPE BUFFER SECTION
NTS

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154 US Hwy 158 East, Camden, NC 27921

PRELIMINARY
DO NOT USE FOR CONSTRUCTION
NOT FOR RECORDATION

CONCEPTUAL PLAN FOR USE PERMIT
GRANDY PV1
GOOSE CREEK SOLAR PARK
POPLAR BRANCH TWSP., CURRITUCK COUNTY, NORTH CAROLINA

Attachment: 150120 - Presentation - 121415 (1472 : PB 15-25 Grandy Solar Farm)

ecoplexus

REVISIONS:
NUM. DATE DESCRIPTION

Project #: 150120
Drawing #: 150120-PRESENTATION-09315
Drawn: JAM
Checked: KDH
Approved: KDH
Date: 12/14/2015
Sheet #: 2/2
Scale: 1:200

Know what's below. Call before you dig.

SHEET TITLE: CONCEPTUAL PLAN
SHEET NUMBER: C200

Currituck County
Department of Planning and Community Development
153 Courthouse Road, Suite 110
Currituck, North Carolina 27929
252-232-3055
FAX 252-232-3026

MEMORANDUM

To: Nathan Rogers, Ecoplexus, Inc.
Kim Hamby, Eastern Carolina Engineering

From: Tammy Glave, Senior Planner

Date: January 14, 2016

Re: PB 15-25 Grandy Solar Farm, Use Permit, TRC Comments

The following comments have been received from the Technical Review Committee. In order to be scheduled for the February 9, 2016 Planning Board meeting, please address all comments and resubmit a corrected plan by 5:00 p.m. on January 25, 2016. TRC comments are valid for six months.

Planning, (Tammy Glave, 252-232-6025)
Approved with corrections/comments:

1. Our maps indicate that there are potential wetlands on the property. Please provide the mentioned US Army Corps letter that there are no wetlands on the property.
2. Appropriate ground cover/grass is required. Please note the proposed ground cover/grass. (UDO Section 4.2.3.H)
3. The total height of the solar energy system, including any mounts, shall not exceed 15 feet above the ground when orientated at maximum tilt. Please show a profile of the proposed installed panels noting height at maximum tilt. (UDO Section 4.2.3.H)
4. The solar energy system owner shall have 12 months to complete decommissioning of the facility if no electricity is generated for a continuous 12 month period.
5. Operations, maintenance, and decommissioning plans are required.
6. Ground water monitoring wells shall be installed prior to construction of the solar energy system and testing data shall be submitted annually to the Planning and Community Development Department until decommissioning occurs. Monitoring wells shall be located near the center of the site and along each exterior property line at approximately the lowest ground elevation point of each property line. Testing data shall be provided to the county indicating compliance with EPA National Primary Drinking Water Standards prior to construction and annually until decommissioning occurs.
    a. Should the initial ground water testing indicate that the site is not in compliance with the EPA National Primary Drinking Water Standards, subsequent annual reports shall indicate no increase in noncompliance with those standards.
7. Prior to the issuance of a building permit, the developer shall post a performance guarantee in the form of cash deposit with the county to ensure decommissioning funds are available in an amount equal to 115 percent of the estimated decommissioning costs minus salvageable value. Estimates for decommissioning the site and salvageable value shall be prepared and certified by a registered engineer or North Carolina licensed general contractor and submitted prior to building permit approval and verified by a

Attachment: Goose Creek Solar UP TRC Comments 2-20-16 (1472 : PB 15-25 Grandy Solar Farm)

registered engineer or North Carolina licensed general contractor and resubmitted every two years thereafter until decommissioning occurs.

Currituck County Building Inspections (Bill Newns, 252-232-6023)
Reviewed without comment.

Currituck County Engineer (Eric Weatherly/Michelle Perry, 252-232-6035) and Currituck Soil and Water (Will Creef, 252-232-3360)
Approved with corrections:

1. We can only assume from the site plan provided that there will be ponds filled in as a result of this development. Are there any state/federal permits required?
2. Does this site accept any stormwater runoff from neighboring property or will this development create any runoff onto neighboring property? If so, describe the impacts and measures to address the runoff.

Currituck County Fire Marshal (James Mims, 252-232-6641)
Reviewed with comment:

1. Address should be posted on front gate.
2. All fire apparatus access gates must have at least a 20' opening.

Currituck County GIS (Harry Lee, 252-232-4039)
Reviewed without comment.

Currituck County Parks and Recreation (Jason Weeks, 252-232-3007)
Reviewed without comment.

Currituck County Utilities (Pat Irwin, 252-232-6061)
Reviewed without comment.

Albemarle Regional Health Services (Joe Hobbs, 252-232-6603)
Reviewed with comment:

1. Please consult with Health Department if an office building or other shelter with water usage is proposed to be constructed on the property.

NC Department of Transportation (Jim Hoadley, 252-331-4737)
Reviewed with Comment:

1. The applicant will need a driveway permit from NCDOT and potential encroachment should there be any work performed with the ROW

NC Division of Coastal Management (Charlan Owens, 252-264-3901)
Reviewed without comment.

NC State Archeology (Lawrence Abbott, 919-807-6554)
Reviewed with comment:

1. An archaeological survey is not recommended.

The following items are necessary for submittal:

- 11 - full size copies of revised plans.
- 1- 8.5”x11” copy of revised plans.
- 1- PDF digital copy of all revised documents and plans.

Attachment: Goose Creek Solar UP TRC Comments 2-20-16 (1472 : PB 15-25 Grandy Solar Farm)

SOLAR PANEL EQUIPMENT EXHIBITS

- Photos of recent construction: Fixed Tilt and Single Axis Tracker
- Modular Racking Specifications – Fixed Tilt
- Solar Tracking System Specifications
- Solar Module Specifications
- Electrical Inverter Specifications

Attachment: Solar Panel Equipment Exhibits reduced (1472 : PB 15-25 Grandy Solar Farm)

ecoplexus
650 Townsend St, Suite 310
San Francisco, CA 94103

Typical Ground Mount installations – Fixed Tilt





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ecoplexus
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Typical Ground Mount installations – Single Axis Tracker





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Typical Ground Mount installations – Single Axis Tracker





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Typical Ground Mount installations – Single Axis Tracker



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San Francisco, CA 94103



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AP ALTERNATIVES
Modular Solar Racking for Ground and Roof Mounts

419.267.5280 EXT. 102
WWW.APALTERNATIVES.COM





MODULAR DESIGN



SNAP CAP



PREWIRING

APA GROUND MOUNT (72 CELL FRAMED MODULES)

WHERE INNOVATION MEETS AUTOMATION

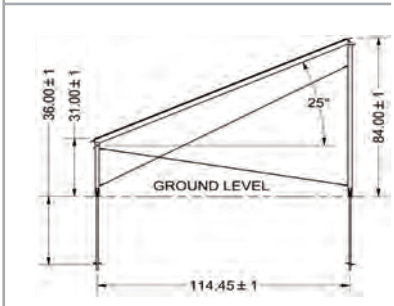
SPECIFICATIONS

Racking Material: High Strength Steel
Corrosion Resistance: Galvanized coating that complies with the requirements of ASTM 123 and ASTM 653
Snow Load: Standard 25 psf
Wind Load: Up to 150 mph
Panel Angle: Customer Specified (10-25 Degrees)
Anchor Depth: Design based on soil type and geographical location. Testing performed by APA before installation to confirm soil bearing loads.

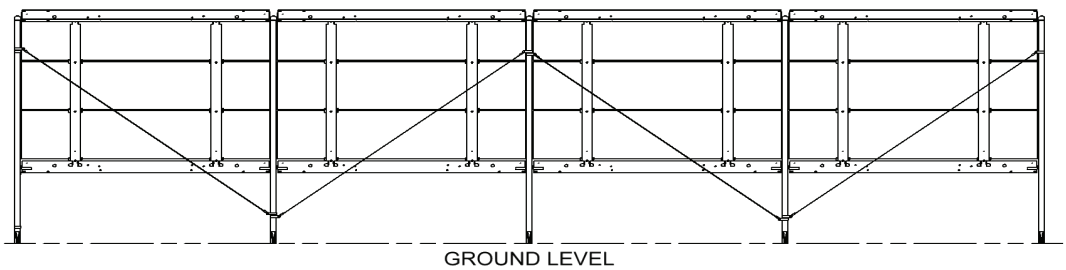
SYSTEM ADVANTAGES

PrePanelization: Solar Modules are preinstalled onto the racking system before site delivery.
Modular Design: Only 3 main components - all prefabricated in a quality controlled environment.
Installation Rate: Extremely time and labor efficient utilizing our modular design.
Module Grounding: Modules are all pre-grounded to the racking system.
Prewiring: Module series connections are made and wire management is completed for lead wires.
Snap Cap: APA proprietary Snap Cap is simple to install and allows for extremely tight connections.
Cable Tray: Built in cable tray for home run wires.
Interlocking: Rows can be constructed to any desired length.









Attachment: Solar Panel Equipment Exhibits reduced (1472 : PB 15-25 Grandy Solar Farm)

ARRAY TECHNOLOGIES



Attachment: Solar Panel Equipment Exhibits reduced (1472 : PB 15-25 Grandy Solar Farm)

ABOUT ARRAY TECHNOLOGIES, INC.

Solar industry pioneer Array Technologies, Inc. is the leading manufacturer of innovative, cost-effective, reliable and robust solar tracking systems. Our customers include utilities, corporations, small businesses, and homeowners. Headquartered in Albuquerque, NM for over twenty years, Array provides its customers with unequaled solar tracking expertise. Array's trackers are manufactured in the USA and shipped worldwide.

Array Technologies Inc.

A 3901 Midway Place NE
Albuquerque,NM 87109 USA

T 505.881.7567
F 505.881.7572

E utilitysales@arraytechinc.com
W www.arraytechinc.com

Array Technologies' DuraTrack™ HZ Solar Tracker optimally balances performance with high durability, long-term reliability, and minimal operation and maintenance, to maximize the ROI for utility-scale projects.

SMART DESIGN

Unlike "push-pull" tracker designs, DuraTrack HZ's rotating gear-drive system does not transmit wind forces through the driveline, resulting in an uncomplicated, robust solution that requires less structural material and parts.

GREATEST DESIGN FLEXIBILITY

Articulating driveline connections accommodate installation on undulating terrain and irregular site boundaries while immensely relaxing installation tolerances, reducing the risk of installation errors.

FEWER MOTORS PER MW INCREASES PAYBACK

Designed to expedite the development of utility-scale solar plants, the DuraTrack HZ high-density, low-profile system has fewer motors per MW, making it easier to install, operate and maintain.

WIND TUNNEL AND LAB TESTED

Full-scale wind tunnel testing of the DuraTrack structure, and laboratory lifetime-tested components, results in a reliable and durable system that has proved to exceed expectations.

DuraTrack™HZ
SOLAR TRACKERS





**SAN LUIS VALLEY,
NEAR ALAMOSA, CO – 6.6 MW**

Acres of open, unobstructed land in the sunny San Luis Valley of southern Colorado make it a great location for a solar tracking system—except for the extreme cold temperatures. Summertime temperatures swing from hot in the day to cold at night. Winter-time lows have reached -50° F. Array Technologies engineered DuraTrack HZ electronics and drive components for reliable operation in this extremely cold climate. The DuraTrack HZ tracker has been field-tested and proven in all climate conditions—extreme hot, extreme cold, extreme wind and in coastal locations.

View more installations at:
arraytechinc.com

STRUCTURAL & MECHANICAL FEATURES/SPECIFICATIONS	
Tracking Type	Single Axis
Tilt Angle	0 Degrees
kW per Drive Motor	Up to 350 kW DC
Drive Type	Gear Drive
Motor Type	1.5 to 3 HP, 3 Phase, 480V AC
Motors per 1 MW	2 – 4 motors
East-West/North-South Dimensions	Site/module specific
Array Height	48” standard, adjustable
Recommended Ground Cover Ratio (GCR)	33% standard, flexible
Modules Supported	Most commercially available
Tracking Range of Motion	90°
Module Configuration	Single module in portrait
Module Attachment	DuraTrack HZ high speed mounting clamps
Materials	HDG, high-strength steel & anodized aluminum
Allowable Wind Load	Tailored to site requirements; up to IBC 140 MPH, 3-second gust exposure C
Wind Protection	None required, safety windstow included.
ELECTRONIC CONTROLLER FEATURES/SPECIFICATIONS	
Wind Stow Device	Yes
Wind Stow Device Type	Array Tech proprietary
Solar Tracking Method	Algorithm with GPS input
Control Electronics	MCU plus Central Controller
Data Feed	MODBUS over Ethernet to SCADA system
Nighttime Stow	Yes
Tracking Accuracy	+ or – 2° standard, field adjustable
Backtracking	Yes
INSTALLATION, OPERATION & MAINTENANCE	
PE Stamped Structural Calculations & Drawings	Yes
Onsite System Commissioning	Yes
Welding Required	Fillet welds only
In-field Fabrication Required	No
Dry Slide Bearings & Articulating Drive-Line Connections	No lube required
Gear Drives	Grease every 2 years
GENERAL	
Annual Power Consumption (kWh per 1 MW)	350 kWh per MW per year, estimated
Land Area Required Per 1 MW	Approx. 5-6 acres per MW @ 33% GCR (site and design specific)
Energy Gain vs. Fixed-Tilt	Up to 25%, site specific
Warranty	5 years parts only, 10 year extended available
Made in the USA	Yes

Photos courtesy of SunEdison & Zinn Photography

Attachment: Solar Panel Equipment Exhibits reduced (1472 : PB 15-25 Grandy Solar Farm)

ReneSola

Virtus II

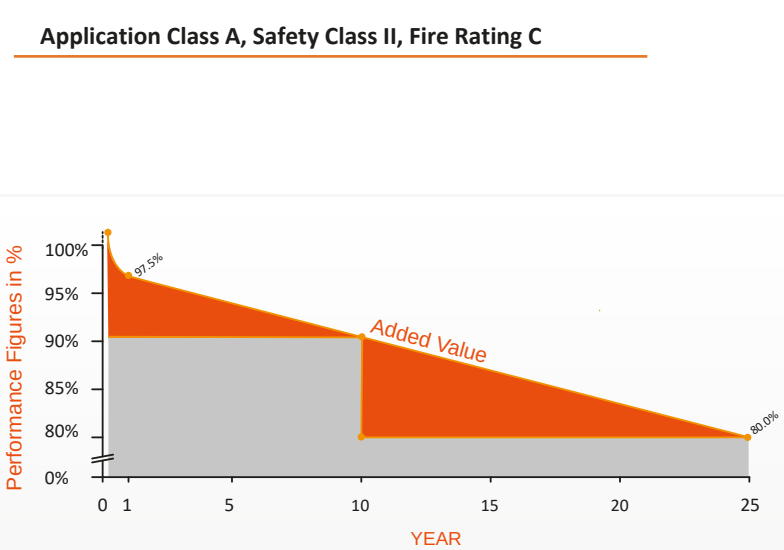
156 Series Polycrystalline
Solar Module

300W, 305W, 310W

- **High Module Conversion Efficiencies**
- **Easy Installation and Handling for Various Applications**
- **Mechanical Load Capability of up to 5400 Pa**
- **Conforms with IEC 61215:2005, IEC 61730: 2004, UL 1703 PV Standards**
- **ISO9001, OHSAS18001, ISO14001 Certified**
- **Application Class A, Safety Class II, Fire Rating C**



Guarantee



10 -year
material & workmanship

25 -year
linear power output

APPROVED PRODUCT

Intertek

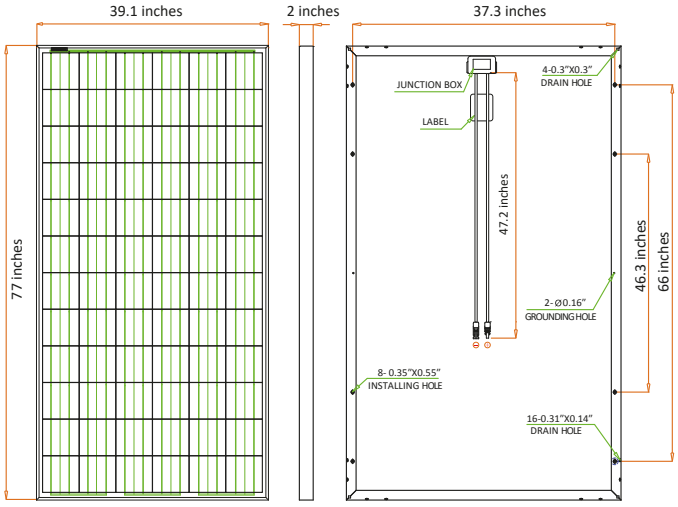
PV CYCLE

Attachment: Solar Panel Equipment Exhibits reduced (1472 : PB 15-25 Grandv Solar Farm)

ReneSola

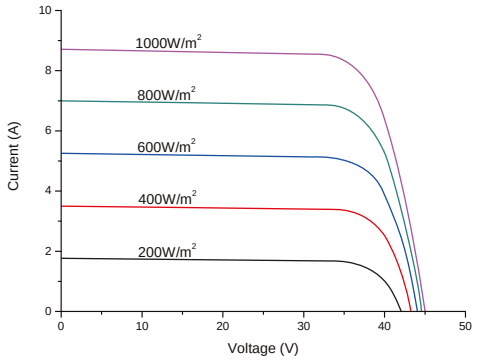
156 Series Polycrystalline
Solar Module
300W, 305W, 310W

Dimensions



Drawing Only for Reference

I-V Curves



Varied Irradiation Efficiencies

Irradiance	200W/m²	400W/m²	600W/m²	800W/m²	1000W/m²
Efficiency	15.8%	16.2%	16.2%	16.1%	16.0%

Electrical Characteristics STC	JC300M-24/Ab	JC305M-24/Ab	JC310M-24/Ab
Maximum Power (Pmax)	300 W	305 W	310 W
Power Tolerance	0 ~ +5W	0 ~ +5W	0 ~ +5W
Module Efficiency	15.5%	15.7%	16.0%
Maximum Power Current (Imp)	8.20 A	8.33 A	8.38 A
Maximum Power Voltage (Vmp)	36.6 V	36.6 V	37.0 V
Short Circuit Current (Isc)	8.69 A	8.73 A	8.80 A
Open Circuit Voltage (Voc)	44.8 V	44.9 V	45.0 V

Values at Standard Test Conditions STC (Air Mass AM1.5, Irradiance 1000W/m² , Cell Temperature 25°C)

Electrical Characteristics NOCT	JC300M-24/Ab	JC305M-24/Ab	JC310M-24/Ab
Maximum Power (Pmax)	222 W	226 W	230 W
Maximum Power Current (Imp)	6.67 A	6.72 A	6.80 A
Maximum Power Voltage (Vmp)	33.4 V	33.6 V	33.8 V
Short Circuit Current (Isc)	7.02 A	7.04 A	7.10 A
Open Circuit Voltage (Voc)	41.9 V	42.0 V	42.1 V

Values at Normal Operating Cell Temperature, Irradiance of 800 W/m² , spectrum AM 1.5, ambient temperature 20°C, wind speed 1 m/s

Mechanical Characteristics

Cell Type	156 x156 mm Polycrystalline, 72 (6x12) pcs in series
Glass	High Transmission, Low Iron, Tempered Glass
Frame	Anodized Aluminum Alloy
Junction Box	IP65/IP67 rated, with bypass diodes
Dimension	*77 x 39.1 x 2 inches
Output Cable	12 AWG, 47.2 inches
Weight	63.9 lbs
Installation Hole Location	See Drawing Above

Characteristics

Temperature Coefficient of Voc	-0.30%/°C
Temperature Coefficient of Isc	0.04%/°C
Temperature Coefficient of Pmax	-0.40%/°C
Nominal Operating Cell Temperature (NOCT)	45°C±2°C

Packing Information

Container	20' GP	40' GP	40' HQ
Pallets per Container	10	24	24
Pieces per Container	200	480	528

Maximum Ratings

Operating Temperature	-40°F ~ + 185°F
Maximum System Voltage	1000VDC (EU) / 600VDC (US)
Maximum Series Fuse Rating	20A (EU) / 20A (US)

Rev No: JC/TDS/2013.02 *Contact Renesola for tolerance specification

CAUTION: All rights reserved. Design and specification are subject to change without prior notice.

Packet Pg



ADVANCED ENERGY®

AE 500NX-HE

(Formerly known as Solaron 500 HE)

Reliable inverter solution with record-breaking effiency for large commercial and utility-scale projects

With the best in power-class 98% CEC efficiency rating, Advanced Energy's AE 500NX-HE generates more power and value for project developers, owners and financiers. This highly efficient inverter is specifically designed to meet the requirements of large commercial and utility-scale solar power plants with the lowest levelized cost of energy (LCOE) investors demand and expect. With a true 98% weighted efficiency without carve-outs for auxiliary power or other adjustments, the AE 500NX-HE drives higher, faster return on investment (ROI). Energy harvest is further maximized with fleet availability in excess of 99%.

The smallest footprint per kW and its robust, outdoor ready design eliminates the need for inverter enclosures even in harsh environments. Installation is simplified with an optional integrated DC master combiner and fusing area that saves time and materials. Plus, being the lightest inverter per kW as well as having the smallest footprint per kW means the AE 500NX-HE is simple to maneuver and put in place ensuring your project stays on schedule. The stable, high-voltage, tranformerless engine allows several units to be connected in parallel to a single medium-voltage transformer further reducing the upfront balance of system (BoS) costs and improving LCOE. No step-up transformer and fewer medium-voltage transformers are required when you select AE.

AE's product development process ensures the Service and Reliability departments are involved to simplify ongoing operations and maintenance (O&M). The robust, outdoor-ready design is used in a variety of environments – from the high desert mountains to the Pacific tropics. The AE 500NX-HE runs reliably day in and day out with a NEMA 3R construction and a completely sealed electronics cabinet that is designed to NEMA 4 standards and is continuously cooled by a self-contained, liquid-to-air system.

SCADA connectivity, collecting and storing a wide range of inverter real-time data, and connecting to many third-party data services is achieved with the integrated data monitoring solution – included at no additional charge.

The AE 500NX-HE is backed with a complete 5-year warranty so there are no surprises during the warranty period. An extended 20-year warranty is available as an option. The AE warranty options provide peace of mind and are backed by the best service and support team in the business.

Lower Operational LCOE

- Increased energy harvest with with 98% weighted efficiency
- Increased availability with >99% monitored fleet availability
- Legendary service and response

Reduce BoS Component of LCOE

- Lightest weight per kW reduces shipping costs to the site
- Smallest footprint per kW reduces site preparation costs
- Integrated DC master combiner and fusing area
- Parallel connections to a single, medium-voltage transformer

Minimize Ongoing O&M Component of LCOE

- Robust, outdoor-ready construction
- High, field-proven fleet availability of >99% for monitored units
- Simplify site maintenance with SiteGuard® (available option)

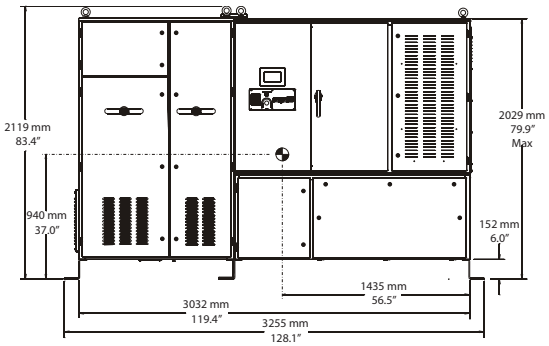
Take Control and Support the Grid

- Integrated data monitoring solution transmits inverter data for secure collection
- Integrated data monitoring solution receives and acts upon a host of utility level commands

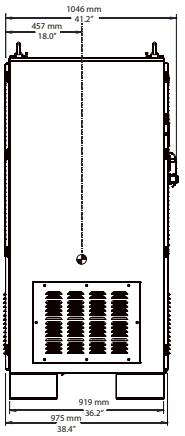
AE Solar Energy is a US based company.

ONTARIO FEED IN TARIFF DOMESTIC CONTENT COMPLIANT

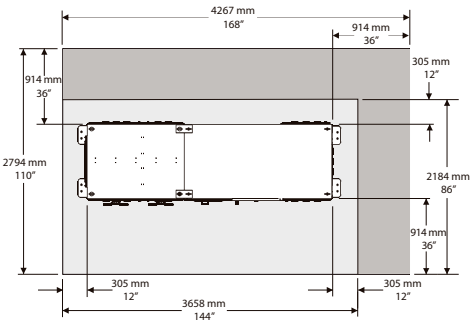
Attachment: Solar Panel Equipment Exhibits reduced (1472 : PB 15-25 Grandy Solar Farm)



Front View: shown with optional AC/DC disconnect cabinet



Side View



Top View: shown with clearance

AE 500NX-HE Summary Specifications*

Physical	
Weight	3760 lb (1705.5 kg) unit weight, 4100 lb (1859.7 kg) shipping weight
Construction	Outdoor-ready cabinet design with electrostatically applied paint
Environmental Rating	NEMA 3R with sealed electronics cabinet
DC Input Power Connectors	Compression type terminal block with up to (4) 500 MCM wires (Cu or Al)
AC Output Power Connectors	Compression type terminal block with up to (4) 500 MCM wires (Cu or Al)
User Interface	Front panel LCD, keypad, shutdown button, and web interface
Electrical	
DC Inputs	
Array Configuration	Separable dual arrays with 600 VDC strings
Maximum Operating Input Current	750 ADC Imp maximum, self-limiting in operation
MPPT Voltage Range	± 600 Voc maximum, ± 330 to ± 550 Vmp
Open-Circuit Turn-On Voltage	± 425 VDC default
AC Outputs	
Continuous Output Power	500 kW at 480 VAC
Operating Voltage Range	480 VAC ± 10%
Electrical Service Compatibility	3 phase, 3 wire, grounded Wye connection
Maximum Continuous Current	667 Arms (configurable)
Short Circuit Fault Current	667 Arms, 16 ms at 432 VAC
Nominal Frequency	60 Hz
Total Harmonic Distortion	<2% at full power, 480 VAC
Efficiency	
Peak Efficiency	98.7% (includes brown power such as all standby, controls, and housekeeping losses)
Weighted Efficiency	98% (CEC method)
Standby Losses	< 100 W
Inverter Controls and Monitoring	
Inverter Controls	
Inverter On/Off	Remotely controllable
Turn-On Ramp Rate	100 kW/sec maximum; adjustable at 0.1% increments
Reconnection Delay	5 to 300 sec, adjustable
Active Power Range	500 kW to 1 kW; remotely adjustable set point at 1 kW increments
Power Factor & Reactive Power**	>.99 at rated power; ±0.95 PF range, ±164 kVAr maximum
Over-Voltage Response	110% ≤ VAC < 120%: 0.16 to 5.0 sec configurable, 2.0 seconds default
Frequency Ride-Through Limits	Configurable to regional requirements
Inverter Monitoring	
Communication Interfaces and Protocols	RS-232, RS-422, and RS-485, Ethernet, PCMCIA expansion slot Modbus/TCP and Modbus/RTU
Inverter Monitoring Options	Integrated inverter data monitoring solution, compatible with third-party services
Data Storage	10 years at 1 minute invervals with SD card
Environmental	
Operating Ambient Temp. Range	-4 °F to 122 °F (-20 °C to 50 °C) -31 °F to 122 °F (-35 °C to 50 °C) cold weather option
Standby / Storage Temp. Range	-22 °F to 158 °F (-30 °C to 70 °C)
Cooling	Self-contained, closed-loop, liquid to air
Relative Humidity	0% to 95% non-condensing
Elevation	6562' (2000 m) maximum
Regulatory	
Agency Approvals / Regulatory Compliance	NRTL certified to UL 1741-2010 by CSA International IEEE 519, 929, 1547/1547.1 NEC Article 690 (compatible)

Subject to change without notice. Refer to user manual for detailed specification.

*Note: Not all performance window specifications can be achieved simultaneously. Performance varies per site. Consult your AE sales or service representatives for specific PV system design questions at sales.support@aei.com.

**Reactive Power control modes pending inclusion in UL 1741-2010 certification.

Utility Interactive Controls

- Power Factor
- Controlled ramp rate
- Remote enable/disable
- Power curtailment

Options

- 2, 3 or 4-unit PowerStation
- AC disconnect switch
- Remote PV Tie
- Cold-weather option
- Low frequency ride-through
- 16 and 20 channel subarray monitoring
- 20-year extended warranty
- Preventative maintenance programs (refer to SafeGuard®, SafeGuard Plus℠ and SiteGuard® data sheets for more information)

Attachment: Solar Panel Equipment Exhibits reduced (1472 : PB 15-25 Grandy Solar Farm)

ADVANCED ENERGY®

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Please see www.advanced-energy.com for worldwide contact information.

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ENG-AE500NX-HE-350-04.2M-U/12

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Grandy Solar Farm
Community Meeting Notes

Ecoplexus held two Community Meetings for the Grandy Solar Farm. The first was held on May 14th, 2015 at 7:00 PM at the Sanctuary Vineyards Tasting Room in Jarvisburg. Nathan Rogers, Project Development Manager, and Halsey Kendrick, Senior Project Manager were present as representatives of Ecoplexus. Mr. Jim Owens was present as the landowning party. Ecoplexus sent out 73 letters to adjoining property members, and at least 50 members of the community were in attendance. Unfortunately, the sign-in sheet was generally ignored.

For approximately the first half hour of the first meeting, Mr. Rogers gave a presentation on the proposed solar farm. The presentation covered the following items:

- Ecoplexus company profile
- Policies driving solar development in North Carolina
- Economic Impacts of N.C. Clean Energy Development
- A background on distributed electrical generation
- Project Overview
- Pictures of the inside of a solar farm
- Q&A

The presentation itself went more or less uninterrupted; however, the Q&A session turned chaotic rather quickly. It should be noted that Ecoplexus originally proposed a “solar park” concept, featuring walking trails around the perimeter of the facility and architectural fencing in order to enhance the overall aesthetic. Ecoplexus and the landowner were prepared to provide a 30-year open space easement to the County at no charge in support of the proposal. This idea was roundly dismissed by the local residents, due to concerns over safety. It was asked if it was possible for it to be a “private” park, available to local residents only. Others expressed concern over maintenance and insurance of the public areas, though they expressed that they currently use the property for recreation, as is, despite the fact that it is privately owned. Mr. Rogers expressed that he did not believe a private park was feasible, and that a maintenance agreement for any type of public facilities would need to be worked out between Ecoplexus, the landowner, and, potentially, the County.

Additional concerns were focused around the impact to property values and aesthetics. A number of residents expressed that they purchased their houses during the last property “boom” prior to 2008, and are now under water; they were concerned that a solar facility would reduce their property values even further. Mr. Rogers expressed that there is no evidence of solar farms in North Carolina negatively impacting property values. Additionally, Mr. Rogers noted that a vegetative buffer would enclose the Facility, greatly diminishing any visual impact: one likely utilizing some combination of the existing stand of trees and new plantings.

Other topics that were discussed during the open-forum Q&A session include the following:

- Alternative land uses

Attachment: 3-Grandy Solar Farm - Community Meeting Notes (1472 : PB 15-25 Grandy Solar Farm)

- Whether or not the power would be used by local residents
- Whether or not local residents would save money on their electricity bills
- A discussion about required upgrades and how pays for those
- A discussion about the future of electrical generation
- Safety of the facility
- Whether or not the facility would ever be used as a golf course again

A second community meeting was held on October 8th, 2015, at 7:00 PM at the Sanctuary Vineyards Tasting Room in Jarvisburg. Nathan Rogers, Project Development Manager, was again present as the representative of Ecoplexus. And Mr. Owens was also present again as the landowning party. Richard Kirkland, a licensed NC real estate appraiser, was also present. Ecoplexus sent out letters to the same 73 adjoining property members, and, again, at least 50 members of the community were in attendance.

Mr. Rogers opened by giving a short presentation covering project updates and changes from the previous community meeting, including dropping the "solar park" concept; an overview of contractual updates with Dominion; a discussion of the changes to regulations regarding solar farms that the Currituck County Board of Commissioners had passed or were considering; and a discussion of site assessment developments, including the on-going conversations with the United States Army Corps of Engineers over whether or not the ponds on site could be drained.

Mr. Kirkland then gave his presentation. He discussed how you evaluate property value impacts by conducting a "matched pair analyses," which looks at, in this case, two nearly identical properties, with the only difference being one property is next to a solar facility and the other is not. Mr. Kirkland described how none of the matched pair analyses he has performed – including in other states including Mississippi and Tennessee – have shown negative impacts on property values. He went on to describe how he's tracking over 138 solar farms in North Carolina and noting adjoining land uses, most of which are either agricultural or residential, with adjoining commercial uses representing less than 10% of the total. Mr. Kirkland discussed that he's found "typical" distances from a solar farm to a house to be between 100' - 150', on average. Mr. Kirkland then went on to explain what variables negatively impact property values, which include noise, smell, toxics, and noxious uses including homeless shelters and adult establishments, and how none of those are relevant when discussing a solar facility.

After Mr. Kirkland's presentation, Mr. Rogers presented a list of allowed uses in Agricultural Districts, and explained the difference between uses allowed "by right" vs. those allowed under a conditional or special use permit. The point of this exercise was to explain that there are many other less desirable, more invasive uses allowed currently in Agricultural Zones. Mr. Rogers invited the community to make suggestions as to which of the uses, if any, would be seen as more desirable than a solar farm. Notably, none were proposed.

The landowner, Mr. Owens, then introduced himself and spoke briefly about the history of his involvement with the project. He explained how he bought the property as an investment vehicle, without not knowing exactly what he was going to do with hit, but had entertained overtures of a solar farm, which he felt was a very benign use and friendly

Attachment: 3-Grandy Solar Farm - Community Meeting Notes (1472 : PB 15-25 Grandy Solar Farm)

neighbour. Mr. Owens expressed that there are too many golf courses in the area, and that the Goose Creek course was not cost effective for the owners, hence why they decided to sell it.

A general, open-forum Q&A session ensued. Questions included the following:

- What type of setback would be required
- The ability of the site to properly drain
- Whether or not grading would be required
- If the trees would remain or be taken down
- What wind speed the facility would be designed to accommodate
- What type of visual buffering would be required

At one point, Gary Woodson, Board Member of the Outer Banks Home Owner's Association, was introduced. Mr. Woodson had been asked by the Association to represent them at the meeting. He expressed how they were studying the Crawford/Sligo project for comparison. Questions he asked about included distance from residences, fencing specifications, buffering, and setbacks. Mr. Woodson agreed that the Association should be "careful what they ask for" and understand that Mr. Owens is going to put something on the property. Interestingly, he never expressed disapproval for the project.

The Q&A session then resumed, with questions and comments including:

- What it would cost to make improve the golf course
- Why a neighbourhood couldn't be built and re-zoned for residential
- Comment by a local developer that the property is not well suited for residential and that a solar facility would be a good interim use
- Comment by a local resident that she has took look at transmission lines, but at least the solar farm will be very short in height
- A comment by another neighbour stating that solar farm will be a good neighbour, and that he wouldn't want some of the other uses, so long as it can be made aesthetically pleasing
- Whether or not there are concerns over reflectivity

Attachment: 3-Grandy Solar Farm - Community Meeting Notes (1472 : PB 15-25 Grandy Solar Farm)

Written Response to Community Meeting
Grandy Solar Farm
Meeting Date 10/8/15
Sanctuary Vineyards 7pm

What follows is a response to the above meeting only and lists topics presented by the applicant/ owner, which were not satisfactory to the vast majority of the residents in attendance.

1. Offer of proof of applicant's claim that project would not adversely impact the value of the surrounding properties
2. Applicant's inadequate response to the serious of impact of filling the ponds on site and the damage and injury this would have on the welfare and value of the surrounding property
3. Owner's response to the possible use of the property as a golf course
4. The proposed "typical setback from solar farm to house to be 100' to 150'

For the most part attendees at the meeting courteously held our response as we listened to the statements by Mr. Rogers, with the only exception when I asked Mr. Rogers if he received permission to drain the ponds, did he plan to fill them in, and he answered - yes.

Mr. James Owens introduced himself as the owner of the Goose Creek property, described his background, and proceeded to inform us of the plan for its use was as follows:

He said he plans to use 100 acres of the 121 acres for a solar farm. The remaining 21 acres zoned GB will remain as GB. He plans 21 acres to be developed with general business ventures and believes this overall plan for each property as they stand to be in harmony with the land use plan and will conform to the UDO of Currituck County.

Owens went on to describe the benefits of a solar farm for the surrounding residential properties stating the following:

1. Quiet, non-intrusive neighbor compared to other uses allowed in an agricultural areas such as poultry or hog farms.
2. The 100-acre solar farm would be a "Green" neighbor causing no pollutants, no toxicity, and requiring no fossils fuels to produce electricity.
3. He also said he had purchased "this interesting" property not sure what he was going to do with it, but because of the above reasons he decided on a solar farm since he was sure it would not adversely effect the residential properties surrounding it on three sides. He went on to say that about the same time, he bought the Grandy site, he also bought over 200 acres of farmland, AKA the Shirley Weber farm, which he plans to develop into an upscale residential community.

With that said, Rogers then introduced appraiser Kirkland retained by Ecoplexus. Kirkland then proceeded to extol the benefits of having a solar farm as a residential neighbor. About four properties were shown and he reported no resultant decrease in property values. Several in attendance spoke up that these examples in no realistic fashion resembled the property being considered here and offered reasons why. To me, and obviously many

more, this appraiser's so called finding of fact was an insult on our basic intelligence. It was loudly voiced by one that the comparison was like comparing "apples to oranges, in that yes both were fruits but there the comparison ends. At this time Mr. Gary Woodson introduced himself as a N.C licensed contractor, the President of O.B.H.O.A(a commercial and residential real estate brokerage firm), and a developer of many properties in Currituck, Dare, and Camden counties and during the many years in this business has obtained an intricate knowledge of the guidelines and standards of appraisals. He respectfully posed many comments and questions to Kirkland, while exposing many flaws in the comparisons presented. Woodson commented on two very important but silent factors often used in arriving at a value of a property, but not considered in the appraiser's report - location and appearance of the sight surrounding the subject residence. At this time, Mr.Woodson asked to see a show of hands of those in attendance who opposed the construction of the solar farm on Goose Creek. Among fifty or more in attendance, all but about four or five raised their hand. In addition, Woodson asked if any County Commissioners were present. At that time, Mr. Mike Payment identified himself. Woodson asked if the Board of Commissioners had recently passed a setback concerning solar farms. Mr. Payment answered yes, and went on to say that the UDO recently was amended to extend the buffer to 300' from all property lines. This was the extent of Mr. Payment's comments.

In response to the possibility of reopening the Golf course, Mr. Owens stated that that Currituck could not and would not sustain another course and sighted others in the area, i.e. Moyock, The Point, Carolina Club, and Holly Ridge(which is not a USGA sanctioned course as are the others including Goose Creek). At this remark, I interrupted him by saying "not true". He asked me to explain. To which I told him to continue and would offer my comments when he finished. He went on to say he made an offer to Kevin McCord(seller) to lease the property and continue to operate the property as a golf course, but McCord declined. Owens went on to state that he reached out to others in the golf community to lease the facility, but received no response. He declined to reveal the parties contacted, nor did he reveal the rental fee required. At that point I told Owens that I played this course at least once a week starting in the mid nineties and most of the time it was so crowded it would take sometimes over 5 hours to play a round, even long after the Carolina Club was opened in 1999. The course remained very busy until play started to decline in 2007 mainly because the owners of the course refused, year after year, to properly maintain the facility, choosing to use the profits generated toward other business endeavors. I went on to say that there existed then and exists now many golfers in this county as well as many families who visit the outer banks who would patronize a course costing $140 for a round of **four** instead of $400, and Goose Creek, then and now, is **that** course. I added that most everybody I talked to including the head grounds-keeper at the Carolina Club stated Kevin McCord had bought a gold mine at the price of a vacant lot. I told Owens that even Kevin told me when I congratulated him on his purchase that he would have the course back in shape and expected great things. The price McCord paid at bankruptcy and the price he sold to Owens is public record (double).This could explain why McCord declined Owens's offer to rent and continue operation of the course.

At this point, I asked Owens if he planned to fill the many pond and washes on the course. He replied, yes. I replied this action would have a devastating effect on all the properties

surrounding the course. I informed him that the ponds (6.5 acres surface area) are all connected by culverts and washes and contain 12,500,000 gallons of water collected from drainage from 1500' of Rt 158, from part of Savannah road, from all of Grandy road from north Savannah to Uncle Graham intersection, from all of Par Four Dr, and furthermore all of hole number two adjacent to Uncle Graham road drains onto the residential properties there. At least two drainage culverts drain from the course onto private property. One on my property and one property on Savannah as well.I told him that the whole course consists of slow draining soils, and I went on to describe the serious flooding all of our properties have experienced on three occasions in the last fifteen years. Most of the time, although not superb, the existing drainage ponds and drainage system are, at best, adequate-unless a perfect storm of events occurs. This usually happen in the winter when the course is not using the irrigation system and the pond's normal water level is about three feet below the banks. Heavy rains from Northeasters fill the ponds to capacity and the outfall or empting ditch that runs out to the Currituck sound through the culvert under the Food Lion parking lot under 158 cannot handle the volume. At that point, floodwater backs up covering the entire course, except for the elevated tees and greens, runs onto our property. The storm in the winter of 2002 was the worst when floodwater ran into my pool. Some residences had water touching their house. I went on to explain that if he eliminated the ponds these events will happen not three times in fifteen years, but every time we get more than five inches of rain in twenty four hours or as many times as mother nature dictates. His only comment was that he would look into it.

At this time I asked Mr. Owens if he would consider placing his solar on the 230 acres he owns at 158 in the area off Fisher Landing Rd. where the smallest adjoining property is over 100 acres and where only three residences are located, the nearest being 1000'away,and their property line does not adjoin his. Eighty-percent of this land is devoid of trees, and the only vegetation is soybeans. I said this would require no clearing and present no drainage problems. He promptly replied that he already had plans for this area as he had stated at the beginning of the meeting. At this time, attendees became contentious, many talking at once, and asking many questions and offering comments. At one point, the lady sitting next to Mr. Payment voiced her support for the solar farm. Mr. Randy Mills, living on Grandy Rd., spoke up asking her where she lived since he did not recognize her. She replied that she did not live there but she recently received a property in the area from a relative, although she had not decided what to do with it. She went on to say in the past "she has to look at transmission lines, but at least the solar farm will be very short in height" (This is quoted directly from the applicant's Meeting Notes, page 3, 6 lines from bottom). At this point, the tone of the meeting became contentious. I left and can offer no further report of events.

Steve Fentress
247 Grandy Rd.
Grandy N.C. 27939
2/7/16

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. SP-2665, SUB 33
DOCKET NO. SP-4897, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. SP-2665, SUB 33	)	
	)	
In the Matter of	)	
Application of Fresh Air Energy II, LLC, for	)	
a Certificate of Public Convenience and	)	
Necessity to Construct a 19.99-MW Solar	)	ORDER TRANSFERING
Facility in Currituck County, North Carolina	)	CERTIFICATE OF PUBLIC
	)	CONVENIENCE AND NECESSITY
DOCKET NO. SP-4897, SUB 0	)	AND REGISTRATION
	)	
In the Matter of	)	
Application of Fresh Air Energy XXXIII,	)	
LLC, for Transfer of a Certificate of Public	)	
Convenience and Necessity to Construct a	)	
19.99-MW Solar Facility in Currituck	)	
County, North Carolina	)	

BY THE CHAIRMAN: On October 21, 2014, in Docket No. SP-2665, Sub 33, the Commission issued a certificate of public convenience and necessity (CPCN), to Fresh Air Energy II, LLC (FAE II), for construction of a 19.99-MW solar photovoltaic electric generating facility to be located at 6562 Caratoke Highway near Grandy, Currituck County, North Carolina. In addition, the Commission accepted the registration statement of the facility as a new renewable energy facility.

On January 14, 2015, FAE II and Fresh Air Energy XXXIII, LLC (FAE XXXIII), filed a statement with the Commission in Docket Nos. SP- 2665, Sub 33 and SP-4897, Sub 0 requesting that the Commission transfer the CPCN and registration for the facility from FAE II to FAE XXXIII.

Based on the foregoing and the record in these dockets, the Chairman finds good cause to transfer the CPCN and registration for the facility from FAE II to FAE XXXIII, cancel the CPCN issued to FAE II, issue a new CPCN to FAE XXXIII and close Docket No. SP-2665, Sub 33.

Attachment: 4-Grandy PV1 - Revised CPCN and Registration Statement - FAE XXXIII - 150126 (1472 : PB 15-25 Grandy Solar Farm)

IT IS, THEREFORE, ORDERED as follows:

1. That the application filed by Fresh Air Energy II, LLC, and Fresh Air Energy XXXIII, LLC, to transfer the certificate of public convenience and necessity for construction of a 19.99-MW photovoltaic electric generating facility to be located at 6562 Caratoke Highway near Grandy, Currituck County, North Carolina, and registration to Fresh Air Energy XXXIII, LLC shall be, and is hereby, approved.

2. That Appendix A shall constitute the amended certificate of public convenience and necessity reflecting the transfer of the certificate to Fresh Air Energy XXXIII, LLC.

3. That Fresh Air Energy XXXIII, LLC, shall annually file the information required by Commission Rule R8-66 on or before April 1.

4. That the certificate of public convenience and necessity and registration issued to Fresh Air Energy II, LLC, in Docket No. SP-2665, Sub 33 for this solar photovoltaic facility shall be, and are hereby, cancelled.

5. That the Chief Clerk shall close Docket No. SP-2665, Sub 33.

ISSUED BY ORDER OF THE COMMISSION.

This the 26th day of January, 2015.

NORTH CAROLINA UTILITIES COMMISSION

Gail L. Mount

Gail L. Mount, Chief Clerk

Attachment: 4-Grandy PV1 - Revised CPCN and Registration Statement - FAE XXXIII - 150126 (1472 : PB 15-25 Grandy Solar Farm)

APPENDIX A

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. SP-4897, SUB 0

Fresh Air Energy XXXIII, LLC
650 Townsend Street, Suite 310
San Francisco, California 94103

is hereby issued this

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
PURSUANT TO G.S. 62-110.1

for a 19.99-MW $_{AC}$ solar photovoltaic electric generating facility

located

in Currituck County at 6562 Caratoke Highway near Grandy, North Carolina,

subject to all orders, rules, regulations and conditions
as are now or may hereafter be lawfully made
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the 26th day of January, 2015.

NORTH CAROLINA UTILITIES COMMISSION

Gail L. Mount

Gail L. Mount, Chief Clerk

Attachment: 4-Grandy PV1 - Revised CPCN and Registration Statement - FAE XXXIII - 150126 (1472 : PB 15-25 Grandy Solar Farm)

OPTION TO LEASE AGREEMENT

This Option to Lease Agreement ("Option Agreement") is made on this 11th day of April 2014, between Currituck Sunshine Farm, LLC ("Landlord") and Fresh Air Energy II, LLC (the "Tenant").

WITNESSETH:

WHEREAS, Landlord is the fee owner of certain real property being, lying, and situated at 6562 Caratoke Highway, Grandy, North Carolina 27939 in the County of Currituck, with a Parcel ID number of 0108000095A0000 and an NC PIN of 9921-08-0497 (the "Property");

WHEREAS, Landlord desires to lease to Tenant and Tenant desires to lease from Landlord a portion of the Property: consisting of a to-be-determined number of acres, though estimated to be up to 110 acres at a fixed lease rate of [redacted] per acre, per year for a term of fifteen (15) years, with an option to extend for an additional fifteen (15) years, exercisable at sole discretion of Tenant, at an as-yet unspecified increased lease rate to be mutually-agreed upon by Landlord and Tenant prior to execution of the Ground Lease Agreement;

WHEREAS, Landlord and Tenant are diligently working together in good faith to execute a Ground Lease Agreement ("Ground Lease Agreement") in substantially the same terms of this Agreement, the subject of which is the aforementioned Property;

WHEREAS, Tenant desires to construct and operate a Renewable Energy Facility ("the Facility") on the Property for the purpose of selling electricity to the local utility company ("the Utility") in accordance with the terms and conditions set forth herein;

NOW, THEREFORE, for and in consideration of the covenants and obligations contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Landlord hereby grants to Tenant an exclusive option to lease the aforementioned Property, subject to the terms and conditions contained in this Agreement, which shall remain in effect through November 30th, 2014.

The parties hereto hereby agree as follows:

1. OPTION TERM & PAYMENT. The Option to Lease Period ("Option Period") commences on the last day signed below ("Effective Date"), and shall remain in effect through November 30th, 2014 ("Option Period"). For good and valuable consideration, Tenant shall pay Landlord One Hundred ($100) Dollars within 30 days of execution of this Agreement. Tenant shall have the right to terminate the Option Agreement at any time during the Option Period by giving written notice to Landlord.

2. EXTENSIONS OF OPTION PERIOD. Landlord agrees to provide Tenant with up to three (3) six- (6) month Option Extensions ("Option Extension(s)"), if needed, to account for delays in the permitting, interconnection, financing, or construction of the Facility. The structure of each Option Extension shall be as such: provided this Agreement is still in effect and Tenant desires to exercise the first Option Extension, Tenant shall pay Landlord [redacted] ($[redacted]) Dollars no later than December 1st, 2014, which will grant Tenant a six- (6) month extension of the Option Period that shall be valid through May 31st, 2015. Moreover, provided this Agreement is still in effect and Tenant desires to exercise the second Option Extension, Tenant shall pay Landlord an additional [redacted] ($[redacted]) no later than June 1st, 2015, which will grant Tenant a six- (6) month extension of the Option Period that shall be valid through November 30th, 2015. Finally, provided this Agreement is still in effect and Tenant desires to exercise the third Option Extension, Tenant shall pay Landlord an additional [redacted] ($[redacted]) Dollars no later than December 1st, 2015, which will grant Tenant a six- (6) month extension of the Option Period that shall be valid through May 31st, 2016. All requests for and approvals of said Option Extensions shall be provided in writing. All payments for Option Extensions shall be credited towards the first year's rent; however, Landlord shall not be obligated to reimburse Tenant for any payments made in the event that Tenant

Attachment: 5-Grandy PV1 - Option to Lease - MUTUALLY EXECUTED - 140414 - Redacted - reduced (1472 : PB 15-25 Grandy Solar Farm)

should decide to terminate the Option Agreement or otherwise fail, for whatever reason, to complete the development of the Facility as planned. Tenant shall have the right to terminate the Option Agreement during any of the afore-described Option Extension periods at any time by giving written notice to Landlord.

3. CONSIDERATION IN EVENT OF CONSTRUCTION DELAYS. Landlord and Tenant both agree that it is the intent of both parties to negotiate and mutually-execute the complete Ground Lease Agreement on or before the date in which construction of the Facility commences. Both parties further agree that the lease payments contained therein will not commence until the Facility has achieved Commercial Operation ("Commercial Operation"). In the event that the Ground Lease Agreement has been executed and construction has commenced but the Facility has not yet achieved Commercial Operation by the expiration date of the final Option Extension, May 31st, 2016, Landlord and Tenant agree that Tenant shall pay Landlord the sum of [redacted] ($[redacted]) Dollars on June 1st, 2016, and an additional [redacted] ($[redacted]) Dollars on the first day of each month thereafter until the Facility has achieved Commercial Operation and lease payments commence. Any payments provided under this provision shall not be credited towards the first year's rent.

4. COMPENSATION FOR USE OF PRIOR DUE DILIGENCE. Landlord and Tenant both agree that Landlord performed significant Due Diligence ("Due Diligence") in the form of commissioning title reports, parcel surveys, soils tests, and environmental site assessments prior to Landlord's purchasing of the Property in 2013, which may be of use to Tenant in connection with its efforts to perform site analysis, permit, obtain title insurance, secure financing, and construct the Facility. Landlord and Tenant also agree that Tenant will need a sufficient amount of time to review such Due Diligence documentation in order to assess its adequacy for Tenant's purposes. Hence, before mutual-execution of the Ground Lease Agreement, at a time specified by the Tenant at the Tenant's sole discretion, Tenant shall request from Landlord copies of said Due Diligence documentation, to include copies of both paper documents and electronic files. Tenant shall review in a timely fashion and, subsequently, propose a purchase price based on the documentation's applicability towards Tenant's purpose of developing the Facility. The maximum negotiated sum for the Due Diligence documentation shall not exceed [redacted] ($[redacted]) Dollars. Tenant agrees not to utilize the documentation for its own purposes until such time as the purchase has been executed. After said purchase has been executed, Landlord and Tenant shall become mutual-owners of such Due Diligence. Tenant shall not be obligated to compensate Landlord for said prior Due Diligence, should Tenant decide to terminate the Option Agreement. Landlord shall not be obligated to reimburse Tenant, should Tenant compensate Landlord for prior Due Diligence and later decide to terminate the Option Agreement or otherwise fail, for whatever reason, to complete the development of the Facility as planned.

5. NOTICE REQUIRED TO EXERCISE OPTION. Prior to the expiration of the Option to Lease Agreement, Tenant shall deliver the Ground Lease Agreement for review and full execution for the Property. Landlord will not enter into a land lease agreement with any other party prior to the expiration of either the Option Period or any successive Option Extensions.

6. EXCLUSIVITY OF OPTION. This Agreement is exclusive and exists solely for the benefit of the named parties and their assignees. Tenant and Landlord shall not sell, transfer or assign the Agreement or any interest therein, without the prior written consent of the other party, which shall not be unreasonably withheld, conditioned or delayed; however, that, without the prior consent of Landlord, Tenant may (i) assign this Agreement to an Affiliate of Tenant; or (ii) assign this Agreement as collateral security in connection with any financing of the Facility. Tenant may record a memorandum of this Option Agreement at any time during the Option Period.

7. REMEDIES UPON DEFAULT. If Tenant defaults under this Agreement or the Ground Lease Agreement, then, in addition to any other remedies available to Landlord at law or in equity, Landlord may terminate this Agreement by giving written notice of the termination. If terminated, the Tenant shall lose entitlement to any refund of rent. For this Agreement to be enforceable and effective, the Tenant must comply with all terms and conditions contained herein.

8. COMMISSIONS. Any real estate commissions or other commissions associated with this transaction and payable to the Landlord's agent or broker shall be borne solely by the Landlord. Any real estate commissions or

Attachment: 5-Grandy PV1 - Option to Lease - MUTUALLY EXECUTED - 140414 - Redacted - reduced (1472 : PB 15-25 Grandy Solar Farm)

other commissions associated with this transaction and payable to the Tenant's agent or broker shall be borne solely by the Tenant.

9. ACKNOWLEDGMENTS. The parties are executing this Agreement voluntarily and without any duress or undue influence. The parties have carefully read this Agreement and have asked any questions needed to understand its terms, consequences, and binding effect. The parties fully understand the aforementioned terms, consequences, and binding effect of this Agreement and will be given a mutually-executed copy of it. The parties have sought the advice of an attorney of their respective choice, if so desired prior to signing this Agreement.

10. TIMING. Time is of the essence in this Agreement.

11. BINDING AGREEMENT. This Agreement shall become legally binding upon execution.

12. GOVERNING LAW AND VENUE. This Agreement shall be governed, construed, and interpreted by through and under the Laws of the State of North Carolina. The parties further agree that the venue for any and all disputes related to this Agreement shall be the county in which the Property is situated therein.

13. GROUND LEASE AGREEMENT CONTROLLING. In the event a conflict arises between the terms and conditions of the Ground Lease Agreement and this Option to Lease Agreement, the Ground Lease Agreement shall control.

14. RIGHT OF FIRST REFUSAL. If Landlord elects during the Option Period to sell, hold, or transfer all or any portion of the Property, whether separately or as part of a larger parcel of which the Property is a part, Tenant shall have the Right of First Refusal ("Right of First Refusal") to meet any bona fide offer of sale or transfer on the same terms and conditions of such offer. Landlord shall provide Tenant with written notice of any such bona fide offer of sale or transfer and evidence of the conditions contained therein. If Tenant fails to exercise its Right of First Refusal and meet such bona fide offer within thirty (30) days after written notice thereof from Landlord, Landlord may sell the Property or portion thereof to such third person in accordance with the terms and conditions of such third party offer; however, in such event, this Agreement and the terms, conditions, covenants, and obligations contained herein shall be binding upon the new owner for the remaining duration of the Option Period.

15. INSPECTIONS BY TENANT. Tenant, its agents or representatives, at Tenant's expense and at reasonable times during normal business hours, shall have the right to enter upon the Property for the purpose of inspecting, examining, performing soil boring and other testing, and surveying the property. Tenant assumes all responsibility for the acts of itself, its agents, and agents' representatives in exercising Tenant's rights under this provision and agrees to indemnify and hold Landlord harmless from any damages resulting therefrom.

16. ENTIRE AGREEMENT; MODIFICATION. This Agreement sets forth the entire agreement and understanding between the parties relating to the subject matter herein and supersedes all prior discussions between the parties. No modification of or amendment to this Agreement, nor any waiver of any rights under this Agreement, will be effective unless in writing signed by the party to be charged.

[SIGNATURES ON FOLLOWING PAGE]

Attachment: 5-Grandy PV1 - Option to Lease - MUTUALLY EXECUTED - 140414 - Redacted - reduced (1472 : PB 15-25 Grandy Solar Farm)

LANDLORD:

Sign: James W. Owens Date: 4-11-14

Print: JAMES W. OWENS

Mailing Address: 5504 N. PROSPECT ROAD
PEORIA HEIGHTS, IL 61616

Phone: 309-253-0900 Email: jwowens1@gmail.com

TENANT: Fresh Air Energy II, LLC.

Sign: Date: 4-14-14

Print: ERIK STUEBE, President

Attachment: 5-Grandy PV1 - Option to Lease - MUTUALLY EXECUTED - 140414 - Redacted - reduced (1472 : PB 15-25 Grandy Solar Farm)

Kirkland
Appraisals, LLC

Richard C. Kirkland, Jr., MAI
9408 Northfield Court
Raleigh, North Carolina 27603
Phone (919) 414-8142
rkirkland2@gmail.com
www.kirklandappraisals.com

February 25, 2016

Mr. Nathan Rogers
Ecoplexus, Inc.
650 Townsend Street, Suite 310
San Francisco, CA 94103

RE: Grandy Solar Impact Study

Dear Mr. Rogers:

At your request, I have considered the likely impact of a solar farm proposed to be constructed near Grandy, North Carolina. Specifically, I have been asked to give my professional opinion on whether the proposed solar farm will "substantially injure the value of adjoining or abutting property" and whether "the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located."

To form an opinion on these issues, I have researched and visited existing and proposed solar farms in North Carolina, researched articles through the Appraisal Institute and other studies, and discussed the likely impact with other real estate professionals. I have not been asked to assign any value to any specific property.

This letter is a limited report of a real property appraisal consulting assignment and subject to the limiting conditions attached to this letter. My client is Ecoplexus, Inc., represented to me by Mr. Nathan Rogers. My findings support the Special Use Permit application. The effective date of this consultation is October 8, 2015, the most recent date of my inspection of the property and surrounding areas. I note that I also inspected the property on April 12, 2015 and provided an impact of this solar farm as of that date as well. I also provided an early version of this report on February 22, 2016.

Proposed Use Description

The proposed solar farm will consist of a fixed solar array located on approximately 121.4 acres on Caratoke Highway, Grandy, North Carolina. This property is currently owned by the Currituck Sunshine Farm, LLC.

Adjoining land is a mix of agricultural, commercial, industrial and residential uses. The project proposes a landscaped buffer to help screen the proposed solar farm from adjoining uses. The matched pair study shows no impact on adjoining residential and agricultural values.

The solar farm will consist of stationary solar panels that will generate no noise beyond the fence, no odor, and less traffic than a residential subdivision. The panels are less than 10 feet in height and will be located behind a chain link fence.

I have considered adjoining uses and included a map to identify each parcel's location. The breakdown of those uses by acreage and number of parcels is summarized below.

Adjoining Use Breakdown

	Acreage	Parcels
Residential	55.33%	80.65%
Commercial	17.90%	12.90%
Industrial	2.58%	3.23%
Substation	0.28%	1.61%
Agricultural	23.91%	1.61%
Total	**100.00%**	**100.00%**



Surrounding Uses

#	MAP ID	Owner	GIS Data Acres	Present Use	% Adjoining Acres	% Adjoining Parcels	Distance in Feet: Home to Panels
1	9921-09-7650	Walker	17.070	Agricultural	23.91%	1.61%	N/A
2	9921-19-4402	Bunch	0.820	Residential	1.15%	1.61%	425
3	9921-19-8519	Titan LLC	0.920	Industrial	1.29%	1.61%	710
4	9921-19-8447	Titan LLC	0.920	Industrial	1.29%	1.61%	N/A
5	9921-19-7382	Moore	0.350	Residential	0.49%	1.61%	600
6	9921-19-8134	Ripley	0.380	Residential	0.53%	1.61%	515
7	9921-18-8987	Arney	0.740	Residential	1.04%	1.61%	575
8	9921-18-5858	Hoarde	1.090	Commercial	1.53%	1.61%	310
9	9921-18-5784	Lewis	1.100	Commercial	1.54%	1.61%	N/A
10	9921-18-6610	Lewis	1.090	Commercial	1.53%	1.61%	250
11	9921-18-6447	Lewis	1.080	Commercial	1.51%	1.61%	N/A
12	9921-18-6363	Lewis	1.010	Commercial	1.41%	1.61%	N/A
13	9921-18-6155	Cross LLC	2.040	Commercial	2.86%	1.61%	350
14	9921-17-6957	Thomas INC	4.552	Commercial	6.38%	1.61%	350
15	9921-17-8801	Wendell	0.820	Commercial	1.15%	1.61%	620
16	9921-17-7614	Lewark	0.440	Residential	0.62%	1.61%	640
17	9921-17-4564	Lewark	0.760	Residential	1.06%	1.61%	N/A
18	9921-17-2445	Shannon	0.430	Residential	0.60%	1.61%	600
19	9921-17-0348	Tevepaugh	0.570	Residential	0.80%	1.61%	N/A
20	9921-07-9418	Tevepaugh	0.480	Residential	0.67%	1.61%	480
21	9921-07-8407	Banks Life	0.510	Residential	0.71%	1.61%	425
22	9921-07-7500	Williams	0.510	Residential	0.71%	1.61%	430
23	9921-07-5544	Baum Life	1.000	Residential	1.40%	1.61%	415
24	9921-07-3585	Banks	0.480	Residential	0.67%	1.61%	415
25	9921-07-2584	Welch	0.470	Residential	0.66%	1.61%	375
26	9921-07-1409	Curr. County	1.160	Residential	1.62%	1.61%	N/A
27	9921-07-1231	Jones	0.750	Residential	1.05%	1.61%	585
28	9921-07-0115	Moore	0.520	Residential	0.73%	1.61%	585
29	9911-97-9009	Person	0.510	Residential	0.71%	1.61%	585
30	9911-97-8324	Howard	0.490	Residential	0.69%	1.61%	400
31	9911-97-7248	Armstrong	0.510	Residential	0.71%	1.61%	415
32	9911-97-6252	Everett	0.520	Residential	0.73%	1.61%	430
33	9911-97-5175	Gillard	0.540	Residential	0.76%	1.61%	N/A
34	9911-97-4089	Moore	0.550	Residential	0.77%	1.61%	N/A
35	9911-97-3093	Gilden	0.620	Residential	0.87%	1.61%	630
36	9911-97-1259	Escobar	4.230	Residential	5.92%	1.61%	N/A
37	N/A	Utility	0.200	N/A	0.28%	1.61%	N/A
38	9911-87-8890	Nolan	0.820	Residential	1.15%	1.61%	N/A
39	9911-87-8953	Baum	0.860	Residential	1.20%	1.61%	375
40	9911-88-7067	Lesh	0.920	Residential	1.29%	1.61%	405
41	9911-88-6034	Wimmer	0.860	Residential	1.20%	1.61%	485
42	9911-88-3088	Brown	0.900	Residential	1.26%	1.61%	770
43	9911-88-3264	Wierzbicki	0.940	Residential	1.32%	1.61%	N/A
44	9911-88-3349	Mills	0.900	Residential	1.26%	1.61%	465
45	9911-88-3585	Nolan	1.000	Residential	1.40%	1.61%	N/A
46	9911-88-4659	Jernigan	0.860	Residential	1.20%	1.61%	N/A
47	9911-88-5831	Newsome	0.850	Residential	1.19%	1.61%	370
48	9911-88-6924	Deluca	0.820	Residential	1.15%	1.61%	400
49	9911-89-6097	Shenk	0.820	Residential	1.15%	1.61%	400
50	9911-89-7230	Fentress	0.920	Residential	1.29%	1.61%	477

Surrounding Uses

#	MAP ID	Owner	GIS Data Acres	Present Use	% Adjoining Acres	% Adjoining Parcels	Distance in Feet: Home to Panels
51	9911-89-7341	Cunningham	1.040	Residential	1.46%	1.61%	490
52	9911-89-8409	Tate	2.030	Residential	2.84%	1.61%	475
53	9911-99-0610	Proffit	1.110	Residential	1.55%	1.61%	N/A
54	9911-99-1577	Holly INC	0.910	Residential	1.27%	1.61%	N/A
55	9911-99-3617	Weatherly	0.720	Residential	1.01%	1.61%	490
56	9911-99-4634	Weatherly	0.840	Residential	1.18%	1.61%	N/A
57	9911-99-5678	Weatherly	0.580	Residential	0.81%	1.61%	N/A
58	9911-99-6783	Cockrell	0.460	Residential	0.64%	1.61%	N/A
59	9911-99-7777	Ols	0.460	Residential	0.64%	1.61%	360
60	9911-99-8860	Scott	0.460	Residential	0.64%	1.61%	395
61	9911-99-9864	Henderson	0.450	Residential	0.63%	1.61%	390
62	9921-09-0877	Watts	0.640	Residential	0.90%	1.61%	N/A
		Total	**71.402**		**100.00%**	**100.00%**	

Closest Home 250

Proposed Landscaping

Landscaping around solar farms tend to follow a trend of larger plants the closer a project is to existing homes. Earlier solar farms from 2013 tend to have less landscaped screens than the ones being approved in 2015 and 2016. Typical landscape screens vary depending on adjoining uses and often use existing mature trees where possible. Where landscaped buffers are needed they typically start at 4 to 6 feet in plant height at time of planting and often have an understory row of shrubs along visible corridors or along existing residential uses. Where adjoining residential uses are closer to the panels the landscaping tends to be taller at time of planting and often have double rows of trees instead of a row of trees and a row of shrubs. Typical spacing on the plants range from 8 to 12 feet on center.

Sometimes there is a third row of low ornamental shrubs near corridors to break up that landscaping screen. In rare occasions near higher priced homes, I have seen 2 to 4 foot berms included with the landscaped plantings, though I have only seen this in approximately 1% of the solar farms that I have observed.

In locations that are primarily agricultural or industrial the screens are typically planted with smaller plants.

This location is largely residential where you would expect a two to three tier landscaping screen.

The proposed landscaping is for Type C landscaped buffer along the eastern boundary facing the highway. A denser landscaped buffer is planned for the other three sides with a Type D buffer using similar plants but spaced closer together. This is a very good example of the landscaping expected near residential uses. The closest home is 250 feet away and the average distance is over 400 feet away. This is consistent with other solar farms in North Carolina as illustrated later in this report. In fact 150 feet between solar panel and home is typical across North Carolina so this project is significantly more removed from the homes than other projects.

A summary of these two landscaping screens is shown below. My conclusions on impact of the project assume that this landscaping plan is part of the project.

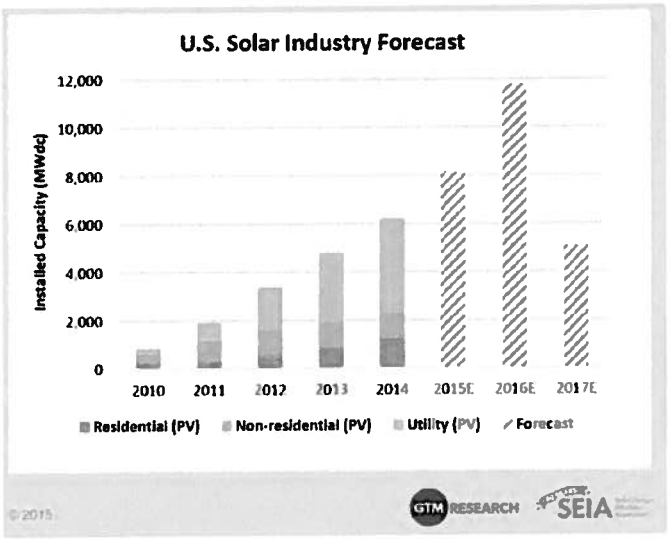
Landscaping

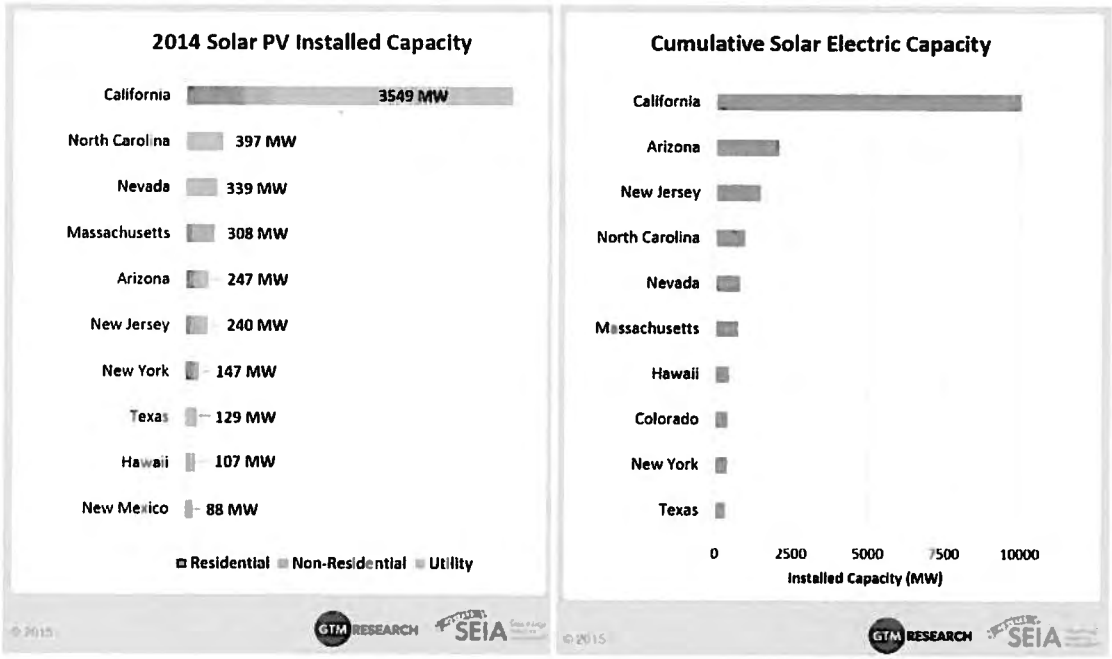
Type C	Distance Width	Ht at Planting	Ht in 3 Years	Spacing(ft)	Plant Type
Screen 1		8		17*	Canopy Tree
Screen 2		6		10 or 14*	Understory Tree
Screen 3				5	Shrub
Total Width			Setback	100 and 300	

Type D	Distance Width	Ht at Planting	Ht in 3 Years	Spacing(ft)	Plant Type
Screen 1		8		11*	Canpopy Tree
Screen 2		6		10 or 14*	Understory Tree
Screen 3				3	Shrubs
Total Width			Setback	100 and 300	

I. Overview of Solar Farms Development in North Carolina

Across the nation the number of solar installations has dramatically increased over the last few years as changes in technology and the economy made these solar farms more feasible. The charts below show how this market has grown and is expected to continue to grow from 2010 to 2017, the drop off in 2017 is expected due to the expiration of tax credits for solar installations. The U.S. Solar Market Insight Reports for 2010 and 2011 which is put out by the Solar Energy Industries Association note that 2010 was a "breakout" year for solar energy. The continued boom of solar power is shown in the steady growth. North Carolina was ranked as having the second most active photovoltaic installed capacity in 2014.





As shown in the charts above, North Carolina ranked second in installed solar energy in 2014. North Carolina ranked fifth in cumulative installed solar energy in the United States.

II. Market Analysis of the Impact on Value from Solar Farms

I have researched a number of solar farms in North Carolina to determine the impact of these facilities on the value of adjoining property. I have provided a breakdown of the adjoining uses to show what adjoining uses are typical for solar farms and what uses would likely be considered consistent with a solar farm use. This breakdown is included in the Harmony of Use section of this report.

I also conducted a series of matched pair analyses. A matched pair analysis considers two similar properties with only one difference of note to determine whether or not that difference has any impact on value. Within the appraisal profession, matched pair analysis is a well-recognized method of measuring impact on value. In this case, I have considered residential properties adjoining a solar farm versus similar residential properties that do not adjoin a solar farm. I have also considered matched pairs of vacant residential and agricultural land.

As outlined in the discussion of each matched pair, I concluded from the data and my analysis that there has been no impact on sale price for residential, agricultural, or vacant residential land that adjoins the existing solar farms included in my study.

1. Matched Pair – AM Best Solar Farm, Goldsboro, NC

This solar farm adjoins Spring Garden Subdivision which had new homes and lots available for new construction during the approval and construction of the solar farm. The recent home sales have ranged from $200,000 to $250,000. This subdivision sold out the last homes in late 2014. The solar farm is clearly visible particularly along the north end of this street where there is only a thin line of trees separating the solar farm from the single-family homes.

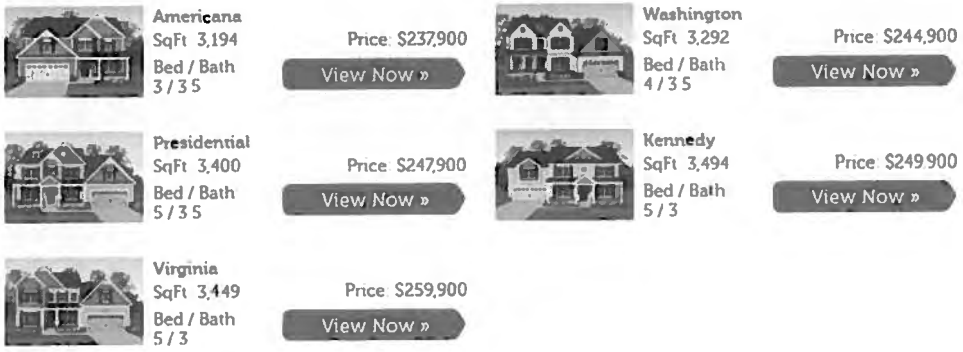


Homes backing up to the solar farm are selling at the same price for the same floor plan as the homes that do not back up to the solar farm in this subdivision. According to the builder, the solar farm has been a complete non-factor. Not only do the sales show no difference in the price paid for the various homes adjoining the solar farm versus not adjoining the solar farm, but there are actually more recent sales along the solar farm than not. There is no impact on the sellout rate, or time to sell for the homes adjoining the solar farm.

I spoke with a number of owners who adjoin the solar farm and none of them expressed any concern over the solar farm impacting their property value.

The data presented on the following page shows multiple homes that have sold in 2013 and 2014 adjoining the solar farm at prices similar to those not along the solar farm. These series of sales indicate that the solar farm has no impact on the adjoining residential use.

The homes that were marketed at Spring Garden are shown below.



AM Best Solar Farm, Goldsboro, NC

Matched Pairs
As of Date: 9/3/2014

Adjoining Sales After Solar Farm Completed

TAX ID	Owner	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	Style
3600195570	Helm	0.76	Sep-13	$250,000	2013	3,292	$75.94	2 Story
3600195361	Leak	1.49	Sep-13	$260,000	2013	3,652	$71.19	2 Story
3600199891	McBrayer	2.24	Jul-14	$250,000	2014	3,292	$75.94	2 Story
3600198632	Foresman	1.13	Aug-14	$253,000	2014	3,400	$74.41	2 Story
3600196656	Hinson	0.75	Dec-13	$255,000	2013	3,453	$73.85	2 Story
	Average	1.27		$253,600	2013.4	3,418	$74.27	
	Median	1.13		$253,000	2013	3,400	$74.41	

Adjoining Sales After Solar Farm Announced

TAX ID	Owner	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	Style
0	Feddersen	1.56	Feb-13	$247,000	2012	3,427	$72.07	Ranch
0	Gentry	1.42	Apr-13	$245,000	2013	3,400	$72.06	2 Story
	Average	1.49		$246,000	2012.5	3,414	$72.07	
	Median	1.49		$246,000	2012.5	3,414	$72.07	

Adjoining Sales Before Solar Farm Announced

TAX ID	Owner	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	Style
3600183905	Carter	1.57	Dec-12	$240,000	2012	3,347	$71.71	1.5 Story
3600193097	Kelly	1.61	Sep-12	$198,000	2012	2,532	$78.20	2 Story
3600194189	Hadwan	1.55	Nov-12	$240,000	2012	3,433	$69.91	1.5 Story
	Average	1.59		$219,000	2012	2,940	$74.95	
	Median	1.59		$219,000	2012	2,940	$74.95	

Nearby Sales After Solar Farm Completed

TAX ID	Owner	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	Style
3600193710	Barnes	1.12	Oct-13	$248,000	2013	3,400	$72.94	2 Story
3601105180	Nackley	0.95	Dec-13	$253,000	2013	3,400	$74.41	2 Story
3600192528	Mattheis	1.12	Oct-13	$238,000	2013	3,194	$74.51	2 Story
3600198928	Beckman	0.93	Mar-14	$250,000	2014	3,292	$75.94	2 Story
3600196965	Hough	0.81	Jun-14	$224,000	2014	2,434	$92.03	2 Story
3600193914	Preskitt	0.67	Jun-14	$242,000	2014	2,825	$85.66	2 Story
3600194813	Bordner	0.91	Apr-14	$258,000	2014	3,511	$73.48	2 Story
3601104147	Shaffer	0.73	Apr-14	$255,000	2014	3,453	$73.85	2 Story
	Average	0.91		$246,000	2013.625	3,189	$77.85	
	Median	0.92		$249,000	2014	3,346	$74.46	

Nearby Sales Before Solar Farm Announced

TAX ID	Owner	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	Style
3600191437	Thomas	1.12	Sep-12	$225,000	2012	3,276	$68.68	2 Story
3600087968	Lilley	1.15	Jan-13	$238,000	2012	3,421	$69.57	1.5 Story
3600087654	Burke	1.26	Sep-12	$240,000	2012	3,543	$67.74	2 Story
3600088796	Hobbs	0.73	Sep-12	$228,000	2012	3,254	$70.07	2 Story
	Average	1.07		$232,750	2012	3,374	$69.01	
	Median	1.14		$233,000	2012	3,349	$69.13	

Matched Pair Summary

	Adjoins Solar Farm		Nearby Solar Farm	
	Average	**Median**	**Average**	**Median**
Sales Price	$253,600	$253,000	$246,000	$249,000
Year Built	2013	2013	2014	2014
Size	3,418	3,400	3,189	3,346
Price/SF	$74.27	$74.41	$77.85	$74.46

Percentage Differences

Median Price	-2%
Median Size	-2%
Median Price/SF	0%

I note that 2308 Granville Drive sold again in November 2015 for $267,500, or $7,500 more than when it was purchased new from the builder two years earlier (Tax ID 3600195361, Owner: Leak). The neighborhood is clearly showing appreciation for homes adjoining the solar farm.

The Median Price is the best indicator to follow in any analysis as it avoids outlying samples that would otherwise skew the results. The median sizes and median prices are all consistent throughout the sales both before and after the solar farm whether you look at sites adjoining or nearby to the solar farm. The average for the homes nearby the solar farm shows a smaller building size and a higher price per square foot. This reflects a common occurrence in real estate where the price per square foot goes up as the size goes down. This is similar to the discount you see in any market where there is a discount for buying larger volumes. So when you buy a 2 liter coke you pay less per ounce than if you buy a 16 oz. coke. So even comparing averages the indication is for no impact, but I rely on the median rates as the most reliable indication for any such analysis.

AM Best Solar Farm, Goldsboro, NC



View of home in Spring Garden with solar farm located through the trees and panels – photo taken on 9/23/15.



View from vacant lot at Spring Garden with solar farm panels visible through trees taken in the winter of 2014 prior to home construction. This is the same lot as the photo above.

2. Matched Pair – White Cross Solar Farm, Chapel Hill, NC

A new solar farm was built at 2159 White Cross Road in Chapel Hill, Orange County in 2013. After construction, the owner of the underlying land sold the balance of the tract not encumbered by the solar farm in July 2013 for $265,000 for 47.20 acres, or $5,606 per acre. This land adjoins the solar farm to the south and was clear cut of timber around 10 years ago. I compared this purchase to a nearby transfer of 59.09 acres of timber land just south along White Cross Road that sold in November 2010 for $361,000, or $6,109 per acre. After purchase, this land was divided into three mini farm tracts of 12 to 20 acres each. These rates are very similar and the difference in price per acre is attributed to the timber value and not any impact of the solar farm.

Type	TAX ID	Owner	Acres	Date	Price	$/Acre	Notes	Conf By
Adjoins Solar	9748336770	Haggerty	47.20	Jul-13	$265,000	$5,614	Clear cut	Betty Cross, broker
Not Near Solar	9747184527	Purcell	59.09	Nov-10	$361,000	$6,109	Wooded	Dickie Andrews, broker

The difference in price is attributed to the trees on the older sale.
No impact noted for the adjacency to a solar farm according to the broker.
I looked at a number of other nearby land sales without proximity to a solar farm for this matched pair, but this land sale required the least allowance for differences in size, utility and location.

Matched Pair Summary

	Adjoins Solar Farm		Nearby Solar Farm	
	Average	Median	Average	Median
Sales Price	$5,614	$5,614	$6,109	$6,109
Adjustment for Timber	$500	$500		
Adjusted	$6,114	$6,114	$6,109	$6,109
Tract Size	47.20	47.20	59.09	59.09
Percentage Differences				
Median Price Per Acre	0%			

This matched pair again supports the conclusion that adjacency to a solar farm has no impact on adjoining residential/agricultural land.

3. Matched Pair – Wagstaff Farm, Roxboro, NC

This solar farm is located at the northeast corner of a 594-acre farm with approximately 30 acres of solar farm area. This solar farm was approved and constructed in 2013.

After approval, 18.82 acres were sold out of the parent tract to an adjoining owner to the south. This sale was at a similar price to nearby land to the east that sold in the same time from for the same price per acre as shown below.

Type	TAX ID	Owner	Acres	Present Use	Date Sold	Price	$/AC
Adjoins Solar	0918-17-11-7960	Piedmont	18.82	Agriculatural	8/19/2013	$164,000	$8,714
Not Near Solar	0918-00-75-9812 et al	Blackwell	14.88	Agriculatural	12/27/2013	$130,000	$8,739

Matched Pair Summary	Adjoins Solar Farm		Nearby Solar Farm	
	Average	Median	Average	Median
Sales Price	$8,714	$8,714	$8,739	$8,739
Tract Size	18.82	18.82	14.88	14.88

Percentage Differences	
Median Price Per Acre	0%

This matched pair again supports the conclusion that adjacency to a solar farm has no impact on adjoining residential/agricultural land.

4. Matched Pair – Mulberry, Selmer, TN

This solar farm adjoins two subdivisions with Central Hills having a mix of existing and new construction homes. Lots in this development have been marketed for $15,000 each with discounts offered for multiple lots being used for a single home site. I spoke with the agent with Rhonda Wheeler and Becky Hearnsberger with United County Farm & Home Realty who noted that they have seen no impact on lot or home sales due to the solar farm in this community.

I have included a map below as well as data on recent sales activity on lots that adjoin the solar farm or are near the solar farm in this subdivision both before and after the announced plan for this solar farm facility. I note that using the same method I used to breakdown the adjoining uses at the subject property I show that the predominant adjoining uses are residential and agricultural, which is consistent with the location of most solar farms.



Adjoining Use Breakdown

	Acreage	Parcels
Commercial	3.40%	0.034
Residential	12.84%	79.31%
Agri/Res	10.39%	3.45%
Agricultural	73.37%	13.79%
Total	**100.00%**	**100.00%**

From the above map, I identified four recent sales of homes that occurred adjoining the solar farm both before and after the announcement of the solar farm. I have adjusted each of these for differences in size and age in order to compare these sales among themselves. As shown below after adjustment, the median value is $130,776 and the sales prices are consistent with one outlier which is also the least comparable home consisered. The close grouping and the similar price per point overall as well as the similar price per square foot both before and after the solar farm.

Matched Pairs #	TAX ID	Owner	Date Sold	Sales Price	Acres	Built	GBA	$/GBA	Style	Parking
6&7	0900 A 011.00	Henson	Jul-14	$130,000	2.65	2007	1,511	$86.04	1 Story	2 Garage
12	0900 A 003.00	Amerson	Aug-12	$130,000	1.20	2011	1,586	$81.97	1 Story	2 Garage
15	099C A 003.00	Smallwood	May-12	$149,900	1.00	2002	1,596	$93.92	1 Story	4 Garage
16	099C A 002.00	Hessing	Jun-15	$130,000	1.00	1999	1,782	$72.95	1 Story	2 Garage
		Average		$134,975	1.46	2005	1,619	$83.72		
		Median		$130,000	1.10	2005	1,591	$84.00		

					Adjustments*					
#	TAX ID	Owner	Date Sold	Sales Price	Acres	Built	GBA	Style	Parking	Total
6&7	0900 A 011.00	Henson	Jul-14	$130,000	-$7,500	$2,600	$6,453	$0	$0	$131,553
12	0900 A 003.00	Amerson	Aug-12	$130,000	$0	$0	$0	$0	$0	$130,000
15	099C A 003.00	Smallwood	May-12	$149,900	$0	$6,746	-$939	$0	-$15,000	$140,706
16	099C A 002.00	Hessing	Jun-15	$130,000	$0	$7,800	-$14,299	$0	$0	$123,501
		Average		$134,975	-$1,875	$4,286	-$2,196	$0	-$3,750	$131,440
		Median		$130,000	$0	$4,673	-$470	$0	$0	$130,776

* I adjusted all of the comparables to a base line 2011 Year Built and 1,586 s.f. based on Lot 12

I also considered a number of similar home sales nearby that were both before and after the solar farm was announced as shown below. These homes are generally newer in construction and include a number of larger homes but show a very similar price point per square foot.

Nearby Sales Before Solar Farm Announced

TAX ID	Owner	Date Sold	Sales Price	Acres	Built	GBA	$/GBA	Style	Parking
099B A 019	Durrance	Sep-12	$165,000	1.00	2012	2,079	$79.37	1 Story	2 Garage
099B A 021	Berryman	Apr-12	$212,000	2.73	2007	2,045	$103.67	1 Story	2 Garage
090O A 060	Nichols	Feb-13	$165,000	1.03	2012	1,966	$83.93	1 Story	2 Garage
	Average		$180,667	1.59	2010	2,030	$88.99		
	Median		$165,000	1.03	2012	2,045	$83.93		

Nearby Sales After Solar Farm Announced

TAX ID	Owner	Date Sold	Sales Price	Acres	Built	GBA	$/GBA	Style	Parking
090N A 040	Carrithers	Mar-15	$120,000	1.00	2010	1,626	$73.80	1 Story	2 Garage
099C A 043	Cherry	Feb-15	$148,900	2.34	2008	1,585	$93.94	1 Story	2 Garage
	Average		$134,450	1.67	2009	1,606	$83.87		
	Median		$134,450	1.67	2009	1,606	$83.87		

I then adjusted these nearby sales using the same criteria as the adjoining sales to derive the following breakdown of adjusted values based on a 2011 year built 1,586 square foot home. The adjusted values are consistent with a median rate of $128,665, which is actually lower than the values for the homes that back up to the solar farm.

Nearby Sales Adjusted				Adjustments*					
TAX ID	Owner	Date Sold	Sales Price	Acres	Built	GBA	Style	Parking	Total
099B A 019	Durrance	Sep-12	$165,000	$0	-$825	-$39,127	$0	$0	$125,048
099B A 021	Berryman	Apr-12	$212,000	-$7,500	$4,240	-$47,583	$0	$0	$161,157
090O A 060	Nichols	Feb-13	$165,000	$0	-$825	-$31,892	$0	$0	$132,283
090N A 040	Carrithers	Mar-15	$120,000	$0	$600	-$2,952	$0	$0	$117,648
099C A 043	Cherry	Feb-15	$148,900	-$7,500	$2,234	$94	$0	$0	$143,727
	Average		$165,500	-$1,875	$798	-$30,389	$0	$0	$134,034
	Median		$165,000	$0	-$113	-$35,510	$0	$0	$128,665

* I adjusted all of the comparables to a base line 2011 Year Built and 1,586 s.f. based on Lot 12

If you consider just the 2015 nearby sales, the range is $117,648 to $143,727 with a median of $130,688. If you consider the recent adjoining sales the range is $123,501 to $131,553 with a median of $127,527.

This difference is less than 3% in the median and well below the standard deviation in the sales. The entire range of the adjoining sales prices is overlapped by the range from the nearby sales. These are consistent data sets and summarized below.

Matched Pair Summary

	Adjoins Solar Farm		Nearby After Solar Farm	
	Average	Median	Average	Median
Sales Price	$134,975	$130,000	$134,450	$134,450
Year Built	2005	2005	2009	2009
Size	1,619	1,591	1,606	1,606
Price/SF	$83.72	$84.00	$83.87	$83.87

Percentage Differences

Median Price	3%
Median Size	1%
Median Price/SF	0%

Based on the data presented above, I find that the price per square foot for finished homes are not being impacted negatively by the presence of the solar farm. The difference in pricing in homes in the neighborhood is accounted for by differences in size, building age, and lot size. The median price for a home after those factors are adjusted for are consistent throughout this subdivision and show no impact due to the proximity of the solar farm. This is consistent with the comments from the broker I spoke with for this subdivision as well.

III. Harmony of Use/Compatability

1. Overview for North Carolina

I have visited over 170 solar farms and sites on which solar farms are proposed in North Carolina to determine what uses are compatible with a solar farm. The data I have collected and provide in this report strongly supports the compatibility of solar farms with adjoining agricultural and residential uses. While I have focused on adjoining uses, I note that there are many examples of solar farms being located within a quarter mile of residential developments, including such notable developments as Governor's Club in Chapel Hill, which has a solar farm within a quarter mile as you can see on the following aerial map. Governor's Club is a gated golf community with homes selling for $300,000 to over $2 million.



The subdivisions included in the matched pair analysis also show an acceptance of residential uses adjoining solar farms as a harmonious use.

Beyond these anecdotal references, I have quantified the adjoining uses for a number of solar farm comparables to derive a breakdown of the adjoining uses for each solar farm. The chart below shows the breakdown of adjoining or abutting uses by total acreage. While most of these solar farms were located in North Carolina, the breakdown of adjoining uses is very similar to that shown for Oregon as shown earlier in this report.

Percentage By Adjoining Acreage

Total Solar Farms Reviewed 173

	Res	Ag	Res/AG	Park	Sub	Comm	Ind	All Res Uses	All Comm Uses
Average	13%	57%	22%	1%	0%	0%	5%	94%	5%
Median	6%	63%	7%	0%	0%	0%	0%	100%	0%

Res = Residential, Ag = Agriculture, Sub = Substation, Com = Commercial, Ind = Industrial.

I have also included a breakdown of each solar farm by number of adjoining parcels rather than acreage. Using both factors provides a more complete picture of the neighboring properties.

Percentage By Total Number of Adjoining Parcels

Total Solar Farms Reviewed 173

	Res	Ag	Res/AG	Park	Sub	Comm	Ind	All Res Uses	All Comm Uses
Average	58%	27%	9%	0%	0%	2%	4%	94%	5%
Median	63%	25%	4%	0%	0%	0%	0%	100%	0%

Res = Residential, Ag = Agriculture, Sub = Substation, Com = Commercial, Ind = Industrial.

Both of the above charts show a marked residential and agricultural adjoining use for most solar farms. Every single solar farm considered included an adjoining residential use except for one, which included an adjoining residential/agricultural use. These comparable solar farms clearly support a compatibility with adjoining residential uses along with agricultural uses.

2. Overview for NC Coastal Plains

I have also looked at a subset of the North Carolina data and focused on just the Coastal Plains that includes 94 of the 173 solar farms used above. That information provides a very similar breakdown of adjoining uses as shown above. I further pulled zoning data on these solar farms in the Coastal Plain to derive the following breakdown.

Zoning Mix	Solar Farm	
Residential	18	19.15%
Agricultural	65	69.15%
Commercial	4	4.26%
Industrial	7	7.45%
	94	

As you can see from the data above 69% of the solar farms in Eastern North Carolina are located on land zoned for agricultural use. The next largest zoning category is residential for a total of 89% of the solar farms in Eastern NC being located on residential or agricultural land. Given the data across NC for adjoining uses, this is very consistent and strongly supports the assertion that the subject property, which is zoned A1 for agricultural use is a harmonious location for a solar farm.

3. Overview for Nearby Solar Farm Activity

I have also looked at a subset of the North Carolina data and focused on counties near Currituck. That information provides a very similar breakdown of adjoining uses as shown above with 94% of the zoning being residential or agricultural. The median size of the solar farms is a 5 MW on about 90 acres, though generally, the solar farms only encumber about half of that total acreage.

I note that three of the solar farms listed below have an average distance to homes closer than the distance proposed for the subject property. I note that the data in this chart shows the average distanced and not the closest distance, which was shown in the earlier chart for the subject property. Across the state I generally see around 150 feet being the closest distance between solar panels and homes, though a few years ago they were generally closer to 100 feet.

Attachment: Kirkland Appraisals Grandy Solar Impact Study (1472 : PB 15-25 Grandy Solar Farm)

Nearby Solar Farm Activity

	Output	Acres	Avg. Home Distance	Zoning
Northampton County				
Gutenburg	N/A	882.65	1359	Agricultural
Pecan	N/A	701.59	715	Agricultural
Cottonwood	N/A	34.47	272	Agricultural
Hoke County				
Shelter	N/A	49.02	332	Agricultural
Halifax County				
Cork Oak	N/A	310.386	700	Residential
Sunflower	N/A	1131.58	1132	Residential
Northern Cardinal	N/A	15.176	208	Industrial
Green Heron	N/A	30.55	1068	Residential
Currituck County				
Wildwood	80	2034	674	Agricultural
Pasquotank County				
Morgan Corner N	N/A	107.3	N/A	Agricultural
Morgan Corner S	N/A	72.84	N/A	Agricultural
Pitt County				
Greenville 2	2.475	20.72	N/A	Agricultural
Parmele	5	257.85	N/A	Agricultural
Augustus Farm	5	78.42	1018	Residential
Penny Hill	N/A	208.22	N/A	Agricultural
Beaufort County				
Cattail	N/A	36.97	1440	Residential
Average		373.234	811	
Median		92.86	715	
High		2034	1440	
Low		15.176	208	

Attachment: Kirkland Appraisals Grandy Solar Impact Study (1472 : PB 15-25 Grandy Solar Farm)

4. Examples of Solar Farms in Proximity to Residential Uses

On the following pages I will illustrate a number of nearby solar farms that either were or are being developed in close proximity to residential uses to illustrate the acceptance of this pairing and further support the assertion that the proposed project is harmonious with the location in which it is proposed.

Solar Comparable 1

The first example is the Wildwood Solar Farm in Moyock, Currituck County. I've included this project that was approved in 2015 both for the proximity to residential uses on two sides of the project, but also due to the significantly larger size. This is an 80 MW facility on over 2,000 acres that adjoins 43 single family lots, which makes up 80% of the adjoining uses. The closest home will be 360 feet from the closest solar panel.



Attachment: Kirkland Appraisals Grandy Solar Impact Study (1472 : PB 15-25 Grandy Solar Farm)

Solar Comparable 2

The next example is the Vinson Solar Farm in Clayton, Johnston County. This project was approved in 2015. This is a 5 MW facility on 44.26 acres that adjoins 14 single family lots, which makes up 82% of the adjoining uses. The closest home will be 148 feet from the closest solar panel. I also note that there are a few subdivisions located just beyond the adjoining residential lots. It is of further note, that one of the commissioners who approved this project lives in the subdivisions behind these lots.



Solar Comparable 3

The next example is the Landmark Solar Farm in Willow Springs, Johnston County. This project was approved in 2015. This is a proposed facility on 24.71 acres that adjoins 10 single family lots, which makes up 79% of the adjoining uses. The closest home will be 176 feet from the closest solar panel.



Attachment: Kirkland Appraisals Grandy Solar Impact Study (1472 : PB 15-25 Grandy Solar Farm)

Solar Comparable 4

The next example is the Corn Solar Farm in Monroe, Union County. This project was approved in 2015. This is a proposed facility on 430.44 acres out of 484.05 acres. This project will be located 500 feet south of a golf course community located directly to the north of the unleased area shown in the map below. Even excluding those homes from adjoining uses, 58% of the adjoining uses are residential. The closest home will be 203 feet from the closest solar panel.



Solar Comparable 5

The next example is the Red Toad Cleveland Road Solar Farm in Smithfield, Johnston County. This project was approved in 2015. This is a proposed facility on 15 acres out of 161.23 acres. This project actually is the second solar farm located at this location with the clearing shown just to the west of the solar farm location actually containing another solar farm that was completed in 2015. Both of these solar farms are located across the street from a subdivision with the closest home being 80 feet away as shown at location 2 below. The homes across the street are 165 feet away from the closest solar panel.



Attachment: Kirkland Appraisals Grandy Solar Impact Study (1472 : PB 15-25 Grandy Solar Farm)

IV. Specific Factors on Harmony of Use

I have completed a number of Impact Studies related to a variety of uses and I have found that the most common areas for impact on adjoining values typically follow the following hierarchy with descending levels of potential impact. I will discuss each of these categories and how they relate to a solar farm.

1. Hazardous material
2. Odor
3. Noise
4. Traffic
5. Stigma
6. Appearance

5. Hazardous material

The solar farm presents no potential hazardous waste byproduct as part of normal operation. Any fertilizer, weed control, vehicular traffic, or construction will be significantly less than typically applied in a residential development or even most agricultural uses.

The various solar farms that I have inspected and identified in the addenda have no known pending environmental impacts associated with the development and operation.

6. Odor

The various solar farms that I have inspected produced no noticeable odor.

7. Noise

These are passive solar panels with no associated noise beyond a barely audible sound during daylight hours. The transformer reportedly has a hum similar to a fluorescent light in an office building that can only be heard in close proximity to this transformer and the buffers on the property are sufficient to make emitted sounds inaudible from the adjoining properties. No sound is emitted from the facility at night.

The various solar farms that I have inspected were inaudible from the roadways. I heard nothing on any of these sites associated with the solar farm.

8. Traffic

The solar farm will have no onsite employee's or staff. The site requires only minimal maintenance. Relative to other potential uses of the site (such as a residential subdivision), the additional traffic generated by a solar farm use on this site is insignificant.

9. Stigma

There is no stigma associated with solar farms and solar farms and people generally respond favorably towards such a use. While an individual may express concerns about proximity to a solar farm, there is no specific stigma associated with a solar farm. Stigma generally refers to things such as adult establishments, prisons, rehabilitation facilities, and so forth.

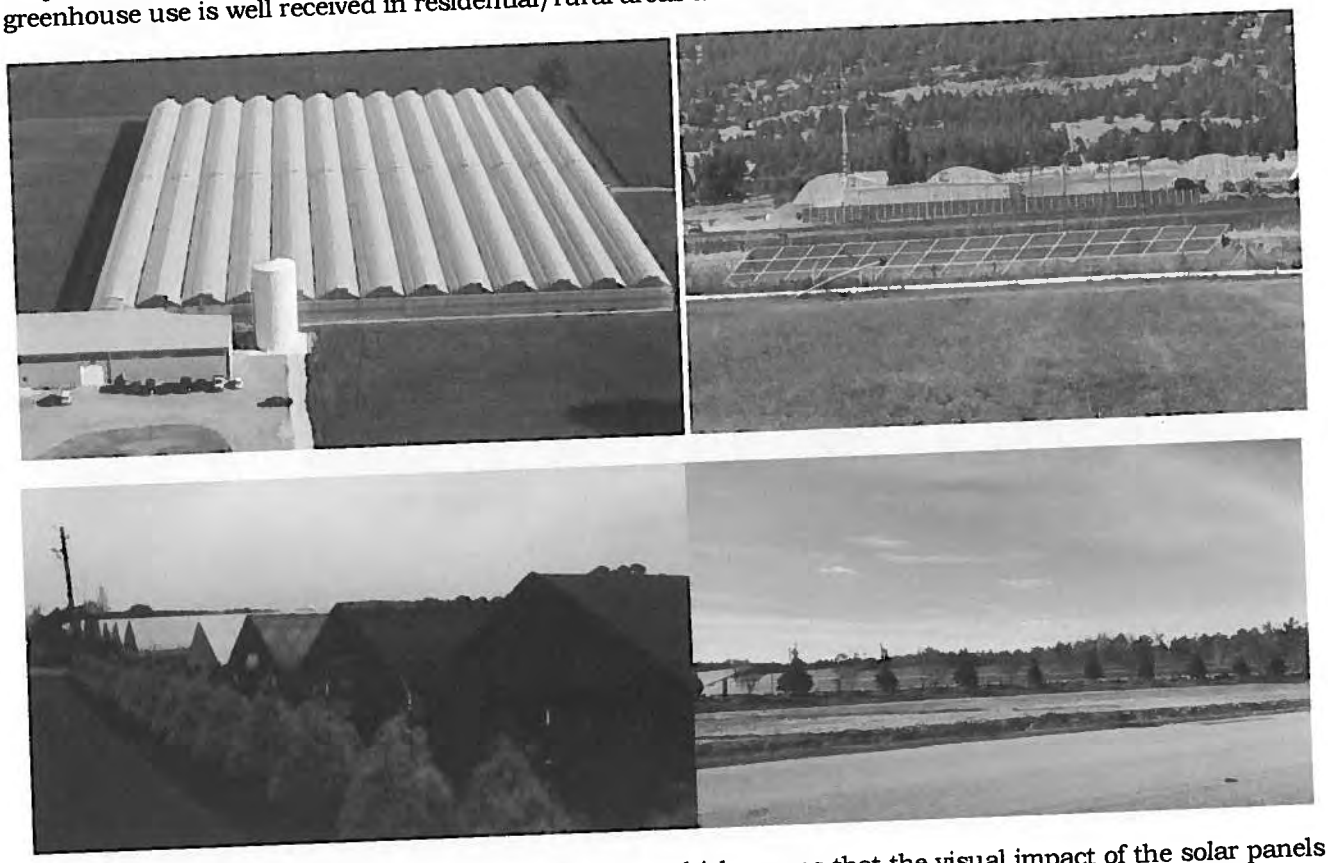
Solar panels have no associated stigma and in smaller collections are found in yards and roofs in many residential communities. Solar panels on a roof are often cited as an enhancement to the property in marketing brochures.

I see no basis for an impact from stigma due to a solar farm.

Attachment: Kirkland Appraisals Grandy Solar Impact Study (1472 : PB 15-25 Grandy Solar Farm)

10. Appearance

Larger solar farms using fixed panels are a passive use of the land that is considered in keeping with a rural/residential area. As shown below, solar farms are comparable to larger greenhouses. This is not surprising given that a greenhouse is essentially another method for collecting passive solar energy. The greenhouse use is well received in residential/rural areas and has a similar visual impact as a solar farm.



The fixed solar panels are all less than 15 feet high, which means that the visual impact of the solar panels will be similar in height to a typical greenhouse and lower than a single story residential dwelling. Were the subject property developed with single family housing, it would have a much greater visual impact on the surrounding area given that a two-story home with attic could be three to four times as high as these proposed panels. The panels will be located behind a chain link fence.

11. Conclusion

On the basis of the factors described above, it is my professional opinion that the proposed solar farm will be in harmony with the area in which it is to be developed. The breakdown of adjoining uses is similar to the other solar farms tracked.

V. Market Commentary

I have surveyed a number of builders, developers and investors regarding solar farms over the last year. I have received favorable feedback from a variety of sources; below are excerpts from my conversations with different clients or other real estate professionals.

I spoke with Betty Cross with Keller Williams Realty in Chapel Hill, who sold the tract of land adjoining the White Cross Road solar farm. She indicated that the solar farm was not considered a negative factor in marketing the property and that it had no impact on the final price paid for the land.

I spoke with Lynn Hayes a broker with Berkshire Hathaway who sold a home at the entrance to Pickards Mountain where the home exits onto the Pickard Mountain Eco Institute's small solar farm. This property is located in rural Orange County west of Chapel Hill. This home closed in January 2014 for $735,000. According to Ms. Hayes the buyer was excited to be living near the Eco Institute and considered the solar farm to be a positive sign for the area. There are currently a number of 10 acre plus lots in Pickards Meadow behind this house with lots on the market for $200,000 to $250,000.

A new solar farm was built on Zion Church Road, Hickory at the Two Lines Solar Farm on the Punch property. After construction of the solar farm in 2013, an adjoining tract of land with 88.18 acres sold for $250,000, or $2,835 per acre. This was a highly irregular tract of land with significant tree cover between it and the solar farm. I have compared this to a current listing of 20.39 acres of land that is located southeast just a little ways from this solar farm. This land is on the market for $69,000, or $3,428 per acre. Generally, a smaller tract of land would be listed for more per acre. Considering a size adjustment of 5% per doubling in size, and a 10% discount for the likely drop in the closed price off of the asking price, I derive an indicated value per acre of the smaller tract of $2,777 per acre. This is very similar to the recently closed sale adjoining the solar farm, which further supports the matched pair analysis earlier in this report.

Rex Vick with Windjam Developers has a subdivision in Chatham County off Mt. Gilead Church Road known as The Hamptons. Home prices in The Hamptons start at $600,000 with homes over $1,000,000. Mr. Vick expressed interest in the possibility of including a solar farm section to the development as a possible additional marketing tool for the project.

Mr. Eddie Bacon, out of Apex North Carolina, has inherited a sizeable amount of family and agricultural land, and he has expressed interest in using a solar farm as a method of preserving the land for his children and grandchildren while still deriving a useful income from the property. He believes that solar panels would not in any way diminish the value for this adjoining land.

I spoke with Carolyn Craig, a Realtor in Kinston, North Carolina who is familiar with the Strata Solar Farms in the area. She noted that a solar farm in the area would be positive: "A solar farm is color coordinated and looks nice." "A solar farm is better than a turkey farm," which is allowed in that area. She would not expect a solar farm will have any impact on adjoining home prices in the area.

Mr. Michael Edwards, a broker and developer in Raleigh, indicated that a passive solar farm would be a great enhancement to adjoining property: "You never know what might be put on that land next door. There is no noise with a solar farm like there is with a new subdivision."

These are just excerpts I've noted in my conversations with different clients or other real estate participants that provided other thoughts on the subject that seemed applicable.

VI. Conclusion

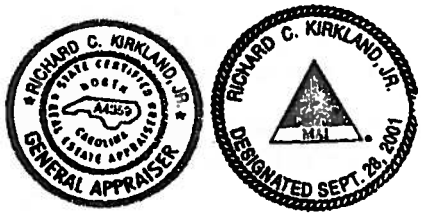
The matched pair analysis shows no impact in home values due to the adjacency to the solar farm as well as no impact to adjacent vacant residential or agricultural land. The criteria for making downward adjustments on property values such as appearance, noise, odor, and traffic all indicate that a solar farm is a compatible use for rural/residential transition areas.

Similar solar farms have been approved adjoining agricultural uses, schools and residential developments. Industrial uses rarely absorb negative impacts from adjoining uses. The adjoining residential uses to other solar farms have included single family homes up to $260,000 on lots as small as 0.74 acres. The solar farm at the Pickards Mountain Eco Institute adjoins a home that sold in January 2014 for $735,000 and in proximity to lots being sold for $200,000 to $250,000 for homes over a million dollars.

Based on the data and analysis in this report, it is my professional opinion that the solar farm proposed at the subject property will maintain or enhance the value of adjoining or abutting property and that the proposed use is in harmony with the area in which it is located.

If you have any further questions please call me any time.

Sincerely,



Richard C. Kirkland, Jr., MAI
State Certified General Appraiser

Limiting Conditions and Assumptions

Acceptance of and/or use of this report constitutes acceptance of the following limiting conditions and assumptions; these can only be modified by written documents executed by both parties.

- The basic limitation of this and any appraisal is that the appraisal is an opinion of value, and is, therefore, not a guarantee that the property would sell at exactly the appraised value. The market price may differ from the market value, depending upon the motivation and knowledge of the buyer and/or seller, and may, therefore, be higher or lower than the market value. The market value, as defined herein, is an opinion of the probable price that is obtainable in a market free of abnormal influences.

- I do not assume any responsibility for the legal description provided or for matters pertaining to legal or title considerations. I assume that the title to the property is good and marketable unless otherwise stated.

- I am appraising the property as though free and clear of any and all liens or encumbrances unless otherwise stated.

- I assume that the property is under responsible ownership and competent property management.

- I believe the information furnished by others is reliable, but I give no warranty for its accuracy.

- I have made no survey or engineering study of the property and assume no responsibility for such matters. All engineering studies prepared by others are assumed to be correct. The plot plans, surveys, sketches and any other illustrative material in this report are included only to help the reader visualize the property. The illustrative material should not be considered to be scaled accurately for size.

- I assume that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. I take no responsibility for such conditions or for obtaining the engineering studies that may be required to discover them.

- I assume that the property is in full compliance with all applicable federal, state, and local laws, including environmental regulations, unless the lack of compliance is stated, described, and considered in this appraisal report.

- I assume that the property conforms to all applicable zoning and use regulations and restrictions unless nonconformity has been identified, described and considered in this appraisal report.

- I assume that all required licenses, certificates of occupancy, consents, and other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.

- I assume that the use of the land and improvements is confined within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted in this report.

- I am not qualified to detect the presence of floodplain or wetlands. Any information presented in this report related to these characteristics is for this analysis only. The presence of floodplain or wetlands may affect the value of the property. If the presence of floodplain or wetlands is suspected the property owner would be advised to seek professional engineering assistance.

- For this appraisal, I assume that no hazardous substances or conditions are present in or on the property. Such substances or conditions could include but are not limited to asbestos, urea-formaldehyde foam insulation, polychlorinated biphenyls (PCBs), petroleum leakage or underground storage tanks, electromagnetic fields, or agricultural chemicals. I have no knowledge of any such materials or conditions unless otherwise stated. I make no claim of technical knowledge with regard to testing for or identifying such hazardous materials or conditions. The presence of such materials, substances or conditions could affect the value of the property. However, the values estimated in this report are predicated on the assumption that there are no such materials or conditions in, on or in close enough proximity to the property to cause a loss in value. The client is urged to retain an expert in this field, if desired.

- Unless otherwise stated in this report the subject property is appraised without a specific compliance survey having been conducted to determine if the property is or is not in conformance with the requirements of the

Attachment: Kirkland Appraisals Grandy Solar Impact Study (1472 : PB 15-25 Grandy Solar Farm)

Americans with Disabilities Act (effective 1/26/92). The presence of architectural and/or communications barriers that are structural in nature that would restrict access by disabled individuals may adversely affect the property's value, marketability, or utility.

- Any allocation of the total value estimated in this report between the land and the improvements applies only under the stated program of utilization. The separate values allocated to the land and buildings must not be used in conjunction with any other appraisal and are invalid if so used.
- Possession of this report, or a copy thereof, does not carry with it the right of publication.
- I have no obligation, by reason of this appraisal, to give further consultation or testimony or to be in attendance in court with reference to the property in question unless further arrangements have been made regarding compensation to Kirkland Appraisals, LLC.
- Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected) shall be disseminated to the public through advertising, public relations, news, sales, or other media without the prior written consent and approval of Kirkland Appraisals, LLC, and then only with proper qualifications.
- Any value estimates provided in this report apply to the entire property, and any proration or division of the total into fractional interests will invalidate the value estimate, unless such proration or division of interests has been set forth in the report.
- Any income and expenses estimated in this report are for the purposes of this analysis only and should not be considered predictions of future operating results.
- This report is not intended to include an estimate of any personal property contained in or on the property, unless otherwise state.
- This report is subject to the Code of Professional Ethics of the Appraisal Institute and complies with the requirements of the State of North Carolina for State Certified General Appraisers. This report is subject to the certification, definitions, and assumptions and limiting conditions set forth herein.
- The analyses, opinions and conclusions were developed based on, and this report has been prepared in conformance with, our interpretation of the guidelines and recommendations set forth in the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA).
- This is a Real Property Appraisal Consulting Assignment.

Certification – Richard C. Kirkland, Jr., MAI

I certify that, to the best of my knowledge and belief:

1. The statements of fact contained in this report are true and correct;

2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions, and conclusions;

3. I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved;

4. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment;

5. My engagement in this assignment was not contingent upon developing or reporting predetermined results;

6. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of the appraisal;

7. The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute;

8. The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.

9. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives;

10. I have made a personal inspection of the property that is the subject of this report, and;

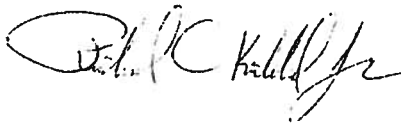
11. No one provided significant real property appraisal assistance to the person signing this certification.

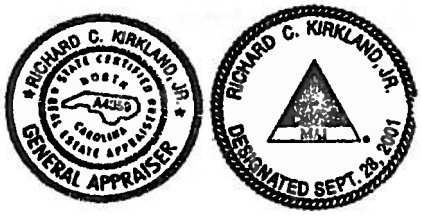
12. As of the date of this report I have completed the requirements of the continuing education program of the Appraisal Institute;

13. I have completed appraisal work on this property within the last three years as discussed on the first page of this report.

Disclosure of the contents of this appraisal report is governed by the bylaws and regulations of the Appraisal Institute and the National Association of Realtors.

Neither all nor any part of the contents of this appraisal report shall be disseminated to the public through advertising media, public relations media, news media, or any other public means of communications without the prior written consent and approval of the undersigned.





Richard C. Kirkland, Jr., MAI
State Certified General Appraiser

Kirkland Appraisals, LLC

Richard C. Kirkland, Jr., MAI
9408 Northfield Court
Raleigh, North Carolina 27603
Mobile (919) 414-8142
rkirkland2@gmail.com
www.kirklandappraisals.com

Professional Experience

Kirkland Appraisals, LLC, Raleigh, N.C. Commercial appraiser	2003 – Present
Hester & Company, Raleigh, N.C. Commercial appraiser	1996 – 2003

Professional Affiliations

MAI (Member, Appraisal Institute) designation #11796	2001
NC State Certified General Appraiser # A4359	1999
VA State Certified General Appraiser # 4001017291	
OR State Certified General Appraiser # C001204	
SC State Certified General Appraiser # 6209	

Education

Bachelor of Arts in English, University of North Carolina, Chapel Hill	1993

Continuing Education

Uniform Standards of Professional Appraisal Practice Update	2016
Forecasting Revenue	2015
Wind Turbine Effect on Value	2015
Supervisor/Trainee Class	2015
Business Practices and Ethics	2014
Subdivision Valuation	2014
Uniform Standards of Professional Appraisal Practice Update	2014
Introduction to Vineyard and Winery Valuation	2013
Appraising Rural Residential Properties	2012
Uniform Standards of Professional Appraisal Practice Update	2012
Supervisors/Trainees	2011
Rates and Ratios: Making sense of GIMs, OARs, and DCFs	2011
Advanced Internet Search Strategies	2011
Analyzing Distressed Real Estate	2011
Uniform Standards of Professional Appraisal Practice Update	2011
Business Practices and Ethics	2011
Appraisal Curriculum Overview (2 Days – General)	2009
Appraisal Review - General	2009
Uniform Standards of Professional Appraisal Practice Update	2008
Subdivision Valuation: A Comprehensive Guide	2008
Office Building Valuation: A Contemporary Perspective	2008
Valuation of Detrimental Conditions in Real Estate	2007
The Appraisal of Small Subdivisions	2007
Uniform Standards of Professional Appraisal Practice Update	2006
Evaluating Commercial Construction	2005

Attachment: Kirkland Appraisals Grandy Solar Impact Study (1472 : PB 15-25 Grandy Solar Farm)

Conservation Easements	2005
Uniform Standards of Professional Appraisal Practice Update	2004
Condemnation Appraising	2004
Land Valuation Adjustment Procedures	2004
Supporting Capitalization Rates	2004
Uniform Standards of Professional Appraisal Practice, C	2002
Wells and Septic Systems and Wastewater Irrigation Systems	2002
Appraisals 2002	2002
Analyzing Commercial Lease Clauses	2002
Conservation Easements	2000
Preparation for Litigation	2000
Appraisal of Nonconforming Uses	2000
Advanced Applications	2000
Highest and Best Use and Market Analysis	1999
Advanced Sales Comparison and Cost Approaches	1999
Advanced Income Capitalization	1998
Valuation of Detrimental Conditions in Real Estate	1999
Report Writing and Valuation Analysis	1999
Property Tax Values and Appeals	1997
Uniform Standards of Professional Appraisal Practice, A & B	1997
Basic Income Capitalization	1996

Currituck County
Agenda Item Summary Sheet

Agenda ID Number – (ID # 1478)

Agenda Item Title

Public Hearing and Action: PB 16-01 Guinea Mine:

Brief Description of Agenda Item:

Request for a use permit to operate a 9.5 acre sand mine at Tax Map 15, Parcels 34 and 35 in the Moyock Township.

Planning Board Recommendation:

Mr. Cartwright moved to approve PB 16-01 as presented due to the use will not endanger the public health or safety; 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; the use will be in conformity with the Land Use Plan; and the use will not exceed the county's ability to provide adequate public facilities. Mr. Bell seconded the motion and motion carried unanimously.

Board Action Requested

Action

Person Submitting Agenda Item

Jason Litteral,

Presenter of Agenda Item

Ben Woody

STAFF REPORT
PB 16-01
BOARD OF COMMISSIONERS
APRIL 4, 2016

APPLICATION SUMMARY	
Property Owner: William H. Spruill	**Applicant:** Wayne Leary
Case Number: PB 16-01	**Application Type**: Use Permit
Parcel Identification Number: 001500000350000 & 001500000340000	**Existing Use:** Farmland
Land Use Plan Classification: Full Service	**Parcel Size (Acres):** 31.68 Total
Request: Use Permit, Extractive Industries	**Zoning:** Agriculture / General Business

SURROUNDING PARCELS	Land Use	Zoning
North	Farmland	Agriculture (AG)
South	Single Family Dwelling	Agriculture (AG)
East	Farmland	General Business (GB)
West	Farmland	Single Family Mainland (SFM)

INFRASTRUCTURE	
Transportation/Access	Access will be achieved through the abandoned 30 foot right of way shown on the plan.
Landscaping	Type A buffers are required and will be indicated on a revised site plan.
Stormwater/Drainage	The plan includes a dewatering system

Attachment: Staff Report Guinea Mine Use Permit (BOC 4.4.16) (1478 : PB 16-01 Guinea Mine)

STAFF ANALYSIS

The applicant is requesting a use permit to operate a 9.5 acre sand mine. Applications for state permits include an additional 5.5 acres (shown as phase two on the site plan) which will not be excavated until the Board of Commissioners, or the planning director has granted approval of an expansion as allowed by the ordinance.

The majority of the site is adjoined by farmland with the some residential uses which are located several hundred feet away. A performance guarantee will be secured for one residential well located within 1500 feet of the proposed mine. The applicant has proposed having two forms of ingress to avoid traffic issues near the intersection of Caratoke Highway and Guinea Rd. when necessary.

The applicant is requesting a reduced setback for the existing excavated areas (ponds) that are within the 100 foot setback but adjacent to farmland. Application has been made for a driveway permit from NCDOT for improvement of the entrance road back to the intersection with Guinea Rd.

RECOMMENDATIONS

TECHNICAL REVIEW COMMITTEE

The Technical Review Committee recommends **adoption** of the use permit subject to the following conditions of approval:

1. The application complies with all applicable review standards of the UDO provided the following outstanding items are addressed:
    a. The ordinance requires type A buffer yards between certain portions of the site and the adjoining zoning districts. The applicant is aware of this requirement and the locations where buffers must be installed. The site plan shall be updated to reflect the required buffers.

2. The applicant demonstrates the proposed use will meet the use permit review standards of the UDO.

3. The conditions of approval necessary to ensure compliance with the review standards of the UDO and to prevent or minimize adverse effects of the development application on surrounding lands include:
    a. For operations that generate more than five trips per peak hour, at least 200 feet of continuous pavement shall be required onsite starting at the point the access road intersects with a public street or highway unless such public street is not paved. All streets and roads utilized to access the mining site shall be maintained free of dust and sediment and shall be properly graded and drained.
    b. The application is for a 9.5 acre sand mine on a 31.68 acre parcel. The site plan shows an additional phase 2 consisting of 5.5 acres which was shown for the benefit of state permitting. Approval shall not be granted for any activity in phase two until such time the applicable requirements of UDO section 4.2.5.A.15 (Expansion) are met.

Attachment: Staff Report Guinea Mine Use Permit (BOC 4.4.16) (1478 : PB 16-01 Guinea Mine)

c. A performance guarantee in the amount of $3,000 is required for the well within 1500 feet of the mine.

d. The use permit shall be valid for the same permit period as the State of North Carolina mining permit not to exceed ten years from the date of issuance or for a shorter duration as deemed appropriate by the Board of Commissioners. In the event the property owner desires to continue the mining operation thereafter, he shall again petition the Board of Commissioners for a new permit. The Planning Director may, upon receiving a written request for extension, grant an extension not to exceed ten years provided the existing mine has maintained compliance with all applicable state and local regulations. It is the responsibility of the applicant to renew the county permit in the event state permits expire.

PLANNING BOARD

Mr. Cartwright moved to approve PB 16-01 as presented due to the use will not endanger the public health or safety; 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; the use will be in conformity with the Land Use Plan; and the use will not exceed the county's ability to provide adequate public facilities. Mr. Bell seconded the motion and motion carried unanimously.

INFRASTRUCTURE

Transportation/Access	Access will be achieved through the abandoned 30 foot right of way shown on the plan.
Landscaping	Type A buffers are required and will be indicated on a revised site plan.

USE PERMIT REVIEW STANDARDS

A use permit shall be approved on a finding that the applicant demonstrates the proposed use will meet the below requirements. It is staff's opinion that the evidence in the record, prepared in absence of testimony presented at a public hearing, supports the preliminary findings.

The use will not endanger the public health or safety.

Preliminary Applicant Findings:

1. According to the applicant, "Mr. Spruill has operated sandpits in the immediate area for over 25 years without endangering the public health and safety. He will operate this mine as he has operated in the past.

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.

Preliminary Applicant Findings:

1. According to the applicant, "There is no reason to believe this mine will injure the value of adjoining or abutting lands and is in harmony with the area.

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

Preliminary Staff Findings:

Attachment: Staff Report Guinea Mine Use Permit (BOC 4.4.16) (1478 : PB 16-01 Guinea Mine)

1. The 2006 Land Use Plan identifies the site as a full service area.

   POLICY ID8: MINING ACTIVITIES, or secondary impacts of mining activities not subject to permit approval by the State of North Carolina, may be subject to review and management by Currituck County. Activities to be addressed may include, but not be limited to, the adequacy of roads serving the mine site, visual impacts during operation and after closing of the mine site, noise and dust considerations, etc.

2. The Moyock Small Area Plan Identifies the area as limited service.

   Policy BI 4 Provide industrial development opportunities for cluster industries identified by Currituck Economic Development such as defense aero-aviation, port and maritime related industries, alternative energy, agriculture and food, and local existing business support.

The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to: schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

Preliminary Staff Findings:

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

THE APPLICATION AND RELATED MATERIALS ARE AVAILABLE ON THE COUNTY'S WEBSITE
Board of Commissioners: www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm

Attachment: Staff Report Guinea Mine Use Permit (BOC 4.4.16) (1478 : PB 16-01 Guinea Mine)

Planning Board Discussion ***(3/8/16)***
Mr. Litteral said the use permit shall be valid for the same permit period as the State of NC mining permit not to exceed ten years from the date of issuance or for a shorter duration as deemed appropriate by the Board of Commissioners.

Mr. Craddock asked what type of material will be used for the second entrance.

Mr. Leary said it will have a section of concrete and then the road will be asphalt. The alternate driveway is rock but they are in the process of getting a driveway permit.

The board discussed the buffering and setback.

Mr. Cooper opened the public hearing.

Mr. Leary said staff has accurately presented the application and would be happy to answer any questions.

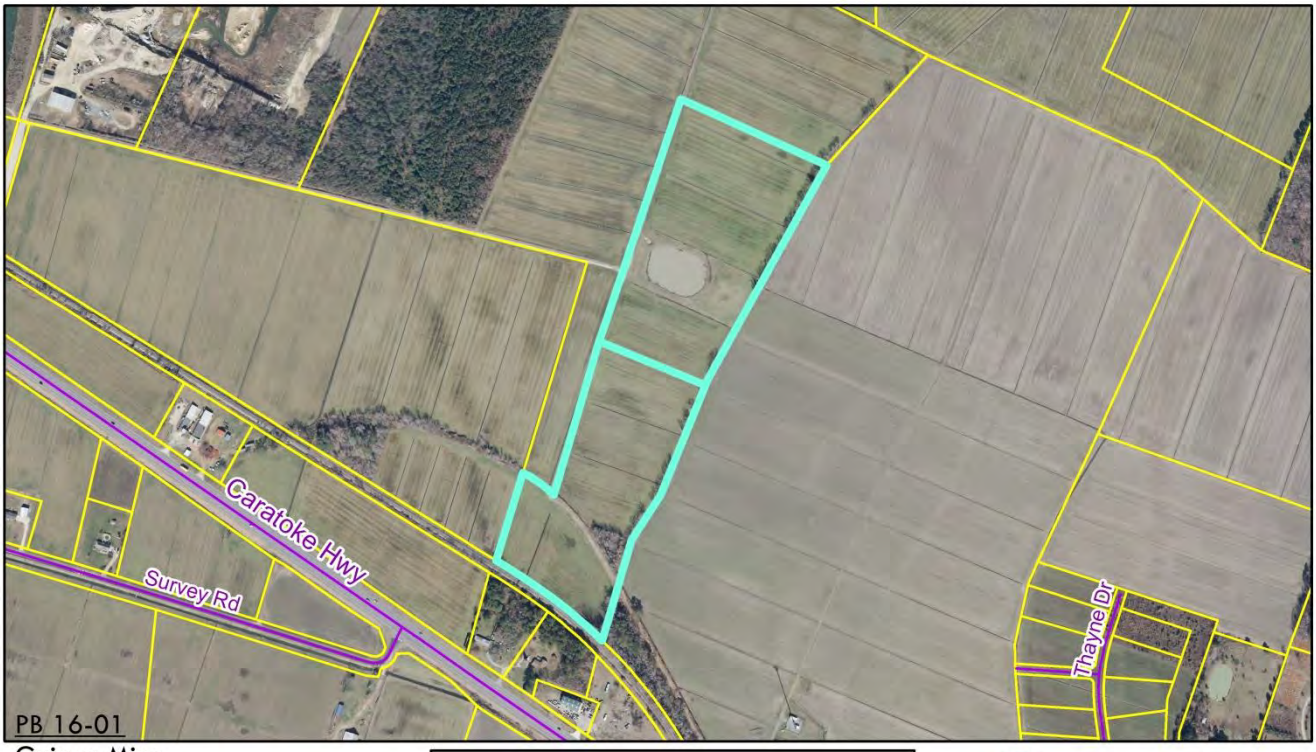
Ms. Overstreet asked if the same mine that was discussed previously or is it a different separate mine.

Mr. Leary said a different mine.

Mr. Cooper closed the public hearing.

Mr. Cartwright moved to approve PB 16-01 as presented due to the use will not endanger the public health or safety; 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; the use will be in conformity with the Land Use Plan; and the use will not exceed the county's ability to provide adequate public facilities. Mr. Bell seconded the motion and motion carried unanimously.

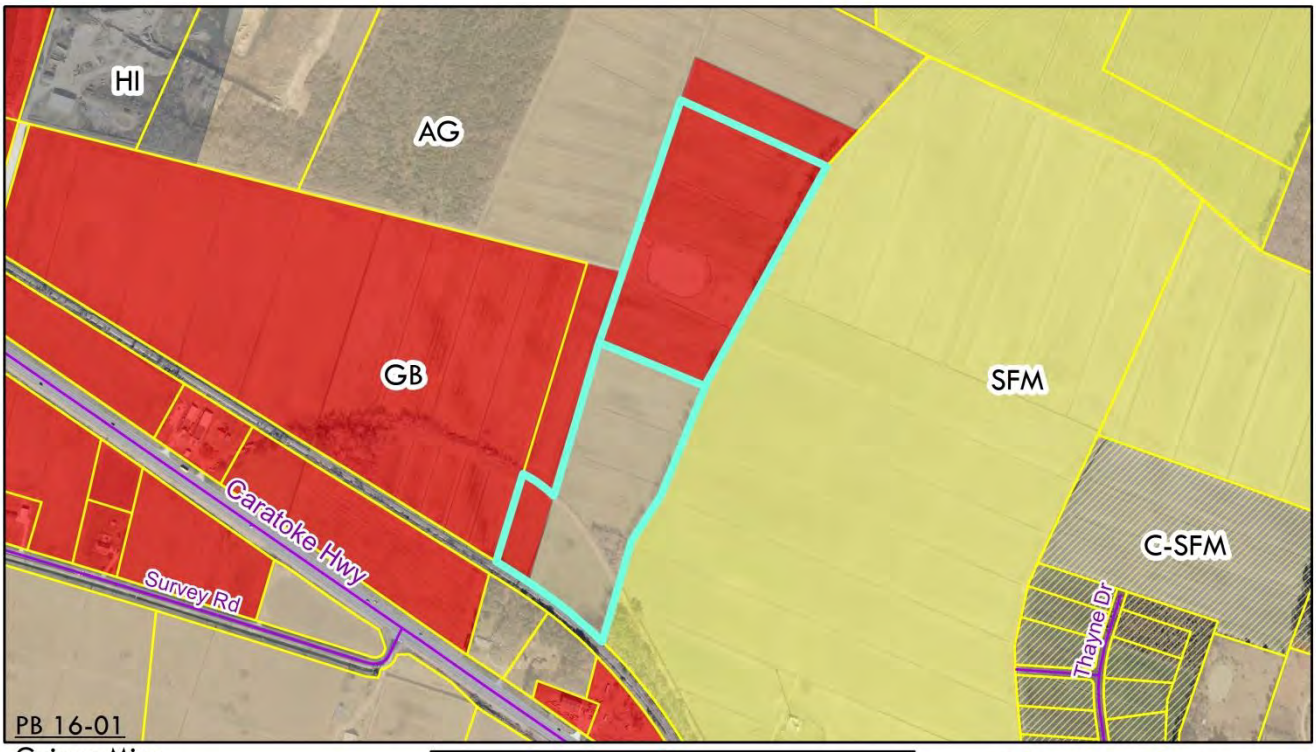
Attachment: Staff Report Guinea Mine Use Permit (BOC 4.4.16) (1478 : PB 16-01 Guinea Mine)



Guinea Mine
Use Permit
Aerial map

0 290 580 1,160 Feet

Currituck County
Planning and Community
Development

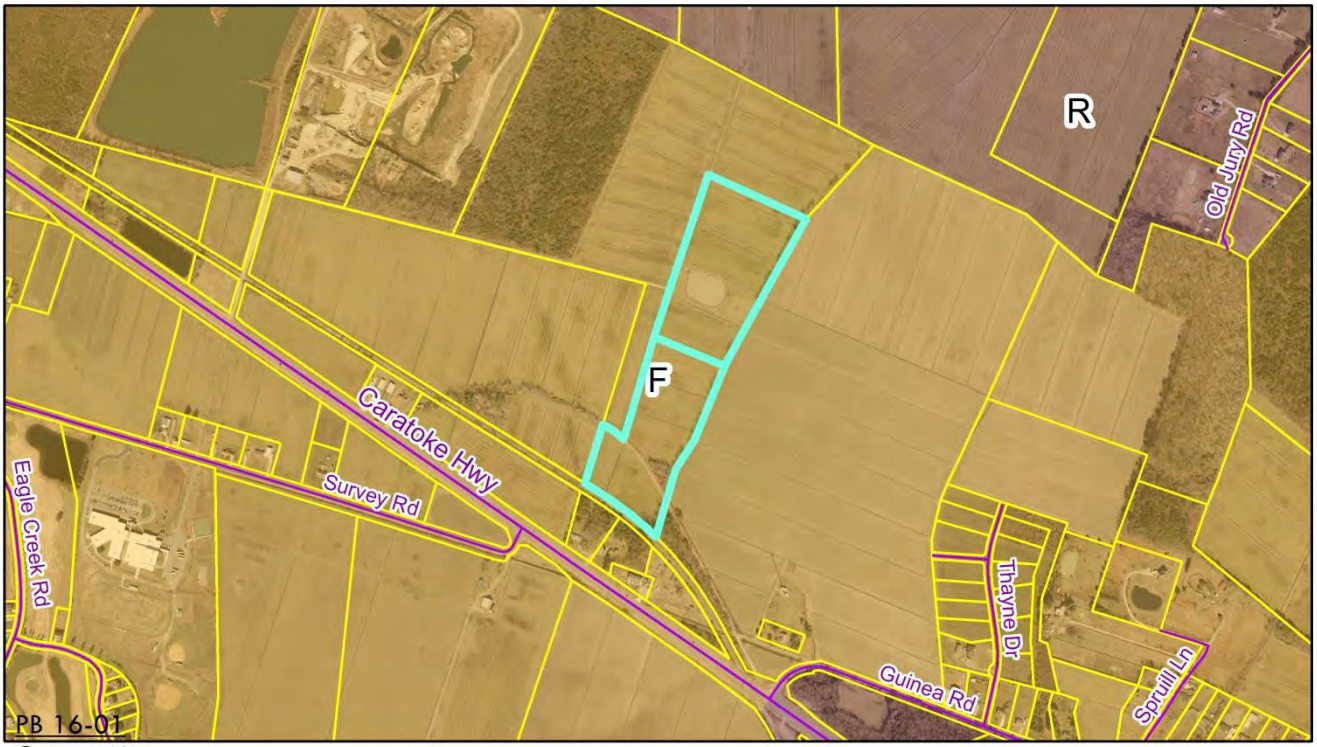


Guinea Mine
Use Permit
Official Zoning

0 290 580 1,160 Feet

Currituck County
Planning and Community
Development

Attachment: Staff Report Guinea Mine Use Permit (BOC 4.4.16) (1478 : PB 16-01 Guinea Mine)



Attachment: Staff Report Guinea Mine Use Permit (BOC 4.4.16) (1478 : PB 16-01 Guinea Mine)

Use Permit
Application

OFFICIAL USE ONLY:
Case Number:
Date Filed:
Gate Keeper:
Amount Paid:

Contact Information

APPLICANT:
Name: Wayne Leary
Address: PO Box 86
Shawboro, NC 27973
Telephone: 252-232-3330
E-Mail Address: wayne.leary@mchsi.com

PROPERTY OWNER:
Name: William H. Spruill
Address: PO Box 146
Moyock, NC 27958
Telephone: 252-435-2122
E-Mail Address:

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Consultant

Property Information

Physical Street Address: Not yet assigned by Currituck GIS
Location: Off of Guinea Road - See aerial photos in application
Parcel Identification Number(s): 0015000000350000 & 0015000000340000
Total Parcel(s) Acreage: 31.68
Existing Land Use of Property: Farmland

Request

Project Name: Guinea Mine
Proposed Use of the Property: Sandpit
Deed Book/Page Number and/or Plat Cabinet/Slide Number: Bk 392 P 602 & Bk 1118 P 270
Total square footage of land disturbance activity:
Total lot coverage: N/A
Total vehicular use area: N/A
Existing gross floor area: N/A
Proposed gross floor area: N/A

Community Meeting

Date Meeting Held: 6:30 PM Friday 10/29/15
Meeting Location: Moyock Public Library

Attachment: CURRITUCK COUNTY USE PERMIT APPLICATION (1478 : PB 16-01 Guinea Mine)

Purpose of the Use Permit and Project Narrative (please provide on additional paper if needed):

To secure mining permit and SUV permit of a 15 acre mine to be developed in two steps. Phase I is being applied for 9.5 acres in compliance with the 30% rule in the UDO, and then Phase II would be for 5.5 acres to be applied for at a later date under the 50% rule.

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 use permit.

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

Mr. Spruill has operated sandpits in the immediately area for over 25 year without endangering the public health or safety. He will operate this mine as he has operated in the pass.

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.

There is no reason to believe this mine will injure the value of adjoining or abutting lands and is in harmony with the area and the county land use plan.

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

The use will be in conformity.

D. The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

The use will not exceed the county's ability to provide adequate public facilites as list above. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

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.

Wayne Learn — 1/20/16

Property Owner(s)/Applicant* — 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.**

Attachment: CURRITUCK COUNTY USE PERMIT APPLICATION (1478 : PB 16-01 Guinea Mine)

Use Permit Conceptual Plan Design Standards Checklist

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

Use Permit

Conceptual Plan Design Standards Checklist

Date Received: _____ TRC Date: _____

Project Name: Guinea Mine

Applicant/Property Owner: Wayne Leary

Use Permit Conceptual Plan Design Standards Checklist		
1	Property owner name, address, phone number, and e-mail address.	✓
2	Site address and parcel identification number.	✓
3	North arrow and scale to be 1" = 100' or larger.	✓
4	Vicinity map showing property's general location in relation to streets, railroads, and waterways.	✓
5	Existing zoning classification and zoning setback lines of the property.	✓
6	A scaled drawing showing existing boundary lines, total acreage, adjacent use types, location of streets, rights-of-way, and easements.	✓
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.	✓
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.	
9	Approximate Flood Zone line and Base Flood Elevation as delineated on the "Flood Insurance Rate Maps/Study Currituck County."	✓
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.	
11	Sight distance triangles.	✓
12	Proposed common areas, open space set-asides, and required buffers.	
13	Architectural drawings and/or sketches illustrating the design and character of the proposed uses.	

Attachment: CURRITUCK COUNTY USE PERMIT APPLICATION (1478 : PB 16-01 Guinea Mine)

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.

Use Permit
Submittal Checklist

Date Received: _____ TRC Date: _____

Project Name: Guinea Mine

Applicant/Property Owner: Wayne Leary

Use Permit Submittal Checklist		
1	Complete Use Permit application	✓
2	Application fee ($150)	✓
3	Community meeting written summary	✓
4	Conceptual plan, if applicable	
5	Architectural elevations, if applicable	
6	5 copies of plans	✓
7	5 hard copies of ALL documents	✓
8	1 PDF digital copy of all plans AND documents (ex. Compact Disk – e-mail not acceptable)	✓

For Staff Only

Pre-application Conference

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

_____

_____

Comments

_____

_____

_____

Attachment: CURRITUCK COUNTY USE PERMIT APPLICATION (1478 : PB 16-01 Guinea Mine)

WILLIAM H. SPRUILL
GUINEA MINE
SANDPIT

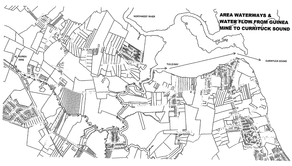
MOYOCK TOWNSHIP
CURRITUCK COUNTY
NORTH CAROLINA

OWNER/OPERATOR
GUINEA MINE
PO BOX 146
MOYOCK, NC 27958

Prepared by:
Wayne Lavoy, B.A.
PO Box 86
Shawboro, NC 27973
Telephone: 252-232-3330

Prepared: October 6, 2015
Revised: October 27, 2015

SITE ACREAGE OF 32.88
BASED ON
CLMO WILLIAMS SURVEY



Type A Landscaping Buffer

NAS Enterprises LLC
BK 984 PG 784

PROPERTY & MINE PERMIT BOUNDARY

S53°38'54"E 770.98' Ditch

100' SETBACK BUFFER

S56°38'14"W 181.22'

PHASE 2: 5.5 – ACRE SANDPIT

ANGE, L. JR. & ANGE, JENNIE L. BK6680PG637 NON-WOODED BUFFERS

William H. Spruill
BK1118 PG270

S38°29'55"W 570.94'

1313.33'

EXCAVATION & FUTURE LAKE BOUNDARY

< 1 Acre Pond to be used to monitor ground water levels

PHASE 1: 9.5 – ACRE SANDPIT

S40°50'42"W 570.68'

100' SETBACK BETWEEN PROPERTY LINE AND SANDPIT

N30°21'14"E Ditch

FIELD PATH

100' SETBACK BETWEEN PROPERTY LINE AND SANDPIT

J. T. Jennings III Etal
BK1155 PG764

S33°36'23"W 495.03'

675'

William H. Spruill
BK392 PG502

PUMP

< 1 Acre Sediment Pond

S46°24'29"W 186.26'

FLORA R.B. HEIRS
C/C PHILLIS MAYS
BK1266PG153

ESTIMATED RIDGE LEVEL AT OUTSIDE PROPERTY LINE 100 FEET

ACCESS/HAUL ROAD

WOODED RETENTION BUFFER

OLD ROAD

AGRICULTURAL LOW VEGETATIVE RETENTION BUFFER

100' SETBACK BUFFER

S28°43'27"W 252.31'

S42°14'36"E 137.26'

N26°05'44"E 78.60'

100' SETBACK BUFFER

30' RIGHT OF WAY

S28°38'35"W 256.83'

N45°58'57"W 161.99'

N42°34'09"W 127.43'

N36°56'24"W 240.37'

N & S RAILROAD 66'

ANGE, JERRY L., JR.
ANGE, JENNIE L.
BK6680PG637

COOPER SHANNON
COOPER, DONALD
BK239PG764

SPENCE, JERRY M.
BK0GPGE/00

GUINEA MINE SEDIMENT CONTROL MEASURES

ON SITE

1. Swales will be constructed in the bottom of the mine to drain water to the dewatering pump, or backup pump in the event of a failure of the primary pump. Since pumping occurs only 2 days/week, Sediment has an opportunity to settle in the swales.

2. Pump Intakes are mounted on floats in attempt to pump as clean of water as possible.

3. Once operational, water will pumped into the sediment pond for that purpose.

4. When the water in the sediment pond reaches ground level, it will gravity flow through a pipe buried in the berm surrounding the sediment pond and into a wooded retention buffer', some may renter into the ditch along the access road and off the property.

5. Water will also be able to flow into a larger retention area covered with crops or other low vegetative growth for sediment to settle out before leaving the property and into ditches leaving the mine property.

OFF SITE

1. Once the water enters the farm ditches it provides a source of subsurface irrigation water for the neighboring fields.

2. After reaches Guinea Road, the water continues in a ditch along the road before entering a swamp'.

3. From the swamp, the water into the upper section of Rowland Creek that is blocked with downed trees and limbs'.

4. Water then enters a wider, more open section of the Rowland Creek.

5. From Rowland Creek, the discharge water enters into Tulls Bay.

6. After flowing through Tulls Bay, the water enters the Currituck Sound, which has become more saline over a number of decades and will not be harmed by the freshwater from the Guinea Mine.

* A number of studies including the extensive Albemarle Pamlico Estuarine Study and numerous Sea Grant Research Studies developed at NC State University with assistance from other state universities have shown these areas are very effective in removing sediment as well as nutrients from discharge waters.

NOTE: With the slight difference in elevation from the Guinea Mine area to the receiving waters of the Currituck Sound, it slows the flow rate of the water flow and promotes the settling of sediment out of the water.

ALL LAND NOT ACTIVELY BEING EXCAVATED OR USED FOR ACCESS CONTINUE TO BE PLANTED WELL WITH ALL NON-WOODED BUFFERS

SHORELINE RECLAMATION SLOPE

GROUND LEVEL
WATER LINE
LAKE – AVERAGE DEPTH 20'
LAKE BOTTOM

Excavation lake shoreline walls will be reclaimed to a 3 to 1 slope from the ground level to the water line, and from the water line to the bottom of the excavation, a 2 to 1 slope at a minimum.

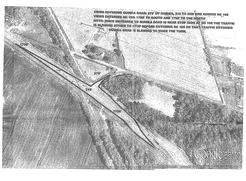
Original Ground Contour

2 TO 1 SLOPE SEDIMENT POND BERM

The berm surrounds the sediment pond to impound water pumped from the mine. When the water reaches ground level it will gravity flow through a 12" culvert embedded in the berm and into the wooded retention buffer.

50'
8'
4'
8'
12" CULVERT
2'
4'
NEW BERM
EXISTING GROUND

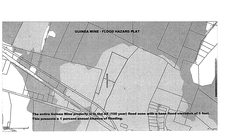
GRAPHIC SCALE
(IN FEET)
1 inch = 50 feet







TO BE RETAINED



Currituck County
Department of Planning
153 Courthouse Road, Suite 110
Currituck, North Carolina 27929
252-232-3055
FAX 252-232-3026

MEMORANDUM

To: Wayne Leary
William Spruill

From: Planning Staff

Date: February 11, 2016

Re: Guinea Mine

The following comments have been received for the February 17, 2016 TRC meeting. In order to be scheduled for the March 8, 2016 Planning Board meeting, please address all comments and resubmit a corrected plan by 3:00 p.m. on February 22, 2016. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Jason Litteral
Approved with comments

1. There is some discrepancy between our records and the proposed site plan with regard to the overall size of the site. Please provide a copy of the survey referenced on the site plan.
2. Please include the location of any vehicular access/haul roads and berms on the site plan.
3. A 300 foot setback is required from all rights-of-way and easements.
4. Please show all existing excavated areas and their distance from property lines. Any excavated areas within 100 feet of a property line shall be reclaimed or a reduced setback can be requested from the Board of Commissioners where the adjoining property is vacant.
5. The concrete access drive shall be extended to Guinea Rd. NCDOT requires a driveway permit for this activity. (see comment form Jim Hoadley)
6. Include a title block with the name of the mine, name and address of the property owner and mine operator.
7. Application can be made, and approval can be granted, only for 30% total excavated area. Application for expansion can be made after the requirements of 4.2.5.15. (a &b) are met.
8. Please be aware of the following ordinance requirements:
    a. Mined materials shall not be stored in excess of 25 feet in height.
    b. All trucks hauling mined materials (i.e. sand, clay, topsoil) shall be covered with a tarpaulin.
    c. In no case shall the hours of operation be beyond sunrise to sunset. Mining activities shall not occur on Saturdays from Memorial Day through Labor Day or Sundays.

Attachment: TRC COMMENTS GUINEA MINE (1478 : PB 16-01 Guinea Mine)

d. No bulk waste, hazardous waste, commercial waste, garbage, construction or demolition waste shall be placed on site.
e. No trespassing' signs indicating that a mining operation is being conducted on the site shall be spaced a maximum of 250 feet apart.
f. Reclamation shall be conducted simultaneously with mining operations. Annual reclamation reports shall be submitted to the Planning and Community Development Department within ten days of being filed with the State.
g. Overburden to be used for future reclamation shall be placed where it will not be disturbed by normal mining activities and shall be stabilized to reduce wind and water erosion. Use of overburden for earth berms is encouraged to reduce the impact of the mining operation on adjoining properties.

9. Indicate on site plan that the entire property is in the AE (100 year) flood zone with a base flood elevation of 5 feet.
10. Please see the attached zoning map indicating the required vegetative buffers.
11. Streetscape landscaping requirements apply to sites within 1000 feet of Major Arterial Street (Caratoke Highway) that are visible from the road. The existing vegetation may satisfy this requirement but should be shown on the site plan and labeled "to be retained".
12. Please provide copies of state permit applications and or permits with this use permit application.
13. Please show the estimated noise levels at exterior property lines.
14. Please include proposed phasing plan including reclamation.

Currituck Soil and Water, Will Creef
See engineering comments.

Currituck County Engineer, Eric Weatherly
Approval with corrections,

1. Provide copy of NPDES discharge permit
2. In accordance to UDO 4.2.5.13, and due to the lack of private wells in the area and due to the fact there have been no groundwater issues with the neighboring mine; the $3000 guarantee is required for the one well. I do not recommend requiring a hydrogeological report or monitoring wells.

Currituck County Utilities, Pat Irwin
Reviewed, No Comment

Currituck County Emergency Management, James Mims
Reviewed, No comment with regard to use.

Currituck County GIS, Harry Lee
Reviewed, No Comment

Currituck County Building Inspections, Bill Newns
Reviewed, No Comment

Attachment: TRC COMMENTS GUINEA MINE (1478 : PB 16-01 Guinea Mine)

Currituck County Parks and Recreation, Jason Weeks
Reviewed, No comment

NCDOT, Jim Hoadley
Reviewed,

If the applicant wishes to reconfigure the access point of the old concrete roadway at the intersection of SR 1214 Guinea Road, an Encroachment / Driveway Permit May be required. NCDOT does not claim Right of Way for the former concrete roadway.

NC Division of Coastal Management, Charlan Owens
Reviewed, No comment

NC State Archaeology, Lawrence Abbot
Reviewed, No Comment

Albemarle Regional Health Services, Joe Hobbs
Reviewed, No Comment

The following items are necessary for resubmittal:

- 3 - full size copies of revised plans.
- 10 - 11"x17" copies of revised plans.
- 1- 8.5"x11" copy of all revised plans.
- 1- PDF digital copy of all revised documents and plans.

Attachment: TRC COMMENTS GUINEA MINE (1478 : PB 16-01 Guinea Mine)

Wayne Leary
PO Box 86
Shawboro, NC 27973
252-232-3330
wayne.leary@mchsi.com

SUBJECT: COMMUNITY MEETING FOR GUINEA MINE
WILLIAM H. SPRUILL, OWNER/OPERATOR
MOYOCK LIBRARY
OCTOBER 29, 2015, 6 PM

In accordance with the provisions of the application for a Currituck County Use Permit, a community meeting was held as noted above for the proposed sandpit. The meeting was attended by Tammy Glave, Currituck Senior Planner; Donald Cooper, adjacent property owner; Jessie Anderson, adjacent property owner NAS Enterprises LLC; William Spruill, owner/operator of the proposed mine; and Wayne Leary, consultant for William Spruill and use permit applicant.

Mr. Cooper expressed concern about the poor drainage along the Norfolk Southern railroad that abuts the back of his home and the property of the proposed Guinea Mine. Once he learned that water discharged from the mine would not be pumped into the ditches on either side of the railroad, he stated that he did not have an objections to the mine.

Jessie Anderson's questions centered on whether the proposed mine would limit her ability to develop her adjoining property. When assured that the mine would not impact her ability to develop her property, she said she had no opposition to the project and supported Mr. Spruill's right to use his land as he pleased.

Being no other questions or discussions, the meeting was adjourned approximately 6:45 PM.

Respectfully submitted,

Wayne Leary
Project Applicant

Attachment: Community Meeting Summary (1478 : PB 16-01 Guinea Mine)

NORTH CAROLINA MINING PERMIT APPLICATION

GUINEA MINE APPLICATION
CURRITUCK COUNTY, NC
2015

State of North Carolina
Department of Environment
and Natural Resources
Division of Land Resources
Land Quality Section

1612 Mail Service Center
Raleigh, North Carolina 27699-1612
(919) 707-9220

Revised: February 24, 2012

Attachment: State Mine Application Copy (1478 : PB 16-01 Guinea Mine)

NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

LAND QUALITY SECTION

APPLICATION FOR A MINING PERMIT

(PLEASE PRINT OR TYPE)

1. Name of Mine Guinea Mine County Currituck

   River Basin Pasquotank

   Latitude (decimal degrees to four places) 76° 08'39.83" W

   Longitude (decimal degrees to four places) 36° 30'13.14"N

2. Name of Applicant* William H. Spruill

3. Permanent address for receipt of official mail** PO Box 146

   Moyock, NC 27958

   Telephone (252)435-2122 Alternate No. ( )

4. Mine Office Address PO Box 146

   Moyock, NC 27958 Telephone (252)435-2122

5. Mine Manager William H. Spruill

We hereby certify that all details contained in this Permit Application are true and correct to the best of our knowledge. We fully understand that any willful misrepresentation of facts will be cause for permit revocation.

***Signature William H Spruill Date 10/27/2015

Print Name William H. Spruill

Title Owner/Operator

* This will be the name that the mining permit will be issued to and the name that must be indicated on the reclamation bond (security) that corresponds to this site.

** The Land Quality Section must be notified of any changes in the permanent address or telephone number.

*** Signature of company officer required.

G.S. 74-51 provides that the Department shall grant or deny an application for a permit within 60 days of receipt of a complete application or, if a public hearing is held, within 30 days following the hearing and the filing of any supplemental information required by the Department. All questions must be addressed and all required maps provided before this application can be considered complete. Attach additional sheets as needed.

Attachment: State Mine Application Copy (1478 : PB 16-01 Guinea Mine)

APPLICATION FOR A MINING PERMIT

NOTE: All of the following questions must be thoroughly answered regarding your mining operation for the intended life of the mine. All responses must be clearly conveyed on a corresponding, detailed mine map.

A. GENERAL CHARACTERISTICS OF THE MINE

1. Answer all of the following that apply:

☒ If this is an application for a **NEW** permit, indicate the total acreage at the site to be covered by the permit (this is the acreage that the "new permit" fee will be based upon): 31.68

Of this acreage, how much is owned and how much is leased? Acres owned: 31.68
Acres leased: _____ Property owner if leased: _____

☐ If this is an application for **RENEWAL** of a mining permit, indicate the mining permit number and the total (overall) acreage covered by the existing permit: Mining Permit No.: _____
Total permitted acreage (this is the acreage that the "renewal" fee will be based upon): _____
[on site + offsite road = acres]

☐ If this is an application for a **MODIFICATION** to a mining permit, indicate the mining permit number and the total (overall) acreage covered by the existing permit.
Mining Permit No.: _____ Total permitted acreage: _____

Does the modification involve acreage within the previously approved permitted boundary?
Yes ☐ No ☐. If yes, indicate the acreage to be covered by this modification (this is the acreage that the "major modification" fee will be based upon): _____

Does the modification involve acreage outside the previously approved permitted boundary?
Yes ☐ No ☐. If yes, indicate the additional acreage to be covered by this modification: _____. (NOTE: you must complete all of Section F. of this application form entitled Notification of Adjoining Landowners).

Of this acreage to be added to the permit, will any portion of this acreage be affected (i.e.: disturbed, ground cover removed) by the mining operation? Yes ☐ No ☐ (If no, a "minor modification" fee of $100.00 is required, despite the "undisturbed" acreage to be added). If yes, indicate the acreage to be affected within the acreage to be added to the permit (the total acreage to be added to the permit is the acreage that the "major modification" fee will be based upon): _____

☐ If this is an application for **TRANSFER** of a mining permit, indicate the mining permit number and the total (overall) acreage covered by the existing permit.
Mining Permit No.: _____ Total permitted acreage: _____

SEE THE FEE SCHEDULE AT THE END OF THIS FORM FOR THE PROPER FEE AMOUNT TO BE PAID FOR THE REQUESTED PERMIT ACTION(S) AND CORRESPONDING ACREAGE NOTED ABOVE

2. Name of all materials mined: Topsoil, clay and Sand

3. Mining method:
☐ Hydraulic Dredge ☐ Front-end Loader & Truck ☐ Shovel & Truck
☐ Dragline & Truck ☐ Self-loading Scraper

Other (explain): Excavator & Truck Front-end Loader & Truck

4. a. Expected maximum depth of mine (feet) 50
Depth is relative to what benchmark? (e.g., natural ground level, mean sea level, road elevation, etc.)
natural ground level

b. Expected average depth of mine (feet) 35

Attachment: State Mine Application Copy (1478 : PB 16-01 Guinea Mine)

APPLICATION FOR A MINING PERMIT

5. Has any area(s) at this site been mined in the past? Yes ☐ No ☒ < 1 Acre Pond
   If yes, when and by whom was this activity conducted? 2014-Present; William H. Spruill, Applicant

6. Number of years for which the permit is requested (10 years maximum): 10

B. MAPS

13. Clearly mark and label the location of your mining operation on **six (6) copies** of a 7.5-minute quadrangle and a county highway map. These maps, in addition to **six (6) copies** of all mine maps and reclamation maps, must be submitted with each permit application.

    7.5-minute quadrangles may be obtained from the N.C. Geological Survey:

    Mailing Address:
    1612 Mail Service Center
    Raleigh, North Carolina 27699-1612
    (919) 733-2423
    http://portal.ncdenr.org/web/lr/geological_home

    OR

    Physical Address:
    512 North Salisbury Street, 5th Floor
    Raleigh, North Carolina 27604

    County highway maps may be obtained from the N.C. Department of Transportation:

    North Carolina Department of Transportation – Geographic Information Systems (GIS)

    Mailing Address:
    NCDOT GIS Unit
    1587 Mail Service Center
    Raleigh, North Carolina 27699-1587

    Physical Address:
    NCDOT GIS Unit
    3401 Carl Sandburg Court
    Raleigh, North Carolina 27610
    (919) 212-6000
    http://www.ncdot.org/it/gis/

2. Mine maps must be accurate and appropriately scaled drawings, aerial photographs or enlarged topographic maps of the entire mine site. **All aspects of the mine site must be clearly labeled on the maps along with their corresponding (approximate) acreage. As a reminder, mining permits can only be issued for up to 10 years; thus, all mine and reclamation maps must only denote those activities that are intended to be conducted during the life of the mining permit.** All maps must be of a scale sufficient (see minimum requirements listed below) to clearly illustrate the following, **at a minimum:**

   a. Property lines of the tract or tracts of land on which the proposed mining activity is to be located including easements and rights-of-way.
   b. Existing or proposed permit boundaries.
   c. Initial and ultimate limits of clearing and grading. **None required,**
   d. Outline and width of all buffer zones (both undisturbed and unexcavated).
   e. Outline and acreage of all pits/excavations.
   f. Outline and acreage of all stockpile areas.
   g. Outline and acreage of all temporary and/or permanent overburden disposal areas. **N/A**
   h. Location and acreage of all processing plants (processing plants may be described as to location and distance from mine if sufficiently far removed). **N/A**
   i. Locations and names of all streams, rivers and lakes.
   j. Outline and acreage of all settling and/or processing wastewater ponds.
   k. Location and acreage of all planned and existing access roads and on-site haul roads.
   l. Location of planned and existing on-site buildings. **NONE**
   m. Location and dimensions of all proposed sediment and erosion control measures.
   n. Location of 100-year floodplain limits and wetland boundaries.
   o. Names of owners of record, both public and private, of all tracts of land that are adjoining the mining permit boundary; if an adjoining tract is owned or leased by the applicant or is owned by the lessor of the mine tract, names of owners of record of tracts adjoining these tracts, that are within 1,000 feet of the mining permit boundary, must be provided on the mine map.

Attachment: State Mine Application Copy (1478 : PB 16-01 Guinea Mine)

APPLICATION FOR A MINING PERMIT

p. Names of owners of record, both public and private, of all tracts of land that are adjoining the mining permit boundary which lie directly across and are contiguous to any highway, creek, stream, river, or other watercourse, railroad track, or utility or other public right-of-way. If an adjoining tract is owned or leased by the applicant or is owned by the lessor of the mine tract, names of owners of record of tracts adjoining these tracts, that are within 1,000 feet of the mining permit boundary, must be provided on the mine map(s). NOTE: "Highway" means a road that has four lanes of travel or less and is not designated as an Interstate Highway.

q. Map legend:
   1. Name of applicant
   2. Name of mine
   3. North arrow
   4. County
   5. Scale
   6. Symbols used and corresponding names
   7. Date prepared and revised
   8. Name and title of person preparing map

Map scales should meet the following guidelines:

RMITTED ACREAGE	MAP SCALE
0-49 Acres	1 inch = 50 feet
50-199 Acres	1 inch = 100 feet
200+ Acres	1 inch = 200 feet

(NOTE: Smaller scaled maps may be acceptable if they clearly illustrate the above items)

A table/chart must be provided on the mine map that clearly lists the approximate acreage of tailings/sediment ponds, stockpiles, wastepiles, processing area/haul roads, mine excavation and any other major aspect of the mining operation that is proposed to be affected/disturbed during the life of the mining permit. A table/chart similar to the following will be acceptable:

CATEGORY	AFFECTED ACREAGE
Tailings/Sediment Ponds	0.8
Stockpiles – Ground Level Stockpiles – In excavation -.25. acres[1]	
Wastepiles	N/A
Processing Area Haul Roads – Offsite Haul Road – On site	N/A 0.57 0.3
Mine Excavation	15.0
Other (Explain) Acreage being reclaimed to original ground level	
Total Disturbed Acreage	16.67

NOTE:
IN ADDITION TO THE ABOVE, THE MAPS MUST ALSO INCLUDE ANY SITE-SPECIFIC INFORMATION THAT IS PROVIDED IN THE ANSWERS TO THE FOLLOWING QUESTIONS IN THIS APPLICATION FORM (*PLEASE NOTE THE ITALICIZED QUESTIONS/STATEMENTS THROUGHOUT THE FORM*). THIS APPLICATION WILL NOT BE CONSIDERED COMPLETE WITHOUT ALL RELEVANT ITEMS BEING ADEQUATELY ADDRESSED ON THE MINE MAPS.

Attachment: State Mine Application Copy (1478 : PB 16-01 Guinea Mine)

APPLICATION FOR A MINING PERMIT

C. PROTECTION OF NATURAL RESOURCES

1. Describe in detail the sequence of events for the development and operation of the mine and *reference the sequence to the mine map(s)*. Attach additional sheets as needed.

a. Buffers will continued to be managed to prevent sedimentation and erosion problems. Management of the buffers may include crops, and natural low vegetative plants will be allowed to grow and be managed by periodic mowing. Areas with trees will not be disturbed.

b. Overburden – topsoil and clay – from the mine excavation may be sold, used to establish appropriate reclaimed shoreline slopes, and or reclaim acreage of applicant's nearby Spruill Mine No. 27-42 to original ground contour.

c. Water will be pumped from the mine into a settling pond and gravity drain into the adjacent woodland and settlement area to control sediment and water leaving the property, It will also help recharge ground water supplies.

d. Sand will be mined and sold for public and private construction projects.

2. Describe specific erosion control measures to be installed prior to land disturbing activities and during mining to prevent offsite sedimentation *(include specific plans for sediment and erosion control for mine excavation(s), waste piles, access/mine roads and process areas)*, and give a detailed sequence of installation and schedule for maintenance of the measures. *Locate and label all sediment and erosion control measures on the mine map(s) and provide typical cross-sections/construction details of each measure.* Engineering designs and calculations are required to justify the adequacy of any proposed measures.

All roads and stockpile materials will be watered as needed to prevent wind erosion.

The buffer areas will be maintained with vegetative growth to minimize erosion and sediment problems and to keep the water on the applicant's property to the fullest extent practical. The material are generally mined as sold as to minimize the need for stockpiles. A small stockpile will be at the south end of the pit area where mining will begin. As the sand in the stockpile is sold and mining moves northward, the stockpile will also move northward within the excavation.

The dewatering method is pumping water into a sediment pond and once the water level in the pond reaches ground level it will gravity flow into a wooded retention and and /or naturally low, vegetative retention area on mine site property to minimize water and sediment from leaving the site. In addition, the pump's intake pipe will be attached to floats pump water from the cleaner surface water. See attached photo of the process. Periodically the dewatering pump's intake and output pipes may be moved to improve the effectiveness of the operation to minimize sedimentation problems. Water allowed to sheet flow over a vegetative area has proved to be effective. There are a number of North Carolina Sea Grant reports supporting this process including the following. With (forested) buffers of adequate size, 50 to 100% of sediment and its adsorbed nutrients have been shown to settle out… J.R. Cooper (NC State University, J.W. Gilliam (NC State University), R.B. Daniels (NC State University), and W.P. Robarge (NC State University). 1987. In 1991 H.B. Pionke, and R.R. Lowrance found "Forested riparian buffer strips have been shown to be effective in reducing nutrient and sediment levels in runoff." *Soil Science Society of America Journal* 51(6):417-420.

Since the mine will pumped only 2 days per week, sediment that may find its way into the deeper waterways in the bottom of the pit will have most of the week to settle out. It is also worthy to note that water used for spraying roadways and stockpiles will be pumped from this source.

Attachment: State Mine Application Copy (1478 : PB 16-01 Guinea Mine)

APPLICATION FOR A MINING PERMIT

3. a. Will the operation involve washing the material mined, recycling process water, or other waste water handling? Yes ☐ No ☒. If yes, briefly describe all such processes including any chemicals to be used.

b. Will the operation involve discharging fresh or waste water from the mine or plant as a point discharge to the waters of the State? Yes ☐ No ☒. *If yes, briefly describe the nature of the discharge and locate all proposed discharge points (along with their method of stabilization) on your mine map(s).*

See 2 above.

c. Will any part of the proposed mine excavation(s) extend below the water table? Yes ☒ No ☐.
If yes, do you intend to dewater the excavation(s)? Yes ☒ No ☐.
If yes, what impact, if any, will mine dewatering have on neighboring wells? Estimated withdrawal rate in gallons per day: 100,000* . *Locate all existing wells on the mine map(s) that lie within 500 feet of the proposed excavation area.* Provide data to support any conclusions or statements made, including any monitoring well data, well construction data and current water withdrawal rates. Indicate whether the proposed mine locale is served by a public water system or private wells.

* For the 15 acre maximum excavation.

There are no existing wells within 500 feet of the excavation site. See attachment entitled "Well circles".

The County of Currituck provides water to the area with a main water line running parallel to NC 168 and a line along SR 1214 Guinea Road. County water is drawn from wells at the Currituck County Regional Airport in Maple – some 10 air miles from this mine.

d. If you answered yes to any of the above questions, provide evidence that you have applied for or obtained the appropriate water quality permit(s) (i.e., non-discharge, NPDES, Stormwater, etc.) from the Division of Water Quality, Water Quality Section. In addition, the applicant is required to register water use with the Division of Water Resources if the operation withdraws more than 10,000 gallons per day and needs a capacity use permit from the Division of Water Resources if the operation lies in a capacity use area and withdraws more than 100,000 gallons per day.

A NPDES General Permit has been applied for. See copy of application submitted.

4. a. Will the operation involve crushing or any other air contaminant emissions? Yes ☐ No ☒.
If yes, indicate evidence that you have applied for or obtained an air quality permit issued by the Division of Air Quality or local governing body.

b. How will dust from stockpiles, haul roads, etc., be controlled?

The roads will be watered as needed to control fugitive dust problems. For the most part materials will be mined as it is sold – minimizing the need for large stockpiles. The stockpiled material will be generally moist enough to resist wind erosion. However, stockpiles will be sprayed with water as need to control fugitive dust.

Attachment: State Mine Application Copy (1478 : PB 16-01 Guinea Mine)

APPLICATION FOR A MINING PERMIT

5. a. A buffer will be required between any mining activity and any mining permit boundary or right-of-way. It may be an unexcavated buffer (no excavation, but roadways, berms and erosion & sedimentation control measures may be installed within it), an undisturbed buffer (no disturbance within the buffer whatsoever), or a combination of the two, depending upon the site conditions. Note that all buffers must be located within the mining permit boundaries.

   How wide a buffer will be maintained between any mining activity and any mining permit boundary or right-of-way at this site? A minimum buffer of 25 feet is recommended, although a wider buffer may be needed depending on site conditions. *Show all buffer locations and widths on the mine map(s).*

   At minimum, a fifty foot (50') unexcavated buffer will continued to be maintained around the permitted excavation area.

   b. A minimum 50 foot wide undisturbed buffer will be required between any land disturbing activities within the mining permit boundaries and any natural watercourses and wetlands unless smaller undisturbed buffers can be justified. Depending on site conditions, a buffer wider than 50 feet may be needed.

   How wide an undisturbed buffer will be maintained between any land disturbing activities within the mining permit boundaries and any natural watercourses and wetlands at this site? *Show all buffer locations and widths on the mine map(s).*

   There are no natural watercourses or wetlands within the permitted site.

6. a. Describe methods to prevent landslide or slope instability adjacent to adjoining permit boundaries during mining. Minimum 2 horizontal to 1 vertical slopes or flatter for clayey material and minimum 3 horizontal to 1 vertical slopes or flatter for sandy material are generally required, unless technical justification can be provided to allow steeper slopes.

   Pit walls will continue to be reclaimed with clayey material to a 3 to 1 slope or greater from the surface to the water line and a minimum of 2 to 1 slope below the water line.

   The operator often sells sand to NCDOT and VADOT projects and is required to backhaul clean soil overburden – topsoil, clay, and/or sand – from their road projects. In addition, similar clean soils materials from other public and private construction sites will be backhauled to applicant nearby Spruill Mine No 27-42. However, occasionally these clean soil materials maybe used to stabilize pit walls to the desired slopes for reclamation.

Attachment: State Mine Application Copy (1478 : PB 16-01 Guinea Mine)

b. *Provide a cross-section on the mine map(s) for all fill slopes (berms, wastepiles, overburden disposal areas, etc.), clearly indicating the intended side slope gradient, installation of any benches and/or slope drains (with supporting design information) if needed, and the method of final stabilization.*

Berms – N/A Wastepiles – N/A

c. In excavation(s) of unconsolidated (non-rock) materials, specify the angle of all cut slopes including specifications for benching and sloping. *Cross-sections for all cut slopes must be provided on the mine map(s).*

There is a minimum 4 foot clay layer over a vein of sand/clay layer that readily compacts and is not subject to landslide. The operator has excavated from Spruill Mine No.27-42 and one adjacent for over 20 years and does not anticipate problems even with a near vertical wall slope during future mining operations. However, the operator will reclaim pit walls to a minimum of 3 to 1 slope from the surface to the water line and a 2 to 1 slope below the water line as the mining proceeds from one area to the next.

d. In hardrock excavations, specify proposed bench widths and heights in feet. *Provide cross-sections of the mine excavation clearly noting the angles of the cut slopes, widths of all safety benches and mine benches, and the expected maximum depth of the excavation.*

N/A

7. Describe other methods to be taken during mining to prevent physical hazard to any neighboring dwelling house, public road, public, commercial or industrial building from any mine excavation. *Locate all such structures on the mine map if they are within 300 feet of any proposed excavation.*

There are no dwelling houses, public roads, and public, commercial, or industrial buildings located offsite within 300 feet of the mine excavation. See attachment entitled "Well Circles".

8. Describe what kind of barricade will be used to prevent inadvertent public access along any high wall area and when it will be implemented. Vegetated earthen berms, appropriate fencing and adequate boulder barriers may be acceptable high wall barricades. *A construction detail/cross-section and location of each type of barricade to be used must be indicated on the mine map(s).*

The mine is remote from any area used by the public. There is a security gate is located at the property line on the entrance road to the surrounding farms.

The site will be marked with no trespassing signs.

Attachment: State Mine Application Copy (1478 : PB 16-01 Guinea Mine)

APPLICATION FOR A MINING PERMIT

9. Are acid producing minerals or soils present? Yes ☐ No ☒.
If yes, how will acid water pollution from the excavation, stockpiles and waste areas be controlled?

10. a. Describe specific plans (including a schedule of implementation) for screening the operation from public view such as maintaining or planting trees, bushes or other vegetation, building berms or other measures. *Show the location of all visual screening on the mine map(s) and provide cross-sections through all proposed berms or proposed spacing, sizes and species for tree plantings.*

The site is surrounded by privately owned farmland and woodlands, which helps blocks the public view from NC 168 of the site. In addition, there is an elevated railroad track with has some trees along its border impeding the public view of the mine site from full vision from NC 168. In addition, the perimeter of the mining site is partially wooded and is over a 1,000 feet from a public road at a minimum.

b. Could the operation have a significantly adverse effect on the purposes of a publicly owned park, forest or recreation area? If so, how will such effects (i.e., noise, visibility, etc.) be mitigated?

No.

11. Will explosives be used? Yes ☐ No ☒.
If yes, specify the types of explosive(s) and describe what precaution(s) will be used to prevent physical hazard to persons or neighboring property from flying rocks or excessive air blasts or ground vibrations. Depending on the mine's location to nearby structures, more detailed technical information may be required on the blasting program (such as a third-party blasting study). *Locate the nearest offsite occupied structure(s) to the proposed excavation(s) on the mine map and indicate its approximate distance to the proposed excavation.*

12. Will fuel tanks, solvents, or other chemical reagents be stored on-site? Yes ☐ No ☒.
If yes, describe these materials, how they will be stored and method of containment in case of spill. Indicate the location(s) of all storage facilities on the mine map(s).

Attachment: State Mine Application Copy (1478 : PB 16-01 Guinea Mine)

APPLICATION FOR A MINING PERMIT

D. RECLAMATION PLAN

1. Describe your intended plan for the final reclamation and subsequent use of all affected lands and indicate the sequence and general methods to be used in reclaiming this land. This must include the method of reclamation of settling ponds and/or sediment control basins and the method of restoration or establishment of any permanent drainage channels to a condition minimizing erosion, siltation and other pollution. *This information must be illustrated on a reclamation map and must correspond directly with the information provided on the mine map(s). In addition, design information, including typical cross-sections, of any permanent channels to be constructed as part of the reclamation plan and the location(s) of all permanent channels must be indicated on the reclamation map.*

   The excavation will be reclaimed to be a lake. At minimum the lake shoreline will be sloped appropriately 3 to 1 to the reclaimed water line and 2 to 1 from the water line to the bottom of the lake. Any settling ponds and/or sediment control basins (ditches in the bottom of the pit) will be incorporated into the reclaimed lake. All other dewatering structures will be reclaimed to the original ground contour or within the reclaimed lake shoreline. There will not be any permanent channels from the sandpit once reclamation has been completed.

   The property adjoining the reclaimed excavation will be farmed or sold as three 10+ acre waterfront residential lots..

2. Is an excavated or impounded body of water to be left as a part of the reclamation? Yes ☒ No ☐.
   If yes, illustrate the location of the body(s) of water on the reclamation map and provide a scaled cross-section(s) through the proposed body(s) of water. The minimum water depth must be at least 4 feet, measured from the normal low water table elevation, unless information is provided to indicate that a more shallow water body will be productive and beneficial at this site.

   Will the body(s) of water be stocked with fish? Yes ☐ No ☒.
   If yes, specify species.

3. Describe provisions for safety to persons and to adjoining property in all completed excavations in rock including what kind of permanent barricade will be left. Acceptable permanent barricades are appropriate fencing, large boulders placed end-to-end, etc. *Construction details and locations of all permanent barricades must be shown on the reclamation map.*

   N/A.

4. Indicate the method(s) of reclamation of overburden, refuse, spoil banks or other such on-site mine waste areas, including specifications for benching and sloping. *Final cross-sections and locations for such areas must be provided on the reclamation map.*

   There will not be any spoil banks or other such on-site mine waste areas created on this site.

Attachment: State Mine Application Copy (1478 : PB 16-01 Guinea Mine)

5. a. Describe reclamation of processing facilities, stockpile areas, and on-site roadways.

There are no processing facilities on site, stockpiled materials within the excavation will sold and the arca leveled as part of the reclaimed lake. The on-site roads leading into and in the excavation will be reclaimed as part of the lake or the reclaimed shoreline.

b. Will any on-site roadways be left as part of the reclamation? Yes ☒ No ☐.
If yes, identify such roadways on the reclamation map and provide details on permanent road and ditch line stabilization.

The existing roadway on the western edge of the property will be maintained to support the farming of the property near the mine property as well as that on the property after reclamation.

6. Describe the method of control of contaminants and disposal of scrap metal, junk machinery, cables, or other such waste products of mining. (Note definition of refuse in The Mining Act of 1971.)

No off-site generated waste shall be disposed of on the mine site without prior written approval from the NC Department of Environment and Natural Resources, Land Quality Section and either the Division of Waste Management (DWM) or local governing body. If a disposal permit has been issued by DWM for the site, a copy of said permit must be attached to this application. *All temporary and permanent refuse disposal areas must be clearly delineated on the mine map(s) and reclamation map, along with a list of items to be disposed in said areas.*

All refuse including cable, scrap metal, etc. generated by the mining operations will be sold for scrap or deposed at properly licensed landfills.

Attachment: State Mine Application Copy (1478 : PB 16-01 Guinea Mine)

APPLICATION FOR A MINING PERMIT

7. Describe your plan for revegetation or other surface treatment of the affected areas. This plan must include recommendations for year-round seeding, including the time of seeding and the amount and type of seed, fertilizer, lime and mulch per acre. The recommendations must include general seeding instructions for both permanent and temporary revegetation. Revegetation utilizing only tree plantings is not acceptable. Recommendations can be sought from:

   a. Authorized representatives of the local Soil and Water Conservation District;
   b. Authorized representatives of the Division of Forest Resources, Department of Environment and Natural Resources;
   c. Authorized county representatives of the North Carolina Cooperative Extension Service, specialists and research faculty with the Colleges of Agriculture and Life Sciences and Forest Resources at North Carolina State University;
   d. North Carolina licensed landscape architects;
   e. Private consulting foresters referred by the Division of Forest Resources, Department of Environment and Natural Resources;
   f. N.C. Erosion and Sedimentation Control Planning and Design Manual;
   g. N.C. Surface Mining Manual: A Guide for Permitting, Operation and Reclamation;
   h. Others as may be approved by the Department.

LIME - RATE OF APPLICATION (tons/acre):

FERTILIZER - ANALYSIS AND RATE OF APPLICATION (pounds/acre):

SEED - TYPE(S) AND RATE(S) OF APPLICATION INCLUDING **YEAR-ROUND** SEEDING SCHEDULE (pounds/acre): [NOTE: Include Legumes]

Seed Types:	**Seeding Dates:**	**Seeding Rates:**
Fescue and white clover	September – November	30-50 lbs fescue/acre 3-4 lbs white clover/acre
Sericia Lespedeza	March – May	20 – 30 lbs lespedeza/acre
Bahiagrass	June – August	20 – 30 lbs bahiagrass/acre

MULCH - TYPE AND RATE OF APPLICATION (pounds/acre) AND METHOD OF ANCHORING:

Approximately 2,000 pounds/acre of small grain straw, or at a recommended by Currituck Soil & Water, will be spread and pinch rolled into the soil.

OTHER VEGETATIVE COVERS – TYPE (S) AND RATE (S) OF APPLICATION INCLUDING SEEDING SCHEDULE (pounds/acre, trees/acre, spacing of trees/shrubs, etc):

N/A

Revegetation and/or reforestation plan approved by:

Signature _____ Date _____

Print Name Mike Doxey

Title Soil & Water Technician

Agency Currituck County Soil & Water

Attachment: State Mine Application Copy (1478 : PB 16-01 Guinea Mine)

APPLICATION FOR A MINING PERMIT

E. DETERMINATION OF AFFECTED ACREAGE AND BOND

The following bond calculation worksheet is to be used to establish an appropriate bond (based upon a range of $500 to $5,000 per affected acre) for each permitted mine site based upon the acreage approved by the Department to be affected during the life of the mining permit. Please insert the approximate acreage, for each aspect of the mining operation, that you intend to affect during the life of this mining permit (in addition, please insert the appropriate reclamation cost/acre for each category from the Schedule of Reclamation Costs provided with this application form) OR you can defer to the Department to calculate your bond for you based upon your maps and standard reclamation costs:

CATEGORY	AFFECTED ACREAGE		RECLAMATION COST/ACRE*		RECLAMATION COST
Tailings/Sediment Ponds:	0.8 Ac.	X	$ 500 /Ac.	=	$ 400
Stockpiles:	0.25 Ac.	X	$ 2000 /Ac.	=	$ 400
Wastepiles:	N/A Ac.	X	$ /Ac.	=	$
Processing Area/Haul Roads:	0.87 Ac.	X	$ 1800 /Ac.	=	$ 1566
Mine Excavation:	15.00 Ac.	X	$ 500 /Ac.	=	$ 7500
Other:	Ac.	X	$ /Ac.	=	$

TOTAL AFFECTED AC.: **16.92 Ac.**

(TOTAL PERMITTED AC.: **31.68 Ac. (including .57acres offsite access road)**

Temporary & Permanent Sedimentation & Erosion Control Measures:
Divide the **TOTAL AFFECTED AC.** above into the following two categories: a) affected acres that drain into proposed/existing excavation and/or b) affected acres that will be graded for positive drainage where measures will be needed to prevent offsite sedimentation and sedimentation to onsite watercourses and wetlands.

a) Internal Drainage 16.92 Ac.

b) Positive Drainage _____ Ac. X $1,500.00 = $ _____

SUBTOTAL COST: $ 9866

Inflation Factor:

0.02 X SUBTOTAL COST: $ 9866 X Permit Life (1 to 10 years): 10

INFLATION COST: $ 1973.20

TOTAL COST = SUBTOTAL COST + INFLATION COST = $ 11839.20

Total Reclamation Bond Cost: $ 11,800
(round down to the nearest $100.00)

Attachment: State Mine Application Copy (1478 : PB 16-01 Guinea Mine)

APPLICATION FOR A MINING PERMIT

F. NOTIFICATION OF ADJOINING LANDOWNERS

The "Notice" form, or a facsimile thereof, attached to this application must be sent certified or registered mail, return receipt requested, to:

(1) **the chief administrative officer of each county and municipality in which any part of the permitted area is located as indicated on the mine map(s);**

(2) **all owners of record, both public and private, of all tracts of land that are adjoining the mining permit boundary; if an adjoining tract is owned or leased by the applicant or is owned by the lessor of the mine tract, all owners of record of tracts adjoining these tracts must be notified (that are within 1,000 feet of the mining permit boundary) as indicated on the mine map(s); and**

(3) **all owners of record, both public and private, of all tracts of land that are adjoining the mining permit boundary which lie directly across and are contiguous to any highway, creek, stream, river, or other watercourse, railroad track, or utility or other public right-of-way. If an adjoining tract is owned or leased by the applicant or is owned by the lessor of the mine tract, all owners of record of tracts adjoining these tracts must be notified (that are within 1,000 feet of the mining permit boundary) as indicated on the mine map(s). "Highway" means a road that has four lanes of travel or less and is not designated as an Interstate Highway.**

The only exception to the above method of giving notice is if another means of notice is approved in advance by the Director, Division of Land Resources.

A copy of a tax map (or other alternative acceptable to the Department) must be mailed with the completed "Notice" form **(the proposed overall permit boundaries and the names and locations of all owners of record of lands adjoining said boundaries must be clearly denoted on the tax map)**.

The "Affidavit of Notification" attached to this application must be completed, notarized and submitted to the Department, with the remainder of the completed application form, before the application will be considered complete.

NOTES:

THIS SECTION MUST BE COMPLETED FOR ALL APPLICATIONS FOR NEW MINING PERMITS AND ALL MODIFICATIONS OF A MINING PERMIT TO ADD LAND TO THE PERMITTED AREA, AS REQUIRED BY NCGS 74-50(b1).

SEE THE NEXT TWO PAGES FOR THE "NOTICE" FORM AND THE "AFFIDAVIT OF NOTIFICATION"

Attachment: State Mine Application Copy (1478 : PB 16-01 Guinea Mine)

NOTICE

Pursuant to provisions G.S. 74-50(b1) of The Mining Act of 1971, Notice is hereby given that

William H. Spruill (Applicant Name) has applied on September 3, 2015 (Date)

to the Land Quality Section, Division of Land Resources, North Carolina Department of Environment and Natural Resources, 1612 Mail Service Center, Raleigh, North Carolina 27699-1612, for (check one):

- ☒ a new surface mining permit,
- ☐ a modification of an existing surface mining permit to add land to the permitted area; or
- ☐ a modification of an existing surface mining permit to add land to the permitted area with no disturbance in the area proposed. **Please note that future modification(s) may be submitted by the applicant to allow disturbance within this area without re-notification of adjoining landowners.**

The applicant proposes to mine Sand (Mineral, Ore) on 31.68 (Number) acres located 2 (Miles) South (Direction) of Moyock, NC (Nearest Town) off/near road SR 1214 (Number/Name) in Currituck County.

SEE ATTACHED MAP FOR PROPOSED PERMIT BOUNDARIES AND CORRESPONDING ADJOINING LANDOWNER NAMES AND LOCATIONS

In accordance with G.S. 74-50(b1), the mine operator is required to make a reasonable effort, satisfactory to the Department, to notify all owners of record, both public and private, of all tracts of land that are adjoining the mining permit boundary; if an adjoining tract is owned or leased by the applicant or is owned by the lessor of the mine tract, all owners of record of tracts adjoining these tracts must be notified (that are within 1,000 feet of the mining permit boundary). In addition, the mine operator must also notify the chief administrative officer of the county or municipality in which any part of the permitted area is located. Any person may file written comment(s) to the Department at the above address within thirty (30) days of the issuance of this Notice or the filing of the application for a permit, whichever is later. Should the Department determine that a significant public interest exists relative to G.S. 74-51, a public hearing will be held within 60 days of the end of the 30-day comment period specified above.

A copy of the permit application materials is on file and available for public review during normal business hours at the above listed address as well as at the appropriate regional office. **For information regarding the specifics of the proposed mining activity, please contact the applicant at the following telephone number: 252-435-2122**. For information on the mining permit application review process, please contact the Mining Program staff at (919) 707-9220. Please note that the Department will consider any relevant written comments/documentation within the provisions of the Mining Act of 1971 throughout the application review process until a final decision is made on the application.

William H. Spruill
PO Box 146
Moyock, NC 27958

(Addressee/Owner of Record's Name and Address)

September 10, 2015
(Date of Issuance of this Notice/ Mailed to Addressee/Owner of Record)

William H. Spruill

(Name of Applicant: Include Contact Person & Company Name, if Applicable)

PO Box 146, Moyock, NC 27958
(Address of Applicant)

Attachment: State Mine Application Copy (1478 : PB 16-01 Guinea Mine)

APPLICATION FOR A MINING PERMIT

AFFIDAVIT OF NOTIFICATION

I, William H. Spruill, an applicant, or an agent, or employee of an applicant, for a new Mining Permit, or a modification of an existing Mining Permit to add land to the permitted area, from the N.C. Department of Environment and Natural Resources, being first duly sworn, do hereby attest that the following are all known owners of record, both public and private, of all tracts of land that are adjoining the mining permit boundary (including, where an adjoining tract is owned or leased by the applicant or is owned by the lessor of the mine tract, all owners of record of tracts adjoining these tracts, that are within 1,000 feet of the mining permit boundary) and that notice of the pending application has been caused to be mailed, by certified or registered mail, return receipt requested, to said owners of record at their addresses shown below, such notice being given on a form provided by the Department:

(Adjoining Landowner Name)	(Address)
NAS ENTERPRISES LLC	PO BOX 783, MOYOCK, NC 27958
JOHN T. JENNINGS, III ETAL	121 SAILFISH ST, MOYOCK, NC 27958
JERRY L ANGE JR	3900 IVY LANE, KITTY HAWK, NC 27949
DONALD & SHANNON COOPER	PO BOX 182, MOYOCK, NC 27958
JERRY M SPENCE	1019 CARATOKE HWY, MOYOCK, NC 27958
PHYLLIS MAYS	235 SURVEY RD, MOYOCK, NC 27958

(Attach additional list if necessary)

I do also attest that the following individual is the chief administrative officer of the county or municipality in which any part of the permitted area is located and that notice of the pending application has been caused to be mailed, by certified or registered mail, return receipt requested, to said office at the following address:

(Chief Administrative Officer Name) [i.e.: City Manager, County Manager, Mayor, etc.]	(Address)
Ben E. Woody, AICP	Currituck County 153 Courthouse Road, Suite 110
Planning & Community Development Director	Currituck, NC 27929

The above attestation was made by me while under oath to provide proof satisfactory to the Department that a reasonable effort has been made to notify all known owners of record, both public and private, of all tracts of land that are adjoining the mining permit boundary (including, where an adjoining tract is owned or leased by the applicant or is owned by the lessor of the mine tract, all owners of record of tracts adjoining these tracts, that are within 1,000 feet of the mining permit boundary) and the chief administrative officer of the county or municipality in which any part of the permitted area is located in compliance with N.C.G.S. 74-50(b1) and 15A NCAC 5B .0004(d). I understand that it is the responsibility of the applicant to retain the receipts of mailing showing that the above notices were caused to be mailed and to provide them to the Department upon request.

Signature of Applicant or Agent

10-27-15
Date

If person executing Affidavit is an agent or employee of an applicant, provide the following information:

Name of applicant: William H. Spruill

Title of person executing Affidavit Owner/Operator

I, Brenda C Harbin a Notary Public of the County of Currituck.

Attachment: State Mine Application Copy (1478 : PB 16-01 Guinea Mine)

APPLICATION FOR A MINING PERMIT

State of North Carolina, do hereby certify that ~~Wayne Leary~~ William H Sprill Jr

appeared before me this day and under oath acknowledged that the above Affidavit was made by him/her.

Witness my hand and notarial seal, this 27th day of October 20 15.

Notary: Brenda C Horton my Commission expires: 03/08/2017

BRENDA C HORTON NOTARY PUBLIC CURRITUCK COUNTY, NC

Attachment: State Mine Application Copy (1478 : PB 16-01 Guinea Mine)

APPLICATION FOR A MINING PERMIT

G. LAND ENTRY AGREEMENT

We hereby grant to the Department or its appointed representatives the right of entry and travel upon our lands or operation during regular business hours for the purpose of making necessary field inspections or investigations as may be reasonably required in the administration of the Mining Act of 1971 pursuant to G.S. 74-56.

We further grant to the Department or its appointed representatives the right to make whatever entries on the land as may be reasonably necessary and to take whatever actions as may be reasonably necessary in order to carry out reclamation which the operator has failed to complete in the event a bond forfeiture is ordered pursuant to G.S. 74-59.

LANDOWNER:

Signature: William H. Spruill

Print Name: William H. Spruill
Operator
(Title, if applicable)

Company _____
(If applicable)

Address: PO Box 146

Moyock, NC 27958

Telephone: (252) 435-2122

Date Signed: 10-27-15

APPLICANT:

Signature:* William H. Spruill

Print Name: William H. Spruill

Title: Owner/Operator

Company: _____

Mine Name: Spruill Mine

Telephone: (252) 435-2122

Date Signed: William H. Spruill
10-27-15

*Signature must be the same as the individual who signed Page 1 of this application.

One original and five (5) copies of the completed application, six (6) copies of all location maps, mine maps and reclamation maps, and the appropriate processing fee (see next page for fee schedule) **in the form a check or money order payable to the North Carolina Department of Environment and Natural Resources must be sent to the Land Quality Section Central Office at the address listed on the front cover of this application form.**

Inquiries regarding the status of the review of this application should be directed to the Mining Program staff at (919) 707-9220.

Attachment: State Mine Application Copy (1478 : PB 16-01 Guinea Mine)

APPLICATION FOR A MINING PERMIT

MINING FEE SCHEDULE

A nonrefundable permit application processing fee when filing for a new mining permit, a major permit modification or a renewal permit is required as follows:

	0-25 acres	26+acres
New Permit Applications	$3,750.00	$5,000.00
Permit Modifications	$750.00	$1,000.00
Permit Renewals	$750.00	$1,000.00
Transfers/Minor Modifications*	$100.00	$100.00

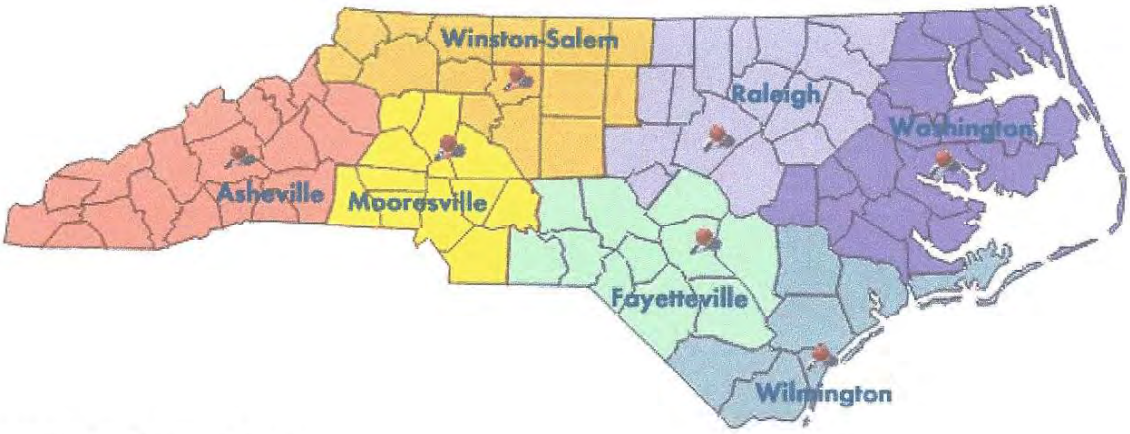
*** A nonrefundable $100.00 permit application processing fee is required for minor permit modifications. Minor permit modifications include ownership transfers, name changes, bond substitutions and permit renewals where the mine is inactive and fully stabilized. A minor permit modification also includes lands added to a permitted area, outside of the minimum permit buffer zone requirements, where no plans for mining related disturbance of the added lands have been approved. All other changes are considered major permit modifications.**

Acres for new permits and renewal permits means the total acreage at the site. Acres for major modification of permits means that area of land affected by the modification within the permitted mine area, or any additional land that is to be disturbed and added to an existing permitted area, or both.

Attachment: State Mine Application Copy (1478 : PB 16-01 Guinea Mine)

APPLICATION FOR A MINING PERMIT

There are seven Land Quality Section (LQS) Regional Offices. Use the map below to locate the Regional Office serving your county.



Asheville Regional Office

- Counties: Avery, Buncombe, Burke, Caldwell, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, Macon, Madison, McDowell, Mitchell, Polk, Rutherford, Swain, Transylvania, Yancey
- Address: 2090 U.S. Highway 70, Swannanoa, NC 28778
- Voice: 828.296.4500
- FAX: 828.299.7043

Fayetteville Regional Office

- Counties: Anson, Bladen, Cumberland, Harnett, Hoke, Montgomery, Moore, Richmond, Robeson, Sampson, Scotland
- Address: 225 Green Street, (Systel Building), Suite 714, Fayetteville, NC 28301-5094
- Voice: 910.433.3300
- FAX: 910.486.0707

Mooresville Regional Office

- Counties: Alexander, Cabarrus, Catawba, Cleveland, Gaston, Iredell, Lincoln, Mecklenburg, Rowan, Stanly, Union
- Address: 610 East Center Ave., Suite 301, Mooresville, NC 28115
- Voice: 704.663.1699
- FAX: 704.663.6040

Raleigh Regional Office

- Counties: Chatham, Durham, Edgecombe, Franklin, Granville, Halifax, Johnston, Lee, Nash, Northampton, Orange, Person, Vance, Wake, Warren, Wilson
- Address: 1628 Mail Service Center, Raleigh, NC 27699-1628 or 3800 Barrett Drive, Raleigh, NC 27609
- Voice: 919.791.4200
- FAX: 919.571.4718

Washington Regional Office

- Counties: Beaufort, Bertie, Camden, Chowan, Craven, Currituck, Dare, Gates, Greene, Hertford, Hyde, Jones, Lenoir, Martin, Pamlico, Pasquotank, Perquimans, Pitt, Tyrrell, Washington, Wayne
- Address: 943 Washington Square Mall, Washington, NC 27889
- Voice: 252.946.6481
- FAX: 252.975.3716

Attachment: State Mine Application Copy (1478 : PB 16-01 Guinea Mine)

APPLICATION FOR A MINING PERMIT

LAND QUALITY REGIONAL OFFICES (continued)

Wilmington Regional Office

- Counties: Brunswick, Carteret, Columbus, Duplin, New Hanover, Onslow, Pender
- Address: 127 Cardinal Drive Extension, Wilmington, NC 28405
- Voice: 910.796.7215
- FAX: 910.350.2018

Winston-Salem Regional Office

- Counties: Alamance, Alleghany, Ashe, Caswell, Davidson, Davie, Forsyth, Guilford, Rockingham, Randolph, Stokes, Surry, Watauga, Wilkes, Yadkin
- Address: 585 Waughtown Street, Winston-Salem, NC 27107
- Voice: 336.771.5000
- FAX: 336.771.4631

Attachment: State Mine Application Copy (1478 : PB 16-01 Guinea Mine)

SCHEDULE OF RECLAMATION COSTS
(Based upon range of $500 - $5,000 per affected acre)

COMMODITY CODES: **SG** = Sand and/or Gravel, **GS** = Gemstone, **Borrow** = Borrow/fill dirt, **CS** = Crushed Stone, **DS** = Dimension Stone, **FS** = Feldspar, **MI** = Mica, **LI** = Lithium, **PF** = Pyrophyllite, **OL** = Olivine, **KY** = Kyanite/Sillimanite/Andalusite, **PH** = Phosphate, **CL** = Clay/Shale, **PE** = Peat, **AU** = Gold, **TI** = Titanium, and **OT** = Other

Type	T/S Ponds	S.piles	W.piles	P.area/H.R.	Mine Excav.
SG, GS, Borrow	$500/ac.(L) 1500(FI)	$1800/ac.	$2000/ac.	$1800/ac.	$500/ac.(L) $2000(PD)
CS, DS, FS, MI, LI, PF, OL, KY	500(L) 1500(FI)	1800	2000	2000	500(L) 2500(PD)
PH	1000(L) 2500(FI)	2500	5000	5000	2000(L) 5000(PD)
CL	1000(L) 2500(FI)	2500	5000	5000	2000(L) 3700(PD)
PE, AU, TI, OT	1000(L) 2500(FI)	2500	3000	3500	2000(L) 5000(PD)

(L) = reclamation to a lake and revegetating sideslopes
(FI) = reclamation by filling in and revegetating
(PD) = reclamation by grading for positive drainage & revegetating

AS PER NCAC 15A 5B.0003, IF YOU DISAGREE WITH THE BOND AMOUNT DETERMINED BY THE BOND CALCULATION WORKSHEET, YOU MAY SUBMIT AN ESTIMATE OF RECLAMATION COSTS FROM A THIRD PARTY CONTRACTOR. SAID ESTIMATE MUST BE PROVIDED WITHIN 30 DAYS TO THE FOLLOWING ADDRESS: Mining Program, Land Quality Section, 1612 Mail Service Center, Raleigh, North Carolina 27699-1612

ALL ESTIMATES MUST INCLUDE THE FOLLOWING, AS A MINIMUM:

- **FINAL GRADING COSTS PER ACRE**
- **LIME AND FERTILIZER COSTS PER ACRE**
- **YEAR-ROUND SEEDING MIXTURE COSTS PER ACRE (FROM APPROVED REVEGETATION PLAN IN APPLICATION/PERMIT DOCUMENT)**
- **MULCH AND ANCHORING COSTS PER ACRE**
- **ANY OTHER RECLAMATION COSTS NECESSARY TO COMPLY WITH THE APPROVED RECLAMATION PLAN FOR THE SITE IN QUESTION**

YOU WILL BE NOTIFIED AS SOON AS POSSIBLE OF THE DIRECTOR'S FINAL BOND DETERMINATION.

Attachment: State Mine Application Copy (1478 : PB 16-01 Guinea Mine)

NCDENR

Division of Water Resources
National Pollutant Discharge Elimination System (NPDES)

Application for Coverage Under General Permit NCG520000

Sand Dredging operations and similar point source discharges

FOR AGENCY USE ONLY		
Date Received		
Year	Month	Day
Certificate of Coverage		
N C G 5 2		
Check #	Amount	
Assigned To:		

NOTICE OF INTENT

[Required by 15A NCAC 02H .0127(d)]; [term definition see 15A NCAC 02H .0103(19)]

(*Please print or type*)

1) Mailing address of owner/operator: *(address to which all correspondence should be mailed)*

Company Name
Owner Name **William H. Spruill**
Street Address **PO Box 146**
City **Moyock** State **NC** ZIP **27958 - 0146**
Telephone # **252-435-2122** Fax # **252-435-1677**
Cell/Mobile # Email @

2) Location of facility producing discharge:

Facility Name **Guinea Mine**
Facility Contact **William H. Spruill**
Street Address **PO 146**
City **Moyock** State **NC** ZIP **27958 - 0146**
County **Currituck**
Telephone # **252-435-2122** Fax # **252-435-6177**

3) Physical location information:

Please provide a narrative description of how to get to the facility (*use street names, state road numbers, and distance and direction from a roadway intersection*).

Exit NC 168 on SR 1214 Guinea Road and turn immediately left on mine/field road.

(A copy of a county map or USGS quad sheet with facility clearly located on the map is required to be submitted with this application)

4) This NPDES permit application applies to which of the following :

☒ New [term definition see 15A NCAC 02H .0103(16)] or Proposed
☐ Modification
Please describe the modification: _____
☐ Renewal
Please specify existing permit number and original issue date: Click here to enter a date.

Attachment: NPDES Application NCG520000 (1478 : PB 16-01 Guinea Mine)

5) Does this facility have any other NPDES permits [term definition see 15A NCAC 02H .0103(15)]**?**

☒ No

☐ Yes - If yes, list the permit numbers for all current NPDES permits for this facility: _____

6) Description of Discharge: [Required by 15A NCAC 02H .0105(c)(1)]

a) Is the discharge directly to the receiving water? ☐ Yes ☒ No - If no, submit a site map with the pathway to the potential receiving waters clearly marked. This includes tracing the pathway of the storm sewer to the discharge point, if the storm sewer is the only viable means of discharge.

b) Number of discharge points (ditches, pipes, channels, etc. that convey wastewater from the property): 1

c) Volume of discharge per each discharge point (in GPD): #1: _____ #2: _____ #3: _____ #4 _____

d) Please describe the type of process the sand dredging wastewater is being discharged from, be specific:

See Attachment A

e) Is there any treatment being applied to the wastewater before discharge (check the type of treatment in use).

☒ Settling pond

☐ Lagoon

☐ None

☒ Other: See Attachment B for full description.

f) How much of the volume discharged is treated (state in percent)? 100% as described in Attachment B

g) If any box in item (e) above, other than none, was checked, please include design specifics (i.e., design volume, retention time, surface area, etc.) with submittal package. Existing treatment facilities should be described in detail. Design criteria and/ operational data (including calculations) should be provided to ensure that the facility can comply with the requirements of the General Permit, as required by 15A NCAC 02H .0127.

The treatment shall be sufficient to meet with the limits set by the general permits. The trapping efficiency should be greater than 75%. The surface area should be as large as possible to insure sedimentation occurs. To secure optimum efficiency the flow length of the basin to the basin width should have a ratio of 2:1.

Note: Construction of any wastewater treatment facilities requires submission of three (3) sets of plans and specifications along with the application. Design of treatment facilities must comply with requirements of 15A NCAC 02H .0138. If construction applies to this discharge, include the three sets of plans and specifications with this application.

7) Discharge Frequency: [Required by 15A NCAC 02H .0105(c)(1)]

a) The discharge is: ☒ Continuous ☐ Intermittent ☐ Seasonal

i) If the discharge is intermittent, describe when the discharge will occur: _____

ii) If seasonal check the month(s) the discharge occurs: ☒ Jan. ☒ Feb. ☒ Mar. ☒ Apr. ☒ May ☒ Jun. ☒ Jul. ☒ Aug. ☒ Sept. ☒ Oct. ☒ Nov. ☒ Dec.

b) How many days per week is there a discharge? _____

c) Please check the days discharge occurs: ☒ Sat. ☒ Sun. ☐ Mon. ☐ Tue. ☐ Wed. ☐ Thu. ☐ Fri.

8) Receiving waters: [Required by 15A NCAC 02H .0105(c)(1)]

a) What is the name of the body or bodies of water (creek, stream, river, lake, etc.) that the facility wastewater discharges end up in? If the site wastewater discharges to a separate storm sewer system (4S), name the operator of the 4S (e.g. City of Raleigh). Ditch, Swamp, Rowling Creek, Tulls Bay, Currituck S

b) Stream Classification: SC

Attachment: NPDES Application NCG520000 (1478 : PB 16-01 Guinea Mine)

9) Alternatives to Direct Discharge:
[Evaluation required by G.S. § 143-215.1(b)(5)(a) and 15A NCAC 02H .0105(c)(2)]

Address the feasibility of implementing each of the following non-discharge alternatives

a) Connection to a Municipal or Regional Sewer Collection System
b) Subsurface disposal (including nitrification field, infiltration gallery, injection wells, etc.)
c) Spray irrigation

The alternatives to discharge analysis should include boring logs and/or other information indicating that a subsurface system is neither feasible nor practical as well as written confirmation indicating that connection to a POTW is not an option. It should also include a present value of costs analysis as outlined in the Division's "*Engineering Alternatives Analysis (EAA) Guidance Document*".

Additional Application Requirements:

For new or proposed discharges, the following information must be included in triplicate with this application or it will be returned as incomplete. Per 15A NCAC 02H .0105(c)

a) 7.5 minute series USGS topographic map (or a photocopied portion thereof) with discharge location clearly indicated.
b) Site map, if the discharge is not directly to a stream, the pathway to the receiving stream must be clearly indicated. This includes tracing the pathway of a storm sewer to its discharge point.
c) If this application is being submitted by a consulting engineer (or engineering firm), include documentation from the applicant showing that the engineer (Or firm) submitting the application has been designated an authorized Representative of the applicant; per 15A NCAC 02H .0138(b)(1).
d) Final plans for the treatment system (if applicable). The plans must be signed and sealed by a North Carolina registered Professional Engineer and stamped-"Final Design-Not released for construction;" per 15A NCAC 02H .0139.
e) Final specifications for all major treatment components (if applicable). The specifications must be signed and sealed by a North Carolina registered Professional Engineer and shall include a narrative description of the treatment system to be constructed; per 15A NCAC 02H .0139.

Attachment: NPDES Application NCG520000 (1478 : PB 16-01 Guinea Mine)

CERTIFICATION

I certify that I am familiar with the information contained in this application and that to the best of my knowledge and belief such information is true, complete, and accurate.

Printed Name of Person Signing:

Title:

(Please review 15A NCAC 02H .0106(e) for authorized signing officials)

_____ **September 10, 2015**

(Signature of Applicant) *(Date Signed)*

North Carolina General Statute § 143-215.6B provides that:

Any person who knowingly makes any false statement representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under this Article or a rule implementing this Article; or who knowingly makes a false statement of a material fact in a rulemaking proceeding or contested case under this Article; or who falsifies, tampers with, or knowingly renders inaccurate any recording or monitoring device or method required to be operated or maintained under this Article or rules of the Commission implementing this Article, shall be guilty of a Class 2 misdemeanor which may include a fine not to exceed ten thousand dollars ($10,000). 18 U.S.C. Section 1001 provides a punishment by a fine or imprisonment not more than 5 years, or both, for a similar offense.

This application must be accompanied by a check or money order for **$100.00** [per G.S. § 143-215.3(a)(1b)] made payable to:

NCDENR

♦ ♦ ♦ ♦ ♦

Mail this application and one copy of the entire package (with check) to:

NC DENR / DWR / Water Quality Permitting Section
1617 Mail Service Center
Raleigh, North Carolina 27699-1617
Attn: Charles Weaver

Final Checklist

This application will be returned as incomplete, as allowed by 15A NCAC 02H .0107(b), unless all of the following items have been included:

- ☒ Complete application with all supporting documents (plus one copy of entire package)
- ☒ Check or money order for $100.00, payable to NCDENR
- ☒ 3 copies of county map or USGS quad sheet with location of facility clearly marked on map
- ☐ 3 sets of plans and specifications signed and sealed by a North Carolina P.E.
- ☒ Thorough responses to items 1-10 on this application
- ☐ Alternatives analysis including present value of costs for all alternatives

Note: The submission of this document does not guarantee the issuance of an NPDES permit

Attachment: NPDES Application NCG520000 (1478 : PB 16-01 Guinea Mine)

ATTACHMENT A

WILLIAM H. SPRUILL, OWNER/OPERATOR GUINEA MINE
CURRITUCK COUNTY



DISCHARGE PATH

1 GREEN - FARM DITCH 2. ORANGE SR 1214 ROADSIDE DITCH
3. RED - SWAMP 4. WHITE - BLOCKED ROWLAND CREEK
5. RED - OPEN ROWLAND CREEK 6. YELLOW - WIDER ROWLAND CREEK
7. GREEN - TULLS BAY TO CURRITUCK SOUND

Attachment: NPDES Application NCG520000 (1478 : PB 16-01 Guinea Mine)

ATTACHMENT B

100% TREATMENT PROCESS

The dewatering methods for treating 100% of the water pumped out of Guinea Mine are:

1. water drains into deeper swales in bottom of the pit/excavation where sediment has a minimum of 5 days to settle to the bottom of the swales,
2. the suction pipe of discharge pump has floats on it so that the inlet to the pipe draws water from the top of the water from the swales minimizing the intake of sediment,
3. the water will then be pumped into a 0.8 acre settlement pond where sediment reaching this point will have more time to settle out,
4. once the water level reaches the level of an above ground overflow culvert it will gravity flow into an 5.37 ± acre vegetative to recharge ground water supplies,
5. any water that sheet flows from this acreage will enter a farm ditch at the east of the property,
6. that water will flow southeast along a field ditch to the ditch on the east side of SR 1214 Guinea Road,
7. then the water will slowly sheet flow northeast through a swamp where any remaining sediment will have still more time to settle out,
8. any water making it to the next step, a ditch blocked by fallen trees and limbs and many decades since any maintenance has been done on, will slowly flow northeast to the open Rowland Creek,
9. once in the winding slow moving Rowland Creek the any sediment remaining will have an opportunity to settle out,
10. from Rowland Creek the water will enter into Tulls Creek then Tulls Bay – another place where the water is slow moving, and finally
11. the water enters the Currituck Sound

NOTES

Wastewater pumped through buffers has been proved to be effective. There are a number of North Carolina Sea Grant reports supporting this process, including the following. With (forested) buffers of adequate size, 50 to 100% of sediment and its adsorbed nutrients have been shown to settle out… J.R. Cooper (NC State University, J.W. Gilliam (NC State University), R.B. Daniels (NC State University), and W.P. Robarge (NC State University). 1987. In *Soil Science Society of America Journal* 51(6):417-420. H.B Pionke and R.R. Lowrance found in1991 "Forested riparian buffer strips have been shown to be effective in reducing nutrient and sediment levels in runoff." With the water pumped from the proposed Guinea Mine these studies would seem to indicate that by the time the water reaches the open Rowland Creek, 100% of the sediment will have been removed.

The point that the water leaving the proposed Guinea Mine passes through slow moving bodies of water – in fact from the vegetative 5.37 ± acre settling area to the Currituck Sound – is due to very small difference in elevation between the two points, i.e. as compared to locations in the eastern piedmont to the mountains of North Carolina.

Currituck Sound is unique in that for many decades it has become more saline due to water use and other activities that have greatly reduced the flow of fresh water into the sound. Treated freshwater runoff into Currituck Sound would seem to be beneficial.

Attachment: NPDES Application NCG520000 (1478 : PB 16-01 Guinea Mine)

Currituck County
Agenda Item Summary Sheet

Agenda ID Number – (ID # 1479)

Agenda Item Title

Public Hearing and Action: PB 16-02 Jimmy Lewis Automobile Sales:

Brief Description of Agenda Item:

Request for a use permit for automobile sales at Tax Map 108, Parcel 94F, Poplar Branch Mainland Township.

Planning Board Recommendation:

Mr. Cooper moved to approve PB 16-02 as presented and the applicant demonstrates the proposed use will meet the use permit review standards of the UDO. Ms. Bell seconded the motion and motion carried unanimously.

Board Action Requested

Action

Person Submitting Agenda Item

Jason Litteral,

Presenter of Agenda Item

Ben Woody

STAFF REPORT
PB 16-02
BOARD OF COMMISSIONERS
APRIL 4, 2016

APPLICATION SUMMARY	
Property Owner: Jimmy (Clay) Lewis	**Applicant:** Jimmy (Clay) Lewis
Case Number: PB 16-02	**Application Type**: Use Permit
Parcel Identification Number:0108000094F0000	**Existing Use:** Sale of Prefabricated Buildings
Land Use Plan Classification: Full Service	**Parcel Size (Acres):** 1.06
Request: Vehicle Sales as an additional use	**Zoning:** General Business

SURROUNDING PARCELS	Land Use	Zoning
North	Stateline Prefab Building Sales	General Business (GB)
South	Stateline Prefab Building Sales	General Business (GB)
East	Self-Serve Car Wash	General Business (GB)
West	Vacant Golf Course/Proposed Solar Array	General Business (GB)

STAFF ANALYSIS

The applicant is requesting a use permit to establish automobile sales as an additional use to the existing prefabricated building sales use. The site is surrounded by commercial uses and no changes to the buildings or site are proposed or required. All Technical Review Committee comments have been addressed.

INFRASTRUCTURE	
Water	Public
Sewer	Septic
Transportation/Access	Access exists from Highway 168
Stormwater/Drainage	No improvements required

Attachment: Report Jimmy Lewis (Stateline Builders) Automobile Sales Use Permit BOC 4.4.16 (1479 : PB 16-02 Jimmy Lewis Automobile

RECOMMENDATIONS

TECHNICAL REVIEW COMMITTEE

The Technical Review Committee recommends **adoption** of the use permit subject to the following conditions of approval:

1. The applicant demonstrates the proposed use will meet the use permit review standards of the UDO.

PLANNING BOARD

Mr. Cooper moved to approve PB 16-02 as presented and the applicant demonstrates the proposed use will meet the use permit review standards of the UDO. Ms. Bell seconded the motion and motion carried unanimously.

USE PERMIT REVIEW STANDARDS

A use permit shall be approved on a finding that the applicant demonstrates the proposed use will meet the below requirements. It is staff's opinion that the evidence in the record, prepared in absence of testimony presented at a public hearing, supports the preliminary findings.

The use will not endanger the public health or safety.

Preliminary Applicant Findings:

1. According to the applicant, "No it will not"
2. The site is located on Caratoke Highway in a Full Service area where similar commercial uses exist. The site has adequate ingress and egress for emergency vehicles and the general public.

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.

Preliminary Applicant Findings:

1. According to the applicant, "the use will not harm any adjacent property and will only compliment the surrounding area.
2. The surrounding lands are all zoned General Business.
3. Two adjoining properties, north and south, are owned by the applicant and are part of the existing sales use.
4. The property to the east is a car wash
5. The property to the west is proposed to be a solar array.

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

Preliminary Staff Findings:

1. The 2006 Land Use Plan Classifies this area as Full Service in the Grandy subarea. POLICY CD2: Commercial and office development of greater than a neighborhood scale shall be encouraged to cluster in COMMERCIAL OR MIXED-USE CENTERS to curtail the proliferation of strip development, and minimize traffic generation.

Attachment: Report Jimmy Lewis (Stateline Builders) Automobile Sales Use Permit BOC 4.4.16 (1479 : PB 16-02 Jimmy Lewis Automobile

The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to: schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

Preliminary Staff Findings:

1. The proposed use will not impact the county's ability to provide adequate public facilities.

Attachment: Report Jimmy Lewis (Stateline Builders) Automobile Sales Use Permit BOC 4.4.16 (1479 : PB 16-02 Jimmy Lewis Automobile

Planning Board Discussion ***3/8/16***

Mr. Craddock asked regarding the setbacks required by the UDO along the corridor, what is that setback and does the existing parking lot meet it?

Mr. Litteral said yes.

Mr. Lewis said adding the vehicle sales will bring more income and the vehicles will be high end collectable cars. They will be in the showroom and some outside.

Ms. Overstreet asked if this will be at the Moyock or Grandy site. Mr. Lewis said the Grandy site. Mr. Cooper opened and closed the public hearing.

Mr. Cooper moved to approve PB 16-02 as presented and the applicant demonstrates the proposed use will meet the use permit review standards of the UDO. Ms. Bell seconded the motion and motion carried unanimously.

Attachment: Report Jimmy Lewis (Stateline Builders) Automobile Sales Use Permit BOC 4.4.16 (1479 : PB 16-02 Jimmy Lewis Automobile



Jimmy Lewis, Automobile Sales
Use Permit
Aerial Map

0 87.5 175 350 Feet

Currituck County
Planning and Community
Development



Jimmy Lewis, Automobile Sales
Use Permit
Future Land Use Map

0 87.5 175 350 Feet

Currituck County
Planning and Community
Development

Attachment: Report Jimmy Lewis (Stateline Builders) Automobile Sales Use Permit BOC 4.4.16 (1479 : PB 16-02 Jimmy Lewis Automobile



THE APPLICATION AND RELATED MATERIALS ARE AVAILABLE ON THE COUNTY'S WEBSITE
Board of Commissioners: www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm

Attachment: Report Jimmy Lewis (Stateline Builders) Automobile Sales Use Permit BOC 4.4.16 (1479 : PB 16-02 Jimmy Lewis Automobile

Use Permit
Application

OFFICIAL USE ONLY:
Case Number: _____
Date Filed: _____
Gate Keeper: _____
Amount Paid: _____

Contact Information

APPLICANT:
Name: Jimmy "Clay" Lewis Jr.
Address: 154 Shipyard Rd. Camden NC 27921
Telephone: 252 619 8067
E-Mail Address: Claylewis@statelinebuilders.com

PROPERTY OWNER:
Name: Jimmy C. Lewis
Address: 208 Providence Drive Mayock NC 27958
Telephone: 252-435-1175
E-Mail Address: barnmaker@embarqmail.com

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Son

Property Information

Physical Street Address: 6592 Caratoke Hwy, Grandy NC 27939
Location: Lower Currituck
Parcel Identification Number(s): 01080000 94F 0000
Total Parcel(s) Acreage: 1.06
Existing Land Use of Property: display & sale of portable sheds, gazebos & playsets

Request

Project Name: Stateline LLC
Proposed Use of the Property: retail sale of used cars in addition to our current products.
Deed Book/Page Number and/or Plat Cabinet/Slide Number: 504/pg 748/plat E/slide 3
Total square footage of land disturbance activity: None
Total lot coverage: 26,887 S.F.
Total vehicular use area: 22,737 paved
Existing gross floor area: 3,750 S.F.
Proposed gross floor area: N/A

Community Meeting

Date Meeting Held: 1-26-2016
Meeting Location: 6592 Caratoke Hwy

Attachment: Application (1479 : PB 16-02 Jimmy Lewis Automobile Sales)

Purpose of the Use Permit and Project Narrative (please provide on additional paper if needed): _____

See attached supporting document.

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 use permit.

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

No it will not.

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.

Our use will not harm any adjacent property and will only complement the surrounding area.

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

Yes, it is located in a full service area.

D. The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

No it will not.

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.

Jim Lewis

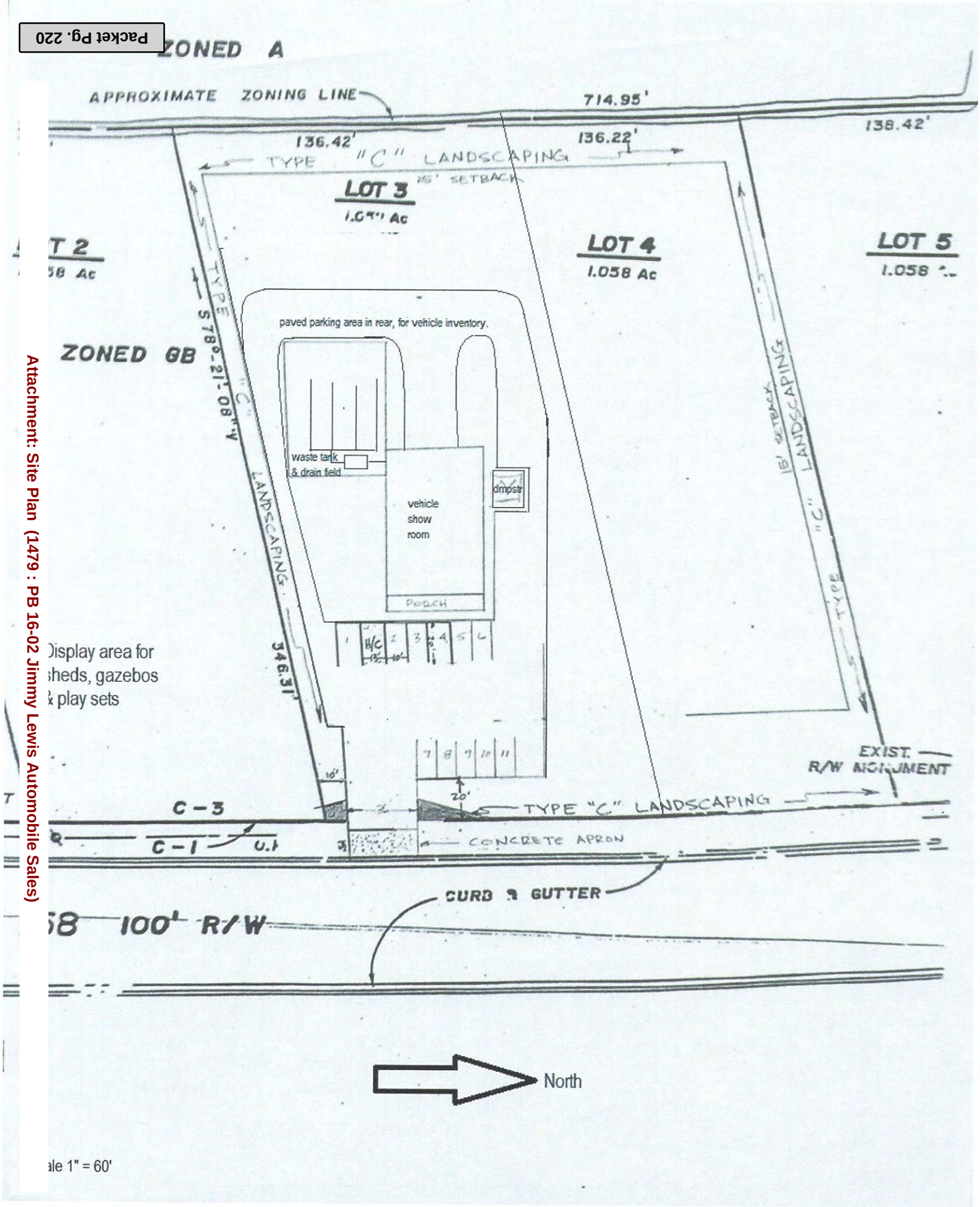
Property Owner(s)/Applicant*

1-27-2016

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.**

Attachment: Application (1479 : PB 16-02 Jimmy Lewis Automobile Sales)



Attachment: Site Plan (1479 : PB 16-02 Jimmy Lewis Automobile Sales)

4.E.c

Flood Zone X

Currituck County
Department of Planning
153 Courthouse Road, Suite 110
Currituck, North Carolina 27929
252-232-3055
FAX 252-232-3026

MEMORANDUM

To: Clay Lewis

From: Planning Staff

Date: February12, 2016

Re: PB16-02 Stateline, LLC, Use Permit, Automotive Sails or Rental

---

The following comments have been received for the February 17, 2016 TRC meeting. In order to be scheduled for the March 8, 2016 Planning Board meeting, please address all comments and resubmit a corrected plan by 3:00 p.m. on February 22, 2016. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Jason Litteral
Approved, No Comment

Currituck Soil and Water, Will Creef
See Engineering Comments

Currituck County Engineer, Eric Weatherly
Approved

Currituck County Utilities, Pat Irwin
Reviewed, No Comment

Currituck County Emergency Management, James Mims
Approved,

No display may block egress and ingress from the site or the structure. No display may block the drive areas.

In regards to indoor display NCFP 2012 314.4 Vehicles. Liquid- or gas-fueled vehicles, boats or other motor craft shall not be located indoors except as follows:
1. Batteries are disconnected.
2. Fuel in fuel tanks does not exceed one-quarter tank or 5 gallons (whichever is least)
3. Fuel tanks and fill openings are closed and sealed to prevent tampering.
4. Vehicles, boats or other motor craft equipment are not fueled or defueled within the building.

Attachment: TRC Comments Stateline, LLC, Use Permit, Automobile Sales (1479 : PB 16-02 Jimmy Lewis Automobile Sales)

Currituck County GIS, Harry Lee
Reviewed, No Comment

Currituck County Building Inspections, Bill Newns
Reviewed,

If any work is done in the existing building to upgrade the structure then 20% disproportionality rule will kick in for ADA.

Currituck County Parks and Recreation, Jason Weeks
Reviewed, No Comment

NCDOT, Jim Hoadley
Reviewed,

If the existing driveway is to be modified, a driveway / encroachment permit will be required.

NC Division of Coastal Management, Charlan Owens
Reviewed, No Comment

NC State Archaeology, Lawrence Abbot
No Comment,

An archaeological survey is not recommended. No Comment.

Albemarle Regional Health Services, Joe Hobbs
Reviewed,

Please do not display, drive or park any heavy items or motor vehicles on/in existing septic system/septic system repair area. Also do not pave over any part of septic system/septic system repair area. Thank you.

The following items are necessary for resubmittal:

- 3 - full size copies of revised plans.
- 10 - 11"x17" copies of revised plans.
- 1- 8.5"x11" copy of all revised plans.
- 1- PDF digital copy of all revised documents and plans.

Attachment: TRC Comments Stateline, LLC, Use Permit, Automobile Sales (1479 : PB 16-02 Jimmy Lewis Automobile Sales)

Summary of community meeting.

The community meeting was scheduled for January 26th, 2016 at 6: PM. The meeting was held at 6592 Caratoke Hwy, Grandy NC 27939. A sign was posted on the property 11 days in advance and the owners of land within 200 feet of the property lines of land subject to application were notified via certified letter mailed out 11 days prior to the scheduled meeting.

On January, 26th, 2016 at 6 PM the meeting commenced. None of the notified property owners, nor anyone else attended the meeting, except for me and Jason Litteral. We waited 20 minutes and when no one else showed up the meeting was adjourned.

Attachment: Community Meeting Summary (1479 : PB 16-02 Jimmy Lewis Automobile Sales)

Purpose of the Use Permit and Project Narrative

The purpose of this use permit is to allow our family business to better utilize the commercial facility we already have in Grandy. The building with a large indoor show room and the paved parking lot with 3 adjacent vacant lots is perfectly suitable to carry a broader range of products which will cater to the locals and tourist alike. We will continue to carry the same products we have always had, which are portable storage sheds, gazebos, children's play sets and outdoor lawn furniture, which will be displayed upon the 3 adjacent, 1 acre lots, as they always have been. With the use permit, we will begin to also sell used cars. The interior show room will be used to house a variety of products, such as antiques, collectibles, classic cars, hot-rods, motor-cycles and a broad range of unique retail merchandize. The late model vehicles will be on display outside, upon the pavement, but not to interfere with fire lanes or the 12 designated customer parking areas.

Once the use permit is obtained, and all state requirements pertaining to car dealerships has been met and the new inventory comes in, the store currently known as Stateline Builders of Grandy, will operate under Stateline LLC, with a new assumed name, separating itself from the other Stateline Builders stores, which will continue business as usual.

Attachment: Project Narrative (1479 : PB 16-02 Jimmy Lewis Automobile Sales)

Currituck County
Agenda Item Summary Sheet

Agenda ID Number – (ID # 1451)

Agenda Item Title

Consideration and Action: PB 14-16 Lake View at Currituck Development Agreement Amendment: Request to amend the development agreement between Currituck County and Survey Road, LLC for property located in Moyock on Survey Road west of the intersection with Caratoke Highway, Tax Map 15, Parcels 83A, 83B, 83C, 83D, and 83E, Moyock Township.

Brief Description of Agenda Item:

Request to amend the development agreement between Currituck County and Survey Road, LLC for property located in Moyock on Survey Road west of the intersection with Caratoke Highway, Tax Map 15, Parcels 83A, 83B, 83C, 83D, and 83E, Moyock Township.

Planning Board Recommendation:

Mr. Craddock moved to approve PB 14-16 as presented due to its consistency with the Moyock Small Area Plan since the subject property and sewer main extension are located in a Full Service area; is consistent with the Land Use Plan because it focuses sewer services in existing developed areas and in nearby targeted growth areas; and the development agreement demonstrates the impact on the future provision of public sewer capital improvements in the county. Mr. Bell seconded the motion and motion carried unanimously.

Board Action Requested

Action

Person Submitting Agenda Item

Donna Voliva,

Presenter of Agenda Item

Ben Woody

Currituck County

Planning and Community Development Department
Planning and Zoning Division
153 Courthouse Road, Suite 110
Currituck, North Carolina 27929
252-232-3055 FAX 252-232-3026

To: Board of Commissioners

From: Planning Staff

Date: February 15, 2016

Subject: PB 14-16 Lake View at Currituck – Development Agreement Amendment

James O. Myers submitted an application for an amendment to the Development Agreement between Survey Road, LLC (the "Developer") and Currituck County to allow 13 additional residential lots within the proposed Lake View at Currituck subdivision located at 120 Survey Road in the Moyock Township. The use of a development agreement is authorized in North Carolina General Statutes 153A-379.1– 153A-379.13 and Section 2.4.18 of the Currituck County Unified Development Ordinance (UDO); the purpose and intent of a development agreement is to:

1. Encourage comprehensive planning and capital facilities planning;
2. Ensure the provision of adequate public facilities for development;
3. Encourage the efficient use of resources, while providing certainty in the process of obtaining development permits and approvals; and
4. Reduce the economic costs of development by providing greater regulatory certainty.

The Development Agreement between the Developer and Currituck County required the Developer to install a new public sewer force main to connect the Lake View at Currituck subdivision to the Moyock Central Sewer System. The force main is now installed. The sewer mains, pump stations, and appurtenances subject to the development agreement will be dedicated to the county upon completion and acceptance by the Technical Review Committee.

A summary of the proposed amendments included in the request are:

1. An assignment of the agreement from Survey Road, LLC to the new property owner Lake View Land Development, LLC.
2. Adding 13 residential lots identified in the proposed Phase 3A of the planned unit development.
3. An acknowledgement of the completed off-site public sewer infrastructure.
4. Removing the phasing reference from the 104 residential lots currently outlined as Phase 1 and 2 of the agreement. This change references the intermediate sewer payment (final plat).
5. Adding the 13 additional residential lots sewer tap reservation and payment schedule.
6. Adding one additional year to the term of the agreement.
7. Changes to the use permit conditions, amended sketch (master) plan, and preliminary plat (see attached amended sketch plan, and preliminary plat/use permit staff report).

Attachment: Lake View Staff Report Amended DA(BOC 3.21.16) (1451 : PB 14-16 Lake View at Currituck Development Agreement)

Enclosed please find a draft version of the amendments to the Development Agreement that includes an amended sketch plan, preliminary plat and (special) use permit.

The TRC recommends **approval** because the proposed development agreement is consistent with the Moyock Small Area Plan since the subject property and sewer main extension are located in a Full Service area; is consistent with the Land Use Plan because it focuses sewer service in existing developed areas and in nearby targeted growth areas (POLICY WS3); and the development agreement demonstrates the impact on the future provision of public sewer capital improvements by the county.

Planning Board Recommendation:

Mr. Craddock moved to approve PB 14-16 as presented due to its consistency with the Moyock Small Area Plan since the subject property and sewer main extension are located in a Full Service area; is consistent with the Land Use Plan because it focuses sewer services in existing developed areas and in nearby targeted growth areas; and the development agreement demonstrates the impact on the future provision of public sewer capital improvements in the county. Mr. Bell seconded the motion and motion carried unanimously.

Attachment: Lake View Staff Report Amended DA(BOC 3.21.16) (1451 : PB 14-16 Lake View at Currituck Development Agreement)

PLANNING BOARD DISCUSSION *(2/9/16)*

Mark Bissell, Bissell Professional Group and Jim Myers appeared before the board and were sworn in.
Ms. Voliva presented the staff report.

Mr. Bissell said some of the comments may overlap with this request (amended development agreement) and the one for the amended master plan, amended preliminary plat and use permit. Mr. Bissell provided an overview of the project. The 13 additional lots will have larger lots than the rest of the development and different housing styles. They have had two community meetings and a lengthy technical review committee review. Mr. Bissell provided an outline of changes to the development agreement.

Ms. Voliva asked Chairman Cooper and the Planning Board if they would like to hear both requests together, but vote on them separately.

The Planning Board said yes.

Mr. Bissell said with the additional 13 lots the project will have a total of 159 lots. The project is connecting to county water and sewer, buffers, and phasing amended. A initial payment of $147,000 was made for sewer taps that was allocated for Phases 1 and 2; and amending the development agreement to allow these tap fees to use anywhere within the development. With the addition of the 13 lots it will be $71,500 tap fees which will increase the total to $874,900 for county sewer fees. The amended use permit would change from 146 lots to 159 lots; and remove some conditions that have been satisfied. Mr. Bissell said Item 26 (z) of the use permit should read "The building pad elevations shall be raised a minimum of 18 inches except in Phase 3A that will meet the new UDO and stormwater manual requirements." Item 27 (aa) of the use permit should read " The solid vegetative buffer and fencing between shall be provided to the adjacent agricultural properties except in Phase 3A where the buffering is going to be current with the UDO farmland and buffering requirements."

Ms. Voliva said Phase 3A is subject to the current UDO standards.

Mr. Cooper asked Mr. Bissell what the alternative will be for the park layout.

Mr. Bissell said when the previously sketch plan was approved there was a layout of a pocket park that showed a swing set, slide and a few other things. It was more of placeholder until the layout is done.

Mr. Myers said when you drive into the subdivision there will be two lighted fountains. They may do street lighting as well depending on the cost.

Mr. Cooper closed the public hearing.

Mr. Whiteman said the back portion of Eagle Creek Road, where it butts up to the RV lot, has been under water now because of the development. If there is a significant storm three houses on Eagle Creek Road will be under water. The RV lot is where the 13 additional lots are being proposed. Part it may be the builder has constructed a dam further down on the drainage side and is backing up the water; or the pipes that were installed are smaller than what was there before and the water is not getting downstream as quickly.

Attachment: Lake View Staff Report Amended DA(BOC 3.21.16) (1451 : PB 14-16 Lake View at Currituck Development Agreement)

Mr. Cooper asked Mr. Bissell to explain how the drainage will work in this particular section.

Mr. Bissell explained the drainage plan.

Mr. Whiteman said there is an existing ditch that runs behind these homes and right now it is at its higher point with no significant increase in precipitation. Mr. Whiteman is concerned that during development if there is no way to mitigate this flooding and they get a significant storm, these homes will be flooded. This needs to be addressed during construction. Mr. Whiteman said a dam with rocks has been put in place for erosion control which is causing the flooding.

Mr. Myers said they will look at this issue.

Mr. Whiteman said currently the RV lot has four existing lights and four more are going to be installed with direct full cutoff.

Mr. Craddock moved to approve PB 14-16 as presented due to its consistency with the Moyock Small Area Plan since the subject property and sewer main extension are located in a Full Service area; is consistent with the Land Use Plan because it focuses sewer services in existing developed areas and in nearby targeted growth areas; and the development agreement demonstrates the impact on the future provision of public sewer capital improvements in the county. Mr. Bell seconded the motion and motion carried unanimously.

RESULT:	**RECOMMENDED APPROVAL [6 TO 0]**	**Next: 3/21/2016 5:00 PM**
MOVER:	Steven Craddock, Board Member	
SECONDER:	Bobby Bell, Board Member	
AYES:	John Cooper, Chairman, Carol Bell, Vice Chairman, Bobby Bell, Board Member, Mike Cason, Board Member, Steven Craddock, Board Member, Fred Whiteman, Board Member	
ABSENT:	Jane Overstreet, Board Member	
RECUSED:	Clay Cartwright, Board Member	

Attachment: Lake View Staff Report Amended DA(BOC 3.21.16) (1451 : PB 14-16 Lake View at Currituck Development Agreement)

Development Agreement
Application

OFFICIAL USE ONLY:
Case Number:
Date Filed:
Gate Keeper:
Amount Paid:

Contact Information

APPLICANT:
Name: James O. Myers
Address: 616 Village Dr., Suite G
Virginia Beach, VA 23454
Telephone: 757-969-7422
E-Mail Address: jmyers@franciscushomes.com

PROPERTY OWNER:
Name: Lake View Land Development LLC
Address: 616 Village Dr., Suite G
Virginia Beach, VA 23454
Telephone: 757-969-7422
E-Mail Address: Same

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: VP of Franciscus Homes - Manager of Survey Road, LLC

Property Information

Physical Street Address: 120 Survey Road
Location: Moyock
Parcel Identification Number(s): 0015000083C0000
Total Parcel(s) Acreage: 74.23
Existing Land Use of Property: Agricultural
Proposed Land Use of Property: Planned Unit Development

Narrative

Please provide a narrative of the proposed Development Agreement.

Please see attached narrative

Attachment: Lake View Phase 3A Development Agreement Application (1451 : PB 14-16 Lake View at Currituck Development Agreement)

Impact on Capital Improvements

How does the development impact existing and future provisions of capital improvements by the county?

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.

Property Owner(s)/Applicant*

11.19.2015
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.**

Attachment: Lake View Phase 3A Development Agreement Application (1451 : PB 14-16 Lake View at Currituck Development Agreement)

NORTH CAROLINA
COUNTY OF CURRITUCK

DEVELOPMENT AGREEMENT

This amendment of Development Agreement is made this the _____ day of _____ 2015, by and between the County of Currituck, a body politic and political subdivision of the state of North Carolina (County), and Survey Road, LLC, a North Carolina limited liability company (Developer).

SECTION ONE
RECITALS

1. Developer and County previously entered into a Development Agreement under date of November 25th, 2014 for the development of property identified therein as "Tract 1".

2. Pursuant to SECTION 12 therein, the original agreement may be amended by mutual consent of the parties.

3. Developer desires, and County consents, to the amendment hereinafter stated.

NOW, THEREFOR, for and in consideration of the mutual promises subsequently appearing, it is agreed the Development Agreement of November 25th, 2014 is here by amended in the following regards, and no other:

AMENDMENT TO SECTION FIVE
PHASING AND DEVELOPMENT SCHEDULE

This section of the original contract is amended by adding 13 additional lots to section 3-A of the development, with phase lines in accord with the Development summary and phasing exhibit attached hereto as exhibit "F". Likewise, the development schedule shall be as stated in exhibit "E".

Attachment: Lake View Complete with Exhibits Dev. Agreement (1451 : PB 14-16 Lake View at Currituck Development Agreement)

Attachment: Lake View Complete with Exhibits Dev. Agreement (1451 : PB 14-16 Lake View at Currituck Development Agreement)

AMENDMENT TO SECTION SIX
PROVISION OF PUBLIC FACILITIES

This section of the original contract is amended by acknowledgment the off-site portion of the required public sewer facilities work has been completed. Specifically, the 4-inch and 6-inch force mains have been completed long Survey Road and Caratoke Highway. Improvements remaining to be completed include the gravity wastewater collection system and two pump stations as shown on the amended preliminary plat.

Further, to accommodate phase 3-A, the total flow allocation is increased by approximately 10% from 62,650 GPD to 68,890 GPD.

The first sentence of paragraph 4, the first sentence in paragraph a., and both parts of paragraph b. on page 6 of the agreement are amended to delete references to phases 1 and 2. The 104 residential connections may be used to serve any of the development phases.

Finally, there shall be an additional component of the sewer tap reservation and payment schedule in paragraph 5, increasing the total taps by 13 with a consequent additional $71,500 in tap fees. Developer shall pay a $5,500 (five thousand five hundred dollar) Tap Fee for each of these 13 County Sewer Connections as follows:

a. Reserve Payment - 13 x $5,500 x 0.25 = $17,875 (seventeen thousand eight hundred seventy-five dollars), to be paid at the time of reservation of capacity.

b. Intermediate payment – 13 x $5,500 x 0.5 = $35,750 to be paid as a condition of recording the final plat for phase 3A;

c. Residual Payment- 13 x $5,500 x 0.25 = $17,875 to be paid at the rate of $1,375 for each of 13 requests for the County's building permit. This payment shall be made at the time of application for building permit.

AMENDMENT TO SECTION ELEVEN
TERM

One additional, consecutive year shall be added to the term of the original agreement which year shall commence for an additional 365 days at the end of the 8-year period referenced in the original agreement.

AMENDMENT OF ATTACHED EXHIBITS

The Exhibits attached to the original agreement shall be augmented by new exhibits, "B" amended sketch plan, "C", amended preliminary plat drawings, Exhibit "E" Phase and Development schedule illustrating recordation of Phase 3-A, and Exhibit "F" Development Summary and Phasing Exhibit likewise acknowledging acceptance of Phase 3-A. All amended Exhibits are attached hereto and shall control over identically filed exhibits attached to the original agreement.

AMENDMENT OF USE PERMIT

The Special Use Permit heretofore issued (Exhibit "G" of the original agreement) shall be amended by increasing the total residential lots from 146 to 159; removing all conditions in §1, 22, and 24 of the issued Special Use Permit in that the same have been satisfied as of this date. Conditions 26 and 27 of the permit are modified as to Phase 3-A.

AMENDMENT OF EXHIBIT "H"
LIST OF REQUIRED PERMITS

Exhibit "H" attached to the original agreement shall be revised to illustrate permits which have been acquired since execution of the original agreement.

EXECUTION

This document having been carefully reviewed by the parties and their counsel, and it being determined such is in accord with applicable law and is in the

Attachment: Lake View Complete with Exhibits Dev. Agreement (1451 : PB 14-16 Lake View at Currituck Development Agreement)

interest of Developer, County and its citizens, each party does hereby bind itself to the other to carry out the terms herein by the execution of this document in duplicate originals.

PRE-AUDIT CERTIFICATION

This instrument has been pre-audited in the manner required by the Local Government Budget Fiscal Control Act.

By: _____
Finance Officer
Currituck County, North Carolina

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed on the day and year indicated below:

ATTEST: **COUNTY OF CURRITUCK**

By: _____ By: _____

NORTH CAROLINA
COUNTY OF CURRITUCK

This is to certify that on the ____ day of _____, 2015, before me personally came _____, who, being by me duly sworn, says that she is the Clerk to the Currituck County Board of Commissioners and _____ is the Chairman of the Currituck County Board of Commissioners, a North Carolina County possessing powers of a unified government pursuant to N.C.G.S. §153A-471, described in and which executed the foregoing; that she knows the corporate seal of said County, that the seal affixed to the foregoing instrument is said corporate seal, and the name of the _____ government was subscribed thereto by the said _____ and that the said corporate seal was affixed, all by order of the governing body of said County, and that the said instrument is the act and deed of said County.

Attachment: Lake View Complete with Exhibits Dev. Agreement (1451 : PB 14-16 Lake View at Currituck Development Agreement)

WITNESS my hand and official seal or stamp, this the ____ day of _____, 2015.

_____
NOTARY PUBLIC

My Commission Expires: _____

ATTEST: **SURVEY ROAD, LLC**

By: _____ By: _____
James O. Myers, Jr.,
Vice President of Franciscus Homes, Inc.
Manager of Survey Road, LLC

NORTH CAROLINA
COUNTY OF CURRITUCK

I, a Notary Public of Currituck County, North Carolina, do hereby certify that James O. Myers, Jr., personally came before me this day and acknowledged that he is the Vice President of Franciscus Homes, Inc., Manager of Survey Road, LLC, a North Carolina limited liability company, and that by authority duly given and as the act of the limited liability company, the foregoing instrument was signed in its name by its _____, sealed with its corporate seal, and attested by himself as its _____.

WITNESS my hand and official seal or stamp, this the ___ day of _____, 2015.

_____
NOTARY PUBLIC

My Commission Expires: _____

Attachment: Lake View Complete with Exhibits Dev. Agreement (1451 : PB 14-16 Lake View at Currituck Development Agreement)

LIST OF EXHIBITS

B. Amended sketch plan under date of 1-25-16.

C. Amended Preliminary plat under date of 1-25-16.

E. Amended Phase and Development schedule.

F. Development Summary and Phasing Exhibit.

G. Proposed amended SUP.

H. Updated List of Required permits.

Attachment: Lake View Complete with Exhibits Dev. Agreement (1451 : PB 14-16 Lake View at Currituck Development Agreement)

EXHIBIT "B"

Amended Sketch Plan

Attachment: Lake View Complete with Exhibits Dev. Agreement (1451 : PB 14-16 Lake View at Currituck Development Agreement)

EXHIBIT "C"

Amended Preliminary Plat

Attachment: Lake View Complete with Exhibits Dev. Agreement (1451 : PB 14-16 Lake View at Currituck Development Agreement)

EXHIBIT "E"
PHASE and DEVELOPMENT SCHEDULE

The following is the Developer's proposed amended schedule for completing the Development that is the subject of this Agreement:

Activity	Estimated Schedule
Permitting	Complete; to be amended for 3A
Construction of Phase 1	In Progress
Record Phase 1	Year 2
Record Phase 2	Year 3
Record Phase 3A	Year 4
Record Phase 3	Year 5
Record Phase 4	Years 6-9

Attachment: Lake View Complete with Exhibits Dev. Agreement (1451 : PB 14-16 Lake View at Currituck Development Agreement)

EXHIBIT "F"

Development Summary & Phasing Exhibit

Attachment: Lake View Complete with Exhibits Dev. Agreement (1451 : PB 14-16 Lake View at Currituck Development Agreement)

EXHIBIT "F"

DEVELOPMENT SUMMARY & PHASING EXHIBIT

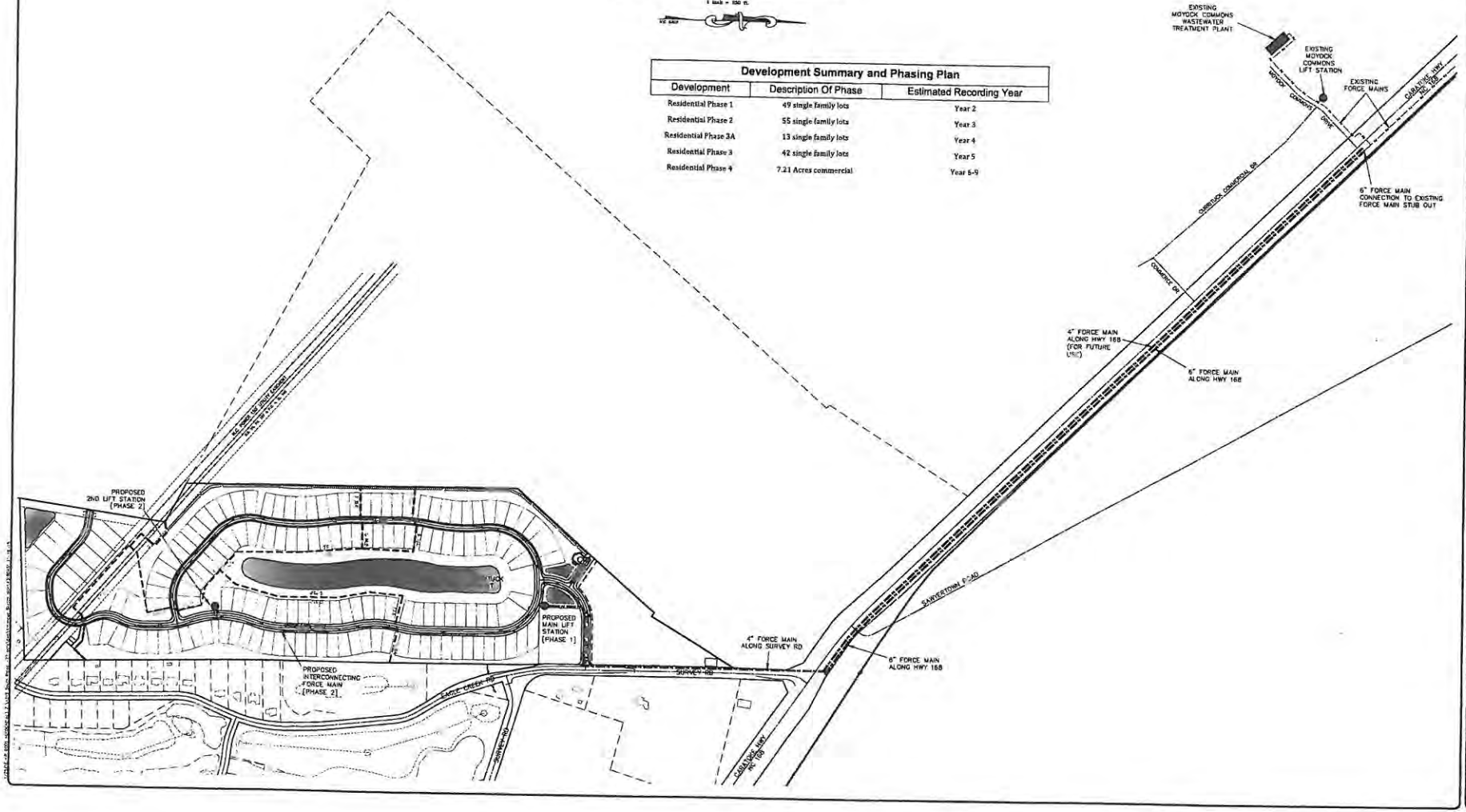
LAKE VIEW AT CURRITUCK

PLANNED UNIT DEVELOPMENT

GRAPHIC SCALE

(IN FEET)
1 inch = 150 ft.

Development Summary and Phasing Plan		
Development	Description Of Phase	Estimated Recording Year
Residential Phase 1	49 single family lots	Year 2
Residential Phase 2	55 single family lots	Year 3
Residential Phase 3A	13 single family lots	Year 4
Residential Phase 3	42 single family lots	Year 5
Residential Phase 4	7.21 Acres commercial	Year 5-9



LEGEND

PRELIMINARY DO NOT USE FOR CONSTRUCTION

REVISIONS

PROJECT: LAKE VIEW AT CURRITUCK
MOYOCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

PLANNED UNIT DEVELOPMENT
AMENDED SKETCH PLAN

MOYOCK WWTP CONNECTION & PHASING

SHEET 7 OF 7
CADFILE 4319DAS1 11-19-15
PROJECT NO 4319

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EXHIBIT "G"

Proposed Amended SUP

Attachment: Lake View Complete with Exhibits Dev. Agreement (1451 : PB 14-16 Lake View at Currituck Development Agreement)

COUNTY OF CURRITUCK
Planning and Community Development Department
Planning and Zoning Division
153 Courthouse Road, Suite 110
Currituck, North Carolina 27929
Telephone (252) 232-3055 / Fax (252) 232-3026

USE PERMIT GRANTED

On the date(s) listed below, the Board of Commissioners for the County of Currituck met and held a public hearing to consider the following application:

Owner:	James Myers Survey Road, LLC 616 Village Drive, Suite G Virginia Beach, VA 23454
Applicant:	Bissell Professional Group PO Box 1068 Kitty Hawk, NC 27949
Property Location:	120 Survey Road, Moyock Township Tax Map 15, Parcel 83
Project:	PB 14-16 Lake View at Currituck, Amended Preliminary Plat/Use Permit
Proposed Use:	Planned Unit Development Number of Units: 146 Residential Lots and 7.21 acres of Commercial Project Density: 2.18 Units/Acre PUD Allocation: 74.23 (approved development area) 25.98 (open space) 7.21 Acres Commercial
Utility Services:	Moyock Central Wastewater System
Meeting Dates:	January 12, 2010 – Planning Board Recommendation February 1, 2010 – Board of Commissioners' Public Hearing/Action November 5, 2012 – Board of Commissioners' Extension November 17, 2014 – Board of Commissioners' Public Hearing/Action

Having heard all the evidence and argument presented at the hearing, the Board finds that the application is complete, that the application complies with all of the applicable requirements of the Currituck County Unified Development Ordinance for the development proposed, and that therefore the application to make use of the above described property for the purpose indicated is hereby

Attachment: Lake View Complete with Exhibits Dev. Agreement (1451 : PB 14-16 Lake View at Currituck Development Agreement)

approved subject to all applicable provisions of the Unified Development Ordinance and the following conditions:

(A) The applicant shall complete the development strictly in accordance with the plans submitted to and approved by the Board of Commissioners, a copy of which is filed in the office of the Planning Department.

(B) 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.

(C) This permit is valid for two years and will expire on November 17, 2016, if work has not begun on the project at that time. Once work has begun and the use begins, this use permit shall remain valid so long as the conditions under which is was granted are met.

(D) PUD conditions:

1. The proposed, improved access connection to the adjacent property does not extend to the property line. This access will not be used by a property owner until such time as the interconnection is made; staff recommends the developer posting a bond for installation in lieu of paving the connection to the property line.
2. Wheelchair ramps shall be provided at intersections and other major points of pedestrian flow. Wheelchair ramps and depressed curbs shall be constructed in accordance with NCDOT standards. Please provide a curb cut detail with the submittal pre-construction plans.
3. On street parking, if installed, shall be provided in accordance with the variance issued by the Board of Commissioners.
4. The pedestrian loop trail system must be located a minimum of 10 feet from all exterior property lines and shall be located such to provide safe movement.
5. A Dominion Power encroachment agreement is required to allow roads, pedestrian trails, required landscape buffers, and wastewater treatment infiltration pond within their 150 foot utility easement. The agreement must be provided at the pre-construction submittal.
6. Pedestrian easements shall be provided on the final plat where the sidewalk extends beyond the street right-of-way and on private lots. (Development Review Manual)
7. Given the relativity small size of the proposed lots, deed restrictions or restrictive covenants shall restrict parking of boats and recreational vehicles on individual lots or a boat/rv parking area shall be provided.
8. The development impact statement references the pedestrian related active recreation element. In the interest of providing a complete and safe active recreation system, the applicant shall provide sidewalks along Survey Road frontage, and between the proposed residential and nonresidential uses.
9. The required improvements shall be installed and accepted prior to submission of final plat approval for each phase.
10. The applicant shall submit a home and building design template that will be incorporated with the approval. Residential structures shall be designed with:
    a. Variation in exterior architectural materials (siding, roofing);
    b. Vertical and horizontal relief in buildings (roof lines, eaves, bump outs);
    c. Variation in house styles/types;
    d. Inclusion of front porches, projecting bays, vestibules; and,
    e. The units shall have proportional attributes including overall height to width ratios of existing building facades, doors, windows, projecting canopies, and other architectural features with in the vernacular of the area.
11. All open space areas surrounding the lake shall be stabilized with grass, vegetation, and proposed landscaping prior to recordation of the first phase.

Attachment: Lake View Complete with Exhibits Dev. Agreement (1451 : PB 14-16 Lake View at Currituck Development Agreement)

12. All visual relief open space within each phase shall be stabilized and vegetated with grass and proposed landscaping buffer.
13. Low impact development techniques should be integrated in the project to manage treatment of stormwater. (WQ3, WQ6, WQ7)
14. Internal pedestrian circulation shall be required for all commercial areas through the use of clearly defined walkways. (CD8, CD9)
15. In commercial areas, parking located between a commercial building and street rights-of-way shall be screened with a Type B Bufferyard. (CA3, CD7, CD8)
16. Dumpsters or similar solid waste receptacles, HVAC equipment, commercial mechanical units, or similar appurtenances shall be screened from view using a combination of solid landscaping or opaque fencing. (LUP CA3)
17. Landscape islands shall be incorporated into the commercial parking areas. (LUP CD7, CD8, CA3)
18. In commercial areas pedestrian plazas or similar shaded outdoor seating areas shall be provided. (LUP CD7, CD8, CD9)
19. Neighborhood serving commercial development shall integrate pedestrian scale and design (proportional relationship of buildings and spaces to pedestrians). Retail, office, and entertainment uses shall be appropriately designed, small-scale businesses. (LUP CD1, CD5, CD6, CD7, CD8, CD9).
20. The maximum amount of pond aeration devices allowed by NC DWQ shall be installed.
21. The driveways shall be two vehicle deep parking (including garage).
22. Cluster mailboxes shall be used.
23. The building pad elevations shall be raised a minimum of 18 inches.
24. A solid vegetative buffer and fencing between shall be provided to the adjacent agricultural properties.

IN WITNESS WHEREOF, the County has caused this permit to be issued in its name, and the property owners/applicants of the property above described, do hereby accept this Use Permit together with all its conditions, as binding on them and their successors in interest.

ATTEST:

_____(Seal)
Clerk to the Board

_____
Chairman
Board of Commissioners

_____
Date

(NOT VALID UNTIL FULLY EXECUTED)

Attachment: Lake View Complete with Exhibits Dev. Agreement (1451 : PB 14-16 Lake View at Currituck Development Agreement)

EXHIBIT "H"
LIST OF REQUIRED PERMITS

The following local permits and approvals are necessary for the development of Lake View of Currituck, PUD. A status of each (secured or not yet secured) is provided:

Permit	Status
Sketch Plan Approval	Secured; Amendment in Process
Preliminary Plat Approval	Secured; Amendment in Process
Special Use Permit Approval	Secured; Amendment in Process
County Water System Approval	Secured; to be amended
N.C. Water System Approval	Secured; to be amended
County Force Main Review	Secured
NCDENR Sewer Line Approval	Secured; to be amended
County Stormwater Approval	Secured; to be amended
NCDENR Stormwater Approval	Secured; to be amended
NCDENR Erosion Control Approval	Secured; to be amended
NCDOT Driveway Approval	Secured
NCDOT Encroachment Agreement	Secured
Pre-Construction Approval	Secured; to be amended
Commercial Site Plan Approval	Not yet secured
Final Plat Approval	Not yet secured

Attachment: Lake View Complete with Exhibits Dev. Agreement (1451 : PB 14-16 Lake View at Currituck Development Agreement)

NORTH CAROLINA
COUNTY OF CURRITUCK

ASSIGNMENT OF DEVELOPMENT AGREEMENT

THIS ASSIGNMENT OF DEVELOPMENT AGREEMENT is entered into by and between Survey Road, LLC, a North Carolina Limited Liability Company, hereinafter referred to as "Assignor" and Lake View Land Development, LLC, a Virginia Limited Liability Company, hereinafter referred to as "Assignee".

RECITALS

1. Assignor entered into a Development Agreement with Currituck County under date of November 25, 2014.

2. On or about the _____ day of _____, 2016 said Agreement was amended by a subsequent written document.

3. Assignor desires to assign said Agreement, as amended, with all rights and responsibilities therein appearing, to Assignee.

4. The reason for assignment is the land subject to the Development Agreement has now been conveyed by Assignor to Assignee.

NOW, THEREFORE, for and in consideration of $10.00 (Ten Dollars) and other valuable consideration, the receipt of which is hereby acknowledged, Assignor does hereby assign, and Assignee does hereby accept, assignment of the aforementioned Agreement as amended by and with the consent of Currituck County evidenced by its signature affixed hereto. Assignor shall have no further responsibilities to Assignee nor shall Assignee be further obligated to Assignor for any additional compensation or other benefits.

This the _____ day of _____, 2016.

Attachment: Lake View ASSIGNMENT OF DEVELOPMENT AGREEMENT (1451 : PB 14-16 Lake View at Currituck Development Agreement)

ASSIGNOR
SURVEY ROAD, LLC.

By: _____
James O. Myers, Jr.,
Vice President of Franciscus Homes, Inc.
Manager of Survey Road, LLC

ASSIGNEE
LAKE VIEW LAND DEVELOPMENT, LLC.

By: _____
James O. Myers, Jr.,
Vice President

ACCEPTANCE

Currituck County does hereby acknowledge this Assignment, and poses no objection to the same and agrees all rights and responsibilities it enjoyed in the original Development Agreement as amended, shall apply to Assignee.

THE COUNTY OF CURRITUCK

By: _____

This instrument has been pre-audited in the manner required by the Local Government Budget Fiscal Control Act.

By: _____
Finance Officer
Currituck County, North Carolina

Attachment: Lake View ASSIGNMENT OF DEVELOPMENT AGREEMENT (1451 : PB 14-16 Lake View at Currituck Development Agreement)

Currituck County
Agenda Item Summary Sheet

Agenda ID Number – (ID # 1450)

Agenda Item Title

Consideration and Action: PB 07-10 Lake View at Currituck: Request to amend the sketch (master) plan, preliminary plat, and use permit to allow 13 additional residential lots in the planned unit development located off Survey Road in Moyock, Tax Map 15, Parcels 83A, 83B, 83C, 83D, and 83E, Moyock Township.

Brief Description of Agenda Item:

Request to amend the sketch (master) plan, preliminary plat, and use permit to allow 13 additional residential lots in the planned unit development located off Survey Road in Moyock, Tax Map 15, Parcels 83A, 83B, 83C, 83D, and 83E, Moyock Township.

Planning Board Recommendation:

Mr. Craddock moved to approve PB 07-10 as presented due to it will not endanger the public health or safety, the use will not injury the value of adjoining or abutting lands and will be in harmony with the area in which it is located, and the use will be in conformity with the Land Use Plan with the following changes:

- The building pad elevations shall be raised a minimum of 18 inches above existing grade except for Phase 3A.
- A solid vegetative buffer and fencing between shall be provided to the adjacent agricultural properties except for Phase 3A.
- Work with the county and applicant to take a look at the existing drainage issues that are occurring as a result of the current construction within the project, which is negatively affecting properties on the eastern border of this project and western border of the Eagle Creek subdivision.

Mr. Whiteman seconded the motion and motion carried unanimously.

Board Action Requested

Action

Person Submitting Agenda Item

Donna Voliva,

Presenter of Agenda Item

Ben Woody

STAFF REPORT
PB 07-10
BOARD OF COMMISSIONERS
MARCH 21, 2016

Attachment: Lake View at Currituck Staff Report PP UP (BOC 3.21.16) (1450 : PB 07-10 Lake View at Currituck)

APPLICATION SUMMARY

Property Owner: Lake View Land Development, LLC 616 Village Drive, Suite G Virginia Beach, VA 23454	**Applicant:** Lake View Land Development, LLC 616 Village Drive, Suite G Virginia Beach, VA 23454
Case Number: PB 07-10	**Application Type:** Amended Master Plan, Amended Preliminary Plat and Use Permit, and Amended Development Agreement (see attached memo for development agreement)
Parcel Identification Number: 0015000083C0000 0015000083A0000 0015000083B0000 0015000083D0000 0015000083E0000	**Existing Use:** Undeveloped
Land Use Plan Classification: Rural **Moyock Small Area Plan**: Full Service	**Parcel Size (Acres):** 74.23 acres
Number of Units: 159 (146 lots approved under the current development agreement)	**Project Density:** 2.37 units per acre
Required Open Space: 25.98 acres	**Provided Open Space**: 26.45 acres

SURROUNDING PARCELS

	Land Use	Zoning
North	Agricultural	AG
South	Residential	AG
East	Residential	AG
West	Agricultural	AG

STAFF ANALYSIS

The request submitted by Lake View at Currituck, LLC is to amend the development agreement (separate submittal), sketch (master) plan, and the preliminary plat to add 13 residential lots in an area previously labeled as future development (5.81 acres). An amendment to the development agreement is required to increase the density and modify the future development area. Lake View at Currituck is a planned unit development and is subject to the transition standards of the UDO. The proposed changes to the approved plans are as follows:

- Modification of the phasing plan to include Phase 3A (13 lots) and relocation of phasing lines (strikethrough text is to be removed and underlined text is the proposed changes).
    - Phase 1 49 single family lots (year ~~1~~2)
    - Phase 2 55 single family lots (year ~~2~~3)
    - Phase 3A 13 single family lots (year 4)
    - Phase 3 42 single family lots (year ~~3~~5)
    - Phase 4 7.21 acres commercial (years ~~4-8~~6-9)
- An amendment to the development agreement (see attached memo for details).
- Extend the term of the development agreement for one additional year.
- Assignment of the development agreement between Currituck County and Survey Road, LLC to Lake View Land Development, LLC.
- Amendments to the use permit (see below)
- Relocation of one pocket park from the residential subdivision entrance to an area adjacent to the mail kiosk and associated parking area (Fountain Lake Way).
- Removal of the park equipment layout from the pocket parks which is replaced with a statement to allow design flexibility to meet the recreational needs of the community.
- An adjustment of lots 36-39 in Phase 2 for access to Phase 3A and to accommodate a small recreational vehicle parking area required for Phase 3A.
- Interconnectivity to the Jarvis property (western edge of Phase 3A).

RECOMMENDATIONS

TECHNICAL REVIEW COMMITTEE

The Technical Review Committee recommends adoption of the use permit and approval of the amended sketch (master) plan and amended preliminary plat/use permit subject to the following conditions of approval:

1. The application complies with all applicable review standards of the UDO provided the following items are addressed:
    a. The BOC entered into a development agreement with Survey Road, LLC on November 25, 2014 (recorded November 26, 2014) to develop the property in question. The proposed 13 residential lot addendum as shown on the amended sketch (master) plan and preliminary plat requires the BOC acceptance and approval of the amended development agreement (copy provided).
    b. The amended preliminary plat indicates a typical lot that illustrates a pool setback to be five feet from the property lines. The current ordinance does not permit a five foot accessory structure setback.
    c. Correct the development summary and phasing plan on sheet 7 of 7 of the amended sketch plan to reflect Phase 4 as commercial under development type.
2. The following conditions of approval necessary to ensure compliance with the review standards of the UDO and to prevent or minimize adverse effects of the development application on surrounding lands for all phases of the Lake View of Currituck (strikethrough

Attachment: Lake View at Currituck Staff Report PP UP (BOC 3.21.16) (1450 : PB 07-10 Lake View at Currituck)

text is requested removal and underlined text is requested to be added; renumber as appropriate):

a. ~~The pre-construction plans shall meet and address all NCDOT traffic engineer comments and recommended changes~~. (*Commentary: Removal requested by the applicant.)*

b. ~~The proposed, improved access connection to the adjacent property does not extend to the property line. This access will not be used by a property owner until such time as the interconnection is made; staff recommends the developer posting a bond for installation in lieu of paving the connection to the property line~~. Fountain Lake Way and Green Lake Road connection stub and associated sidewalks shall terminate no more than five feet from the edge of the existing ditch or drainage easement and the developer shall post a performance guarantee with the county to ensure funds are available to complete the connections. *(Commentary: Fountain Lake Way now accesses a park and mail kiosk and shall be improved to terminate no more than five feet from the edge of the existing ditch or drainage easement).*

c. Wheelchair ramps shall be provided at intersections and other major points of pedestrian flow. Wheelchair ramps and depressed curbs shall be constructed in accordance with NCDOT standards. Please provide a curb cut detail with the submittal pre-construction plans.

d. On street parking, if installed, shall be provided in accordance with the variance issued by the Board of Commissioners.

e. The pedestrian loop trail system must be located a minimum of 10 feet from all exterior property lines and shall be located such to provide safe movement.

f. A Dominion Power encroachment agreement is required to allow roads, pedestrian trails, required landscape buffers, and wastewater treatment infiltration pond within their 150 foot utility easement. The agreement must be provided at the pre-construction submittal.

g. Pedestrian easements shall be provided on the final plat where the sidewalk extends beyond the street right-of-way and on private lots. (Development Review Manual)

h. Given the relativity small size of the proposed lots, deed restrictions or restrictive covenants shall restrict parking of boats and recreational vehicles on individual lots or a boat/rv parking area shall be provided.

i. The development impact statement references the pedestrian related active recreation element. In the interest of providing a complete and safe active recreation system, the applicant shall provide sidewalks along Survey Road frontage, and between the proposed residential and nonresidential uses.

j. The required improvements shall be installed and accepted prior to submission of final plat approval for each phase.

k. The applicant shall submit a home and building design template that will be incorporated with the approval. Residential structures shall be designed with:
   a. Variation in exterior architectural materials (siding, roofing);
   b. Vertical and horizontal relief in buildings (roof lines, eaves, bump outs);
   c. Variation in house styles/types;
   d. Inclusion of front porches, projecting bays, vestibules; and,
   e. The units shall have proportional attributes including overall height to width ratios of existing building facades, doors, windows, projecting canopies, and other architectural features within the vernacular of the area.

l. All open space areas surrounding the lake shall be stabilized with grass, vegetation, and proposed landscaping prior to recordation of the first phase.

m. All visual relief open space within each phase shall be stabilized and vegetated with grass and proposed landscaping buffer.

Attachment: Lake View at Currituck Staff Report PP UP (BOC 3.21.16) (1450 : PB 07-10 Lake View at Currituck)

n. Low impact development techniques should be integrated in the project to manage treatment of stormwater. (WQ3, WQ6, WQ7)
o. Internal pedestrian circulation shall be required for all commercial areas through the use of clearly defined walkways. (CD8, CD9)
p. In commercial areas, parking located between a commercial building and street rights-of-way shall be screened with a Type B Bufferyard. (CA3, CD7, CD8)
q. Dumpsters or similar solid waste receptacles, HVAC equipment, commercial mechanical units, or similar appurtenances shall be screened from view using a combination of solid landscaping or opaque fencing. (LUP CA3)
r. Landscape islands shall be incorporated into the commercial parking areas. (LUP CD7, CD8, CA3)
s. In commercial areas pedestrian plazas or similar shaded outdoor seating areas shall be provided. (LUP CD7, CD8, CD9)
t. Neighborhood serving commercial development shall integrate pedestrian scale and design (proportional relationship of buildings and spaces to pedestrians). Retail, office, and entertainment uses shall be appropriately designed, small-scale businesses. (LUP CD1, CD5, CD6, CD7, CD8, CD9).
u. The maximum amount of pond aeration devices allowed by NC DWQ shall be installed.
~~v. A complete downstream analysis shall be included with the pre-construction submittal.~~ *(Commentary: Removal requested by the applicant. Stormwater infrastrucuture was approved without a complete downstream analysis for all phases except Phase 3A which will be subject to the stormwater manual).*
w. The driveways shall be two vehicle deep parking (including garage).
~~X The slope of ponds shall be considered.~~ *(Commentary: Removal requested by the applicant).*
y. Cluster mailboxes shall be used.
z. The building pad elevations shall be raised a minimum of 18 inches, above existing grade, except in Phase 3A where building pad elevations will meet current UDO and stormwater manual requirements in effect on (enter date of use permit amendment).
aa. A solid vegetative buffer and fencing between shall be provided to the adjacent agricultural properties except in Phase 3A where the farmland buffer shall meet the UDO requirements in effect on (enter date of use permit amendment).
bb. Phase 3A shall be subject to the development agreement and use permit, as amended.

INFRASTRUCTURE	
Water	Public
Sewer	Public sewer
Transportation	Streets: The streets will be designed and constructed to NCDOT standards.
	Pedestrian: A sidewalk is proposed along one side of the street within this requested phase.
	Connectivity Score: 2.0
Schools	Elementary Students Generated: 3 (39 – total for 159 lots)
	Middle School Students Generated: 1 (12 – total for 159 lots)
	High School Students Generated: 1 (22 – total for 159 lots)

Attachment: Lake View at Currituck Staff Report PP UP (BOC 3.21.16) (1450 : PB 07-10 Lake View at Currituck)

Design Standards	See Amended Use Permit
Lighting	There are currently no plans to install street lights. County approval will be required prior to installation of any street lights
Landscaping	50' Farmland buffer and street trees are required in Phase 3A.
Parking	None
Recreation and Park Area Dedication	Payment in lieu of recreation and park area dedication is recommended for the proposed 13 lots which is $4,019.29
Riparian Buffers	None

USE PERMIT REVIEW STANDARDS

A use permit shall be approved on a finding that the applicant demonstrates the proposed use will meet the below requirements. It is staff's opinion that the evidence in the record, prepared in absence of testimony presented at a public hearing, supports the preliminary findings

The use will not endanger the public health or safety.

Preliminary Applicant Findings:

1. The use will adhere to county health and safety standards, all lots will front on low-speed interior streets, and will be served with public water and sewer. The project should not adversely affect the public health or safety.

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.

Preliminary Applicant Findings:

1. Land to the south and east has been developed into single family homes; the homes that will be constructed in this subdivision will be of similar value to existing homes in the area; over 35% of the land will be preserved as open space and landscaping buffers are provided. The use will not injure the value of adjoining or abutting lands, and will be in harmony with the surrounding area.

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

Preliminary Applicant Findings:

1. The Land Use Plan classifies this area as rural but adjacent to full service within the Moyock subarea.
2. The Moyock Small Area Plan classifies the area as full service. The proposed development density is 2.37 units per acre, which is within the range of densities envisioned in the Moyock Small Area Plan.
3. The following Land Use Plan policies are relevant to and support this request:

   POLICY HN1: Currituck County shall encourage development to occur at densities appropriate for the location.

   POLICY HN2: The County shall… encourage alternatives to large lot developments through INNOVATIVE DEVELOPMENT CONCEPTS AND CORRESPONDING ZONING techniques.

   POLICY CD1: NEIGHBORHOOD SERVING COMMERCIAL DISTRICTS should be encouraged to locate where a collector or secondary street intersects with a street of equal or greater size. Appropriately designed, small-scale businesses may also be near other neighborhood serving facilities such as schools and parks.

Attachment: Lake View at Currituck Staff Report PP UP (BOC 3.21.16) (1450 : PB 07-10 Lake View at Currituck)

POLICY CD8: MIXED-USE DEVELOPMENTS, properly planned from the outset, which allow for a compatible mixture of residential and non-residential uses with a pedestrian scale and design, are encouraged. Similarly, businesses may be allocated adjoining (and therefore convenient to) an existing residential area, when such businesses can be shown to satisfy design considerations similar to a newly planned, pedestrian-scaled, mixed use development.

POLICY WS3: Currituck County endorses UTILITIES EXTENSION POLICIES that focus water and sewer services (1) within existing developed areas and in nearby targeted growth areas and (2) where the land is particularly well suited for development and away from environmentally sensitive areas, such as areas with extensive wetlands.

POLICY PR6: All new residential development shall provide for ADEQUATE OPEN SPACE AND RECREATION IMPROVEMENTS.

POLICY PP3: The costs of infrastructure, facilities, and services related to the DEMAND CREATED BY NEW GROWTH and DEVELOPMENT shall be borne, in equitable proportion, by those creating the demand.

POLICY WQ3: Currituck County supports policies, plans, and actions that help protect the water quality of the County's estuarine system by preventing SOIL EROSION AND SEDIMENTATION, and by controlling the quantity and quality of STORMWATER RUNOFF entering the estuary.

The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to: schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

Preliminary Applicant Findings:

1. Currituck County has adequate public facilities to serve the proposed subdivision.

THE APPLICATION AND RELATED MATERIALS ARE AVAILABLE ON THE COUNTY'S WEBSITE
Planning Board: www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm

Attachment: Lake View at Currituck Staff Report PP UP (BOC 3.21.16) (1450 : PB 07-10 Lake View at Currituck)

PLANNING BOARD

Mr. Craddock moved to approve PB 07-10 as presented due to it will not endanger the public health or safety, the use will not injury the value of adjoining or abutting lands and will be in harmony with the area in which it is located, and the use will be in conformity with the Land Use Plan with the following changes:

- The building pad elevations shall be raised a minimum of 18 inches above existing grade except for Phase 3A.
- A solid vegetative buffer and fencing between shall be provided to the adjacent agricultural properties except for Phase 3A.
- Work with the county and applicant to take a look at the existing drainage issues that are occurring as a result of the current construction within the project, which is negatively affecting properties on the eastern border of this project and western border of the Eagle Creek subdivision.

Mr. Whiteman seconded the motion and motion carried unanimously.

PLANNING BOARD DISCUSSION *(2/9/16)*

Mark Bissell, Bissell Professional Group and Jim Myers appeared before the board and were sworn in.
Ms. Voliva presented the staff report.

Mr. Bissell said some of the comments may overlap with this request (amended development agreement) and the one for the amended master plan, amended preliminary plat and use permit. Mr. Bissell provided an overview of the project. The 13 additional lots will have larger lots than the rest of the development and different housing styles. They have had two community meetings and a lengthy technical review committee review. Mr. Bissell provided an outline of changes to the development agreement.

Ms. Voliva asked Chairman Cooper and the Planning Board if they would like to hear both requests together, but vote on them separately.

The Planning Board said yes.

Mr. Bissell said with the additional 13 lots the project will have a total of 159 lots. The project is connecting to county water and sewer, buffers, and phasing amended. A initial payment of $147,000 was made for sewer taps that was allocated for Phases 1 and 2; and amending the development agreement to allow these tap fees to use anywhere within the development. With the addition of the 13 lots it will be $71,500 tap fees which will increase the total to $874,900 for county sewer fees. The amended use permit would change from 146 lots to 159 lots; and remove some conditions that have been satisfied. Mr. Bissell said Item 26 (z) of the use permit should read "The building pad elevations shall be raised a minimum of 18 inches except in Phase 3A that will meet the new UDO and stormwater manual requirements." Item 27 (aa) of the use permit should read " The solid vegetative buffer and fencing between shall be provided to the adjacent agricultural properties except in Phase 3A where the buffering is going to be current with the UDO farmland and buffering requirements."

Ms. Voliva said Phase 3A is subject to the current UDO standards.

Attachment: Lake View at Currituck Staff Report PP UP (BOC 3.21.16) (1450 : PB 07-10 Lake View at Currituck)

Mr. Cooper asked Mr. Bissell what the alternative will be for the park layout.

Mr. Bissell said when the previously sketch plan was approved there was a layout of a pocket park that showed a swing set, slide and a few other things. It was more of placeholder until the layout is done.

Mr. Myers said when you drive into the subdivision there will be two lighted fountains. They may do street lighting as well depending on the cost.

Mr. Cooper closed the public hearing.

Mr. Whiteman said the back portion of Eagle Creek Road, where it butts up to the RV lot, has been under water now because of the development. If there is a significant storm three houses on Eagle Creek Road will be under water. The RV lot is where the 13 additional lots are being proposed. Part it may be the builder has constructed a dam further down on the drainage side and is backing up the water; or the pipes that were installed are smaller than what was there before and the water is not getting downstream as quickly.

Mr. Cooper asked Mr. Bissell to explain how the drainage will work in this particular section.

Mr. Bissell explained the drainage plan.

Mr. Whiteman said there is an existing ditch that runs behind these homes and right now it is at its higher point with no significant increase in precipitation. Mr. Whiteman is concerned that during development if there is no way to mitigate this flooding and they get a significant storm, these homes will be flooded. This needs to be addressed during construction. Mr. Whiteman said a dam with rocks has been put in place for erosion control which is causing the flooding.

Mr. Myers said they will look at this issue.

Mr. Whiteman said currently the RV lot has four existing lights and four more are going to be installed with direct full cutoff.

Mr. Craddock asked staff if they had any objections to the proposed changes to the use permit.

Ms. Voliva said no.

Mr. Craddock moved to approve PB 07-10 as presented due to it will not endanger the public health or safety, the use will not injury the value of adjoining or abutting lands and will be in harmony with the area in which it is located, and the use will be in conformity with the Land Use Plan with the following changes:

- The building pad elevations shall be raised a minimum of 18 inches above existing grade except for Phase 3A.
- A solid vegetative buffer and fencing between shall be provided to the adjacent agricultural properties except for Phase 3A.
- Work with the county and applicant to take a look at the existing drainage issues that are occurring as a result of the current construction within the project, which is negatively affecting properties on the eastern border of this project and western border of the Eagle Creek subdivision.

Mr. Whiteman seconded the motion and motion carried unanimously.

Attachment: Lake View at Currituck Staff Report PP UP (BOC 3.21.16) (1450 : PB 07-10 Lake View at Currituck)

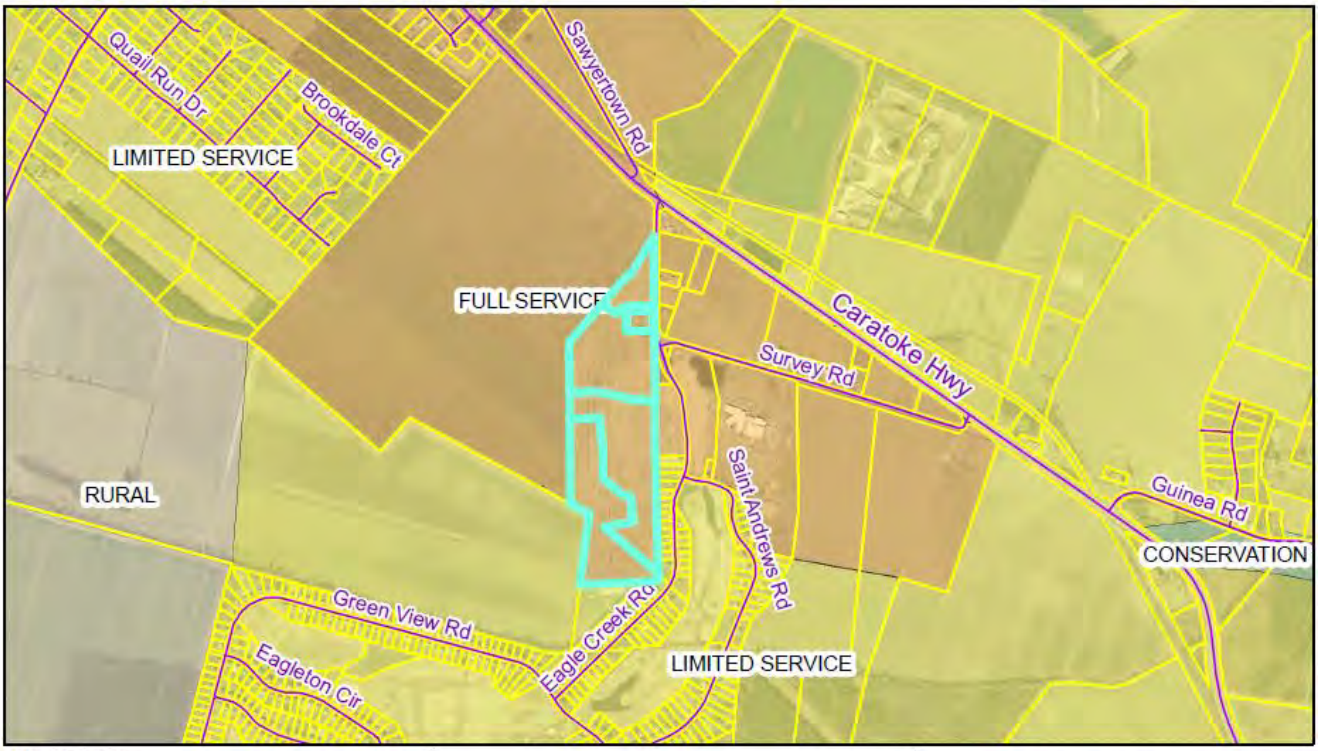
Attachment: Lake View at Currituck Staff Report PP UP (BOC 3.21.16) (1450 : PB 07-10 Lake View at Currituck)



PB 07-10
Lake View at Currituck
Aerial

0 750 1,500 3,000 Feet

Currituck County
Planning and Community
Development



PB 07-10
Lake View at Currituck
Moyock Small Area Plan

0 750 1,500 3,000 Feet

Currituck County
Planning and Community
Development

Attachment: Lake View at Currituck Staff Report PP UP (BOC 3.21.16) (1450 : PB 07-10 Lake View at Currituck)



PB 07-10
Lake View at Currituck
Zoning

Currituck County
Planning and Community
Development

Attachment: Lake View at Currituck Staff Report PP UP (BOC 3.21.16) (1450 : PB 07-10 Lake View at Currituck)

Attachment: Lake View Application (1450 : PB 07-10 Lake View at Currituck)

Major Subdivision
Application

OFFICIAL USE ONLY:
Case Number: _____
Date Filed: _____
Gate Keeper: _____
Amount Paid: _____

Contact Information

APPLICANT:

Name: James O. Myers
Address: 616 Village Dr., Suite G
Virginia Beach, VA 23454
Telephone: 757-969-7422
E-Mail Address: jmyers@franciscushomes.com

Name: Lake View Land Development LLC
Address: 616 Village Dr., Suite G
Virginia Beach, VA 23454
Telephone: 757-969-7422
E-Mail Address: Same

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: VP of Franciscus Homes - Manager of Survey Road, LLC

Request

Physical Street Address: 120 Survey Road, Moyock, NC
Parcel Identification Number(s): 0015000083C0000
Number of Lots or Units: 13
Phase: 3-A

TYPE OF SUBMITTAL

- ☐ Conservation and Development Plan
- ☐ Amended Sketch Plan/Use Permit
- Preliminary Plat (or amended)
  - ☐Type I OR ☒Type II
- ☐ Construction Drawings (or amended)
- ☐ Final Plat (or amended)

TYPE OF SUBDIVISION

- ☐ Traditional Development
- ☐ Conservation Subdivision
- ☒ Planned Unit Development
- ☐ Planned Development

I hereby authorize county officials to enter my property for purposes of determining compliance with all applicable standards. All information submitted and required as part of this process shall become public record.

Property Owner(s)/Applicant* _____ 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.

Community Meeting, if applicable

Date Meeting Held: November 23, 2015 Meeting Location: Moyock Library

Attachment: Lake View Application (1450 : PB 07-10 Lake View at Currituck)

Use Permit Review Standards, If applicable

PUD Amended Sketch Plan/Use Permit, Type II Preliminary Plat

Purpose of Use Permit and Project Narrative (please provide on additional paper if needed): Amend Use Permit for Lake View at Currituck P.U.D. to include Phase 3A, a 13-lot residential phase of larger single-family lots.

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 use permit.

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

Please refer to attachment.

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.

Please refer to attachment.

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

Please refer to attachment.

D. The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

Please refer to attachment.

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.

Property Owner(s)/Applicant*

12.15.2015
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.

Attachment: Lake View Application (1450 : PB 07-10 Lake View at Currituck)

USE PERMIT ATTACHMENT

Purpose:

Lake View at Currituck, P.U.D. proposes the division of approximately 74 acres into a planned community of 159 single-family lots and 7.21 acres of neighborhood commercial, along with a large expanse of open space. Open space set-asides exceed the UDO requirements; storm water management and erosion control are provided in accordance with the new Currituck storm water manual and the new UDO.

Suggested Findings:

A. The use will adhere to County health and safety standards, all lots will front on low-speed interior streets, and will be served with public water and sewer. The project should not adversely affect the public health or safety.

B. Land to the south and east has been developed into single family homes; the homes that will be constructed in this subdivision will be of similar value to existing homes in the area; over 35% of the land will be preserved as open space and landscaping buffers are provided. The use will not injure the value of adjoining or abutting lands, and will be in harmony with the surrounding area.

C. The Land Use Plan classifies this area as rural but adjacent to Full Service within the Moyock subarea. The Moyock Small Area Plan classifies the area as full service. The proposed development density is 2.37 units per acre, which is within the range of densities envisioned in the Moyock Small Area Plan.

The following Land Use Plan policies are relevant to and support this request:

POLICY HN1: Currituck County shall encourage development to occur at densities appropriate for the location.

POLICY HN2: The County shall…encourage alternatives to large lot developments through INNOVATIVE DEVELOPMENT CONCEPTS AND CORRESPONDING ZONING techniques.

POLICY CD1: NEIGHBORHOOD SERVING COMMERCIAL DISTRICTS should be encouraged to locate where a collector or secondary street intersects with a street of equal or greater size. Appropriately designed, small-scale businesses may also be near other neighborhood serving facilities such as schools and parks.

POLICY CD8: MIXED-USE DEVELOPMENTS, properly planned from the outset, which allow for a compatible mixture of residential and non-residential uses with a pedestrian scale and design, are encouraged. Similarly, businesses may be located adjoining (and therefore convenient to) an existing residential area, when such businesses can be shown to satisfy design considerations similar to a newly planned, pedestrian-scaled, mixed use development

POLICY WS3: Currituck County endorses UTILITIES EXTENSION POLICIES that focus water and sewer services (1) within existing developed areas and in nearby targeted growth areas and (2) where the land is particularly well suited for development and away from environmentally sensitive areas, such as areas with extensive wetlands.

Attachment: Lake View Application (1450 : PB 07-10 Lake View at Currituck)

POLICY PR6: All new residential development shall provide for ADEQUATE OPEN SPACE AND RECREATION IMPROVEMENTS.

POLICY PP3: The costs of infrastructure, facilities and services related to the DEMAND CREATED BY NEW GROWTH AND DEVELOPMENT shall be borne, in equitable proportion, by those creating the additional demand.

POLICY WQ3: Currituck County supports policies, plans and actions that help protect the water quality of the County's estuarine system by preventing SOIL EROSION AND SEDIMENTATION, and by controlling the quantity and quality of STORMWATER RUNOFF entering the estuary.

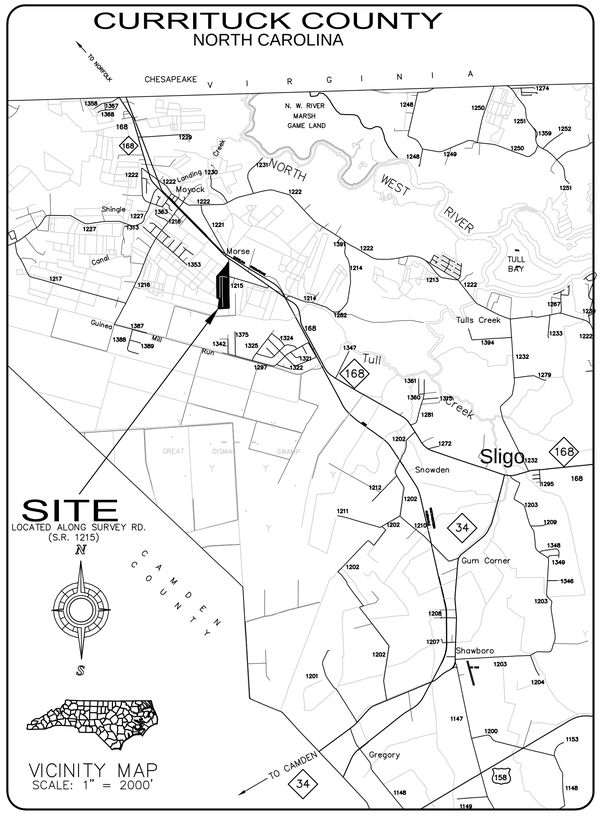
D. Currituck County has adequate public facilities to serve the proposed subdivision.

AMENDED SKETCH PLAN FOR

LAKE VIEW AT CURRITUCK - PLANNED UNIT DEVELOPMENT

MOYOCK TOWNSHIP

NORTH CAROLINA



GENERAL NOTES:

1. PROJECT NAME: LAKE VIEW AT CURRITUCK PLANNED UNIT DEVELOPMENT
   CURRITUCK COUNTY, NORTH CAROLINA
2. PROPERTY ADDRESS: 120 SURVEY ROAD
   MOYOCK, NC 27958
3. OWNER/DEVELOPER: LAKE VIEW LAND DEVELOPMENT, LLC
   616 VILLAGE DRIVE, SUITE G
   VIRGINIA BEACH, VA 23452
4. THIS PROPERTY IS DIVIDED INTO 5 PARCELS IDENTIFIED BY THE FOLLOWING PARCEL ID NUMBERS: 0015-000-083A-0000; 0015-000-083B-0000; 0015-000-083C-0000; 0015-000-083D-0000; 0015-000-083E-0000.
5. EASTERN NC NATURAL GAS VALVE SITE EASEMENT RECORDED IN D.B. 591, PG. 236 FOR 3,749.57 SQ.FT.
6. VIRGINIA ELECTRIC AND POWER COMPANY OVERHEAD POWERLINE EASEMENT RECORDED IN D.B. 95, PG. 287 & P.C. A, SL. 185
7. TOTAL PROJECT AREA: 74.23 AC.
8. F.I.R.M. ZONE: ZONE X
   COMMUNITY PANELS: #370078 8031 J
   REVISION DATE: DECEMBER 16, 2005
9. PROPOSED RIGHT-OF-WAY WIDTH COLLECTOR ROADS: 50 FT.
   LINEAR FEET OF IMPROVED COLLECTOR ROADWAY: 4,123 FT.±
   LINEAR FEET OF UNIMPROVED COLLECTOR R/W: 220 FT.±
   PROPOSED RIGHT-OF-WAY WIDTH LOCAL ROADS: 40 FT.
   LINEAR FEET OF LOCAL ROADWAY: 2,674 FT.±

   PROPOSED ROADWAY WIDTH THROUGHOUT RESIDENTIAL DEVELOPMENT: 27 FT. (TO BOC)
   TOTAL LINEAR FEET OF IMPROVED ROADWAY: 6,164 FT.±
11. 10' DRAINAGE AND UTILITY EASEMENT HEREBY RESERVED ALONG ALL SIDE PROPERTY LINES. 15' DRAINAGE AND UTILITY EASEMENT HEREBY RESERVED ALONG ALL REAR PROPERTY LINES. 15' UTILITY AND DRAINAGE EASEMENT HEREBY RESERVED ALONG ALL RIGHT OF WAYS.
12. PROPERTY ZONING THIS PARCEL: "SFM" (SINGLE-FAMILY RESIDENTIAL MAINLAND) BASE ZONING WITH "PUD" (PLANNED UNIT DEVELOPMENT) OVERLAY. ALL ADJACENT PARCELS: "AG" (AGRICULTURAL), EXCEPT PIN# 0015-000-0048-0000 & 0015-000-0046-0000: "GB" (GENERAL BUSINESS).

DEVELOPMENT SUMMARY:

TOTAL PROJECT AREA:	3,233,452 SF	74.23 AC
RESIDENTIAL LOT & OPEN SPACE AREA:	2,599,856 SF	59.68 AC
COMMERCIAL AREA:	313,943 SF	7.21 AC
RIGHT OF WAY AREA:	319,653 SF	7.34 AC

P.U.D. DEVELOPMENT SUMMARY:

TOTAL P.U.D. AREA:	3,233,452 SF	74.23 AC
TOTAL LOT AREA:	1,451,578 SF	33.32 AC
OPEN SPACE AREA REQUIRED (35%):	1,131,708 SF	25.98 AC
TOTAL OPEN SPACE AREA PROVIDED:	1,152,009 SF	26.45 AC
TOTAL PROPOSED LOTS:	159 LOTS	
DEVELOPMENT DENSITY:	2.37 UNITS/ACRE (NET OF COMMERCIAL)	
SMALLEST LOT SIZE:	8,100 SF	0.19 AC

COMMERCIAL DEVELOPMENT SUMMARY:

COMMERCIAL AREA ALLOWED (10%):	323,345 SF	7.42 AC
COMMERCIAL AREA PROPOSED:	313,943 SF	7.21 AC

AMENDED 11/20/15:
1) ADDED PHASE 3A.
2) ADJUSTED LOTS 36-39, PHASE 2 FOR ACCESS TO PHASE 3A.

AMENDED 4/23/14: (REVISED 7/17/14 & 7/30/14)
1) REVISED DEVELOPMENT MAIN ENTRANCE
2) REVISED ENTRANCES AND IMPROVEMENTS ALONG SURVEY ROAD
3) ADJUSTED LOTS, R/W, OPEN SPACE, FUTURE CONNECTIVITY, COMMERCIAL AND COUNTY PARCEL BOUNDARIES RELATED TO REVISED MAIN ENTRANCE
4) ADJUSTED UTILITIES, DRAINAGE, LANDSCAPING AND CONCEPTUAL COMMERCIAL DEVELOPMENT PLAN RELATED TO REVISED MAIN ENTRANCE
5) REVISED STREET NAMES
6) REVISED PROJECT PHASING
7) REVISED PROJECT NAME
8) REMOVED FOOTBRIDGE OVER LAKE
9) REMOVED 5' WIDTH OF PEDISTRIAN TRAILS
10) REMOVED ON-SITE WWTP AND ADDED MOYOCK WWTP CONNECTION
11) REVISED COUNTY DEDICATION PARCEL TO NEIGHBORHOOD COMMERCIAL AREA AS PART OF DEVELOPMENT AGREEMENT
12) REVISED POCKERT PARK LANGUAGE
13) REVISED SIDE YARD SETBACKS AND EASEMENTS
14) REVISED SIDEWALKS TO ONE SIDE OF STREET

AMENDED 10/19/09: (REVISED 11/23/09)
1) RELOCATED ALL 146 LOTS TO NORTH SIDE OF POWER EASEMENT.
2) REVISED ALL 146 LOTS TO PATIO LOTS
3) RELOCATED WASTEWATER TREATMENT SITE TO SOUTH SIDE OF POWER EASEMENT AND INCREASED AREA.
4) REVISED COUNTY DEDICATION AREA TO 1.75 AC.
5) RELOCATED MAIN ENTRANCE TO DEVELOPMENT
6) RELOCATED ROADWAY CONNECTIVITY
7) PROVIDED SHARED ACCESS TO COMMERCIAL AND COUNTY SITE(11/23)
8) ADDED EAGLE CREEK WWTP CONNECTION ALTERNATIVE(11/23)
9) PROJECT PHASING REVISED (11/23)

AMENDED 9/21/07:
1) ADDED ON-SITE WASTEWATER TREATMENT PLANT
2) REVISED LIBRARY SITE AREA TO 3.85 AC.
3) REVISED TOTAL LOT COUNT TO 146 LOTS
4) RELOCATED ROADWAY CONNECTIVITY

AMENDED 8/15/07:
1) ADJUSTED PROJECT ACREAGE PER ACTUAL BOUNDARY SURVEY
2) REMOVED ON-SITE WASTEWATER TREATMENT PLANT
3) DEFINED LIBRARY SITE BOUNDARY AT 4.0 AC.
4) ADDED PATIO LOT DEVELOPMENT SOUTH OF POWERLINE EASEMENT
5) REVISED TOTAL LOT COUNT TO 150 LOTS
6) REMOVED WATER TOWER SITE

LIST OF DRAWINGS:

C1	COVER SHEET
1	EXISTING SITE CONDITIONS
2	SITE DEVELOPMENT OVERVIEW
3	SITE DEVELOPMENT PLAN
4	UTILITY INFRASTRUCTURE PLAN
5	DRAINAGE INFRASTRUCTURE PLAN
6	LANDSCAPE PLAN
7	MOYOCK WWTP CONNECTION & PHASING

Bissell Professional Group
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Kitty Hawk, North Carolina 27949
(252) 261-1760
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BISSELL PROFESSIONAL GROUP
Engineers, Planners, Surveyors and Environmental Specialists

PLANNED UNIT DEVELOPMENT
AMENDED SKETCH PLAN

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PROJECT: LAKE VIEW AT CURRITUCK
CURRITUCK COUNTY NORTH CAROLINA
MOYOCK TOWNSHIP

COVER SHEET

REVISIONS

1	7/23/07	REVISED PER COUNTY INC. COMMENTS	WGK
2	8/23/07	REVISED PER COUNTY INC. COMMENTS	WGK
3	9/21/07	ADDED WWTP & REVISIONS FROM INC.	WGK
4	10/19/09	INC. AMENDMENTS LISTED THIS SHEET	JMK
5	4/23/14	" " "	JMK
6	7/17/14	" " "	JMK
7	7/30/14	" " "	JMK
8	8/24/15	PHASE 3A ADDED TO PLANS	WGK
9	10/23/15	INC. COMMENTS	WGK

PRELIMINARY
DO NOT USE FOR CONSTRUCTION

DATE: 1/12/07
SCALE: NO SCALE
DESIGNED: BPG
CHECKED: MSB
DRAWN: WGK
APPROVED: BPG
SHEET: C1 OF 7
CAD FILE: 4319DAS1 11-19-15
PROJECT NO: 4319

Attachment: Lake View Amended Sketch Plan 1-25-16 (1450 : PB 07-10 Lake View at Currituck)

I:\4319\dwg\4000 AUTOCAD\as1 11-19\19 South Ridge - 77 zoning\Amended Sketch plan\4319DAS1 11-19-15

LAKE VIEW
AT CURRITUCK
PLANNED UNIT DEVELOPMENT

N.C. GRID

GREEN VIEW ROAD
40' R/W

ROWLAND CANAL

DITCHLINE

N.C. POWER 150' UTILITY EASEMENT
D.B. 845, PG. 397 & P.C. A, SL. 185

NOW OR FORMERLY
GEORGE CLYDE WINSLOW
D.B. 368, PG. 205

9' FARM ROAD

DIST. ECM 7.72'

1874.75' SIR

N61°48'25"W
252.31

N00°33'33"W

EX. 36" HDPE CULVERT

NOW OR FORMERLY
JARVIS & SONS
D.B. 324, PG. 464

N07°50'54"E

918.76'

838.69'

NOW OR FORMERLY
EAGLE CREEK
GF COMM. HOA INC.
D.B. 471, PG. 816

EAGLE CREEK DRIVE
45' R/W

S37°09'56"W
115.27'

S01°34'27"E 1077.91'

S00°20'38"E 554.89'

S00°36'44"E 969.26'

S00°03'59"E 543.56'

SURVEY ROAD (SR 1215)
60' R/W

S03°22'53"E
136.61'

S53°48'23"E
25.00'

1065.79'

N31°13'59"E

EXISTING GRAVEL DRIVEWAY

EX. 36" HDPE CULVERT

EX. 36" RCP CULVERT

EX. 48" RCP CULVERT

EX. 54"X54" RCP CULVERT

N12°31'40"E 290.38'
SURVEY TIE LINE

S00°41'23"W
82.40'

NOW OR FORMERLY
CAROL B. TYNES
GEORGE W. TYNES
MILL ESTATE BOOK 3, PG. 70,
D.B. 67, PG. 80

R/W VARIES

FIRE HYDRANT

HARCUM FARM DITCH #2
TRIBUTARY TO SHINGLE LANDING CREEK
AND ULTIMATELY TULLS BAY

NOW OR FORMERLY
LOUISE FLORA NEWBERN
D.B. 182, PG. 295

NOW OR FORMERLY
JAMES E. MILLER
D.B. 295, PG. 423
TM 15, PARCEL 47B

NOW OR FORMERLY
RUTH A. MILLER
D.B. 295, PG. 425

EX. 18" CMP

EX. GRAVEL

NOW OR FORMERLY
FRANK H. FLORA
D.B. 182, PG. 614

NOW OR FORMERLY
MILL RUN GOLF & COUNTRY CLUB INC.
D.B. 407, PG. 331
TM 15, PARCEL 64A

NOW OR FORMERLY
EAGLE CREEK
GF COMM. HOA INC.
D.B. 471, PG. 816
TM 15, PARCEL 64

N.C. POWER 150' UTILITY EASEMENT
D.B. 845, PG. 397 & P.C. A, SL. 185

EAGLE CREEK DRIVE
45' R/W

ST. ANDREWS ROAD
60' R/W

CARATOKE HWY. (N.C. 168)
100' R/W

ROWLAND

LOT 18
EAGLE CREEK
PHASE 1
P.C. F, SL. 350-353

LOT 48
EAGLE CREEK
PHASE 1
P.C. F, SL. 350-353

GOLF COURSE

POND

EXISTING POND

Ca — CAPE FEAR LOAM
Ro — ROANOKE FINE SANDY LOAM
To — TOMOTLEY FINE SANDY LOAM
Ds — DEVOTION LOAM
StA — STALLINGS LOAM

GRAPHIC SCALE
200 0 100 200 400 800
(IN FEET)
1 inch = 200 ft.

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD	TANGENT	BEARING
C1	11.28'	195.00'	11.28'	5.64'	S01°43'26"E

LEGEND

- ROADWAY CENTERLINE
- RIGHT OF WAY
- PROPERTY LINE
- ADJOINING PROPERTY
- EXISTING DITCH
- EXISTING OFF SITE DRAINAGE
- EXISTING GRADE CONTOUR
- OHE — OHE — OHE — OVERHEAD ELECTRIC POWER LINE
- RAILROAD TRACK
- UTILITY EASEMENT
- SOIL BOUNDARY

SOIL TYPES LEGEND
- Ca — CAPE FEAR LOAM
- Ro — ROANOKE FINE SANDY LOAM

ZONING LEGEND
- (A) — AGRICULTURAL DISTRICT
- (B-3) — GENERAL BUSINESS DISTRICT
- (R-15) — SINGLE-FAMILY RESIDENTIAL MAINLAND DISTRICT
- (PUD) — PLANNED UNIT DEVELOPMENT OVERLAY

SURVEY LEGEND
- ECM — EXISTING CONCRETE MONUMENT
- SIR — SET IRON ROD
- EIR — EXISTING IRON ROD
- EIP — EXISTING IRON PIPE
- TELEPHONE PEDESTAL
- WATER VALVE
- FIRE HYDRANT
- LIGHT POLE
- GAS MARKER
- TSB — TRAFFIC SIGNAL BOX

BISSELL PROFESSIONAL GROUP
Bissell Professional Group
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3521 U.S. Highway 70 Business
P.O. Box 1088
(919) Clayton, North Carolina 27649
FAX (252) 261-1760
Engineers, Planners, Surveyors
and Environmental Specialists

PLANNED UNIT DEVELOPMENT
AMENDED SKETCH PLAN

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REVISIONS

NO.	DATE	DESCRIPTION	BY
1	8/15/07	AMENDMENTS LISTED ON COVER SHEET	DMK
2	11/27/07	AMEND. ZONING	DMK
3	12/17/13	AMEND. ZONING	DMK
4	2/17/14	REMOVED 18 DESIGNATION	

PRELIMINARY
DO NOT USE FOR CONSTRUCTION

DATE: 1/12/07	SCALE: 1"=200'
DESIGNED: BPG	CHECKED: MSB
DRAWN: WGK	APPROVED: BPG

SHEET: 1 OF 7

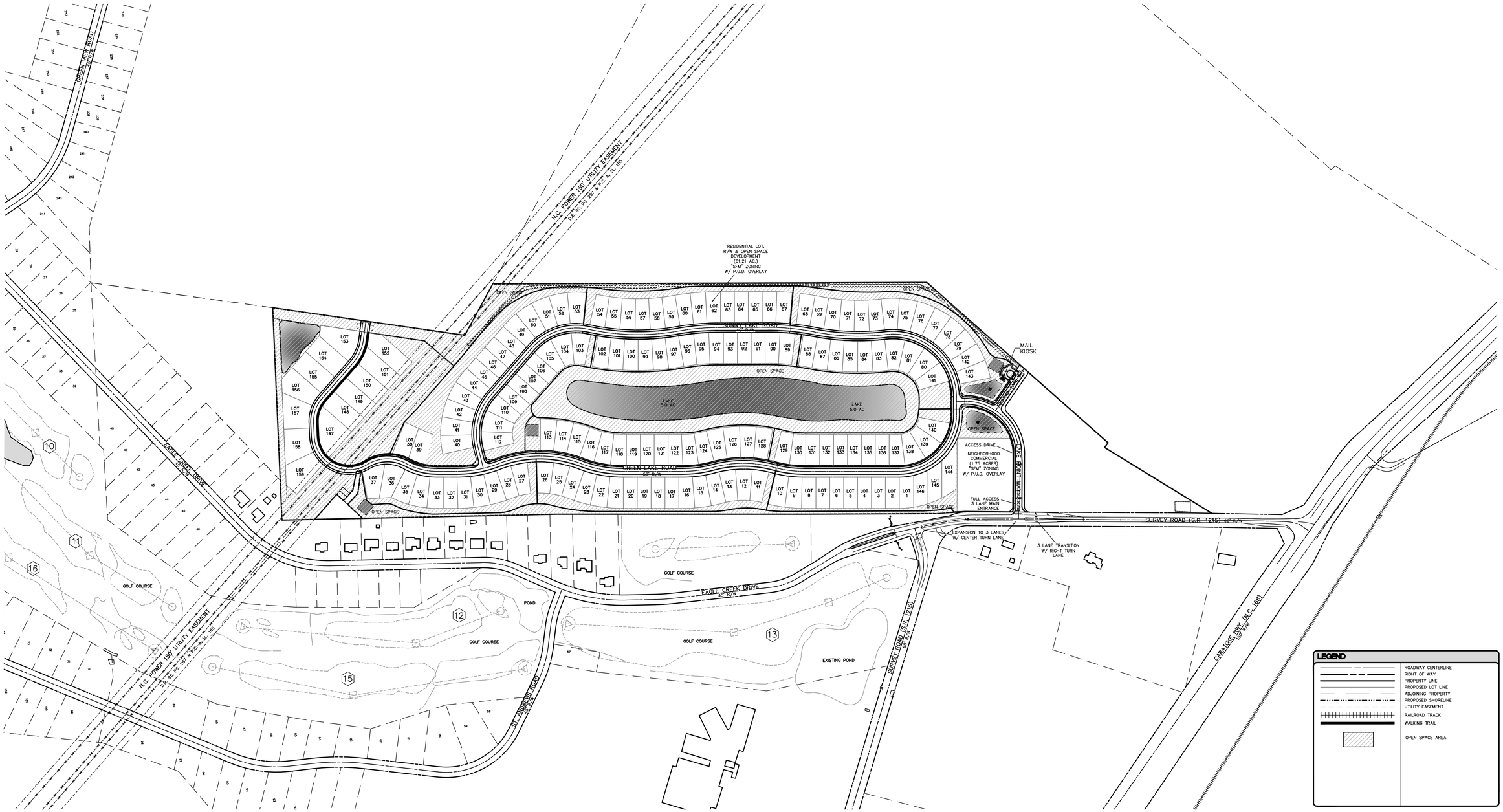
CAD FILE: 4319DAS1 11-19-15
PROJECT NO: 4319

PROJECT:
LAKE VIEW AT CURRITUCK
NORTH CAROLINA
MOYOCK TOWNSHIP CURRITUCK COUNTY

EXISTING FEATURES PLAN

Attachment: Lake View Amended Sketch Plan 1-25-16 (1450 : PB 07-10 Lake View at Currituck)

LAKE VIEW
AT CURRITUCK
PLANNED UNIT DEVELOPMENT



GRAPHIC SCALE

200 0 100 200 400 800

(IN FEET)
1 inch = 200 ft.

LEGEND

- ROADWAY CENTERLINE
- RIGHT OF WAY
- PROPERTY LINE
- PROPOSED LOT LINE
- ADJOINING PROPERTY
- PROPOSED SHORELINE
- UTILITY EASEMENT
- RAILROAD TRACK
- WALKING TRAIL
- OPEN SPACE AREA

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PLANNED UNIT DEVELOPMENT
AMENDED SKETCH PLAN

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PROJECT:
LAKE VIEW AT CURRITUCK
MOYOCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA
AMENDED SKETCH DEVELOPMENT OVERVIEW

REVISIONS

	DATE	DESCRIPTION	BY
1.	8/20/07	ADDED COMMENTS & CHANGES	BPG
2.	9/14/07	AMENDMENTS LISTED ON COVER SHEET	BPG
3.	9/21/07	ADDED WWP & REVISIONS PER MSC	BPG
4.	9/24/07	REVISIONS LISTED ON COVER SHEET	BPG
5.	1/23/08	REVISIONS PER MSC	BJH
6.	4/17/14	REVD. ENTRANCE, MODIFD. RES. & COMM.	RMK
7.	4/23/14	REVISIONS PER COMMENTS	RMK
8.	4/24/14	AMENDMENTS LISTED ON COVER SHEET	RMK
9.	7/22/15	PHASE 3A ADDED TO PLANS	RMK
10.	1/7/2016		RMK

PRELIMINARY
DO NOT USE FOR CONSTRUCTION

DATE: 1/12/07	SCALE: NO SCALE
DESIGNED: BPG	CHECKED: MSB
DRAWN: WGK	APPROVED: BPG

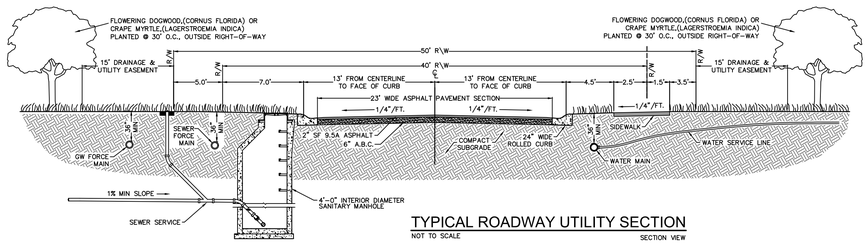
SHEET: 2 OF 7

CAD FILE: 4319DAS1 11-19-15
PROJECT NO: 4319

Attachment: Lake View Amended Sketch Plan 1-25-16 (1450 : PB 07-10 Lake View at Currituck)

LAKE VIEW AT CURRITUCK

PLANNED UNIT DEVELOPMENT



TYPICAL ROADWAY UTILITY SECTION

NOT TO SCALE

GRAPHIC SCALE

100 0 50 100 200 400

(IN FEET)

1 inch = 100 ft.

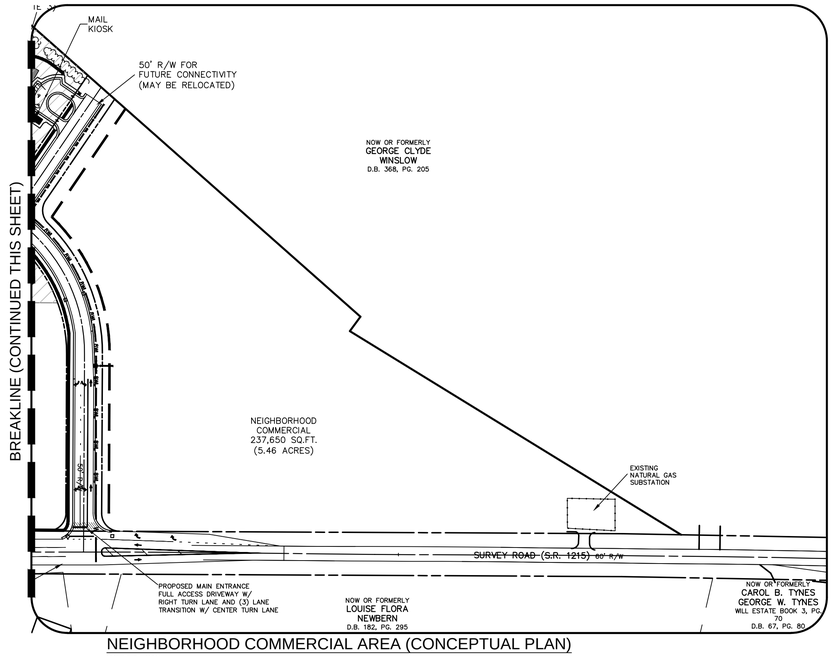
K.C. GRID

LEGEND

- ROADWAY CENTERLINE
- RIGHT OF WAY
- PROPERTY LINE
- PROPOSED LOT LINE
- ADJOINING PROPERTY
- PROPOSED SHORELINE
- OHE — OHE — OHE — OVERHEAD ELECTRIC POWER LINE
- UTILITY EASEMENT
- WALKING TRAIL
- PHASING DELINEATION
- OPEN SPACE AREA

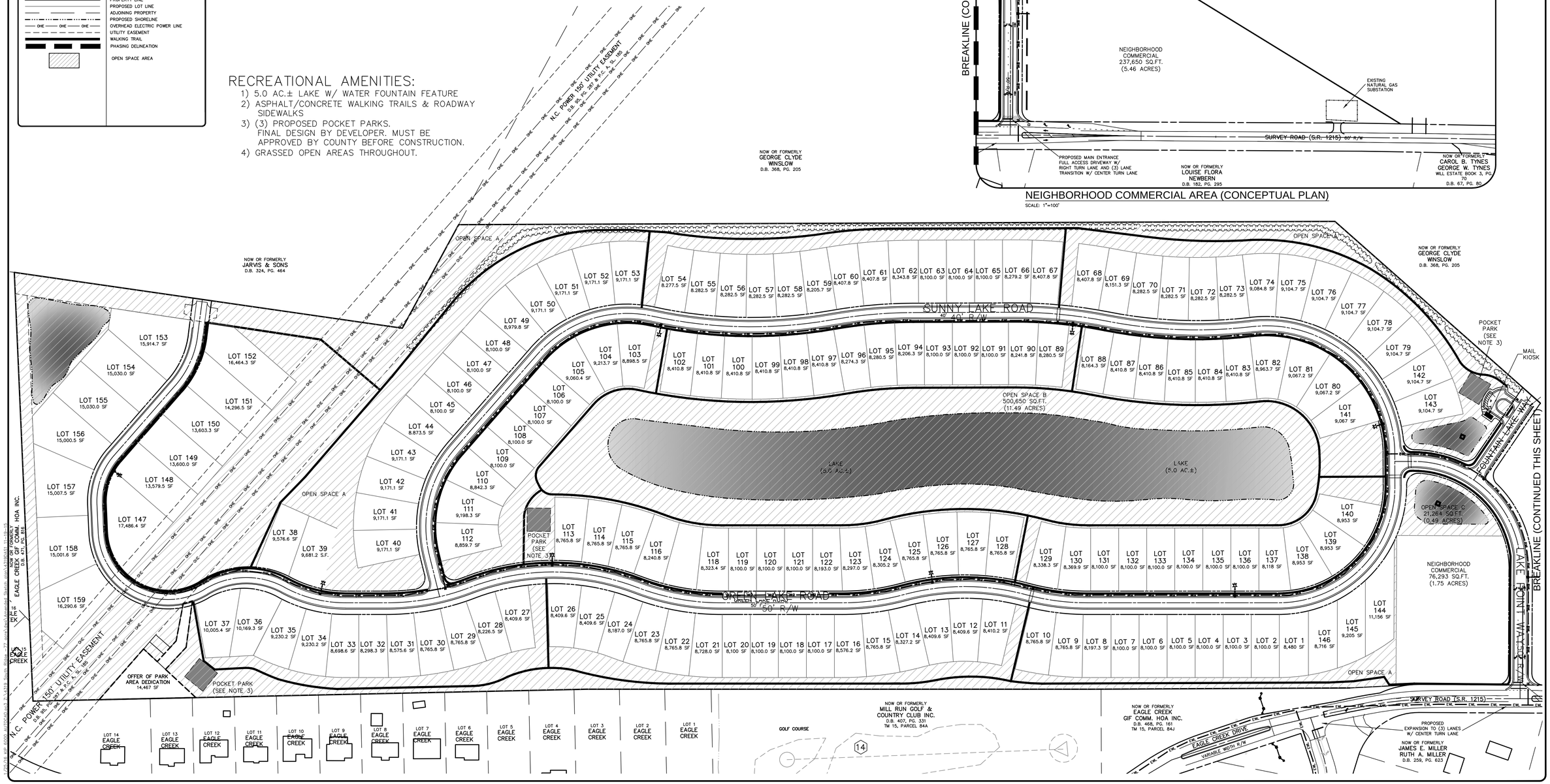
RECREATIONAL AMENITIES:

1) 5.0 AC.± LAKE W/ WATER FOUNTAIN FEATURE
2) ASPHALT/CONCRETE WALKING TRAILS & ROADWAY SIDEWALKS
3) (3) PROPOSED POCKET PARKS. FINAL DESIGN BY DEVELOPER. MUST BE APPROVED BY COUNTY BEFORE CONSTRUCTION.
4) GRASSED OPEN AREAS THROUGHOUT.



NEIGHBORHOOD COMMERCIAL AREA (CONCEPTUAL PLAN)

SCALE: 1"=100'



Bissell Professional Group
Engineers, Planners, Surveyors and Environmental Specialists
3212 Norman Beacon Highway
P.O. Box 1088
Elizabeth City, North Carolina 27909
(252) 261-3266
FAX (252) 261-1760

PLANNED UNIT DEVELOPMENT
AMENDED SKETCH PLAN

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PROJECT: LAKE VIEW AT CURRITUCK
MOYOCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA
AMENDED SKETCH DEVELOPMENT PLAN

REVISIONS

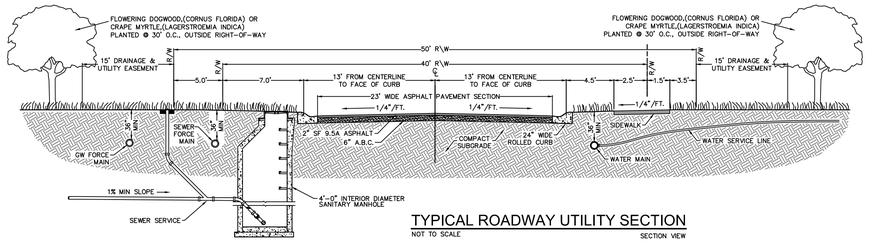
1	2/4/09	PER COUNTY REC. COMMENTS	PGK			
2	2/23/09	REVISED PER COUNTY REC. COMMENTS	PGK			
3	7/27/09	ADDED WWTP & REVISIONS FROM REC	PGK			
4	6/21/10	COMMENTS LISTED ON COVER SHEET	MJK			
5	1/25/11	- - -	TJM			
6	7/29/11	- - -	TJM			
7	8/25/11	- - -	TJM			
8	9/23/15	NEW PHASE 7A	KW			
9	10/22/15	REC COMMENTS	KW			

PRELIMINARY
DO NOT USE FOR CONSTRUCTION

DATE: 1/12/07	SCALE: 1"=100'
DESIGNED: BPG	CHECKED: MSB
DRAWN: WGK	APPROVED: BPG
SHEET: 3 OF 7	
CAD FILE: 4319DAS1 11-19-15	
PROJECT NO: 4319	

Attachment: Lake View Amended Sketch Plan 1-25-16 (1450 : PB 07-10 Lake View at Currituck)

LAKE VIEW
AT CURRITUCK
PLANNED UNIT DEVELOPMENT



TYPICAL ROADWAY UTILITY SECTION
NOT TO SCALE — SECTION VIEW

GRAPHIC SCALE

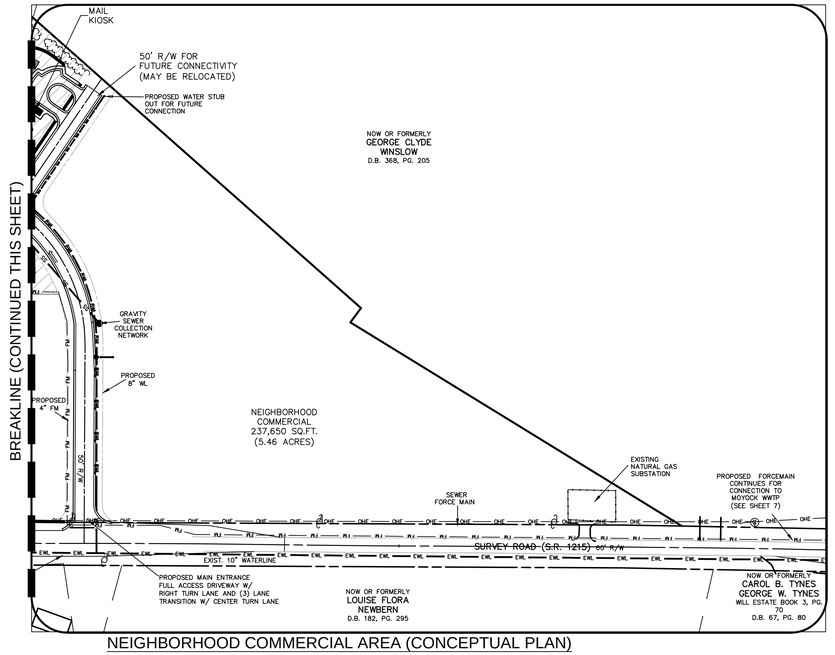
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(IN FEET)
1 inch = 100 ft.

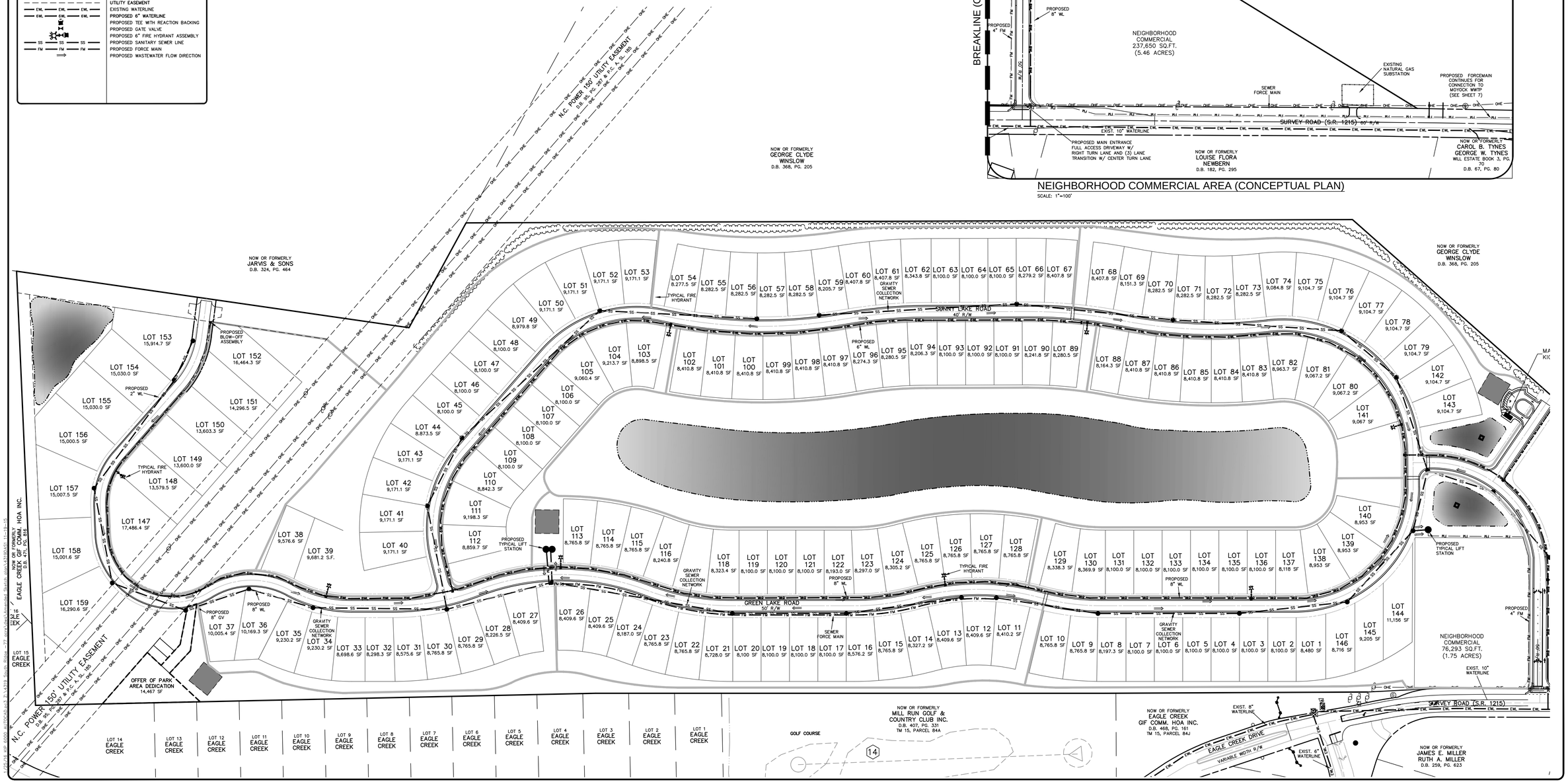
N.C. GRID

LEGEND

	ROADWAY CENTERLINE
	RIGHT OF WAY
	PROPERTY LINE
	ADJOINING PROPERTY
	PROPOSED LOT LINE
OHE	OVERHEAD ELECTRIC POWER LINE
	UTILITY EASEMENT
EWL	EXISTING WATERLINE
PWL	PROPOSED 6" WATERLINE
	PROPOSED TEE WITH REACTION BACKING
	PROPOSED GATE VALVE
	PROPOSED 6" FIRE HYDRANT ASSEMBLY
SS	PROPOSED SANITARY SEWER LINE
FM	PROPOSED FORCE MAIN
	PROPOSED WASTEWATER FLOW DIRECTION



NEIGHBORHOOD COMMERCIAL AREA (CONCEPTUAL PLAN)
SCALE: 1"=100'



Bissell Professional Group
Firm License # C-956
5212 Virginia Beach Boulevard
P.O. Box 10668
Kitty Hawk, North Carolina 27949
(252) 261-3300
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BISSELL PROFESSIONAL GROUP
Engineers, Planners, Surveyors and Environmental Specialists

PLANNED UNIT DEVELOPMENT
AMENDED SKETCH PLAN

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PROJECT:
LAKE VIEW AT CURRITUCK
MOYOCK TOWNSHIP — CURRITUCK COUNTY — NORTH CAROLINA

AMENDED SKETCH UTILITY PLAN

REVISIONS

1.	2/23/07	BCOMMENTS, OSTER, DH, COVER SHEET	BPG
2.	4/16/07	REVISED PER COUNTY REC. COMMENTS	BPG
3.	5/15/07	COMMENTS & LEGEND ON COVER SHEET	BPG
4.	7/27/07	COMMENTS & LEGEND ON COVER SHEET	BPG
5.	11/23/09	-	WGK
6.	12/20/13	-	WGK
7.	7/17/14	-	WGK
8.	12/20/04	PHASE 3A ADDED TO PLANS	WGK
9.	11/25/15	REVISED PER COMMENTS	WGK
10.	01/04/16	REVISED PER COMMENTS	WGK

PRELIMINARY
DO NOT USE FOR CONSTRUCTION

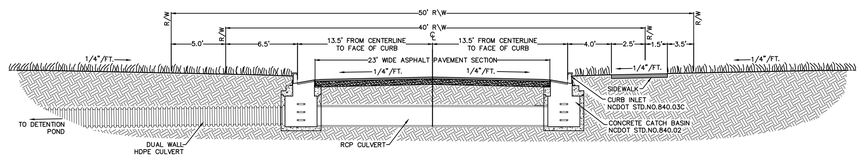
DATE: 1/12/07	SCALE: 1"=100'
DESIGNED: BPG	CHECKED: MSB
DRAWN: WGK	APPROVED: BPG

SHEET: 4 OF 7

CAD FILE: 4319DAS1 11-19-15
PROJECT NO: 4319

Attachment: Lake View Amended Sketch Plan 1-25-16 (1450 : PB 07-10 Lake View at Currituck)

LAKE VIEW
AT CURRITUCK
PLANNED UNIT DEVELOPMENT



TYPICAL ROADWAY DRAINAGE SECTION
NOT TO SCALE — SECTION VIEW

GRAPHIC SCALE

100 0 50 100 200 400

(IN FEET)
1 inch = 100 ft.

N.C. GRID

LEGEND

	ROADWAY CENTERLINE
	RIGHT OF WAY
	PROPERTY LINE
	ADJOINING PROPERTY
	PROPOSED LOT LINE
OHE OHE OHE	OVERHEAD ELECTRIC POWER LINE
	UTILITY EASEMENT
	EXISTING DITCH CENTERLINE
	EXISTING CULVERT
	PROPOSED DRAINAGE SWALE
	PROPOSED POND SHORE LINE
	PROPOSED CULVERT W/OUTLET PROTECTION
	PROPOSED CURB INLET
	PROPOSED STORMWATER CONVEYANCE
	PROPOSED DRAINAGE FLOW DIRECTION

BREAKLINE (CONTINUED THIS SHEET)

MAIL KIOSK
50' R/W FOR FUTURE CONNECTIVITY (MAY BE RELOCATED)
NOW OR FORMERLY GEORGE CLYDE WINSLOW D.B. 368, PG. 205
POND
NEIGHBORHOOD COMMERCIAL 237,650 SQ.FT. (5.46 ACRES)
EXISTING NATURAL GAS SUBSTATION
TO HARCUM FARM DITCH#2
SURVEY ROAD (S.R. 1215) 60' R/W
PROPOSED MAIN ENTRANCE FULL ACCESS DRIVEWAY W/ RIGHT TURN LANE AND (3) LANE TRANSITION W/ CENTER TURN LANE
NOW OR FORMERLY LOUISE FLORA NEWBERN D.B. 182, PG. 295
NOW OR FORMERLY CAROL B. TYNES GEORGE W. TYNES WILL ESTATE BOOK 3, PG. 70 D.B. 67, PG. 80

NEIGHBORHOOD COMMERCIAL AREA (CONCEPTUAL PLAN)
SCALE: 1"=100'

N.C. POWER 150' UTILITY EASEMENT D.B. 85, PG. 281 & P.C. A, SL. 185

NOW OR FORMERLY GEORGE CLYDE WINSLOW D.B. 368, PG. 205

TO ROWLAND CANAL

NOW OR FORMERLY JARVIS & SONS D.B. 324, PG. 464

TYPICAL PRIMARY OUTLET SWALE

DRAINAGE OUTLET

LOT 153 15,914.7 SF
LOT 154 15,030.0 SF
LOT 155 15,030.0 SF
LOT 156 15,000.5 SF
LOT 157 15,007.5 SF
LOT 158 15,001.6 SF
LOT 159 16,290.6 SF
LOT 152 16,464.3 SF
LOT 151 14,296.5 SF
LOT 150 13,603.3 SF
LOT 149 13,600.0 SF
LOT 148 13,579.5 SF
LOT 147 17,486.4 SF
LOT 38 9,576.6 SF
LOT 39 9,681.2 S.F.
LOT 37 10,005.4 SF
LOT 36 10,169.3 SF
LOT 35 9,230.2 SF
LOT 34 9,230.2 SF
LOT 33 8,698.6 SF
LOT 32 8,298.3 SF
LOT 31 8,575.6 SF
LOT 30 8,765.8 SF
LOT 29 8,765.8 SF
LOT 28 8,226.5 SF
LOT 27 8,409.6 SF
LOT 26 8,409.6 SF
LOT 25 8,409.6 SF
LOT 24 8,187.0 SF
LOT 23 8,765.8 SF
LOT 22 8,765.8 SF
LOT 21 8,728.0 SF
LOT 20 8,100 SF
LOT 19 8,100.0 SF
LOT 18 8,100.0 SF
LOT 17 8,100.0 SF
LOT 16 8,576.2 SF
LOT 15 8,765.8 SF
LOT 14 8,327.2 SF
LOT 13 8,409.6 SF
LOT 12 8,409.6 SF
LOT 11 8,410.2 SF
LOT 10 8,765.8 SF
LOT 9 8,765.8 SF
LOT 8 8,197.3 SF
LOT 7 8,100.0 SF
LOT 6 8,100.0 SF
LOT 5 8,100.0 SF
LOT 4 8,100.0 SF
LOT 3 8,100.0 SF
LOT 2 8,100.0 SF
LOT 1 8,480 SF
LOT 40 9,171.1 SF
LOT 41 9,171.1 SF
LOT 42 9,171.1 SF
LOT 43 9,171.1 SF
LOT 44 8,873.5 SF
LOT 45 8,100.0 SF
LOT 46 8,100.0 SF
LOT 47 8,100.0 SF
LOT 48 8,100.0 SF
LOT 49 8,979.8 SF
LOT 50 9,171.1 SF
LOT 51 9,171.1 SF
LOT 52 9,171.1 SF
LOT 53 9,171.1 SF
LOT 54 8,277.5 SF
LOT 55 8,282.5 SF
LOT 56 8,282.5 SF
LOT 57 8,282.5 SF
LOT 58 8,282.5 SF
LOT 59 8,205.7 SF
LOT 60 8,407.8 SF
LOT 61 8,407.8 SF
LOT 62 8,343.8 SF
LOT 63 8,100.0 SF
LOT 64 8,100.0 SF
LOT 65 8,100.0 SF
LOT 66 8,279.2 SF
LOT 67 8,407.8 SF
LOT 68 8,407.8 SF
LOT 69 8,151.3 SF
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LOT 72 8,282.5 SF
LOT 73 8,282.5 SF
LOT 74 9,084.8 SF
LOT 75 9,104.7 SF
LOT 76 9,104.7 SF
LOT 77 9,104.7 SF
LOT 78 9,104.7 SF
LOT 79 9,104.7 SF
LOT 80 9,067.2 SF
LOT 81 9,067.2 SF
LOT 82 8,963.7 SF
LOT 83 8,410.8 SF
LOT 84 8,410.8 SF
LOT 85 8,410.8 SF
LOT 86 8,410.8 SF
LOT 87 8,410.8 SF
LOT 88 8,164.3 SF
LOT 89 8,280.5 SF
LOT 90 8,241.8 SF
LOT 91 8,100.0 SF
LOT 92 8,100.0 SF
LOT 93 8,100.0 SF
LOT 94 8,206.3 SF
LOT 95 8,280.5 SF
LOT 96 8,274.3 SF
LOT 97 8,410.8 SF
LOT 98 8,410.8 SF
LOT 99 8,410.8 SF
LOT 100 8,410.8 SF
LOT 101 8,410.8 SF
LOT 102 8,410.8 SF
LOT 103 8,898.5 SF
LOT 104 9,213.7 SF
LOT 105 9,060.4 SF
LOT 106 8,100.0 SF
LOT 107 8,100.0 SF
LOT 108 8,100.0 SF
LOT 109 8,100.0 SF
LOT 110 8,842.3 SF
LOT 111 9,198.3 SF
LOT 112 8,859.7 SF
LOT 113 8,763.8 SF
LOT 114 8,765.8 SF
LOT 115 8,765.8 SF
LOT 116 8,240.8 SF
LOT 118 8,323.4 SF
LOT 119 8,100.0 SF
LOT 120 8,100.0 SF
LOT 121 8,100.0 SF
LOT 122 8,193.0 SF
LOT 123 8,297.0 SF
LOT 124 8,305.2 SF
LOT 125 8,765.8 SF
LOT 126 8,765.8 SF
LOT 127 8,765.8 SF
LOT 128 8,765.8 SF
LOT 129 8,338.3 SF
LOT 130 8,369.9 SF
LOT 131 8,100.0 SF
LOT 132 8,100.0 SF
LOT 133 8,100.0 SF
LOT 134 8,100.0 SF
LOT 135 8,100.0 SF
LOT 136 8,100.0 SF
LOT 137 8,118 SF
LOT 138 8,953 SF
LOT 139 8,953 SF
LOT 140 8,953 SF
LOT 141 9,067 SF
LOT 142 9,104.7 SF
LOT 143 9,104.7 SF
LOT 144 11,156 SF
LOT 145 9,205 SF
LOT 146 8,716 SF

SUNNY LAKE ROAD 40' R/W
GREEN LAKE ROAD 50' R/W

PROPOSED STORMWATER MANAGEMENT LAKE APPROX. AREA: 5.0 AC.±

TYPICAL CURB INLETS AND CONVEYANCE NETWORK

BMP

DRAINAGE OUTLET

TYPICAL ROLLED CURB AND GUTTER ALONG ROADWAYS

NEIGHBORHOOD COMMERCIAL 76,293 SQ.FT. (1.75 ACRES)

DRAINAGE OUTLET SWALE

TO HARCUM FARM DITCH#2

NOW OR FORMERLY GEORGE CLYDE WINSLOW D.B. 368, PG. 205

BREAKLINE (CONTINUED THIS SHEET)

N.C. POWER 150' UTILITY EASEMENT D.B. 85, PG. 281 & P.C. A, SL. 185

OFFER OF PARK AREA DEDICATION 14,467 SF

TYPICAL PRIMARY OUTLET SWALE

NOW OR FORMERLY EAGLE CREEK GIF COMM. HOA INC. D.B. 468, PG. 161 TM 15, PARCEL 84J

EAGLE CREEK DRIVE VARIABLE WIDTH R/W

SURVEY ROAD (S.R. 1215)

NOW OR FORMERLY JAMES E. MILLER RUTH A. MILLER D.B. 259, PG. 623

NOW OR FORMERLY MILL RUN GOLF & COUNTRY CLUB INC. D.B. 407, PG. 331 TM 15, PARCEL 84A

GOLF COURSE

LOT 14 EAGLE CREEK
LOT 13 EAGLE CREEK
LOT 12 EAGLE CREEK
LOT 11 EAGLE CREEK
LOT 10 EAGLE CREEK
LOT 9 EAGLE CREEK
LOT 8 EAGLE CREEK
LOT 7 EAGLE CREEK
LOT 6 EAGLE CREEK
LOT 5 EAGLE CREEK
LOT 4 EAGLE CREEK
LOT 3 EAGLE CREEK
LOT 2 EAGLE CREEK
LOT 1 EAGLE CREEK

NOW OR FORMERLY EAGLE CREEK HOA INC. D.B. 471, PG. 816

LOT 155 EAGLE CREEK

Bissell Professional Group
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3512 North Croatan Highway
Kitty Hawk, North Carolina 27949
(252) 261-3266
FAX (252) 261-7760
BISSELL PROFESSIONAL GROUP
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PLANNED UNIT DEVELOPMENT
AMENDED SKETCH PLAN

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PROJECT:
LAKE VIEW AT CURRITUCK
MOYOCK TOWNSHIP — CURRITUCK COUNTY — NORTH CAROLINA

AMENDED SKETCH DRAINAGE PLAN

REVISIONS

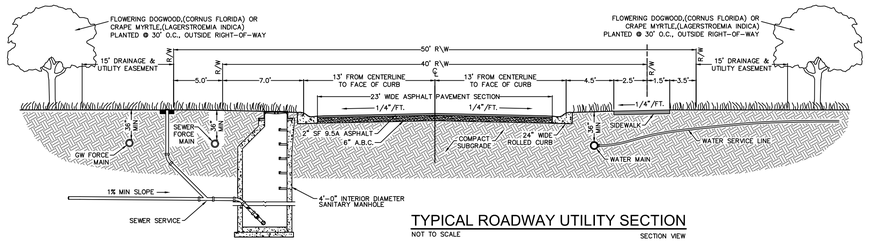
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2	8/15/07	REMOVED DETAIL ON COVER SHEET	WGK
3	9/17/07	ADDED WWTP & REVISIONS FROM TRC	KGK
4	10/23/07	REVISIONS DUE TO COMMENTS	KGK
5	1/23/14	-	DMK
6	1/30/14	-	DMK
7	2/20/14	-	DMK
8	7/30/14	-	DMK
9	01/25/16	PHASE 3A ADDED TO PLANS	RFW

PRELIMINARY
DO NOT USE FOR CONSTRUCTION

DATE: 1/12/07 — SCALE: 1"=100'
DESIGNED: BPG — CHECKED: MSB
DRAWN: WGK — APPROVED: BPG
SHEET: 5 OF 7
CAD FILE: 4319DAS1 11-19-15
PROJECT NO: 4319

Attachment: Lake View Amended Sketch Plan 1-25-16 (1450 : PB 07-10 Lake View at Currituck)

LAKE VIEW
AT CURRITUCK
PLANNED UNIT DEVELOPMENT



TYPICAL ROADWAY UTILITY SECTION
NOT TO SCALE — SECTION VIEW

GRAPHIC SCALE

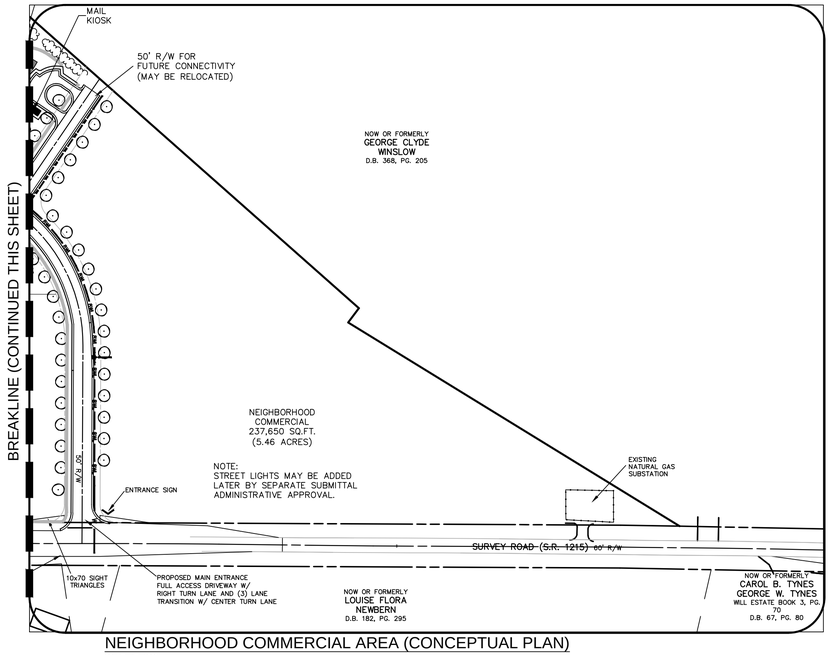
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(IN FEET)
1 inch = 100 ft.

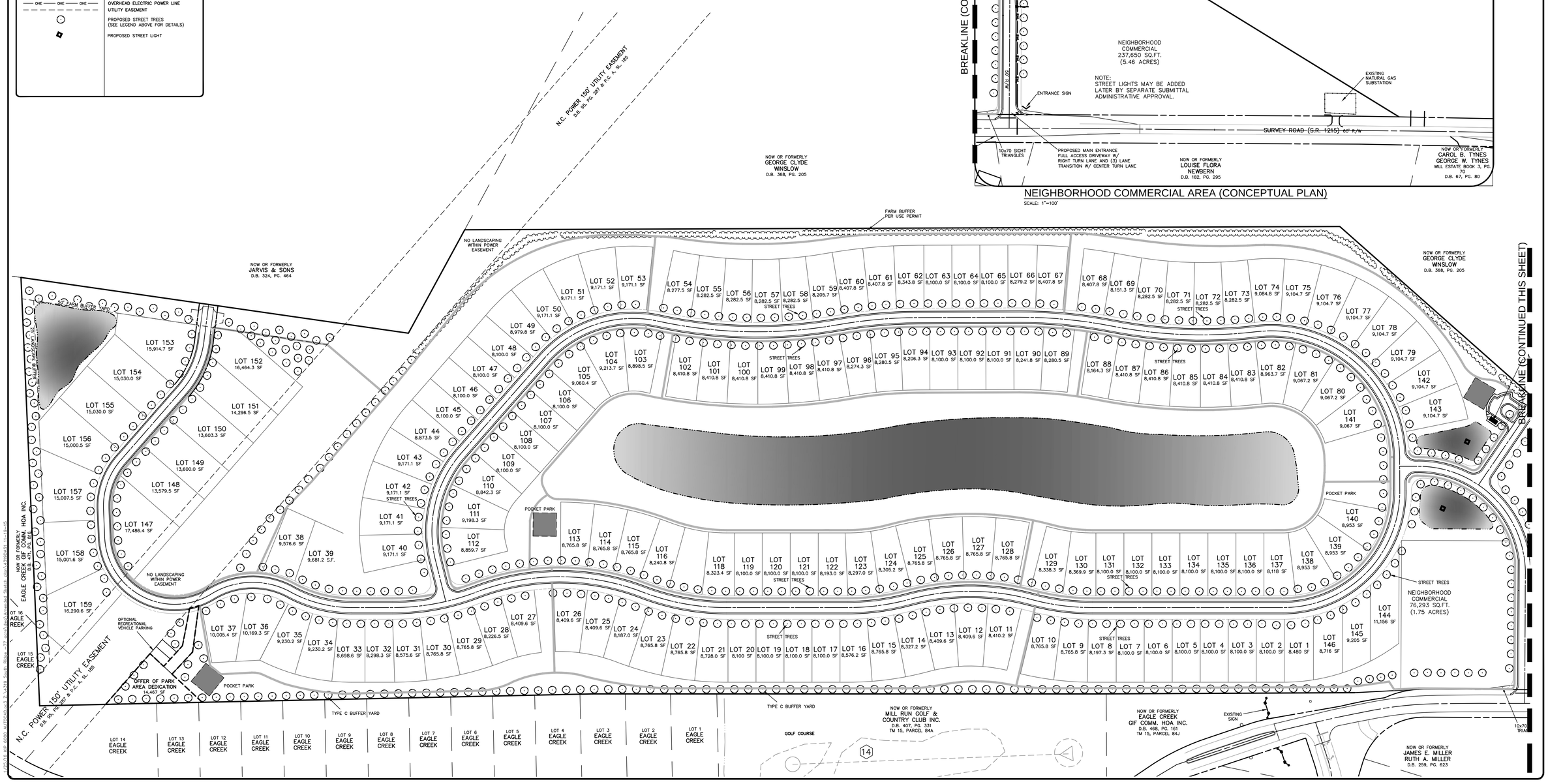
N.C. GRID

LEGEND

- ROADWAY CENTERLINE
- RIGHT OF WAY
- PROPERTY LINE
- ADJOINING PROPERTY
- PROPOSED LOT LINE
- OHE — OHE — OHE — OVERHEAD ELECTRIC POWER LINE
- UTILITY EASEMENT
- PROPOSED STREET TREES (SEE LEGEND ABOVE FOR DETAILS)
- PROPOSED STREET LIGHT



NEIGHBORHOOD COMMERCIAL AREA (CONCEPTUAL PLAN)
SCALE: 1"=100'



Bissell Professional Group
Bissell Professional Group
3512 North Croatan Highway
Suite 1, Kitty Hawk
Kitty Hawk, North Carolina 27949
(252) 261-3266
FAX (252) 261-7760
BISSELL PROFESSIONAL GROUP
Engineers, Planners, Surveyors and Environmental Specialists

PLANNED UNIT DEVELOPMENT
AMENDED SKETCH PLAN

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PROJECT: LAKE VIEW AT CURRITUCK
NORTH CAROLINA
MOYOCK TOWNSHIP — CURRITUCK COUNTY

AMENDED SKETCH LANDSCAPE PLAN

REVISIONS

	DATE	DESCRIPTION	BY
1.	2/23/07	REVISED PER COUNTY REVIEW COMMENTS	BPG
2.	5/21/07	REVISED PER COUNTY REVIEW COMMENTS	BPG
3.	9/21/07	ADDED WATER & REVISIONS FROM TRC	BPG
4.	11/27/07	MINOR REVISIONS PER COMMENTS	MK
5.	1/23/08	COMMENTS RECEIVED ON COVER SHEET	MK
6.	4/23/14	" " "	MK
7.	7/30/14	" " "	MK
8.	1/30/15	" " "	MK
9.	11/20/15	PHASE 1A ADDED TO PLANS	BPG
10.	12/7/15	ADDED COMMENTS	BPG

PRELIMINARY
DO NOT USE FOR CONSTRUCTION

DATE: 1/12/07	SCALE: 1"=100'
DESIGNED: BPG	CHECKED: MSB
DRAWN: WGK	APPROVED: BPG
SHEET: 6 OF 7	
CAD FILE: 4319DAS1 11-19-15	
PROJECT NO: 4319	

Attachment: Lake View Amended Sketch Plan 1-25-16 (1450 : PB 07-10 Lake View at Currituck)

LAKE VIEW
AT CURRITUCK
PLANNED UNIT DEVELOPMENT

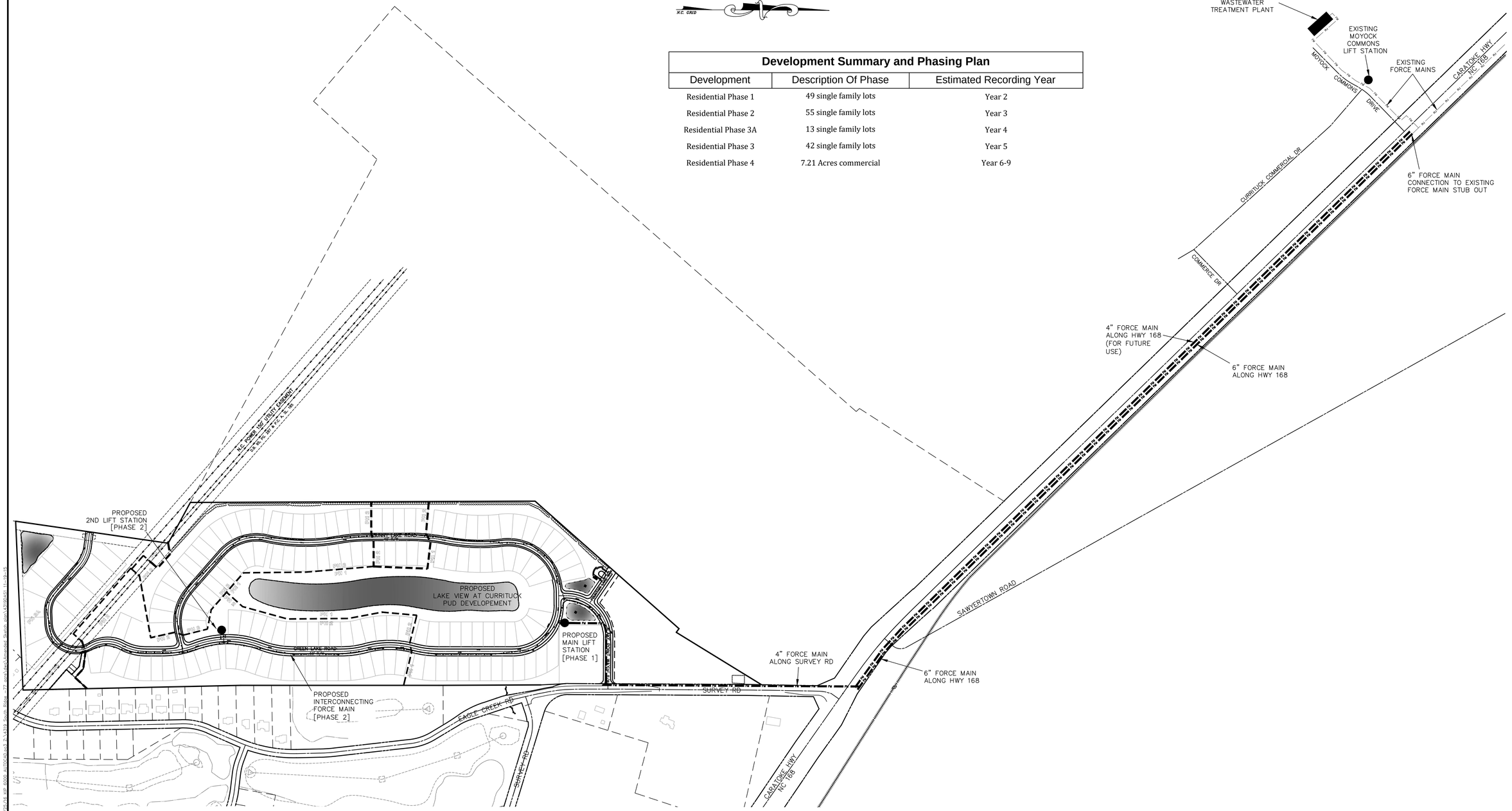
GRAPHIC SCALE

250 0 125 250 500 1000

(IN FEET)
1 inch = 250 ft.

N.C. GRID

Development Summary and Phasing Plan		
Development	Description Of Phase	Estimated Recording Year
Residential Phase 1	49 single family lots	Year 2
Residential Phase 2	55 single family lots	Year 3
Residential Phase 3A	13 single family lots	Year 4
Residential Phase 3	42 single family lots	Year 5
Residential Phase 4	7.21 Acres commercial	Year 6-9



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Engineering & Surveying
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Kitty Hawk, North Carolina 27949
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BISSELL PROFESSIONAL GROUP
Engineers, Planners, Surveyors and Environmental Specialists

PLANNED UNIT DEVELOPMENT
AMENDED SKETCH PLAN

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PROJECT:
LAKE VIEW AT CURRITUCK
MOYOCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

MOYOCK WWTP CONNECTION & PHASING

REVISIONS

1	7/25/14	REVISED PHASING & OFFICE PD	DMC
2	1/24/14	AMENDED COMMERCIAL & PHASING	DMC
3	11/20/15	AMENDED FORCE MAIN CONNECTIONS	KFW
4	12/28/15	NC COMMENTS	KFW

PRELIMINARY
DO NOT USE FOR CONSTRUCTION

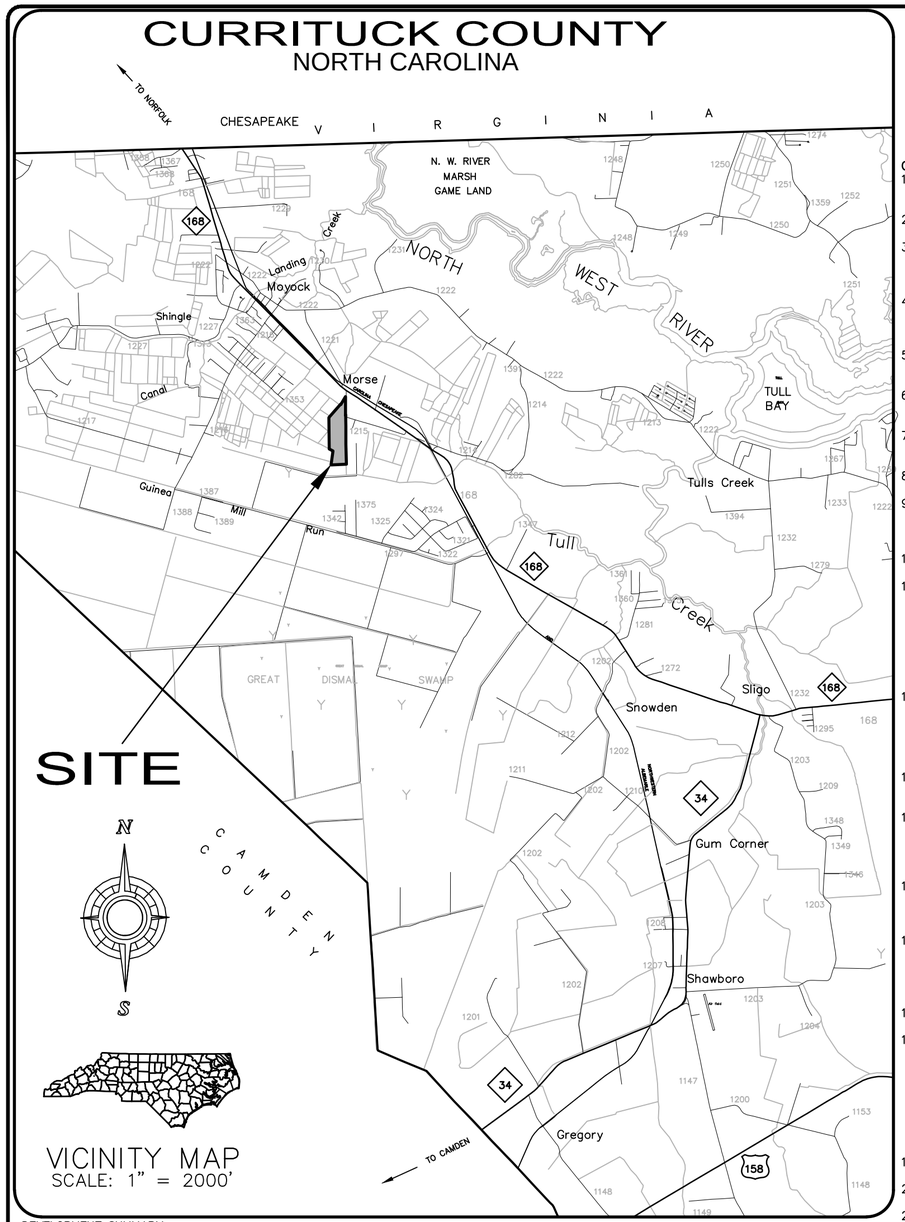
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DRAWN: WGK	APPROVED: BPG
SHEET: 7 OF 7	
CAD FILE: 4319DAS1 11-19-15	
PROJECT NO: 4319	

Attachment: Lake View Amended Sketch Plan 1-25-16 (1450 : PB 07-10 Lake View at Currituck)

LAKE VIEW AT CURRITUCK

159 LOT PLANNED UNIT DEVELOPMENT

MOYOCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA



GENERAL NOTES:

1. PROJECT NAME: LAKE VIEW AT CURRITUCK PLANNED UNIT DEVELOPMENT
   CURRITUCK COUNTY, NORTH CAROLINA
2. PROPERTY ADDRESS: 120 SURVEY ROAD, MOYOCK, NC 27958
3. OWNER/DEVELOPER: LAKE VIEW DEVELOPMENT, LLC
   616 VILLAGE DRIVE, SUITE G
   VIRIGINIA BEACH, VA 23452
4. THIS PROPERTY IS DIVIDED INTO 5 PARCELS IDENTIFIED BY THE FOLLOWING PARCEL ID NUMBERS: 0015-000-083A-0000; 0015-000-083B-0000; 0015-000-083C-0000; 0015-000-083D-0000; 0015-000-083E-0000.
5. RECORDED REFERENCES: D.B. 862 PG. 847; D.B. 1100, PG. 718; D.B. 1331, PG. 526; P.C. N, SL. 181.
6. EASTERN NC NATURAL GAS VALVE SITE EASEMENT
   RECORDED IN D.B. 591, PG. 236 FOR 3,749.57 SQ.FT.
7. VIRGINIA ELECTRIC AND POWER COMPANY OVERHEAD POWERLINE EASEMENT
   RECORDED IN D.B. 95, PG. 287 & P.C. A, SL. 185
8. TOTAL PROJECT AREA: 74.23 AC.
9. F.I.R.M. ZONE: ZONE X (AREA OUTSIDE THE 0.2% CHANCE ANNUAL FLOOD) F.E.M.A. F.I.R.M. MAP: # 37218031 J, REVISED DECEMBER 16, 2005
   SUBJECT TO CHANGE BY F.E.M.A.
10. THIS PARCEL CONTAINS NO ACOE "404" JURISDICTIONAL WETLANDS.
11. PROPOSED RIGHT-OF-WAY WIDTH COLLECTOR ROADS: 50 FT.
    LINEAR FEET OF IMPROVED COLLECTOR ROADWAY: 4,123 FT.±
    LINEAR FEET OF UNIMPROVED COLLECTOR R/W: 220 FT.±
    PROPOSED RIGHT-OF-WAY WIDTH LOCAL ROADS: 40 FT.
    LINEAR FEET OF LOCAL ROADWAY: 2,674 FT.±
    PROPOSED ROADWAY WIDTH THROUGHOUT RESIDENTIAL DEVELOPMENT: 27 FT. (BOC)
    TOTAL LINEAR FEET OF IMPROVED ROADWAY: 6,164 FT.±
12. 10 FT. DRAINAGE AND UTILITY EASEMENT HEREBY RESERVED ALONG ALL SIDE PROPERTY LINES. 15 FT DRAINAGE AND UTILITY EASEMENT HEREBY RESERVED ALONG ALL REAR PROPERTY LINES. 15 FT UTILITY, DRAINAGE, PLANTINGS, AND PEDESTRIAN EASEMENT HEREBY RESERVED ALONG ALL RIGHT OF WAYS. 25 FT DRAINAGE EASEMENTS RESERVED AROUND PERIMETER OF STORMWATER MANAGEMENT LAKE.
13. DITCH MAINTENANCE ACCESS EASEMENTS SHALL BE PROVIDED IN ACCORDANCE WITH THE CURRITUCK COUNTY U.D.O. AND THE STORMWATER MANUAL.
14. THE MINIMUM FRONT SETBACK SHALL BE 20 FEET. THE MINIMUM SIDE SETBACK SHALL BE 10 FEET, EXCEPT IN PHASE 3A, WHERE THE MIN. SIDE SETBACK SHALL BE 10.5'. WHERE THE REAR LOT LINE ABUTS A COMMON OPEN SPACE AREA, THE MINIMUM REAR SETBACK MAY BE REDUCED TO 10 FEET, OTHERWISE, THE MINIMUM REAR SETBACK SHALL BE 25 FEET.
15. THIS SUBDIVISION CONTAINS A RIGHT-OF-WAY THAT IS PLATTED WITH THE INTENT OF BEING EXTENDED AND CONTINUED TO AND FROM ADJOINING PROPERTIES. ACCESS WITHIN THE RIGHT OF WAY FOR STREETS AND UTILITIES SHALL NOT BE RESTRICTED.
16. PROPERTY ZONING THIS PARCEL: "SFM" (SINGLE-FAMILY RESIDENTIAL MAINLAND) BASE ZONING WITH "PUD" (PLANNED UNIT DEVELOPMENT) OVERLAY. ALL ADJACENT PARCELS: "AG" (AGRICULTURAL), EXCEPT PIN# 0015-000-0048-0000 & 0015-000-0046-0000: "GB" (GENERAL BUSINESS).
17. LOTS WILL BE SERVICED BY COUNTY WATER SUPPLY AND CONNECTION TO CENTRAL SEWER.
18. THE DEVELOPER SHALL ACCEPT MAINTENANCE RESPONSIBILITY FOR THE ROADWAY IMPROVEMENTS IN CONJUNCTION WITH THE STORMWATER MANAGEMENT COLLECTION SYSTEM UNTIL AT WHICH TIME THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ACCEPTS THE PUBLIC RIGHT OF WAY SECTION INTO THEIR SYSTEM. THE DEVELOPER WILL MAINTAIN RESPONSIBILITY FOR ALL ROADWAY & DRAINAGE IMPROVEMENTS OUTSIDE OF THE PUBLIC RIGHT OF WAY UNTIL A PROPERTY OWNER'S ASSOCIATION HAS BEEN ESTABLISHED AND ASSUMES RESPONSIBILITY OF THE ROADWAY & DRAINAGE SYSTEM. NCDOT SHALL NOT BE RESPONSIBLE FOR THE MAINTENANCE OF ANY SWALES LOCATED OUTSIDE OF THE DEDICATED RIGHT OF WAY.
19. AREA DETERMINED BY COORDINATE METHOD.
20. IRON PINS AT ALL LOT CORNERS UNLESS OTHERWISE NOTED HEREON.
21. UNDERGROUND UTILITIES, IF ANY, WERE NOT LOCATED BY THIS SURVEY. FURTHER EVALUATION MAY BE REQUIRED.
22. SUBJECT TO TITLE SEARCH AND TO ANY AND/OR ALL RIGHT OF WAYS, ENFORCEABLE RESTRICTIONS, AND/OR EASEMENTS OF RECORD WHETHER SHOWN HEREON OR NOT.
23. STREET LIGHTS MEETING U.D.O. STANDARDS MAY BE ADDED AT A FUTURE DATE BY A SEPARATE SUBMITTAL & ADMINISTRATIVE APPROVAL.
24. PHASE 3A HAS AN AVAILABLE FIRE FLOW OF >750 GPM. MINIMUM SEPARATION OF STRUCTURES IN PHASE 3A SHALL BE 21 FEET.
25. CALCULATIONS FOR FEE IN LIEU OF PARK DEDICATION: $292,100/24.6 AC. = $11,873.98/AC.
    14,400/43,560 = 0.33 AC X 11,873.98 = $3,919.41.

REVIEW OFFICER CERTIFICATE
STATE OF NORTH CAROLINA
COUNTY OF CURRITUCK

I, _____, REVIEW OFFICER OF CURRITUCK COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

_____ DATE _____ REVIEW OFFICER

PUBLIC STREETS DIVISION OF HIGHWAY DISTRICT ENGINEER CERTIFICATE
I HEREBY CERTIFY THAT THE PUBLIC STREETS SHOWN ON THIS PLAT ARE INTENDED FOR DEDICATION AND HAVE BEEN DESIGNED OR COMPLETED IN ACCORDANCE WITH AT LEAST THE MINIMUM SPECIFICATIONS AND STANDARDS OF THE NC DEPARTMENT OF TRANSPORTATION FOR ACCEPTANCE OF SUBDIVISION STREETS ON THE NC HIGHWAY SYSTEM FOR MAINTENANCE.

_____ DATE _____ DISTRICT ENGINEER

APPROVAL CERTIFICATE
I HEREBY CERTIFY THAT THE SUBDIVISION SHOWN ON THIS PLAT IS IN ALL RESPECTS IN COMPLIANCE WITH THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE AND, THEREFORE, THIS PLAT HAS BEEN APPROVED BY THE CURRITUCK COUNTY TECHNICAL REVIEW COMMITTEE AND SIGNED BY THE ADMINISTRATOR, SUBJECT TO ITS BEING RECORDED IN THE CURRITUCK COUNTY REGISTRY WITHIN 90 DAYS OF THE DATE BELOW.

_____ DATE _____ ADMINISTRATOR

OWNERSHIP AND DEDICATION CERTIFICATE
I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED HEREON, WHICH PROPERTY IS LOCATED WITHIN THE SUBDIVISION REGULATION JURISDICTION OF CURRITUCK COUNTY, THAT I HEREBY FREELY ADOPT THIS PLAT OF SUBDIVISION AND DEDICATE TO PUBLIC USE ALL AREA SHOWN ON THIS PLAT AS STREETS, UTILITIES, ALLEYS, WALKS, RECREATION AND PARKS, OPEN SPACE AND EASEMENTS, EXCEPT THOSE SPECIFICALLY INDICATED AS PRIVATE AND THAT I WILL MAINTAIN ALL SUCH AREAS UNTIL THE OFFER OF DEDICATION IS ACCEPTED BY THE APPROPRIATE PUBLIC AUTHORITY OR HOME OWNERS' ASSOCIATION. ALL PROPERTY SHOWN ON THIS PLAT AS DEDICATED FOR A PUBLIC USE SHALL BE DEEMED TO BE DEDICATED FOR ANY OTHER PUBLIC USE AUTHORIZED BY LAW WHEN SUCH USE IS APPROVED BY THE APPROPRIATE PUBLIC AUTHORITY IN THE PUBLIC INTEREST.

_____ DATE _____ OWNER

I, _____, A NOTARY PUBLIC

OF _____ COUNTY, NORTH CAROLINA, DO HEREBY CERTIFY THAT

_____ PERSONALLY APPEARED BEFORE ME THIS DATE AND ACKNOWLEDGED THE DUE EXECUTION OF THE FOREGOING CERTIFICATE.

WITNESS MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____, 20____

_____ NOTARY PUBLIC

MY COMMISSION EXPIRES _____

PUBLIC DEDICATION OF OPEN SPACE, PONDS & DRAINAGE FACILITIES STATEMENT
OPEN SPACE, PONDS, AND DRAINAGE FACILITIES REQUIRED TO BE PROVIDED BY THE DEVELOPER IN ACCORDANCE WITH THIS ORDINANCE SHALL NOT BE DEDICATED TO THE PUBLIC EXCEPT UPON WRITTEN ACCEPTANCE BY THE COUNTY, BUT SHALL REMAIN UNDER THE OWNERSHIP AND CONTROL OF THE DEVELOPER (OR HIS SUCCESSOR) OR A HOMEOWNERS ASSOCIATION OR SIMILAR ORGANIZATION THAT SATISFIES THE CRITERIA ESTABLISHED IN THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE.

ADJACENT ACTIVE FARMLAND STATEMENT
AS OF THE RECORDED DATE OF THIS PLAT, SOME PORTIONS OF THIS DEVELOPMENT ADJOIN LAND USED FOR ACTIVE AGRICULTURE PURPOSES THAT IS ANTICIPATED TO GENERATE NOISE, LIGHT, DUST, OR VIBRATION AS PART OF ITS NORMAL OPERATION.

SURVEYORS CERTIFICATE
I, MICHAEL D. BARR, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION FROM D.B. 862, PG. 847; THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:10,000 +, THAT THE BOUNDARIES NOT ACTUALLY SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN D.B. 862, PG. 847, AND THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30, AS AMENDED. THIS SURVEY CREATES A SUBDIVISION OF LAND IN AN AREA COVERED BY A SUBDIVISION ORDINANCE.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 20___,

_____ P.L.S. _____ L-1756

STORMWATER IMPROVEMENTS ENGINEER CERTIFICATE
I HEREBY CERTIFY THAT ALL IMPROVEMENTS REQUIRED BY THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE HAVE BEEN INSTALLED IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS PREPARED BY BISSELL PROFESSIONAL GROUP, AND SAID IMPROVEMENTS COMPLY WITH CURRITUCK COUNTY SPECIFICATIONS.

_____ DATE _____ REGISTERED LAND SURVEYOR/ENGINEER

_____ REGISTRATION NUMBER

INTERCONNECTIVITY STATEMENT
THIS SUBDIVISION CONTAINS A RIGHT-OF-WAY THAT IS PLATTED WITH THE INTENT OF BEING EXTENDED AND CONTINUED TO AND FROM ADJOINING PROPERTIES. ACCESS WITHIN THE RIGHT-OF-WAY FOR STREETS AND UTILITIES SHALL NOT BE RESTRICTED.

DEVELOPMENT SUMMARY:

TOTAL PROJECT AREA:	3,233,452 SF	74.23 AC
RESIDENTIAL AREA:	2,599,856 SF	59.68 AC
COMMERCIAL AREA:	313,943 SF	7.21 AC
RIGHT OF WAY AREA:	319,653 SF	7.34 AC

P.U.D. DEVELOPMENT SUMMARY:

TOTAL P.U.D. AREA:	3,233,452 SF	74.23 AC
TOTAL LOT AREA:	1,451,578 SF	33.32 AC
TOTAL PROPOSED LOTS:	159 LOTS	
DEVELOPMENT DENSITY:	2.37 UNITS/ACRE	
SMALLEST LOT SIZE:	8,100 SF	0.19 AC

COMMERCIAL DEVELOPMENT SUMMARY:

COMMERCIAL AREA ALLOWED (10%):	323,345 SF	7.42 AC
COMMERCIAL AREA PROPOSED:	313,943 SF	7.21 AC

OPEN SPACE SUMMARY:

OPEN SPACE AREA REQUIRED (35%):	1,131,708 SF	25.98 AC
TOTAL OPEN SPACE AREA PROVIDED:	1,152,009 SF	26.45 AC
ACTIVE OPEN SPACE AREA REQUIRED:	286,000 SF	6.57 AC
ACTIVE OPEN SPACE AREA PROVIDED:		
WALKING TRAILS:	27,739 SF±	0.64 AC
(2) 40'X40' POCKET PARKS:	3,200 SF	0.07 AC
POND W/ COMMUNITY GREEN SPACE:	468,347 SF±	10.75 AC
TOTAL ACTIVE OPEN SPACE AREA:*	488,755 SF±	11.22 AC
PASSIVE OPEN SPACE AREA PROVIDED:	659,115 SF±	15.13 AC

* REFER TO THE OPEN SPACE EXHIBIT

PUBLIC DEDICATION OF RECREATION AND PARK AREA, STATEMENT
A PAYMENT-IN-LIEU OF RECREATION AND PARK AREA DEDICATION WILL BE PROVIDED IN ACCORDANCE WITH THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE. PAYMENTS-IN-LIEU RECEIVED BY THE COUNTY SHALL BE USED ONLY FOR THE ACQUISITION OR DEVELOPMENT OF RECREATION AND PARK AREAS, AND OPEN SPACE SITES CONSISTENT WITH THE REQUIREMENTS OF NORTH CAROLINA GENERAL STATUTES SECTION 153A-331. SEE NOTE 25.

THE STATE PLANE COORDINATES (SPC) FOR THIS PROJECT WERE PRODUCED WITH STATIC GPS OBSERVATIONS AND PROCESSED WITH ONLINE POSITIONING USER SERVICE (OPUS). THE NETWORK POSITIONAL ACCURACY OF THE OPUS DERIVED POSTIONAL INFORMATION IS 0.0328 FT.

THE FOLLOWING CORS WERE USED BY OPUS: PID DESIGNATION, AJ8053 COVX CHESAPEAKE LIGHT CORS ARP, DI0890 DRV6 DRIVER 6 CORS ARP, DF8715 NCWI WILLIAMSTON CORS ARP, DG5313 NCPI PEA ISLAND CORS ARP, DH7133 NCJA JACKSON NC CORS ARP.

HORIZONTAL POSITIONS ARE REFERENCED TO NAD83/NSRS (2007). VERTICAL POSITIONS ARE REFERENCED TO NAVD88 USING (GEOID03). COMBINED FACTOR 1.00011746

NO MORE THAN 45% OF LOTS 1-159 SHALL BE COVERED BY IMPERVIOUS STRUCTURES, INCLUDING ASPHALT, GRAVEL, CONCRETE, BRICK, STONE, SLATE OR SIMILAR MATERIAL, NOT INCLUDING WOOD DECKING OR THE WATER SURFACE OF SWIMMING POOLS. THIS COVENANT IS INTENDED TO ENSURE COMPLIANCE WITH NCDENR DIVISION OF WATER QUALITY STORMWATER PERMIT #SW7150602 ISSUED JUNE 19, 2015. THE COVENANT MAY NOT BE CHANGED OR DELETED WITHOUT THE CONSENT OF THE STATE. FILLING IN OR PIPING OF ANY VEGETATIVE CONVEYANCES (DITCHES, SWALES, ETC.) ASSOCIATED WITH THIS DEVELOPMENT, EXCEPT FOR AVERAGE DRIVEWAY CROSSINGS, IS STRICTLY PROHIBITED BY ANY PERSON.

SHEET INDEX

SHEET	DESCRIPTION
1	COVER SHEET AND SITE LOCATION
2	PARCEL OVERVIEW & SHEET INDEX
3-8	SUBDIVISION PLATS
9	LINE AND CURVE TABLES

Bissell Professional Group
Firm License # C-956
3512 North Croatan Highway
P.O. Box 1068
Kitty Hawk, North Carolina 27949
(252) 261-3266
FAX (252) 261-1760

BISSELL PROFESSIONAL GROUP
Engineers, Planners, Surveyors
and Environmental Specialists

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PROJECT: LAKE VIEW AT CURRITUCK
COVER SHEET
CURRITUCK COUNTY NORTH CAROLINA
MOYOCK TOWNSHIP AMENDED PRELIMINARY PLAT

REVISIONS

1	12/17/09	REVISED PER CNTY COMMENTS	DMK
2	4/23/14	REVISED NAME & ENTRANCE MOD	DMK
3	7/18/14	NEW BUILDING ENVELOPES	DMK
4	7/30/14	ADJOINT AG PARCEL	DMK
5	11/21/14	REV SIDE SETBACK	DMK
6	11/20/15	ADD PHASE 3A	KFW
7	01/25/16	RRC COMMENTS	KFW

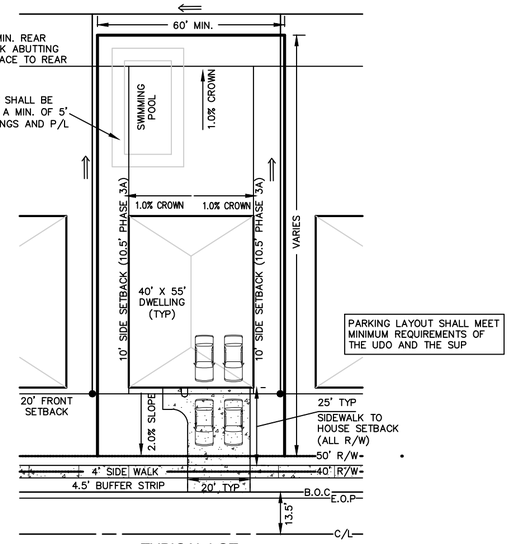
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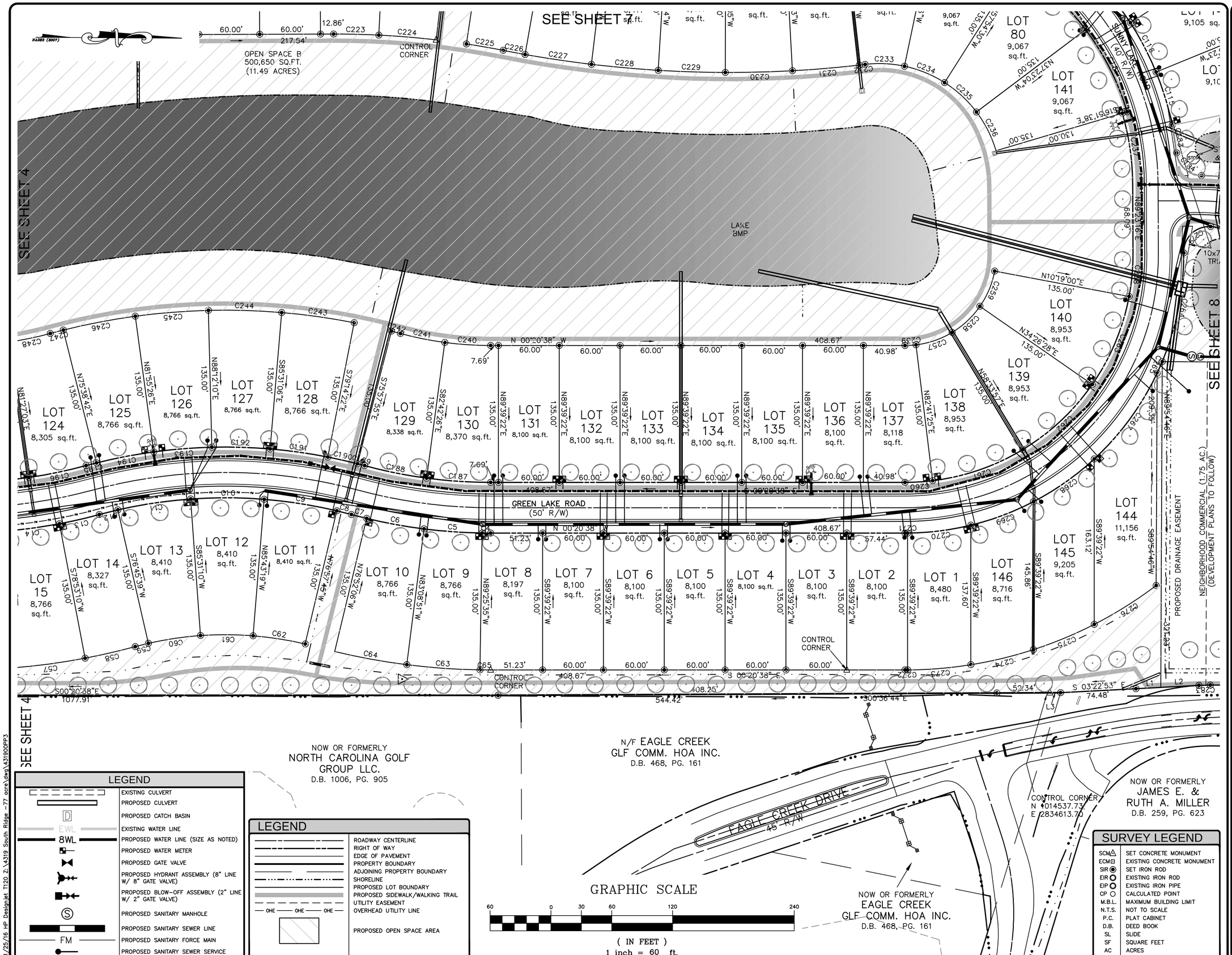
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DRAWN: MDB	APPROVED: BPG
SHEET: 1 OF 9	
CAD FILE: 431900PP3	
PROJECT NO: 4319	

Attachment: Lake View Prelim Plats 1-25-16 (1450 : PB 07-10 Lake View at Currituck)

LINE TABLE		
LINE	LENGTH	BEARING
L1	25.00	N53°48'23"W
L2	252.31	S61°48'25"E
L3	10.47	S00°36'44"E
L4	74.48	S03°22'53"E
L5	62.13	S03°22'53"E
L6	82.40	N00°41'23"E

NADB3 (2007)





LEGEND

	EXISTING CULVERT
	PROPOSED CULVERT
D	PROPOSED CATCH BASIN
EWL	EXISTING WATER LINE
8WL	PROPOSED WATER LINE (SIZE AS NOTED)
	PROPOSED WATER METER
	PROPOSED GATE VALVE
	PROPOSED HYDRANT ASSEMBLY (8" LINE W/ 8" GATE VALVE)
	PROPOSED BLOW-OFF ASSEMBLY (2" LINE W/ 2" GATE VALVE)
S	PROPOSED SANITARY MANHOLE
	PROPOSED SANITARY SEWER LINE
FM	PROPOSED SANITARY FORCE MAIN
	PROPOSED SANITARY SEWER SERVICE

LEGEND

	ROADWAY CENTERLINE
	RIGHT OF WAY
	EDGE OF PAVEMENT
	PROPERTY BOUNDARY
	ADJOINING PROPERTY BOUNDARY
	SHORELINE
	PROPOSED LOT BOUNDARY
	PROPOSED SIDEWALK/WALKING TRAIL
OHE OHE OHE	UTILITY EASEMENT / OVERHEAD UTILITY LINE
	PROPOSED OPEN SPACE AREA

SURVEY LEGEND

SCM△	SET CONCRETE MONUMENT
ECM⊡	EXISTING CONCRETE MONUMENT
SIR◉	SET IRON ROD
EIR○	EXISTING IRON ROD
EIP○	EXISTING IRON PIPE
CP ○	CALCULATED POINT
M.B.L.	MAXIMUM BUILDING LIMIT
N.T.S.	NOT TO SCALE
P.C.	PLAT CABINET
D.B.	DEED BOOK
SL	SLIDE
SF	SQUARE FEET
AC	ACRES

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PROJECT:

LAKE VIEW AT CURRITUCK

SUBDIVISION PLAT

MOYOCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

AMENDED PRELIMINARY PLAT

REVISIONS

1	12/17/09	REVISED PER CNTY COMMENTS	DMK
2	4/23/14	REVISED PER ENTRANCE MOD	DMK
3	7/18/14	PER TRC COMMENTS	DMK
4	7/30/14	S. DVLPMNT AGRMNT	DMK
5	11/20/15	DVLPMNT AGRMNT	DMK
6	01/25/16	3RD PHASE SA TRC COMMENTS	KFW

PRELIMINARY
FOR REVIEW
PURPOSES ONLY

DATE: 04-22-14	SCALE: 1"=60'
DESIGNED: BPG	CHECKED: DMK
DRAWN: MDB	APPROVED: BPG

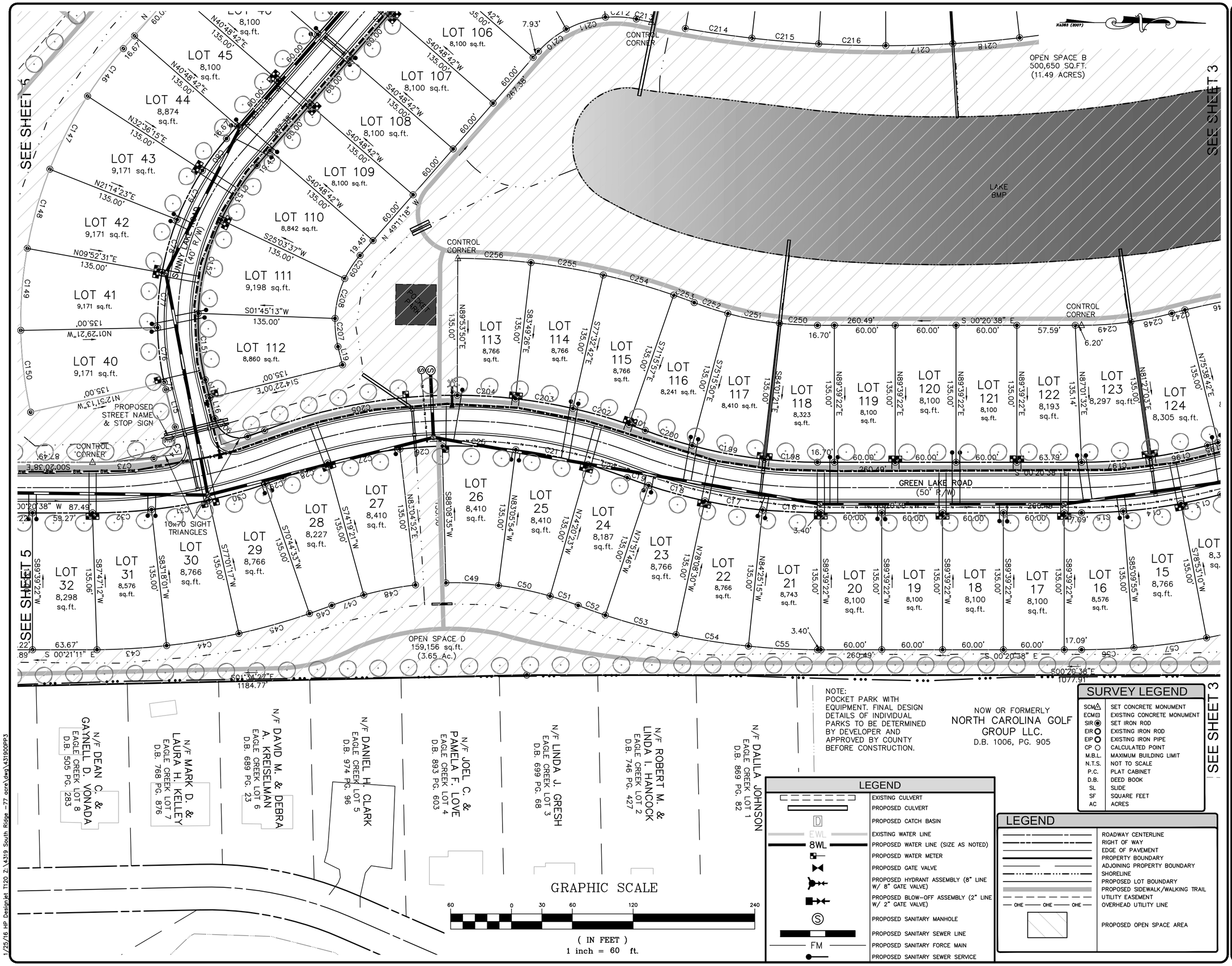
SHEET: 3 OF 9

CAD FILE: 431900PP3

PROJECT NO: 4319

1/25/16 HP Designjet T120 Z:\4319 South Ridge -- 77 acre\dwg\431900PP3

Attachment: Lake View Prelim Plats 1-25-16 (1450 : PB 07-10 Lake View at Currituck)



SURVEY LEGEND

SCM	SET CONCRETE MONUMENT
ECM	EXISTING CONCRETE MONUMENT
SIR	SET IRON ROD
EIR	EXISTING IRON ROD
EIP	EXISTING IRON PIPE
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N.T.S.	NOT TO SCALE
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D.B.	DEED BOOK
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LEGEND

	EXISTING CULVERT
	PROPOSED CULVERT
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LEGEND

	ROADWAY CENTERLINE
	RIGHT OF WAY
	EDGE OF PAVEMENT
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LAKE VIEW AT CURRITUCK
SUBDIVISION PLAT
AMENDED PRELIMINARY PLAT

PROJECT: MOYOCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

REVISIONS			
1	12/17/09	REVISED PER CNTY COMMENTS	DMK
2	4/23/14	REVISED PER ENTRANCE MOD	DMK
3	7/18/14	PER TRC COMMENTS & DVLPMNT AGRMNT	DMK
4	7/30/14	DVLPMNT AGRMNT	DMK
5	11/20/15	ADD PHASE 3A	KRW
6	01/25/16	TRC COMMENTS	KRW

PRELIMINARY
FOR REVIEW
PURPOSES ONLY

DATE: 04-22-14	SCALE: 1"=60'
DESIGNED: BPG	CHECKED: DMK
DRAWN: MDB	APPROVED: BPG
SHEET: 4 OF 9	
CAD FILE: 431900PP3	
PROJECT NO: 4319	

1/25/16 HP Designjet T120 Z:\4319 South Ridge -77 acre\dwg\431900PP3

Attachment: Lake View Prelim Plats 1-25-16 (1450 : PB 07-10 Lake View at Currituck)

LEGEND

- ROADWAY CENTERLINE
- RIGHT OF WAY
- EDGE OF PAVEMENT
- PROPERTY BOUNDARY
- ADJOINING PROPERTY BOUNDARY
- SHORELINE
- PROPOSED LOT BOUNDARY
- PROPOSED SIDEWALK/WALKING TRAIL
- UTILITY EASEMENT
- OHE — OHE — OHE — OVERHEAD UTILITY LINE
- PROPOSED OPEN SPACE AREA

LEGEND

- EXISTING CULVERT
- PROPOSED CULVERT
- D — PROPOSED CATCH BASIN
- E-WL — EXISTING WATER LINE
- 8WL — PROPOSED WATER LINE (SIZE AS NOTED)
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- PROPOSED SANITARY SEWER LINE
- FM — PROPOSED SANITARY FORCE MAIN
- PROPOSED SANITARY SEWER SERVICE

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SCM△	SET CONCRETE MONUMENT
ECM□	EXISTING CONCRETE MONUMENT
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M.B.L.	MAXIMUM BUILDING LIMIT
N.T.S.	NOT TO SCALE
P.C.	PLAT CABINET
D.B.	DEED BOOK
SL	SLIDE
SF	SQUARE FEET
AC	ACRES

NOTE:
POCKET PARK. DESIGN BY DEVELOPER. MUST BE APPROVED BY COUNTY BEFORE CONSTRUCTION.

* IF FEE IN LIEU IS ACCEPTED, USE AS ADDITIONAL REFORESTATION AREA.

GRAPHIC SCALE
60 0 30 60 120 240
(IN FEET)
1 inch = 60 ft.

NOW OR FORMERLY
JARVIS & SONS
D.B. 324, PG. 464

50' FARM BUFFER

TEMPORARY HAMMERHEAD CULDESAC

LOT 153 15,914.7 sq.ft.
LOT 154 15,030.0 sq.ft.
LOT 155 15,030.0 sq.ft.
LOT 156 15,000.5 sq.ft.
LOT 157 15,007.5 sq.ft.
LOT 158 15,001.6 sq.ft.
LOT 159 16,290.6 sq.ft.
LOT 147 17,486.4 sq.ft.
LOT 148 13,579.5 sq.ft.
LOT 149 13,600.0 sq.ft.
LOT 150 13,603.3 sq.ft.
LOT 151 14,296.5 sq.ft.
LOT 152 16,464.3 sq.ft.
LOT 36 10,169.2 sq.ft.
LOT 37 10,005.4 sq.ft.
LOT 38 9,577 sq.ft.
LOT 39 9,681.2 sq.ft.
LOT 35 9,230 sq.ft.
LOT 34 9,230 sq.ft.
LOT 33 8,699 sq.ft.
LOT 32 8,298 sq.ft.
LOT 31 8,576 sq.ft.
LOT 30 8,766 sq.ft.
LOT 41 9,171 sq.ft.
LOT 40 9,171 sq.ft.
LOT 42 9,171 sq.ft.
LOT 43 9,171 sq.ft.
LOT 44 8,874 sq.ft.
LOT 45 8,100 sq.ft.

OPEN SPACE A
284,503 SQ.FT.
(6.53 ACRES)

OPEN SPACE E
186,436 sq.ft.
(4.28 Ac.)

OFFER OF PARK AREA DEDICATION*
14,467 SF

N.C. POWER 150' UTILITY EASEMENT
D.B. 95, PG. 287 & P.C. A, SL. 185

PROPOSED STREET NAME & STOP SIGN

CONTROL CORNER

GREEN LAKE ROAD (50' R/W)

SUNNY LARK (40' R/W)

GRAVEL DRIVE

(2) 20'X40' RV/BOAT TRAILER PARKING SPACES

10'x70' SIGHT TRIANGLES

CONTROL CORNER
N 1011731.13
E 2834658.53

NOW OR FORMERLY
EAGLE CREEK
GLF COMM. HOA INC.
D.B. 471, PG. 816

N/F WARREN K. & ELIZABETH A. IRVING
EAGLE CREEK LOT 18
D.B. 489 PG. 188

N/F JOHN A. & MELISSA L. HEROUX JR.
EAGLE CREEK LOT 17
D.B. 568 PG. 586

N/F JEFFREY D. & KIMBERLY L. LYNCH
EAGLE CREEK LOT 16
D.B. 497 PG. 74

N/F HEATHER F. & DAREN P. BOLAC
EAGLE CREEK LOT 15
D.B. 800 PG. 783

PH 3A PH 2

SEE SHEET 4

Bissell Professional Group
Firm License # C-956
3512 North Croatan Highway
P.O. Box 1068
Kitty Hawk, North Carolina 27949
(252) 261-3266
FAX (252) 261-1760

BISSELL PROFESSIONAL GROUP
Engineers, Planners, Surveyors and Environmental Specialists

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PROJECT: LAKE VIEW AT CURRITUCK
SUBDIVISION PLAT
MOYOCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA
AMENDED PRELIMINARY PLAT

REVISIONS			
1	12/17/09	REVISED PER CNTY COMMENTS	DMK
2	4/28/14	REVISED PER ENTRANCE MOD	DMK
3	7/18/14	PER TRC COMMENTS	DMK
4	7/30/14	& PVA PMNT AGRMNT	DMK
5	11/20/15	ADD PHASE 3A	KPW
6	01/25/16	TRC COMMENTS	KPW

PRELIMINARY
FOR REVIEW PURPOSES ONLY

DATE: 04-22-14	SCALE: 1"=60'
DESIGNED: BPG	CHECKED: DMK
DRAWN: MDB	APPROVED: BPG
SHEET: 5 OF 9	
CAD FILE: 431900PP3	
PROJECT NO: 4319	

1/25/16 HP Designjet T120 Z:\4319 South Ridge -77 acre\dwg\431900PP3

Attachment: Lake View Prelim Plats 1-25-16 (1450 : PB 07-10 Lake View at Currituck)

NADB3 (2007)

LEGEND

	EXISTING CULVERT
	PROPOSED CULVERT
D	PROPOSED CATCH BASIN
EWL	EXISTING WATER LINE
8WL	PROPOSED WATER LINE (SIZE AS NOTED)
	PROPOSED WATER METER
	PROPOSED GATE VALVE
	PROPOSED HYDRANT ASSEMBLY (8" LINE W/ 8" GATE VALVE)
	PROPOSED BLOW-OFF ASSEMBLY (2" LINE W/ 2" GATE VALVE)
S	PROPOSED SANITARY MANHOLE
	PROPOSED SANITARY SEWER LINE
FM	PROPOSED SANITARY FORCE MAIN
	PROPOSED SANITARY SEWER SERVICE

SURVEY LEGEND

SCM△	SET CONCRETE MONUMENT
ECM⊡	EXISTING CONCRETE MONUMENT
SIR◉	SET IRON ROD
EIR○	EXISTING IRON ROD
EIP○	EXISTING IRON PIPE
CP ○	CALCULATED POINT
M.B.L.	MAXIMUM BUILDING LIMIT
N.T.S.	NOT TO SCALE
P.C.	PLAT CABINET
D.B.	DEED BOOK
SL	SLIDE
SF	SQUARE FEET
AC	ACRES

LEGEND

	ROADWAY CENTERLINE
	RIGHT OF WAY
	EDGE OF PAVEMENT
	PROPERTY BOUNDARY
	ADJOINING PROPERTY BOUNDARY
	SHORELINE
	PROPOSED LOT BOUNDARY
	PROPOSED SIDEWALK/WALKING TRAIL
	UTILITY EASEMENT
OHE OHE OHE	OVERHEAD UTILITY LINE
	PROPOSED OPEN SPACE AREA

NOW OR FORMERLY
JARVIS & SONS
D.B. 324, PG. 464

N.C. POWER 150' UTILITY EASEMENT
D.B. 95, PG. 287 & P.C. A, SL. 185

NOW OR FORMERLY
GEORGE CLYDE WINSLOW
D.B. 368, PG. 205

EOM

N 00°33'33" W
1374.75'

OPEN SPACE A
284,503 sq.ft.
(6.53 Ac.)

CONTROL CORNER

N 00°31'30" W
12.48'
60.00'

LOT 51 9,171 sq.ft.
LOT 52 9,171 sq.ft.
LOT 53 9,171 sq.ft.
LOT 54 8,277 sq.ft.
LOT 55 8,283 sq.ft.
LOT 56 8,283 sq.ft.
LOT 57 8,283 sq.ft.
LOT 58 8,283 sq.ft.
LOT 59 8,206 sq.ft.
LOT 60 8,408 sq.ft.
LOT 61 8,408 sq.ft.
LOT 62 8,344 sq.ft.
LOT 63 8,100 sq.ft.

LOT 50 9,171 sq.ft.
LOT 49 8,980 sq.ft.
LOT 48 8,100 sq.ft.
LOT 47 8,100 sq.ft.
LOT 46 8,100 sq.ft.
LOT 45 8,100 sq.ft.
LOT 44 8,874 sq.ft.
LOT 43 9,171 sq.ft.

LOT 104 9,214 sq.ft.
LOT 103 8,899 sq.ft.
LOT 102 8,411 sq.ft.
LOT 101 8,411 sq.ft.
LOT 100 8,411 sq.ft.
LOT 99 8,411 sq.ft.
LOT 98 8,411 sq.ft.
LOT 97 8,411 sq.ft.
LOT 96 8,277 sq.ft.
LOT 95 8,281 sq.ft.
LOT 94 8,206 sq.ft.
LOT 93 8,100 sq.ft.

LOT 105 9,060 sq.ft.
LOT 106 8,100 sq.ft.
LOT 107 8,100 sq.ft.
LOT 108 8,100 sq.ft.
LOT 109 8,100 sq.ft.

SUNNY LAKE ROAD
(40' R/W)

CONTROL CORNER

OPEN SPACE B
500,650 SQ.FT.
(11.49 ACRES)

LAKE BMP

SEE SHEET 5

SEE SHEET 7

SEE SHEET 4

SEE SHEET 4

GRAPHIC SCALE
60 0 30 60 120 240
(IN FEET)
1 inch = 60 ft.

1/25/16 HP DesignJet T120 Z:\4319 South Ridge -77 acre\dwg\431900PP3

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PROJECT:
LAKE VIEW AT CURRITUCK
SUBDIVISION PLAT
CURRITUCK COUNTY NORTH CAROLINA
MOYOCK TOWNSHIP
AMENDED PRELIMINARY PLAT

REVISIONS

1	4/23/14	REVISED PER ENTRANCE MOD	DMK
2	7/18/14	PER TRC COMMENTS	DMK
3	7/30/14	& OVLPMNT AGRMNT	DMK
4	11/20/15	ADD PHASE 3A	KFW

PRELIMINARY
FOR REVIEW
PURPOSES ONLY

DATE: 04-22-14	SCALE: 1"=60'
DESIGNED: BPG	CHECKED: DMK
DRAWN: MDB	APPROVED: BPG
SHEET: 6 OF 9	
CAD FILE: 431900PP3	
PROJECT NO: 4319	

Attachment: Lake View Prelim Plats 1-25-16 (1450 : PB 07-10 Lake View at Currituck)

LEGEND

	ROADWAY CENTERLINE
	RIGHT OF WAY
	EDGE OF PAVEMENT
	PROPERTY BOUNDARY
	ADJOINING PROPERTY BOUNDARY
	SHORELINE
	PROPOSED LOT BOUNDARY
	PROPOSED SIDEWALK/WALKING TRAIL
	UTILITY EASEMENT
OHE OHE OHE	OVERHEAD UTILITY LINE
	PROPOSED OPEN SPACE AREA

SURVEY LEGEND

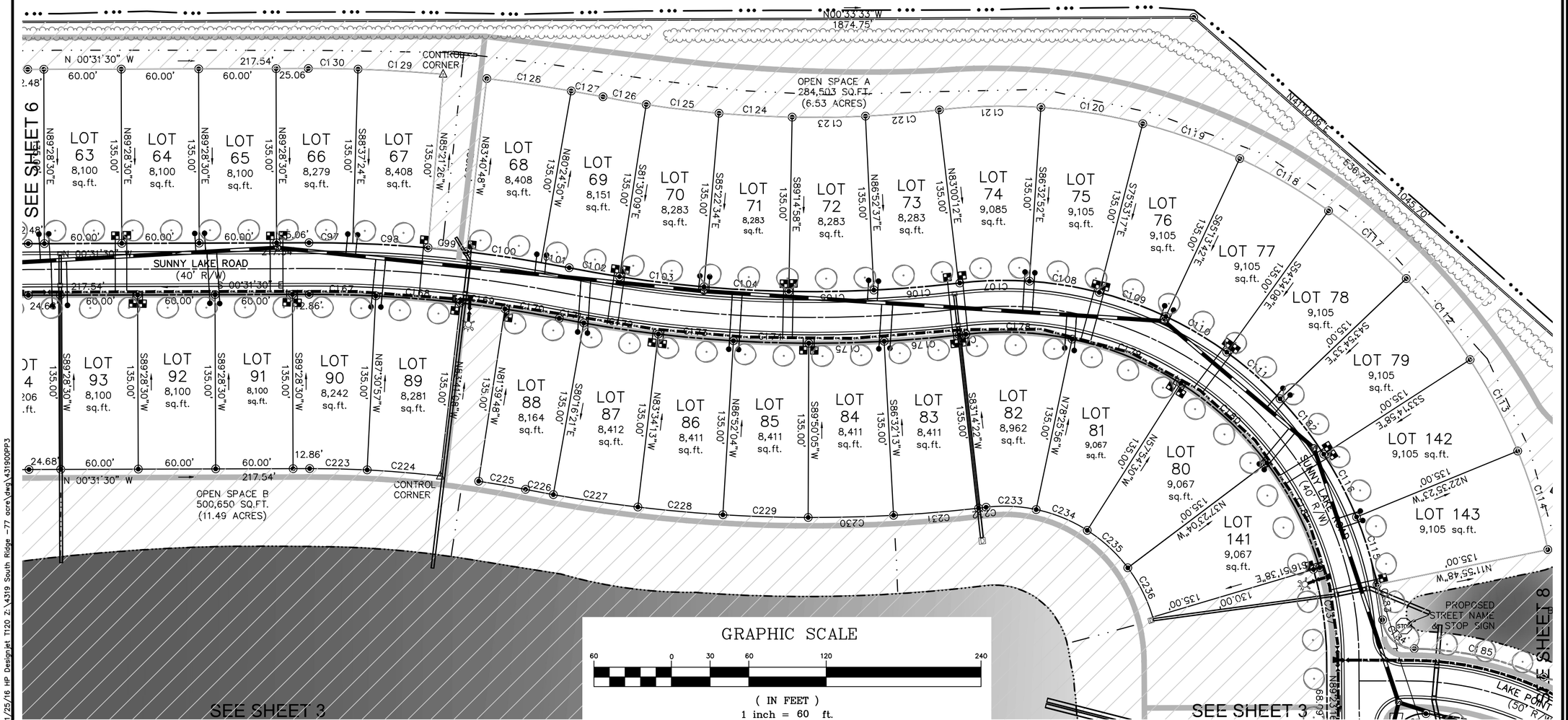
SCM	SET CONCRETE MONUMENT
ECM	EXISTING CONCRETE MONUMENT
SIR	SET IRON ROD
EIR	EXISTING IRON ROD
EIP	EXISTING IRON PIPE
CP	CALCULATED POINT
M.B.L.	MAXIMUM BUILDING LIMIT
N.T.S.	NOT TO SCALE
P.C.	PLAT CABINET
D.B.	DEED BOOK
SL	SLIDE
SF	SQUARE FEET
AC	ACRES

LEGEND

	EXISTING CULVERT
	PROPOSED CULVERT
D	PROPOSED CATCH BASIN
EWL	EXISTING WATER LINE
8WL	PROPOSED WATER LINE (SIZE AS NOTED)
	PROPOSED WATER METER
	PROPOSED GATE VALVE
	PROPOSED HYDRANT ASSEMBLY (8" LINE W/ 8" GATE VALVE)
	PROPOSED BLOW-OFF ASSEMBLY (2" LINE W/ 2" GATE VALVE)
S	PROPOSED SANITARY MANHOLE
	PROPOSED SANITARY SEWER LINE
FM	PROPOSED SANITARY FORCE MAIN
	PROPOSED SANITARY SEWER SERVICE

NAD83 (2007)

NOW OR FORMERLY
GEORGE CLYDE WINSLOW
D.B. 368, PG. 205



GRAPHIC SCALE

60 0 30 60 120 240

(IN FEET)
1 inch = 60 ft.

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LAKE VIEW AT CURRITUCK
SUBDIVISION PLAT
MOYOCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA
AMENDED PRELIMINARY PLAT

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3	7/18/14	PER TRC COMMENTS & DVLPMNT AGRMNT	DMK
4	7/30/14	DVLPMNT AGRMNT	DMK
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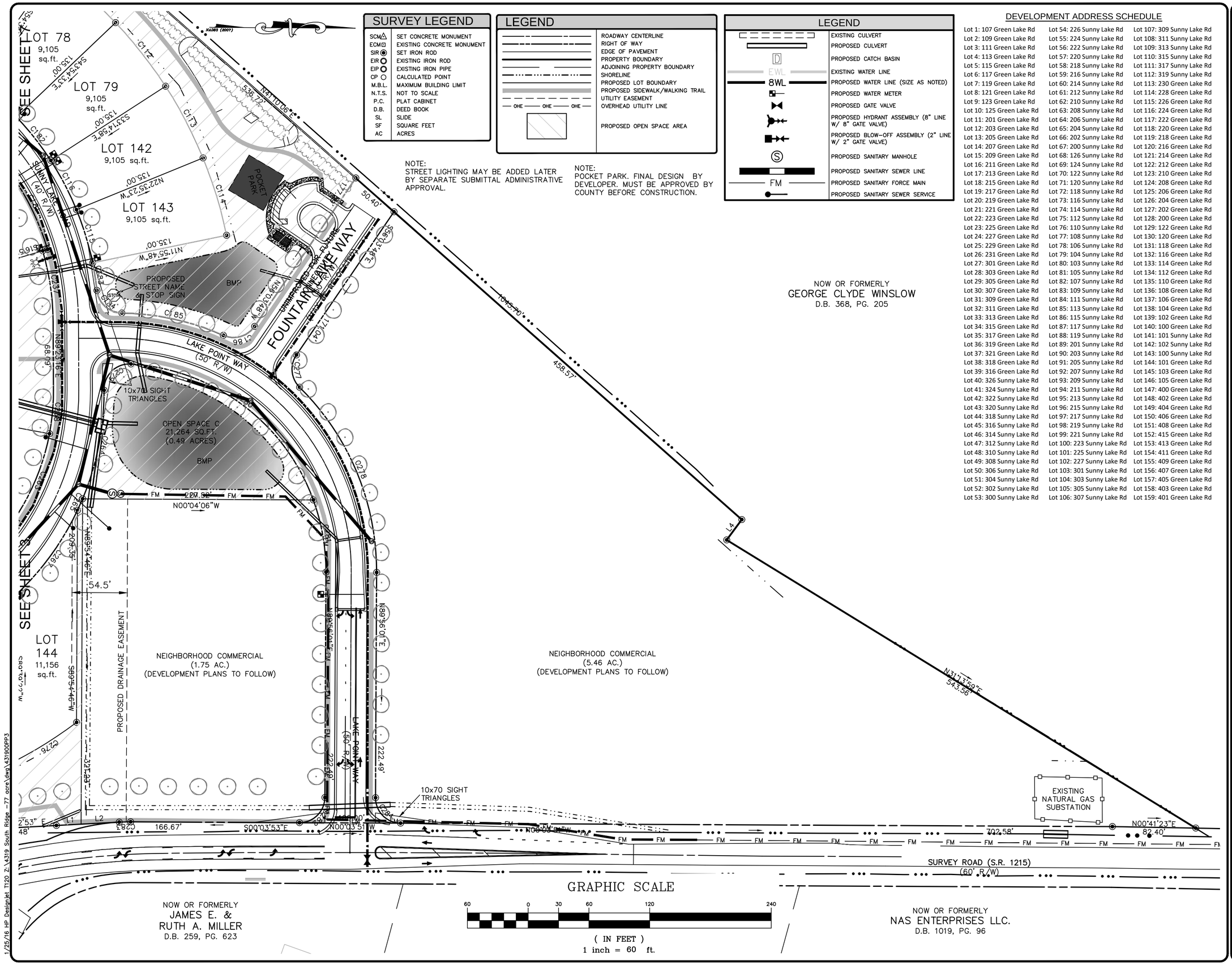
SHEET: 7 OF 9

CAD FILE: 431900PP3

PROJECT NO: 4319

1/25/16 HP DesignJet T120 Z:\4319 South Ridge -77 acre\dwg\431900PP3

Attachment: Lake View Prelim Plats 1-25-16 (1450 : PB 07-10 Lake View at Currituck)



SURVEY LEGEND

SCM△	SET CONCRETE MONUMENT
ECM⊡	EXISTING CONCRETE MONUMENT
SIR◉	SET IRON ROD
EIR○	EXISTING IRON ROD
EIP○	EXISTING IRON PIPE
CP ○	CALCULATED POINT
M.B.L.	MAXIMUM BUILDING LIMIT
N.T.S.	NOT TO SCALE
P.C.	PLAT CABINET
D.B.	DEED BOOK
SL	SLIDE
SF	SQUARE FEET
AC	ACRES

LEGEND

	ROADWAY CENTERLINE
	RIGHT OF WAY
	EDGE OF PAVEMENT
	PROPERTY BOUNDARY
	ADJOINING PROPERTY BOUNDARY
	SHORELINE
	PROPOSED LOT BOUNDARY
	PROPOSED SIDEWALK/WALKING TRAIL
	UTILITY EASEMENT
OHE OHE OHE	OVERHEAD UTILITY LINE
	PROPOSED OPEN SPACE AREA

NOTE:
STREET LIGHTING MAY BE ADDED LATER BY SEPARATE SUBMITTAL ADMINISTRATIVE APPROVAL.

NOTE:
POCKET PARK. FINAL DESIGN BY DEVELOPER. MUST BE APPROVED BY COUNTY BEFORE CONSTRUCTION.

LEGEND

	EXISTING CULVERT
	PROPOSED CULVERT
D	PROPOSED CATCH BASIN
EWL	EXISTING WATER LINE
8WL	PROPOSED WATER LINE (SIZE AS NOTED)
	PROPOSED WATER METER
	PROPOSED GATE VALVE
	PROPOSED HYDRANT ASSEMBLY (8" LINE W/ 8" GATE VALVE)
	PROPOSED BLOW-OFF ASSEMBLY (2" LINE W/ 2" GATE VALVE)
S	PROPOSED SANITARY MANHOLE
	PROPOSED SANITARY SEWER LINE
FM	PROPOSED SANITARY FORCE MAIN
	PROPOSED SANITARY SEWER SERVICE

DEVELOPMENT ADDRESS SCHEDULE

Lot 1: 107 Green Lake Rd	Lot 54: 226 Sunny Lake Rd	Lot 107: 309 Sunny Lake Rd
Lot 2: 109 Green Lake Rd	Lot 55: 224 Sunny Lake Rd	Lot 108: 311 Sunny Lake Rd
Lot 3: 111 Green Lake Rd	Lot 56: 222 Sunny Lake Rd	Lot 109: 313 Sunny Lake Rd
Lot 4: 113 Green Lake Rd	Lot 57: 220 Sunny Lake Rd	Lot 110: 315 Sunny Lake Rd
Lot 5: 115 Green Lake Rd	Lot 58: 218 Sunny Lake Rd	Lot 111: 317 Sunny Lake Rd
Lot 6: 117 Green Lake Rd	Lot 59: 216 Sunny Lake Rd	Lot 112: 319 Sunny Lake Rd
Lot 7: 119 Green Lake Rd	Lot 60: 214 Sunny Lake Rd	Lot 113: 230 Green Lake Rd
Lot 8: 121 Green Lake Rd	Lot 61: 212 Sunny Lake Rd	Lot 114: 228 Green Lake Rd
Lot 9: 123 Green Lake Rd	Lot 62: 210 Sunny Lake Rd	Lot 115: 226 Green Lake Rd
Lot 10: 125 Green Lake Rd	Lot 63: 208 Sunny Lake Rd	Lot 116: 224 Green Lake Rd
Lot 11: 201 Green Lake Rd	Lot 64: 206 Sunny Lake Rd	Lot 117: 222 Green Lake Rd
Lot 12: 203 Green Lake Rd	Lot 65: 204 Sunny Lake Rd	Lot 118: 220 Green Lake Rd
Lot 13: 205 Green Lake Rd	Lot 66: 202 Sunny Lake Rd	Lot 119: 218 Green Lake Rd
Lot 14: 207 Green Lake Rd	Lot 67: 200 Sunny Lake Rd	Lot 120: 216 Green Lake Rd
Lot 15: 209 Green Lake Rd	Lot 68: 126 Sunny Lake Rd	Lot 121: 214 Green Lake Rd
Lot 16: 211 Green Lake Rd	Lot 69: 124 Sunny Lake Rd	Lot 122: 212 Green Lake Rd
Lot 17: 213 Green Lake Rd	Lot 70: 122 Sunny Lake Rd	Lot 123: 210 Green Lake Rd
Lot 18: 215 Green Lake Rd	Lot 71: 120 Sunny Lake Rd	Lot 124: 208 Green Lake Rd
Lot 19: 217 Green Lake Rd	Lot 72: 118 Sunny Lake Rd	Lot 125: 206 Green Lake Rd
Lot 20: 219 Green Lake Rd	Lot 73: 116 Sunny Lake Rd	Lot 126: 204 Green Lake Rd
Lot 21: 221 Green Lake Rd	Lot 74: 114 Sunny Lake Rd	Lot 127: 202 Green Lake Rd
Lot 22: 223 Green Lake Rd	Lot 75: 112 Sunny Lake Rd	Lot 128: 200 Green Lake Rd
Lot 23: 225 Green Lake Rd	Lot 76: 110 Sunny Lake Rd	Lot 129: 122 Green Lake Rd
Lot 24: 227 Green Lake Rd	Lot 77: 108 Sunny Lake Rd	Lot 130: 120 Green Lake Rd
Lot 25: 229 Green Lake Rd	Lot 78: 106 Sunny Lake Rd	Lot 131: 118 Green Lake Rd
Lot 26: 231 Green Lake Rd	Lot 79: 104 Sunny Lake Rd	Lot 132: 116 Green Lake Rd
Lot 27: 301 Green Lake Rd	Lot 80: 103 Sunny Lake Rd	Lot 133: 114 Green Lake Rd
Lot 28: 303 Green Lake Rd	Lot 81: 105 Sunny Lake Rd	Lot 134: 112 Green Lake Rd
Lot 29: 305 Green Lake Rd	Lot 82: 107 Sunny Lake Rd	Lot 135: 110 Green Lake Rd
Lot 30: 307 Green Lake Rd	Lot 83: 109 Sunny Lake Rd	Lot 136: 108 Green Lake Rd
Lot 31: 309 Green Lake Rd	Lot 84: 111 Sunny Lake Rd	Lot 137: 106 Green Lake Rd
Lot 32: 311 Green Lake Rd	Lot 85: 113 Sunny Lake Rd	Lot 138: 104 Green Lake Rd
Lot 33: 313 Green Lake Rd	Lot 86: 115 Sunny Lake Rd	Lot 139: 102 Green Lake Rd
Lot 34: 315 Green Lake Rd	Lot 87: 117 Sunny Lake Rd	Lot 140: 100 Green Lake Rd
Lot 35: 317 Green Lake Rd	Lot 88: 119 Sunny Lake Rd	Lot 141: 101 Sunny Lake Rd
Lot 36: 319 Green Lake Rd	Lot 89: 201 Sunny Lake Rd	Lot 142: 102 Sunny Lake Rd
Lot 37: 321 Green Lake Rd	Lot 90: 203 Sunny Lake Rd	Lot 143: 100 Sunny Lake Rd
Lot 38: 318 Green Lake Rd	Lot 91: 205 Sunny Lake Rd	Lot 144: 101 Green Lake Rd
Lot 39: 316 Green Lake Rd	Lot 92: 207 Sunny Lake Rd	Lot 145: 103 Green Lake Rd
Lot 40: 326 Sunny Lake Rd	Lot 93: 209 Sunny Lake Rd	Lot 146: 105 Green Lake Rd
Lot 41: 324 Sunny Lake Rd	Lot 94: 211 Sunny Lake Rd	Lot 147: 400 Green Lake Rd
Lot 42: 322 Sunny Lake Rd	Lot 95: 213 Sunny Lake Rd	Lot 148: 402 Green Lake Rd
Lot 43: 320 Sunny Lake Rd	Lot 96: 215 Sunny Lake Rd	Lot 149: 404 Green Lake Rd
Lot 44: 318 Sunny Lake Rd	Lot 97: 217 Sunny Lake Rd	Lot 150: 406 Green Lake Rd
Lot 45: 316 Sunny Lake Rd	Lot 98: 219 Sunny Lake Rd	Lot 151: 408 Green Lake Rd
Lot 46: 314 Sunny Lake Rd	Lot 99: 221 Sunny Lake Rd	Lot 152: 415 Green Lake Rd
Lot 47: 312 Sunny Lake Rd	Lot 100: 223 Sunny Lake Rd	Lot 153: 413 Green Lake Rd
Lot 48: 310 Sunny Lake Rd	Lot 101: 225 Sunny Lake Rd	Lot 154: 411 Green Lake Rd
Lot 49: 308 Sunny Lake Rd	Lot 102: 227 Sunny Lake Rd	Lot 155: 409 Green Lake Rd
Lot 50: 306 Sunny Lake Rd	Lot 103: 301 Sunny Lake Rd	Lot 156: 407 Green Lake Rd
Lot 51: 304 Sunny Lake Rd	Lot 104: 303 Sunny Lake Rd	Lot 157: 405 Green Lake Rd
Lot 52: 302 Sunny Lake Rd	Lot 105: 305 Sunny Lake Rd	Lot 158: 403 Green Lake Rd
Lot 53: 300 Sunny Lake Rd	Lot 106: 307 Sunny Lake Rd	Lot 159: 401 Green Lake Rd

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3512 North Croatan Highway
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AMENDED PRELIMINARY PLAT

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3	7/18/14	PER TRC COMMENTS & DVLPMNT AGRMNT	DMK
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5	11/20/15	ADD PHASE 3A	KFW
6	01/25/16	TRC COMMENTS	KFW

PRELIMINARY
FOR REVIEW PURPOSES ONLY

DATE: 04-22-14	SCALE: 1"=60'
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SHEET: 8 OF 9	
CAD FILE: 431900PP3	
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1/25/16 HP DesignJet T120 Z:\4319 South Ridge -77 acre\dwg\431900PP3

Attachment: Lake View Prelim Plats 1-25-16 (1450 : PB 07-10 Lake View at Currituck)

NOTE : THESE LINE AND CURVE TABLES APPLY TO SUBDIVISION PLAT SHEETS 3 THROUGH 7 ONLY

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD	BEARING	DELTA
C4	8.41	525.00	8.41'	N00°06'54"E	0°55'03"
C5	57.53	525.00	57.51'	N03°42'47"E	6°16'44"
C6	57.53	525.00	57.51'	N09°59'32"E	6°16'44"
C7	15.53	525.00	15.53'	N13°58'44"E	1°41'41"
C8	14.83	475.00	14.83'	S13°55'55"W	1°47'20"
C9	72.62	475.00	72.55'	S08°39'28"W	8°45'33"
C10	72.61	475.00	72.54'	S00°06'04"E	8°45'31"
C11	72.61	475.00	72.54'	S08°51'35"E	8°45'31"
C12	18.86	475.00	18.86'	S14°22'36"E	2°16'30"
C13	40.32	525.00	40.31'	N13°18'50"W	4°24'01"
C14	57.53	525.00	57.51'	N07°58'28"W	6°16'44"
C15	41.15	525.00	41.14'	N02°35'22"W	4°29'28"
C16	54.25	1260.26	54.25'	N02°37'04"E	2°27'59"
C17	57.53	525.00	57.51'	N08°43'07"E	6°16'44"
C18	57.53	525.00	57.51'	N14°59'52"E	6°16'44"
C19	22.59	525.00	22.59'	N19°22'12"E	2°27'55"
C20	40.97	475.00	40.96'	S18°07'53"W	4°56'32"
C21	72.61	475.00	72.54'	S11°16'52"W	8°45'31"
C25	72.61	475.00	72.54'	S02°31'21"W	8°45'31"
C26	41.97	475.00	41.95'	S04°23'16"E	5°03'43"
C27	72.61	475.00	72.54'	S11°17'54"E	8°45'31"
C28	46.53	475.00	46.51'	S18°29'02"E	5°36'46"
C29	18.62	525.00	18.62'	N20°16'26"W	2°01'57"
C30	57.53	525.00	57.51'	N16°07'05"W	6°16'44"
C31	57.53	525.00	57.51'	N09°50'21"W	6°16'44"
C32	58.24	525.00	58.21'	N03°31'18"W	6°21'21"
C33	29.56	300.00	29.55'	N02°28'44"E	5°38'44"
C34	55.81	300.00	55.73'	N10°37'54"E	10°39'35"
C35	55.81	300.00	55.73'	N21°17'29"E	10°39'35"
C36	55.81	300.00	55.73'	N31°57'04"E	10°39'35"
C37	18.44	300.00	18.44'	N39°02'32"E	3°31'21"
C38	26.74	435.00	26.74'	N39°02'32"E	3°31'21"
C39	80.93	435.00	80.81'	N31°57'04"E	10°39'35"
C40	80.93	435.00	80.81'	N21°17'29"E	10°39'35"
C41	80.93	435.00	80.81'	N10°37'54"E	10°39'35"
C42	42.86	435.00	42.85'	N02°28'44"E	5°38'44"
C43	68.81	660.00	68.78'	N03°42'47"W	5°58'24"
C44	72.33	660.00	72.29'	N09°50'21"W	6°16'44"
C45	72.33	660.00	72.29'	N16°07'05"W	6°16'44"
C46	23.41	660.00	23.41'	N20°16'26"W	2°01'57"
C47	33.31	340.00	33.29'	S18°29'02"E	5°36'46"
C48	51.97	340.00	51.92'	S11°17'54"E	8°45'31"
C49	52.00	340.00	51.95'	S02°31'12"W	8°45'48"
C50	51.97	340.00	51.92'	S11°16'52"W	8°45'31"
C51	29.33	340.00	29.32'	S18°07'53"W	4°56'32"
C52	28.40	660.00	28.40'	N19°22'12"E	2°27'55"
C53	72.33	660.00	72.29'	N14°59'52"E	6°16'44"
C54	72.33	660.00	72.29'	N08°43'07"E	6°16'44"
C55	68.23	660.00	68.20'	N02°37'04"E	5°55'23"
C56	51.73	660.00	51.72'	N02°35'22"W	4°29'28"
C57	72.33	660.00	72.29'	N07°58'28"W	6°16'44"
C58	50.69	660.00	50.67'	N13°18'50"W	4°24'01"
C59	13.50	340.00	13.50'	S14°22'36"E	2°16'30"
C60	51.97	340.00	51.92'	S08°51'35"E	8°45'31"
C61	51.97	340.00	51.92'	S00°06'04"E	8°45'31"
C62	52.12	340.00	52.07'	S08°40'10"W	8°46'57"
C63	72.33	660.00	72.29'	N03°42'47"E	6°16'44"
C64	72.33	660.00	72.29'	N09°59'32"E	6°16'44"
C65	10.57	660.00	10.57'	N00°06'54"E	0°55'03"
C66	39.27	25.00	35.36'	S04°11'49"E	90°00'00"
C67	39.27	25.00	35.36'	N85°48'12"E	90°00'03"
C68	29.59	250.00	29.58'	N37°24'44"E	6°46'56"
C69	89.55	250.00	89.07'	N23°45'33"E	20°31'26"
C70	60.39	250.00	60.25'	N06°34'36"E	13°50'28"
C71	13.61	115.00	13.60'	N37°24'44"E	6°46'56"
C72	41.19	115.00	40.97'	N23°45'33"E	20°31'26"
C73	60.61	475.00	60.57'	N03°59'57"W	7°18'38"
C74	42.20	25.00	37.36'	N56°00'38"W	96°42'44"
C75	7.26	275.00	7.26'	N76°23'23"E	1°30'47"
C76	54.55	275.00	54.46'	N82°49'43"E	11°21'52"
C77	54.55	275.00	54.46'	S85°48'25"E	11°21'52"
C78	54.55	275.00	54.46'	S74°26'33"E	11°21'52"
C79	54.55	275.00	54.46'	S63°04'41"E	11°21'52"
C80	39.39	275.00	39.36'	S53°17'31"E	8°12'27"
C81	44.81	275.00	44.76'	S44°31'14"E	9°20'07"
C82	54.55	275.00	54.46'	S34°10'15"E	11°21'52"
C83	54.55	275.00	54.46'	S22°48'23"E	11°21'52"
C84	54.55	275.00	54.46'	S11°26'31"E	11°21'52"
C85	54.55	275.00	54.46'	S00°04'39"E	11°21'52"
C86	30.01	275.00	30.00'	S08°43'53"W	6°15'13"

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD	BEARING	DELTA
C87	65.38	975.00	65.37'	N10°00'49"E	3°50'32"
C88	65.92	975.00	65.90'	N06°09'21"E	3°52'25"
C89	65.92	975.00	65.90'	N02°16'56"E	3°52'25"
C90	65.92	975.00	65.90'	N01°35'29"W	3°52'25"
C91	65.92	975.00	65.90'	N05°27'53"W	3°52'25"
C92	50.48	975.00	50.48'	N08°53'06"W	2°58'00"
C93	12.94	1025.00	12.94'	S10°00'23"E	0°43'25"
C94	58.43	1025.00	58.42'	S08°00'41"E	3°15'59"
C95	58.43	1025.00	58.42'	S04°44'43"E	3°15'59"
C96	46.28	1025.00	46.28'	S01°49'07"E	2°35'13"
C97	34.02	1025.00	34.02'	S00°25'33"W	1°54'06"
C98	58.43	1025.00	58.42'	S03°00'35"W	3°15'59"
C99	30.00	1025.00	30.00'	S05°28'53"W	1°40'37"
C100	58.43	1025.00	58.42'	S07°57'11"W	3°15'59"
C101	22.11	1025.00	22.11'	S10°12'15"W	1°14'09"
C102	39.55	975.00	39.55'	N09°39'35"E	2°19'28"
C103	65.92	975.00	65.90'	N06°33'39"E	3°52'25"
C104	65.92	975.00	65.90'	N02°41'14"E	3°52'25"
C105	65.92	975.00	65.90'	N01°11'11"W	3°52'25"
C106	66.83	975.00	66.81'	N05°05'12"W	3°55'38"
C107	54.07	295.00	54.00'	S01°47'56"E	10°30'08"
C108	54.88	295.00	54.80'	S08°46'55"W	10°39'35"
C109	54.88	295.00	54.80'	S19°26'30"W	10°39'35"
C110	54.88	295.00	54.80'	S30°06'05"W	10°39'35"
C111	54.88	295.00	54.80'	S40°45'40"W	10°39'35"
C112	80.00	430.00	79.88'	S51°25'15"W	10°39'35"
C113	80.00	430.00	79.88'	S62°04'49"W	10°39'35"
C114	80.00	430.00	79.88'	S72°44'24"W	10°39'35"
C115	54.88	295.00	54.80'	S72°44'24"W	10°39'35"
C116	54.88	295.00	54.80'	S62°04'49"W	10°39'35"
C117	80.00	430.00	79.88'	S40°45'40"W	10°39'35"
C118	80.00	430.00	79.88'	S30°06'05"W	10°39'35"
C119	80.00	430.00	79.88'	S19°26'30"W	10°39'35"
C120	80.00	430.00	79.88'	S08°46'55"W	10°39'35"
C121	78.82	430.00	78.71'	S01°47'56"E	10°30'08"
C122	57.57	840.00	57.56'	N05°05'12"W	3°55'38"
C123	56.79	840.00	56.78'	N01°11'11"W	3°52'25"
C124	56.79	840.00	56.78'	N02°41'14"E	3°52'25"
C125	56.79	840.00	56.78'	N06°33'39"E	3°52'25"
C126	34.08	840.00	34.08'	N09°39'35"E	2°19'28"
C127	25.02	1160.00	25.02'	S10°12'15"W	1°14'09"
C128	66.13	1160.00	66.12'	S07°57'11"W	3°15'59"
C129	66.13	1160.00	66.12'	S03°00'35"W	3°15'59"
C130	38.50	1160.00	38.50'	S00°25'33"W	1°54'06"
C131	52.38	1160.00	52.37'	S01°49'07"E	2°35'13"
C132	66.13	1160.00	66.12'	S04°44'43"E	3°15'59"
C133	66.13	1160.00	66.12'	S08°00'41"E	3°15'59"
C134	14.65	1160.00	14.65'	S10°00'23"E	0°43'25"
C135	43.49	840.00	43.49'	N08°53'06"W	2°58'00"
C136	56.79	840.00	56.78'	N05°27'53"W	3°52'25"
C137	56.79	840.00	56.78'	N01°35'29"W	3°52'25"
C138	56.79	840.00	56.78'	N02°16'56"E	3°52'25"
C139	56.79	840.00	56.78'	N06°09'21"E	3°52'25"
C140	56.88	840.00	56.87'	N10°01'56"E	3°52'47"
C141	81.32	410.00	81.19'	S00°04'39"E	11°21'52"
C142	81.32	410.00	81.19'	S11°26'31"E	11°21'52"
C143	81.32	410.00	81.19'	S22°48'23"E	11°21'52"
C144	81.32	410.00	81.19'	S34°10'15"E	11°21'52"
C145	66.80	410.00	66.73'	S44°31'14"E	9°20'07"
C146	58.73	410.00	58.68'	S53°17'31"E	8°12'27"
C147	81.32	410.00	81.19'	S63°04'41"E	11°21'52"
C148	81.32	410.00	81.19'	S74°26'33"E	11°21'52"
C149	81.32	410.00	81.19'	S85°48'25"E	11°21'52"
C150	81.32	410.00	81.19'	N82°49'43"E	11°21'52"
C151	66.12	235.00	65.90'	N83°41'36"E	16°07'13"
C152	95.59	235.00	94.94'	S76°35'35"E	23°18'24"
C153	64.60	235.00	64.40'	S57°03'50"E	15°45'05"
C154	82.96	235.00	82.53'	S39°04'31"E	20°13'34"
C155	95.59	235.00	94.94'	S17°18'32"E	23°18'24"
C156	72.15	235.00	71.86'	S03°08'23"W	17°35'25"
C157	30.00	1015.00	30.00'	N10°19'24"E	1°41'37"
C158	58.42	1015.00	58.41'	N07°49'40"E	3°17'51"
C159	58.42	1015.00	58.41'	N04°31'48"E	3°17'51"
C160	58.42	1015.00	58.41'	N01°13'57"E	3°17'51"
C161	58.42	1015.00	58.41'	N02°03'55"W	3°17'51"
C162	58.42	1015.00	58.41'	N05°21'46"W	3°17'51"
C163	58.42	1015.00	58.41'	N08°39'37"W	3°17'51"
C164	65.65	892.20	65.64'	S08°31'07"E	4°12'58"
C165	65.85	957.67	65.84'	S04°41'42"E	3°56'23"
C166	38.76	985.00	38.76'	S01°39'09"E	2°15'17"

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD	BEARING	DELTA
C167	51.73	985.00	51.73'	S00°58'46"W	3°00'33"
C168	65.85	985.00	65.84'	S04°23'57"W	3°49'49"
C169	34.77	985.00	34.76'	S07°19'32"W	2°01'20"
C170	42.73	985.00	42.72'	S09°34'46"W	2°29'07"
C171	19.39	1015.00	19.39'	N10°16'29"E	1°05'40"
C172	58.42	1015.00	58.41'	N08°04'43"E	3°17'51"
C173	58.42	1015.00	58.41'	N04°46'52"E	3°17'51"
C174	58.42	1015.00	58.41'	N01°29'00"E	3°17'51"
C175	58.42	1015.00	58.41'	N01°48'51"W	3°17'51"
C176	58.42	1015.00	58.41'	N05°06'42"W	3°17'51"
C177	5.13	1015.00	5.13'	N06°54'19"W	0°17'22"
C178	82.86	256.77	82.50'	S02°15'32"W	18°29'18"
C179	91.34	255.00	90.86'	S21°49'47"W	20°31'26"
C180	91.34	255.00	90.86'	S42°21'13"W	20°31'26"
C181	91.34	255.00	90.86'	S62°52'39"W	20°31'26"
C182	54.88	295.00	54.80'	S51°25'15"W	10°39'35"
C183	27.64	295.00	27.63'	S80°45'15"W	5°22'06"
C184	36.22	25.00	33.14'	N41°55'54"E	83°00'48"
C185	103.37	255.00	102.66'	S12°02'15"W	23°13'30"
C186	34.78	25.00	32.04'	N16°12'24"W	79°42'48"
C187	63.31	475.00	63.26'	N03°28'28"E	7°38'12"
C188	62.46	475.00	62.41'	N11°03'35"E	7°32'01"
C189	7.25	525.01	7.25'	S14°25'50"W	0°47'29"
C190	30.00	525.01	30.00'	S12°23'52"W	3°16'27"
C191	57.53	525.01	57.51'	S07°37'16"W	6°16'44"
C192	57.53	525.01	57.51'	S01°20'32"W	6°16'44"
C193	57.53	525.01	57.51'	S04°56'12"E	6°16'44"
C194	57.53	525.01	57.51'	S11°12'56"E	6°16'44"
C195	10.62	525.01	10.62'	S14°56'04"E	1°09'32"
C196	57.74	475.00	57.71'	N12°01'53"W	6°57'54"
C197	68.02	475.00	67.97'	N04°26'47"W	8°12'19"
C198	52.41	475.00	52.38'	N02°49'01"E	6°19'17"
C199	72.61	475.00	72.54'	N10°21'25"E	8°45'31"
C200	48.63	475.00	48.61'	N17°40'10"E	5°51'59"
C201	17.12	525.01	17.12'	S19°40'05"W	1°52'06"
C202	57.53	525.01	57.51'	S15°35'40"W	6°16'44"
C203	57.53	525.01	57.51'	S09°18'56"W	6°16'44"
C204	57.53	525.01	57.51'	S03°02'12"W	6°16'44"
C205	194.14	525.01	193.04'	S10°41'47"E	21°11'14"
C206	41.35	25.00	36.80'	N28°14'58"E	94°46'04"
C207	28.14	100.00	28.04'	N83°41'36"E	16°07'13"
C208	40.68	100.00	40.40'	S76°35'35"E	23°18'24"
C209	27.49	100.00	27.40'	S57°03'50"E	15°45'05"
C210	35.23	102.56	35.06'	S38°30'24"E	19°40'51"
C211	40.53	102.56	40.26'	S17°20'46"E	22°38'27"
C212	30.64	102.56	30.53'	S02°32'03"W	17°07'09"
C213	15.35	1150.00	15.35'	N11°33'09"E	0°45'53"
C214	66.19	1150.00	66.18'	N07°49'40"E	3°17'51"
C215	66.19	1150.00	66.18'	N04°31'48"E	3°17'51"
C216	66.19	1150.00	66.18'	N01°13'57"E	3°17'51"
C217	66.19	1150.00	66.18'	N02°03'55"W	3°17'51"
C218	66.19	1150.00	66.18'	N05°21'46"W	3°17'51"
C219	66.19	1150.00	66.18'	N08°39'37"W	3°17'51"
C220	55.75	842.80	55.74'	S08°30'55"E	3°47'24"
C221	56.83	842.80	56.82'	S04°41'19"E	3°51'47"
C222	33.45	842.80	33.45'	S01°37'12"E	2°16'27"
C223	44.64	850.00	44.64'	S00°58'46"W	3°00'33"
C224	56.82	850.00	56.81'	S04°23'57"W	3°49'49"
C225	36.87	850.00	36.87'	S09°34'46"W	2°29'07"
C226	21.97	1150.00	21.97'	N10°16'29"E	1°05'40"
C227	66.19	1150.00	66.18'	N08°04'43"E	3°17'51"
C228	66.19	1150.00	66.18'	N04°46'52"E	3°17'51"
C229	66.19	1150.00	66.18'	N01°29'00"E	3°17'51"
C230	66.19	1150.00	66.18'	N01°48'51"W	3°17'51"
C231	66.19	1150.00	66.18'	N05°06'42"W	3°17'51"
C232	5.81	1150.00	5.81'	N06°54'19"W	0°17'22"
C233	38.99	120.00	38.82'	S02°15'32"W	18°37'04"
C234	42.99	120.00	42.76'	S21°49'47"W	20°31'26"
C235	42.99	120.00	42.76'	S42°21'13"W	20°31'26"
C236	42.99	120.00	42.76'	S62°52'39"W	20°31'26"
C237	70.90	250.00	70.66'	S81°15'49"W	16°14'55"
C238	42.92	225.00	42.85'	N85°08'52"W	10°55'44"
C239	10.94	90.00	10.94'	N03°49'36"W	6°57'57"
C240	45.32	340.00	45.28'	N03°28'28"E	7°38'12"
C241	44.70	340.00	44.67'	N11°03'34"E	7°32'00"
C242	9.12	660.01	9.12'	S14°25'50"W	0°47'30"
C243	72.33	660.01	72.29'	S07°37'16"W	6°16'44"
C244	72.33	660.01	72.29'	S01°20'32"W	6°16'44"
C245	72.33	660.01	72.29'	S04°56'12"E	6°16'44"
C246	72.33	660.01	72.29'	S11°12'56"E	6°16'44"

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD	BEARING	DELTA
C247	13.35	660.01	13.35'	S14°56'04"E	1°09'32"
C248	41.33	340.00	41.30'	N12°01'53"W	6°57'54"
C249	48.69	340.00	48.65'	N04°26'47"W	8°12'19"
C250	37.51	340.00	37.49'	N02°49'01"E	6°19'17"
C251	51.97	340.00	51.92'	N10°21'25"E	8°45'31"
C252	34.81	340.00	34.80'	N17°40'09"E	5°51'58"
C253	21.52	660.01	21.52'	S19°40'06"W	1°52'06"
C254	72.33	660.01	72.29'	S15°35'40"W	6°16'44"
C255	72.33	660.01	72.29'	S09°18'56"W	6°16'44"
C256	72.33	660.01	72.29'	S03°02'12"W	6°16'44"
C257	37.89	90.00	37.62'	N19°22'19"W	24°07'28"
C258	37.89	90.00	37.62'	N43°29'47"W	24°07'28"
C259	37.89	90.00	37.62'	N67°37'16"W	24°07'28"
C260	27.36	225.00	27.34'	N03°49'36"W	6°57'57"
C261	94.74	225.00	94.04'	N19°22'19"W	24°07'28"
C262	94.74	225.00	94.04'	N43°29'47"W	24°07'28"
C263	94.74	225.00	94.04'	N67°37'16"W	24°07'28"
C264	110.87	275.00	110.12'	N79°14'19"W	23°05'57"
C265	12.44	275.00	12.44'	N66°23'33"W	2°35'33"
C267	105.55	275.00	104.90'	N54°06'04"W	21°59'26"
C268	73.55	275.00	73.34'	N35°26'36"W	15°19'30"
C269	66.10	275.00	65.94'	N20°53'43"W	13°46'17"
C270	63.03	275.00	62.89'	N07°26'38"W	13°07'52"
C271	2.56	275.00	2.56'	N00°36'40"W	0°32'04"
C272	2.56	410.00	2.56'	N00°31'23"W	0°21'30"
C273	62.68	410.00	62.62'	N05°04'55"W	8°45'33"
C274	63.58	410.00	63.51'	N13°54'14"W	8°53'05"
C275	65.03	410.00	64.97'	N22°53'25"W	9°05'17"
C276	72.22	410.00	72.13'	N32°28'51"W	10°05'35"
C277	34.78	25.00	32.04'	N84°04'48"E	79°42'48"
C278	203.44	255.00	198.09'	S67°04'42"W	45°42'38"
C279	40.99	25.00	36.55'	S43°49'20"E	93°55'54"
C280	237.76	205.00	224.65'	S36°22'09"W	66°27'04"
C281	72.77	205.00	72.39'	S79°45'51"W	20°20'21"
C282	39.27	25.00	35.36'	N45°03'56"W	90°00'06"
C283	11.28	195.00	11.28'	S01°43'26"E	3°18'55"
C284	39.27	25.00	35.35'	N44°56'05"E	89°59'53"
C286	62.43	250.00	62.27'	S20°39'03"W	14°18'26"
C287	15.03	190.00	15.03'	S25°32'18"W	4°31'56"
C288	73.53	190.00	73.07'	S12°11'10"W	22°10'21"
C289	10.09	300.00	10.09'	N27°35'05"E	1°55'38"
C290	82.76	150.00	81.72'	N12°44'32"E	31°36'46"
C291	72.54	150.00	71.84'	N16°55'07"W	27°42'31"
C292	30.65	170.00	30.61'	N25°36'28"W	10°19'48"
C293	103.63	130.00	100.91'	N64°19'44"E	45°40'25"
C294	73.73	130.00	72.74'	S76°35'15"E	32°29'38"
C295	25.28	130.00	25.24'	S54°46'07"E	11°08'38"
C296	16.42	220.00	16.42'	S51°20'08"E	4°16'39"
C299	83.37	220.00	82.87'	S64°19'51"E	21°42'47"
C301	105.97	180.00	104.45'	S66°03'44"E	33°43'53"
C304	52.45	170.00	52.24'	N58°02'07"W	17°40'38"
C305	77.03	170.00	76.37'	N79°51'15"W	25°57'38"
C307	68.28	170.00	67.82'	S75°39'34"W	23°00'45"
C308	67.72	170.00	67.27'	S52°44'30"W	22°49'24"

LINE TABLE

LINE	LENGTH	BEARING
L1	24.52	N03°22'53"W
L2	37.60	N03°22'53"W
L3	10.47	S00°36'44"E
L4	25.00	S53°48'23"E
L5	40.17	S40°48'12"W
L6	40.17	N40°48'12"E
L7	13.00	N49°11'48"W
L8	40.00	S40°48'12"W
L9	41.00	N49°11'48"W
L10	85.00	N49°11'48"W
L11	40.00	S40°48'12"W
L12	13.00	N49°11'48"W
L13	40.17	S40°48'12"W
L14	40.17	N40°48'12"E
L15	37.98	S75°38'00"W
L16	21.01	S75°38'00"W
L17	18.50	S75°38'00"W
L18	29.20	S85°48'12"W
L19	18.50	N75°38'00"E
L53	14.75	S80° 53' 16"E
L54	52.83	N20° 47' 30"W
L55	43.76	N20° 47' 30"W
L56	15.18	N49° 11' 48"W
L57	14.79	N49° 11' 48"W
L59	22.45	S87° 09' 56"W
L60	37.78	S87° 09' 56"W
L62	32.23	S82° 55' 41"E
L66	3.67	S49° 11' 48"E
L68	45.86	N81° 48' 05"W
L61	31.44	S82° 55' 41"E
L57	14.79	N49° 11' 48"W

Bissell Professional Group
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Kitty Hawk, North Carolina 27949
(252) 261-3266
FAX (252) 261-1760

BISSELL PROFESSIONAL GROUP
Engineers, Planners, Surveyors
and Environmental Specialists

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PROJECT: LAKE VIEW AT CURRITUCK
COVER SHEET
MOYOCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA
AMENDED PRELIMINARY PLAT

REVISIONS

1	12/17/09	REVISED PER CNTY COMMENTS	DMK	
2	4/23/14	REVISED PER ENTRANCE MOD	DMK	
3	11/20/15	ADD PAHSE 3A	KFW	

PRELIMINARY
FOR REVIEW
PURPOSES ONLY

DATE: 04-22-14	SCALE: NONE
DESIGNED: BPG	CHECKED: DMK
DRAWN: MDB	APPROVED: BPG
SHEET: 9 OF 9	
CAD FILE: 431900PP3	
PROJECT NO: 4319	

1/25/16 HP Designjet T120 Z:\4319 South Ridge -77 acre\dwg\431900PP3

Attachment: Lake View Prelim Plats 1-25-16 (1450 : PB 07-10 Lake View at Currituck)

James Mims

New Commercial construction and residential development must be designed in such a way that the needed fire flow as determined using the ISO method is not greater than the available fire flow. The available fire flow for this area appears to be around 900-1000 gpm. At least the designed flow must be available at all hydrant through out development

Joe Hobbs

PLEASE CONSULT WITH THE NC DIVISION OF WATER RESOURCES(WASHINGTON REGIONAL OFFICE) AT 252-946-6481 FOR WASTEWATER TREATMENT AND DISPOSAL SYSTEM APPROVAL INFORMATION. THANK YOU.

Pat Irwin

Place an eight inch valve on the waterline in front of Lot 11.

Lawrence Abbott

An archaeological survey is not recommended. No Comment.

Charlan Owens

No comment

Harry Lee

Please propose a name for the northern most street (North of Lake Point Way).

Address Assignment for Lake View at Currituck PUD

Comments

Lot 1: 107 Green Lake Rd
Lot 2: 109 Green Lake Rd
Lot 3: 111 Green Lake Rd
Lot 4: 113 Green Lake Rd
Lot 5: 115 Green Lake Rd
Lot 6: 117 Green Lake Rd
Lot 7: 119 Green Lake Rd
Lot 8: 121 Green Lake Rd
Lot 9: 123 Green Lake Rd
Lot 10: 125 Green Lake Rd
Lot 11: 201 Green Lake Rd
Lot 12: 203 Green Lake Rd
Lot 13: 205 Green Lake Rd

Attachment: Lake View TRC Comments (1450 : PB 07-10 Lake View at Currituck)

Lot 14: 207 Green Lake Rd
Lot 15: 209 Green Lake Rd
Lot 16: 211 Green Lake Rd
Lot 17: 213 Green Lake Rd
Lot 18: 215 Green Lake Rd
Lot 19: 217 Green Lake Rd
Lot 20: 219 Green Lake Rd
Lot 21: 221 Green Lake Rd
Lot 22: 223 Green Lake Rd
Lot 23: 225 Green Lake Rd
Lot 24: 227 Green Lake Rd
Lot 25: 229 Green Lake Rd
Lot 26: 231 Green Lake Rd
Lot 27: 301 Green Lake Rd
Lot 28: 303 Green Lake Rd
Lot 29: 305 Green Lake Rd
Lot 30: 307 Green Lake Rd
Lot 31: 309 Green Lake Rd
Lot 32: 311 Green Lake Rd
Lot 33: 313 Green Lake Rd
Lot 34: 315 Green Lake Rd
Lot 35: 317 Green Lake Rd
Lot 36: 319 Green Lake Rd
Lot 37: 321 Green Lake Rd
Lot 38: 318 Green Lake Rd
Lot 39: 316 Green Lake Rd
Lot 40: 326 Sunny Lake Rd
Lot 41: 324 Sunny Lake Rd
Lot 42: 322 Sunny Lake Rd
Lot 43: 320 Sunny Lake Rd
Lot 44: 318 Sunny Lake Rd
Lot 45: 316 Sunny Lake Rd
Lot 46: 314 Sunny Lake Rd
Lot 47: 312 Sunny Lake Rd
Lot 48: 310 Sunny Lake Rd
Lot 49: 308 Sunny Lake Rd
Lot 50: 306 Sunny Lake Rd
Lot 51: 304 Sunny Lake Rd
Lot 52: 302 Sunny Lake Rd
Lot 53: 300 Sunny Lake Rd
Lot 54: 226 Sunny Lake Rd

Attachment: Lake View TRC Comments (1450 : PB 07-10 Lake View at Currituck)

Lot 55: 224 Sunny Lake Rd
Lot 56: 222 Sunny Lake Rd
Lot 57: 220 Sunny Lake Rd
Lot 58: 218 Sunny Lake Rd
Lot 59: 216 Sunny Lake Rd
Lot 60: 214 Sunny Lake Rd
Lot 61: 212 Sunny Lake Rd
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Lot 63: 208 Sunny Lake Rd
Lot 64: 206 Sunny Lake Rd
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Lot 67: 200 Sunny Lake Rd
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Lot 84: 111 Sunny Lake Rd
Lot 85: 113 Sunny Lake Rd
Lot 86: 115 Sunny Lake Rd
Lot 87: 117 Sunny Lake Rd
Lot 88: 119 Sunny Lake Rd
Lot 89: 201 Sunny Lake Rd
Lot 90: 203 Sunny Lake Rd
Lot 91: 205 Sunny Lake Rd
Lot 92: 207 Sunny Lake Rd
Lot 93: 209 Sunny Lake Rd
Lot 94: 211 Sunny Lake Rd
Lot 95: 213 Sunny Lake Rd

Attachment: Lake View TRC Comments (1450 : PB 07-10 Lake View at Currituck)

Lot 96: 215 Sunny Lake Rd
Lot 97: 217 Sunny Lake Rd
Lot 98: 219 Sunny Lake Rd
Lot 99: 221 Sunny Lake Rd
Lot 100: 223 Sunny Lake Rd
Lot 101: 225 Sunny Lake Rd
Lot 102: 227 Sunny Lake Rd
Lot 103: 301 Sunny Lake Rd
Lot 104: 303 Sunny Lake Rd
Lot 105: 305 Sunny Lake Rd
Lot 106: 307 Sunny Lake Rd
Lot 107: 309 Sunny Lake Rd
Lot 108: 311 Sunny Lake Rd
Lot 109: 313 Sunny Lake Rd
Lot 110: 315 Sunny Lake Rd
Lot 111: 317 Sunny Lake Rd
Lot 112: 319 Sunny Lake Rd
Lot 113: 230 Green Lake Rd
Lot 114: 228 Green Lake Rd
Lot 115: 226 Green Lake Rd
Lot 116: 224 Green Lake Rd
Lot 117: 222 Green Lake Rd
Lot 118: 220 Green Lake Rd
Lot 119: 218 Green Lake Rd
Lot 120: 216 Green Lake Rd
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Lot 123: 210 Green Lake Rd
Lot 124: 208 Green Lake Rd
Lot 125: 206 Green Lake Rd
Lot 126: 204 Green Lake Rd
Lot 127: 202 Green Lake Rd
Lot 128: 200 Green Lake Rd
Lot 129: 122 Green Lake Rd
Lot 130: 120 Green Lake Rd
Lot 131: 118 Green Lake Rd
Lot 132: 116 Green Lake Rd
Lot 133: 114 Green Lake Rd
Lot 134: 112 Green Lake Rd
Lot 135: 110 Green Lake Rd
Lot 136: 108 Green Lake Rd

Attachment: Lake View TRC Comments (1450 : PB 07-10 Lake View at Currituck)

Lot 137: 106 Green Lake Rd
Lot 138: 104 Green Lake Rd
Lot 139: 102 Green Lake Rd
Lot 140: 100 Green Lake Rd
Lot 141: 101 Sunny Lake Rd
Lot 142: 102 Sunny Lake Rd
Lot 143: 100 Sunny Lake Rd
Lot 144: 101 Green Lake Rd
Lot 145: 103 Green Lake Rd
Lot 146: 105 Green Lake Rd
Lot 147: 400 Green Lake Rd
Lot 148: 402 Green Lake Rd
Lot 149: 404 Green Lake Rd
Lot 150: 406 Green Lake Rd
Lot 151: 408 Green Lake Rd
Lot 152: 415 Green Lake Rd
Lot 153: 413 Green Lake Rd
Lot 154: 411 Green Lake Rd
Lot 155: 409 Green Lake Rd
Lot 156: 407 Green Lake Rd
Lot 157: 405 Green Lake Rd
Lot 158: 403 Green Lake Rd
Lot 159: 401 Green Lake Rd

Jason Weeks

No comment

Bill Newns

Reviewed

Eric Michelle Will

Approved

Attachment: Lake View TRC Comments (1450 : PB 07-10 Lake View at Currituck)

Lake View Phase 3A – 2nd Community Meeting
Meeting Summary
November 23, 2015

Meeting Summary:

The second Community Meeting was attended by Mr. Frank Flora, who owns property across Survey Road from the development, Ms. Donna Voliva representing Currituck County, Jim Myers representing the Developer and Mark Bissell representing the Engineer.

Mark Bissell explained the current status and proposed addition to the development.

Mr. Flora stated that he had no concerns or objections, and was interested to know when home construction would begin.

The meeting was adjourned at approximately 6:20 P.M.

Attachment: Lake View 3A Community Meeting Summary (1450 : PB 07-10 Lake View at Currituck)

Community Meeting Sign-In Sheet
For Lake View Phase 3-A
November 23, 2015 @ 6:00 P.M.

NAME	ADDRESS	TELEPHONE	E-MAIL
FRANK H. FLORA SR	#430 Coralola Shores	435 6243	

Lake View Phase 3A – 2nd Community Meeting
Outline of Presentation

November 23, 2015

A. Housekeeping:
- Please sign-in
- A record of the Community meeting will be provided to Currituck County. (concerns raised/ attempts to address concerns)

B. What is the Request?
- PUD Amendment to include plan for 7 acre residual parcel
- Development Agreement Amendment

C. The Process:
- Pre-application conference
- Community meeting prior to plan formulation
- 2nd Community meeting after incorporating comments into a plan (now)
- TRC review
- PB review
- BOC hearing/action

  Then:
  - Construction drawing application
  - Construction
  - Final plat application

D. Property Overview:
- Review of existing development plan/approval
- 7 +/- acre partially wooded tract
- Adjacent land use:
  i. To the east is Survey Rd and a portion of Eagle Creek & the golf course
  ii. To the south is the E C HOA property where boats & RV's are stored
  iii. To the north and west is Farmland

E. Development Concept:
- 13 SF Lots (15,000 – 17,500 sq.ft.) – similar to Eagle Creek lots
- Connect to County water and sewer
- 30% open space with stormwater ponds to hold 6"+/- of rainfall on site; reduce runoff contributed from site compared to existing farmland

Attachment: Lake View 3A Community Meeting Summary (1450 : PB 07-10 Lake View at Currituck)

- Buffers/screening
-

F. Community Concerns/Input

Attachment: Lake View 3A Community Meeting Summary (1450 : PB 07-10 Lake View at Currituck)

BISSELL PROFESSIONAL GROUP
The Coastal Experts

November 13, 2015

RE: Second Community Meeting for Preliminary Plat for Phase 3-A

Dear Property Owner:

A community meeting was held on November 11th for the purpose of soliciting input as a plan is formulated for the undeveloped section of Lake View. The subject property is a +/- 7 acre residual tract that is located south of the Dominion Power easement and north of the Eagle Creek community boat/RV parking area, identified as a portion of Currituck County tax parcel 0015-000-0083C-0000. The area that is currently being studied is highlighted in yellow on the first attachment, which shows the Lake View development plan that has already been approved, along with the adjacent Eagle Creek development, and surrounding properties.

We have now prepared a preliminary plan for subdivision of the property, which is included as the second attachment. It is the developer's intent to apply for approvals that will be reviewed under applicable sections of Currituck County's Unified Development Ordinance. On behalf of Lake View Land Development, LLC, we would like to invite you and nearby property owners to a second community meeting to discuss this plan and to receive input or answer any questions you may have about the proposed development.

The community meeting will be held on Monday November 23, 2015 at 6:00 P.M. at the Moyock Library, located off Tulls Creek Road.

We look forward to seeing you and to receiving your input.

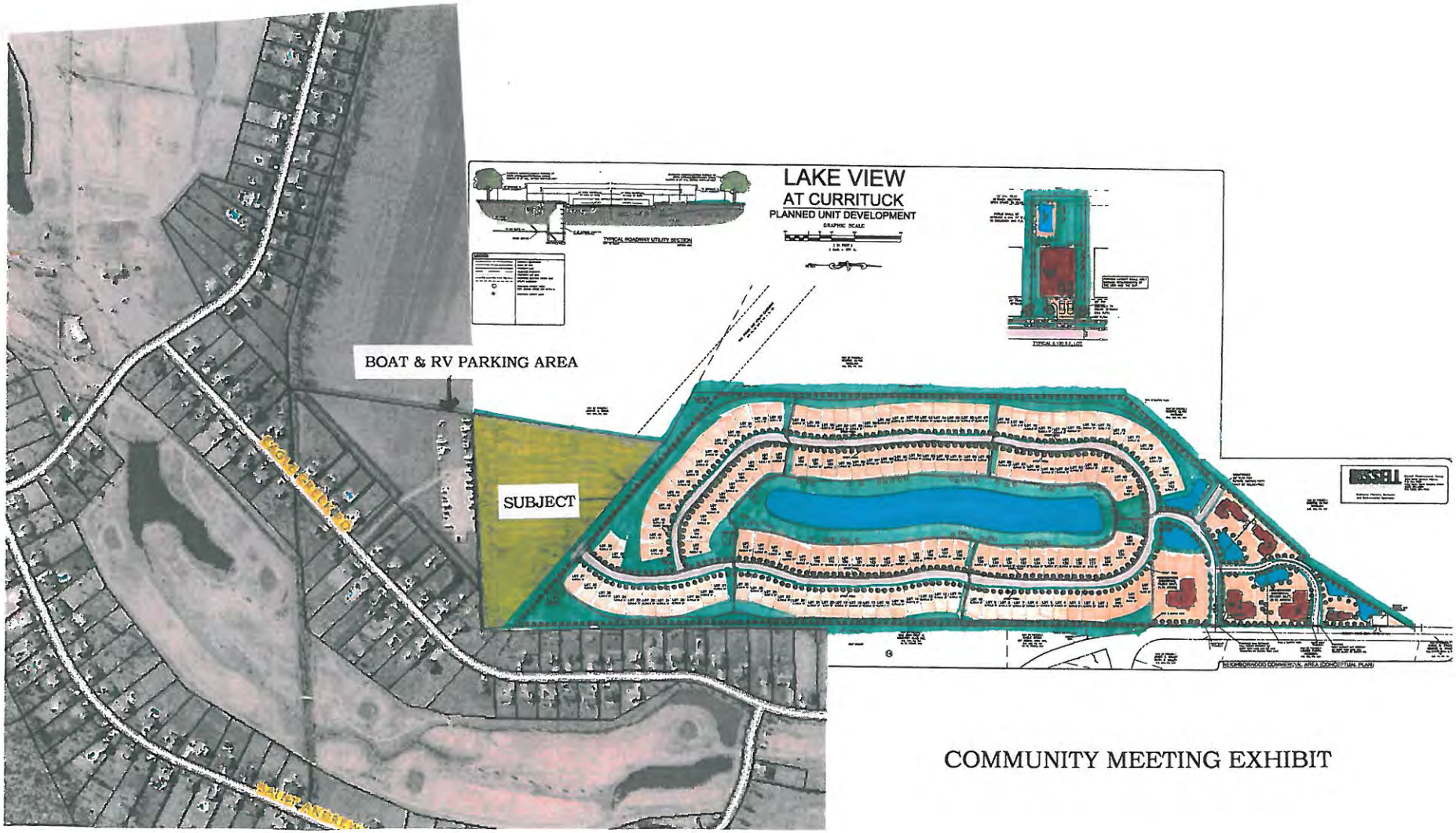
Sincerely,
Bissell Professional Group
(Agent for the Applicant)

By: Mark S. Bissell

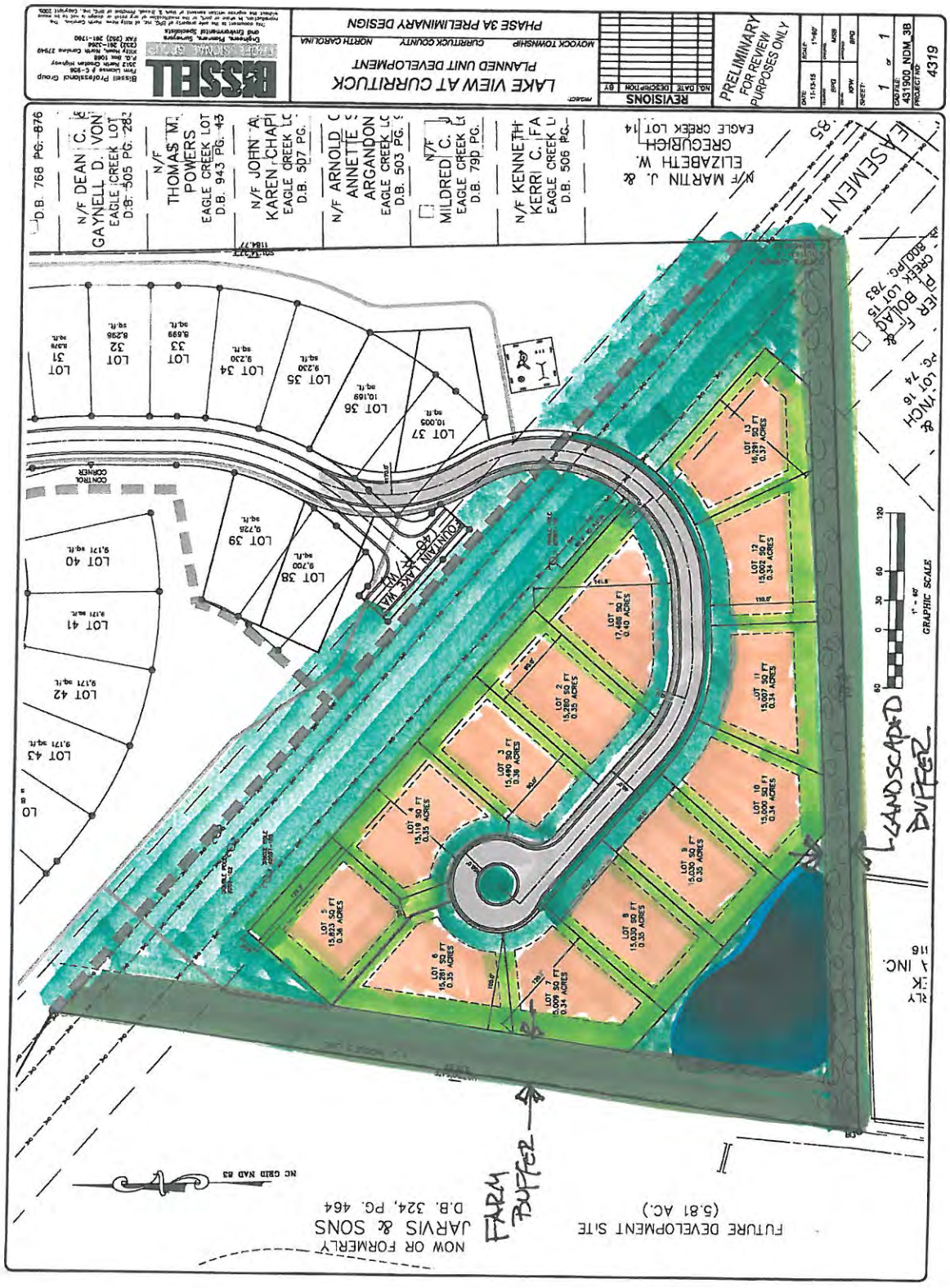
cc: Currituck County Planning and Community Development

P.O. Box 1068 • 3512 N. Croatan Hwy. • Kitty Hawk, NC 27949
252-261-3266 • Fax: 252-261-1760 • E-mail:bpg@bissellprofessionalgroup.com

Attachment: Lake View 3A Community Meeting Summary (1450 : PB 07-10 Lake View at Currituck)



COMMUNITY MEETING EXHIBIT



Attachment: Lake View 3A Community Meeting Summary (1450 : PB 07-10 Lake View at Currituck)

COUNTY OF Currituck
Maple, NORTH CAROLINA 27956

PATRICK IRWIN
Public Utilities Director

444 Maple Road
Phone: (252) 232-6061
Fax: (252) 453-3721
E-mail: pat.irwin@currituckcountync.gov

November 19, 2015

Mr. Mark Bissell, P.E.
Bissell Professional Group
3512 N. Croatan Highway
Kitty Hawk, NC 27949

RE: Commitment to Serve Water and Sewer for the Lake View at Currituck Subdivision Phase 3A in Moyock, NC

Mr. Bissell:

The Currituck County Mainland Water System and the Moyock Regional Wastewater System will commit to serve the water and sewer for the Lake View at Currituck Subdivision Phase 3A when all fees are paid to the systems and project final approval is given by North Carolina Department of Environmental Quality Water Supply Section for water and Division of Water Quality for sewer.

Sincerely,

Patrick Irwin
Public Utilities Director
Currituck County

Attachment: Lake View 3A Commitment Letter (1450 : PB 07-10 Lake View at Currituck)

LAKE VIEW AT CURRITUCK

ECONOMIC AND PUBLIC FACILITIES IMPACT

The fiscal impact for Lake View at Currituck, P.U.D. in Moyock Township, the County of Currituck, North Carolina is projected at:

A. Estimated Total Property Valuation After Build-Out

146 single family homes @ an average of $ 280,000	=	$ 40,880,000
13 single family homes @ an average of $ 310,000	=	4,030,000
Commercial: 50,000 sq. ft. @ $110/sq.ft.	=	5,500,000
Total	=	$ 50,410,000

B. Tax Revenue (Annual)

Following the build-out of this development, the positive operational impact on Currituck County is estimated to be as follows (based upon the current ad valorem tax rate):

Ad Valorem Tax: $0.48 per $100 x $50,410,000 =	$ 241,968
Solid Waste Fee: $114 / year x 159 homes =	$ 18,126
TOTAL ESTIMATED ANNUAL TAX REVENUE:	$ 260,091

C. Other Revenue Sources

Resale Transfer Taxes: 1.0% x $50,410,000 =	$ 504,100
Revenue Stamps: 0.2% x $50,410,000 =	$ 101,062
Water Connection Fees: $5,000 x 159 =	$ 795,000
Sewer Connection Fees: 5,500 x (159 + 26) taps =	$1,017,500
TOTAL ESTIMATED OTHER REVENUE:	$2,417,662

D. Public Facilities

Currituck County is receiving title to offsite sewer extensions valued at approximately $244,000, which includes sewer transmission capacity for future economic development in and southeast of the project area, as well as along the NC 168 commercial corridor. Details are provided in the Development Agreement.

Attachment: Lake View Economic and Public Facilities impact (1450 : PB 07-10 Lake View at Currituck)

BISSELL PROFESSIONAL GROUP
The Coastal Experts

Amended Stormwater Management Narrative

Project:

LAKE VIEW AT CURRITUCK, PUD

159 Lot Residential Subdivision and Commercial Tract

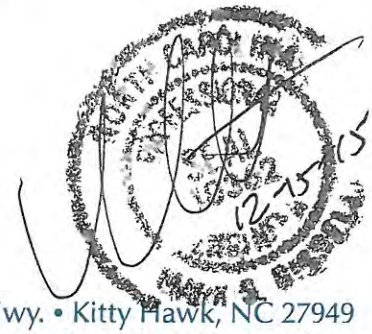
Moyock Township, Currituck County, North Carolina

Prepared By:

Bissell Professional Group

P.O. Box 1068
3512 N. Croatan Highway
Kitty Hawk, North Carolina 27949

December, 2015



Attachment: Lake View Amended Stormwater Narrative (1450 : PB 07-10 Lake View at Currituck)

STORMWATER MANAGEMENT NARRATIVE:

PROJECT OVERVIEW & PROPOSED DEVELOPMENTAL ACTIVITIES

The Lake View project requires a Coastal County Stormwater Management Permit pursuant to North Carolina Administrative Code Section: 15A NCAC 2H.1000, Rules for Stormwater Management. Proposed developmental activities in Phases 1 -3 and the commercial area will result in an overall built-upon area density of greater than 24%, and with best management practices being employed via a wet-detention basin, that portion of the project will be permitted as High Density. Excess storage capacity in the BMP will also be provided to attenuate post-development runoff rates in accordance with Chapter 7.3 of the Currituck County Unified Development Ordinance. The proposed Lake View at Currituck Planned Unit Development (PUD) will be constructed across a 74 acre tract of land south of NC HWY 168, along the west side of Survey Rd. (SR 1215), in the Moyock Township of Currituck County. The first part of the stormwater management system covers the Residential Phases 1-3 and Commercial Tract #1 of the development, approx. 59 acres. The Phase 3A portion (the new phase) is intended to be a low-density development with coverage under 24%. Development across the remaining commercial portions of the property remains to be designed and, therefore, will require separate stormwater management infrastructure and permitting

Developmental activities within the residential component of the PUD are as follows;

a) (146) 8,100 s.f. + Residential Single Family Lots restricted to 45% coverage.
b) (13) 15,000 s.f. + Residential Single-Family Lots restricted to 30% lot coverage.
c) Commercial Tract #1 restricted to 60% coverage
d) Approx. 4.4 Ac. of asphalt roadway including curb and gutter.
e) Approx. 1.7 Ac. of impervious sidewalks and walking trails
f) Playgrounds and other Amenities
g) A community mail distribution area

The project is anticipated to be developed in (4) residential phases along with several commercial tracts as illustrated on the sketch plan and preliminary plat drawings.

SITE SOILS & WATER TABLE CONDITIONS

Pursuant to the USDA Soil Survey Manual of Currituck County, site soils are primarily composed of Roanoke Fine Sandy Loam and Cape Fear Loam. Roanoke series soils are described as being nearly level and poorly drained with permeability rates ranging from 0.06 in/hr near the surface, up to 20 in/hr at depths below 45". Cape Fear series soils are also described as nearly level and very poorly drained soils with permeability rates similar to those of the Roanoke series. Both Soils are classified as Hydrologic Soils Group "D".

In January, 2010, McCallum, P.C. of Chesapeake, VA conducted a subsurface exploration where they advanced ten soil borings across the site for the purposes of a performing a development wide geotechnical analysis. Three of these borings, BMP1, BMP2, BMP3, were taken in the area of the development's main lake. These borings were utilized to determine the suitability of the underlying soils for site fill as well as seasonal ground water elevations. The report indicates that during the exploration water tables were approaching seasonal high elevations. Water levels, after stabilizing over a period of 24 hours, were measured within each of the (3) BMP borings and ranged from 1.5 to 2.1 ft below the existing ground surface. Existing grade elevations surveyed in the vicinity of each boring enabled seasonal high water table elevations to be determined which when averaged across the lake area resulted in an elevation of 8.00' msl. For the purposes of stormwater design and

Attachment: Lake View Amended Stormwater Narrative (1450 : PB 07-10 Lake View at Currituck)

permanent pool level of 7.50' msl was established. For the small BMP serving Phase 3A, the permanent pool is expected to be approximately 8.0' msl.

Existing Site Conditions, Topography and Drainage Features

The site's existing topography is flat, with slopes ranging between 0-1%. Elevations across the site range from 9.0 ft msl in the northwestern corner, to 10.5 ft msl towards the center. The entire tract, with the exception of an existing gravel access road, is open agricultural land. A system of typical farm ditches runs north and south through the center of the tract. These farm ditches outlet to a boundary ditch that runs along the southern and eastern property boundaries. There is also a boundary ditch that runs along the western and northern boundaries. The majority of the site's runoff is captured by the internal farm ditches and directed to the eastern boundary ditch that flows north, crossing under NC HWY 168, Tulls Creek Rd., and ultimately to Shingle Landing Creek, a tributary to Moyock Run and the Northwest River. A small portion of the tract, in the southwestern corner, appears to drain to the western boundary ditch that flows south to the Rowland Canal, a tributary to Roland Creek, Tulls Creek, Tulls Bay, and ultimately the Northwest River. The site currently contains no structural development with the exception of several power pole structures located within the 150' VEPCO Power Easement crossing the site west to east. There are no jurisdictional wetlands on site. Surrounding land use is either residential or agricultural in nature.

For Existing Drainage Areas please reference Existing Drainage Area Map attached.

Stormwater Management Design Criteria

NORTH CAROLINA

Developmental activities within the Coastal Counties of North Carolina shall be designed in conformity with the requirements set forth by the State for application and issuance of permits for stormwater management systems as prescribed by G.S. 143-215.1, 15A NCAC 2H .0200, 15A NCAC 2H.1000 and Session Law 2008-211 (Senate Bill 1967) . These requirements are designed to control pollutants associated with stormwater runoff applicable to the development of land for residential, commercial, industrial, or institutional uses. Developmental activities included in this project shall, at a minimum, meet the following requirements:

I. The proposed development is Residential, located within a Coastal County, requires a Sedimentation and Erosion Control Plan and, therefore, shall also obtain a Stormwater Management Permit.

II. Runoff from the proposed development will drain off-site and ultimately to the surface waters of Moyock Run, classified as "C;Sw." The development has a overall built upon area density of greater than twenty-four percent and is, therefore, considered "High-Density".

III. High Density Development shall be permitted pursuant to 15ANCAC02H.1003(d)(2) and shall meet the following requirements as they relate to this particular development
   (i) The development shall employ control systems
   (ii) The control system is designed, at a minimum, to store, control, and treat stormwater runoff from all surfaces generated by one and one-half inches of rainfall
   (iii) The development shall provide vegetative buffers to surface waters that are a minimum of 50-foot-wide

IV. The project's wet-detention basin is considered a structural stormwater control and shall be based on design criteria outlined in 15A NCAC 2H.1008(e) *Wet Detention Pond Requirements,* Session Law 2008-211section 2.(b)(4), and applicable chapters of the "Stormwater Best Management Practices Manual."

V. Phase 3A is intended to be a low-density development designed in accordance with DEQ's low-

Attachment: Lake View Amended Stormwater Narrative (1450 : PB 07-10 Lake View at Currituck)

density permitting requirements.

Lake View at Currituck was issued a High-Density Stormwater Permit No. SW7150602 on June 19, 2015. This permit covers Residential Phases 1 - 3 and Commercial Tract #1 only.

CURRITUCK COUNTY

In addition to NCDEQ's high-density permitting requirements, the development's stormwater management system shall be designed in accordance with the standards prescribed for Major Subdivisions as outlined in Chapter 7.3 of the Currituck County UDO and Chapter 2.4 of the Currituck County Stormwater Manual. Among other provisions, the following primary standards shall be met:

I. Major subdivisions shall implement adequate stormwater practices to reduce the post-development peak discharge from the 24-hour storm event with a 10-year recurrence interval down to the pre-development discharge rate from the 24-hour storm event with a 2-year recurrence interval based on pre-development conditions from a wooded site, regardless of actual pre-development site conditions.

II. Major subdivisions shall provide Minimum Building Pad Elevations required to prevent flooding from the 24-hour storm event with a 10-year recurrence interval.

III. Minimum First Floor Elevations for all principal structures shall be above the 100-year Regulatory Flood Protection Elevation, or 18 inches above the 24-hour storm event with a 10-year recurrent interval.

IV. According to the development's Use Permit, and through further clarification with the County, Garage Floor and First Floor Elevations must also be raised a minimum of 18 inches above existing grade at each respective lot for Phases 1-3, only which are under construction.

Stormwater Collection, Treatment, Discharge & Attenuation Overview

The developmental activities will consist of those previously itemized in the "Project Overview and Proposed Developmental Activities" section above. Based on topography Residential Phases 1-3 and the Commercial Tract #1 portion of the proposed PUD compose (1) overall post-development Drainage Area. As previously noted, adjoining future development areas are not included and will require their own stormwater management infrastructure which will be designed and permitted at a later date. This Drainage Area #1 encompasses an overall development area of 59 acres and, at completion, will contain approximately 34.4% built-upon area. It is anticipated that the BMP serving Phase 3A will be a low-density permit.

Please See Attachment for Pre and Post Development Drainage Area Delineation Maps.

Collection

The initial 146 residential lots will be filled and crowned to promote sheet flow of runoff away from the houses. Vegetative conveyances will be provided along either side property line starting at a high point near the front building setback and graded with minimal slope towards the rear of the lot. Property line swales serving lots located around the outer perimeter of the development will be connected to a system of vegetative primary swales that run along the rear of the lots. These primary swales will be constructed with 6:1 side slopes, minimal longitudinal slope, and vegetated as noted. Property line swales along lots which back directly to the proposed lake will taper out at the rear and runoff will be allowed to sheet flow across the proposed walking trail and directly to the central lake. Runoff generated from roadways, driveways, and front portions of the lots will primarily sheet flow into curb & gutter sections located along either side of the roadway. The curb & gutter sections will collect and convey runoff to nearby curb inlets that are connected to several pipe conveyance networks located along the roadway. These various conveyance networks outlet to the central Lake A or the connected ponds B & C at the development's main entrance.

Attachment: Lake View Amended Stormwater Narrative (1450 : PB 07-10 Lake View at Currituck)

With the provision of valley curb & gutter driveway culverts are not necessary for individual lots. Stormwater from the 13 lots proposed in Phase 3A will be collected in a similar manner and detained in a fourth BMP located near the southwestern property boundary.

Treatment

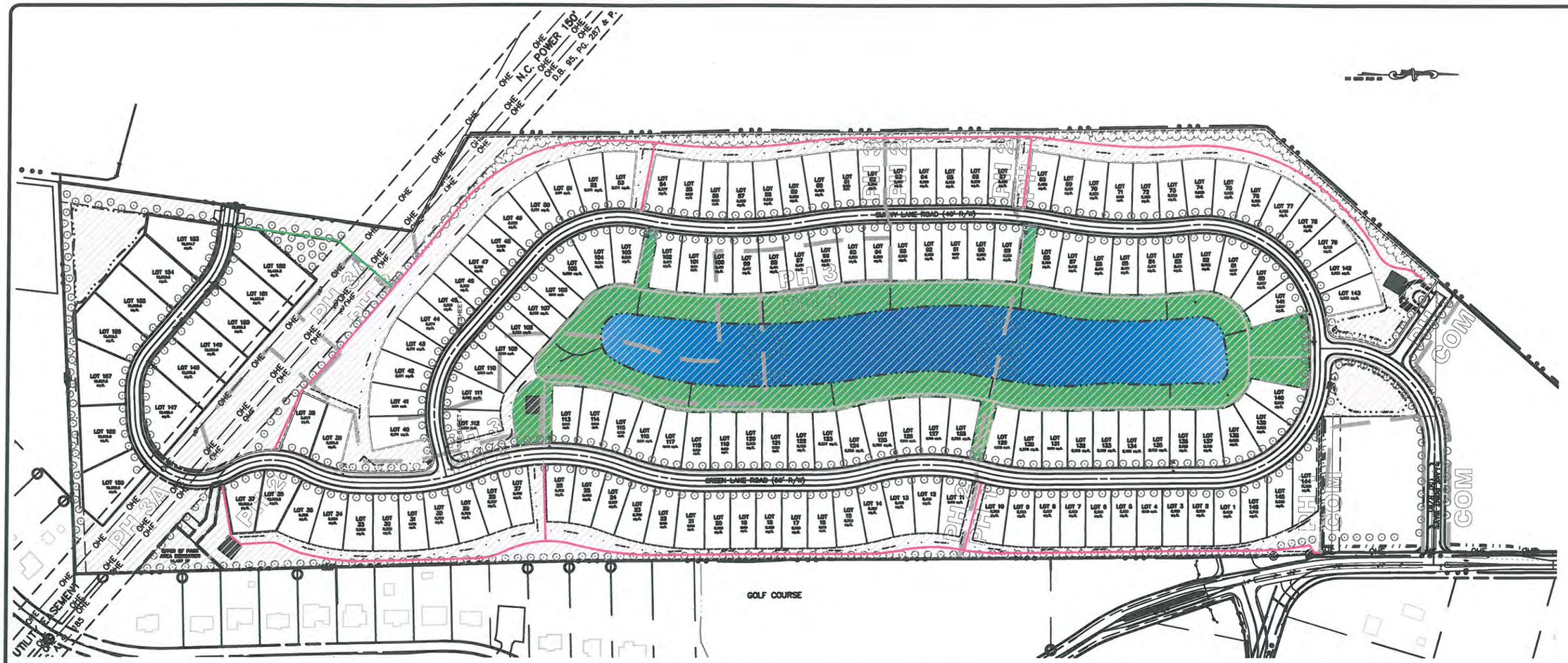
Passive treatment of pollutants will be provided through the network of vegetative P/L and primary conveyance swales. Longitudinal slopes of these swales are kept flat to promote low flow velocities, thereby acting as vegetative filters and aiding in infiltration and pollutant/sediment removal.
Primary treatment and sediment removal will be provided through the provision of the lakes located within the development.

Attachment: Lake View Amended Stormwater Narrative (1450 : PB 07-10 Lake View at Currituck)

ATTACHMENT A – DRAINAGE AREA DELINEATION MAPS

- Existing Drainage Area Map - Pre-development
- Proposed Drainage Area Map - Post-development

Attachment: Lake View Amended Stormwater Narrative (1450 : PB 07-10 Lake View at Currituck)



OPEN SPACE SUMMARY:

OPEN SPACE AREA REQUIRED (35%):	1,131,708 SF	25.98 AC
TOTAL OPEN SPACE AREA PROVIDED:	1,148,278 SF	26.36 AC
ACTIVE OPEN SPACE AREA REQUIRED (PHASES 1, 2 & 3):		
(2,000 SF/LOT X 143 LOTS)	286,000 SF	6.37 AC
ACTIVE OPEN SPACE AREA PROVIDED:		
WALKING TRAILS:	17,208 SF±	0.40 AC
(2) 40'X40' POCKET PARKS*:	3,200 SF	0.07 AC
LAKE W/ COMMUNITY GREEN SPACE:	468,347 SF±	10.75 AC
TOTAL ACTIVE OPEN SPACE AREA:	488,755 SF±	11.22 AC
PASSIVE OPEN SPACE AREA PROVIDED:	659,115 SF±	15.13 AC
PHASE 3A OFFER OF PARK DEDICATION		
DEDICATED AREA REQUIRED:		
(13 LOTS X 0.0255 AC/LOT)	14,440 SF	0.33 AC
ACTUAL DEDICATED AREA OFFERED:	14,167 SF	0.33 AC

* 3RD POCKET PARK INCLUDED IN COMMUNITY AREA.

PLAN LEGEND

- OPEN SPACE
- COMMUNITY GREEN OPEN SPACE
- LAKE OPEN SPACE
- WALKING TRAIL OUTSIDE OF R/W & COMMUNITY GREEN OPEN AREA (PHASES 1, 2 & 3)
- WALKING TRAIL (PHASE 3A)
- POCKET PARK

250 0 125 250 500

1" = 250'

GRAPHIC SCALE

BISSELL PROFESSIONAL GROUP
Bissell Professional Group
Firm License # C-856
3712 North Croatan Highway
P.O. Box 1088
Kitty Hawk, North Carolina 27949
(252) 261-3266
FAX (252) 261-1760
Engineers, Planners, Surveyors and Environmental Specialists

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PROJECT: *LAKE VIEW AT CURRITUCK*

SUBDIVISION PLAT

CURRITUCK COUNTY NORTH CAROLINA

OPEN SPACE EXHIBIT

REVISIONS

NO.	DATE	DESCRIPTION	BY

DATE: 12/24/15	SCALE: 1"=250'
DESIGNED: BPG	CHECKED: MSB
DRAWN: KFW	APPROVED: BPG
SHEET: 1 OF 1	
CAD FILE: 431900PP3	
PROJECT NO: 4319	

1/22/2016 Z:\4319 South Ridge -77 acre\dwg\431900PP3.dwg

Exhibit (1450 : PB 07-10 Lake View at Currituck)

Attachment: Lake View Open Space Exhibit

Currituck County
Agenda Item Summary Sheet

Agenda ID Number – (ID # 1501)

Agenda Item Title

Planning Board

Brief Description of Agenda Item:

Commissioner O'Neal's original nominee is unable to serve, creating a vacancy on the Planning Board requiring a new name for consideration. The new appointee will serve a full term of two years, ending December 2017.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

PLANNING BOARD
2 Year Terms

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Mike Cason	District 1		Vance Aydlett	January 5, 2014	1st Term 12/31/2016
Steven Craddock	District 2		David Griggs	January 2013	1st Term 12/31/2016
John Cooper	District 3		Mike Payment	January 2012	2nd Term 12/31/2016
Daniel Cartwright	District 4		Paul Beaumont	January 2012	2nd Term 12/31/2016
Carol Bell	District 5		Marion Gilbert	January 4, 2016	2nd Term 12/31/2017
Fred Whiteman	At-Large		Mike Hall	January 2012	1st Term 12/31/2016
VACANT	At-Large		Paul O'Neal	February 2016	1st Term 12/31/2017
Jane Overstreet	Outer Banks		Consensus	December 2013	1st Term 12/31/2016
Robert Bell	Mainland		Consensus	January 5, 2015 January 2012	2nd Term 12/31/2016

Nominee unable to serve-Needs replacement member

Attachment: Planning Board Appointment Form (1501 : Board Appt-Planning Board)

Currituck County
Agenda Item Summary Sheet

Agenda ID Number – (ID # 1500)

Agenda Item Title

Economic Development Advisory Board

Brief Description of Agenda Item:

Consensus appointment needed for new, two-year term to expire March 2018.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

ECONOMIC DEVELOPMENT ADVISORY BOARD
2 Year Terms

Incumbent	R or NR	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Martha Burns		District 1		Vance Aydlett	3/21/2016 3/17/14	2nd March 2018
Ray Griggs		District 2		David Griggs	3/21/2016 3/17/14	2nd March 2018
Al Marzetti		District 3		Mike Payment	4/7/14	1st March 2016
Greg Laput		District 4		Paul Beaumont	3/21/2016 4/7/14	2nd March 2018
Eldon Miller, III		District 5		Marion Gilbert	8/17/15	1st March 2017
Barbara Courtney		At-Large		Mike Hall	8/17/15	2nd March 2017
Sam Miller		At-Large		Paul O'Neal	10/5/15	2nd March 2017
VACANT		Consensus		Consensus	1/5/15	Unexpired Term March 2016
John Harris		Consensus		Consensus	3/21/2016 10/20/14	2nd March 2018
Roger Lambertson		Consensus		Consensus	1/6/16	2nd March 2017
Keith Hall		Consensus		Consensus	10/5/15	2nd March 2017

R=Resident NR=Non-resident

Attachment: ED Board Appointment FormNew (1500 : Board Appts-Economic Development)

CURRITUCK COUNTY
NORTH CAROLINA

March 21, 2016
Minutes – Regular Meeting of the Board of Commissioners

5:00 CALL TO ORDER

The Currituck County Board of Commissioners met at 5 PM in the Historic Courthouse for its regular meeting.

Attendee Name	Title	Status	Arrived
David L. Griggs	Board Chairman	Present	
O. Vance Aydlett	Vice Chairman	Present	
S. Paul O'Neal	Board Member	Present	
Paul M. Beaumont	Commissioner	Present	
Marion Gilbert	Commissioner	Present	
Mike D. Hall	Commissioner	Present	
Mike H. Payment	Commissioner	Absent	

Chairman Griggs called the meeting to order.

A) Invocation & Pledge of Allegiance-Reverend Ronnie Culley, Christian Home Baptist

Reverend Ronnie Culley of Christian Home Baptist Church gave the Invocation and led the Pledge of Allegiance.

B) Approval of Agenda

Chairman Griggs noted the absence of Commissioner Payment, who did not attend the meeting due to illness.

Chairman Griggs amended the agenda, removing Public Hearing Item C, PB15-18-Mashuda Multi-Family, and Item D, PB 15-26-Currituck County expansion of the Convenience Center on Panther Landing. Commissioner Gilbert moved to approve with the deletion of Items C and D under Public Hearings, seconded by Commissioner Hall. The motion carried unanimously.

Approved agenda:

5:00 Call to Order
A) Invocation & Pledge of Allegiance-Reverend Ronnie Culley, Christian Home Baptist
B) Approval of Agenda
Administrative Reports

Communication: Approval of Minutes for March 21, 2016 (Approval Of Minutes from March 21, 2016)

A) **Presentation of FY 2015 Audit, Chris Burton, CPA - Carr, Riggs and Ingram LLC**

Public Hearings

A) Public Hearing and Action: PB 14-16 Lake View at Currituck Development Agreement Amendment: Request to amend the development agreement between Currituck County and Survey Road, LLC for property located in Moyock on Survey Road west of the intersection with Caratoke Highway, Tax Map 15, Parcels 83A, 83B, 83C, 83D, and 83E, Moyock Township.

B) Public Hearing and Action: PB 07-10 Lake View at Currituck: Request to amend the sketch (master) plan, preliminary plat, and use permit to allow 13 additional residential lots in the planned unit development located off Survey Road in Moyock, Tax Map 15, Parcels 83A, 83B, 83C, 83D, and 83E, Moyock Township.

~~**C) Consideration and Action: PB 15-18 Mashuda Multi-Family:** Request for conditional rezoning of 15.78 acres from Agricultural (AG) to Conditional District - Mixed Residential (C-MXR). The property is located in Barco at the terminus of Patriot Way east of Central Elementary School and on the north side of Shortcut Road (US 158), Tax Map 60, Parcel 99E, Crawford Township.~~ ***Agenda amended, item postponed.***

~~**D) Public Hearing and Action: PB 15-26 Currituck County:** Request for a use permit to expand the existing Panther Landing Convenience Center located on Panther Landing Road in Moyock, Tax Map 14, Parcel 13B, Moyock Township.~~ ***Agenda amended, item postponed.***

New Business

A) Consideration and Action: Moyock Commons, Phase 2, Subsequent Similar Request: Request for the Board to consider a subsequent rezoning request for Moyock Commons, Phase 2

B) Approval of Contract with Air Concepts, Inc.

C) Board Appointments

D) Economic Development Advisory BoardConsent Agenda

1. Approval Of Minutes for March 7, 2016
2. Budget Amendments
3. ITS Surplus Resolution
4. Surplus Resolution-Emergency Management
5. Surplus Resolution-Sheriff's Department

E) Commissioner's Report

F)

County Manager's Report

Public

Comment

Please limit comments to matters other than those appearing on this agenda as a Public Hearing. Public comments are limited to 5 minutes.

Special Meeting of the Tourism Development Authority

TDA-Budget Amendments

Project Ordinances: Boat House Design/Restroom facility construction

Closed Session

Closed session pursuant to G.S. 143-318.11(a)(3) to consult with the county attorney and to preserve the attorney-client privilege regarding the matter captioned Swan Beach, LLC v. Currituck County.

Adjourn

Communication: Approval of Minutes for March 21, 2016 (Approval Of Minutes from March 21, 2016)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Marion Gilbert, Commissioner
SECONDER:	Mike D. Hall, Commissioner
AYES:	David L. Griggs, Board Chairman, O. Vance Aydlett, Vice Chairman, S. Paul O'Neal, Board Member, Paul M. Beaumont, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner
ABSENT:	Mike H. Payment, Commissioner

ADMINISTRATIVE REPORTS

A. Presentation of FY 2015 Audit, Chris Burton, CPA - Carr, Riggs and Ingram LLC

Mr. Chris Burton of Carr, Riggs, and Ingram, LLC, reviewed the County's Fiscal Year 2015 audit, performed by his firm, reporting a clean audit with nothing materially wrong. He commended Sandra Hill, Finance Director, and her staff. Mr. Burton said the county's total net position increased by $8,140,000 with ending fund balance figures of $55 million, a $7.5 million increase over the prior year. Financial data on capital projects, tax collections, state and federal funding figures were presented. Mr. Burton noted the County's fund balance sits at ten percent of expenditures, above the eight percent recommendation by the Local Government Commission, and he clarified the County's unrestricted figure of $4.7 million. Commissioners discussed Currituck County's bond rating, touting it as second best in the state for counties with a population of under 50,000.

PUBLIC HEARINGS

A. Consideration and Action: PB 14-16 Lake View at Currituck Development Agreement Amendment: Request to amend the development agreement between Currituck County and Survey Road, LLC for property located in Moyock on Survey Road west of the intersection with Caratoke Highway, Tax Map 15, Parcels 83A, 83B, 83C, 83D, and 83E, Moyock Township.

Chairman Griggs suggested that Public Hearing Item A and B be heard concurrently, as both pertained to Lake View at Currituck and would result in the same outcome based on the Board's decision.

Parties were sworn in with regard to the Use Permit, Item B, PB 07-10, and Ben Woody, Planning and Community Development Director, began his report to the Board, beginning with a review of PB 14-16, Lake View at Currituck Development Agreement.

Subject: PB 14-16 Lake View at Currituck - Development Agreement Amendment

James O. Myers submitted an application for an amendment to the Development Agreement between Survey Road, LLC (the “Developer”) and Currituck County to allow 13 additional residential lots within the proposed Lake View at Currituck subdivision located at 120 Survey Road in the Moyock Township. The use of a development agreement is authorized in North Carolina General Statutes 153A-379.1- 153A-379.13 and Section 2.4.18 of the Currituck County Unified Development Ordinance (UDO); the purpose and intent of a development agreement is to:

1. Encourage comprehensive planning and capital facilities planning;
2. Ensure the provision of adequate public facilities for development;

Communication: Approval of Minutes for March 21, 2016 (Approval Of Minutes from March 21, 2016)

3. Encourage the efficient use of resources, while providing certainty in the process of obtaining development permits and approvals; and
4. Reduce the economic costs of development by providing greater regulatory certainty.

The Development Agreement between the Developer and Currituck County required the Developer to install a new public sewer force main to connect the Lake View at Currituck subdivision to the Moyock Central Sewer System. The force main is now installed. The sewer mains, pump stations, and appurtenances subject to the development agreement will be dedicated to the county upon completion and acceptance by the Technical Review Committee.

A summary of the proposed amendments included in the request are:

1. An assignment of the agreement from Survey Road, LLC to the new property owner Lake View Land Development, LLC.
2. Adding 13 residential lots identified in the proposed Phase 3A of the planned unit development.
3. An acknowledgement of the completed off-site public sewer infrastructure.
4. Removing the phasing reference from the 104 residential lots currently outlined as Phase 1 and 2 of the agreement. This change references the intermediate sewer payment (final plat).
5. Adding the 13 additional residential lots sewer tap reservation and payment schedule.
6. Adding one additional year to the term of the agreement.
7. Changes to the use permit conditions, amended sketch (master) plan, and preliminary plat (see attached amended sketch plan, and preliminary plat/use permit staff report).

The TRC recommends **approval** because the proposed development agreement is consistent with the Moyock Small Area Plan since the subject property and sewer main extension are located in a Full Service area; is consistent with the Land Use Plan because it focuses sewer service in existing developed areas and in nearby targeted growth areas (POLICY WS3); and the development agreement demonstrates the impact on the future provision of public sewer capital improvements by the county.

Planning Board Recommendation:

Mr. Craddock moved to approve PB 14-16 as presented due to its consistency with the Moyock Small Area Plan since the subject property and sewer main extension are located in a Full Service area; is consistent with the Land Use Plan because it focuses sewer services in existing developed areas and in nearby targeted growth areas; and the development agreement demonstrates the impact on the future provision of public sewer capital improvements in the county. Mr. Bell seconded the motion and motion carried unanimously.

After discussion and clarification as described in Item PB 07-10, motions were considered.

Commissioner Gilbert moved for approval of PB14-16, Lake View at Currituck, with amendments, that the size of the development and the terms of the agreement are

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consistent with the Unified Development Ordinance (UDO), consistency with the Moyock Small Area Plan with the subject property and sewer main extension located in the Full Service Area and, with the Land Use Plan because it focuses sewer services in existing development areas and in nearby targeted growth areas, and it is reasonable and in the public interest since the proposed development includes sewer transmission capacity for future economic development near the project area.

The motion died for lack of a second.

Commissioner Hall requested that PB 14-16 be continued in order to give the developer a chance to consider a transition of maintenance to homeowners at 75%, giving the developer two weeks time to look at the issue.

Chairman Griggs seconded and the motion carried unanimously.

RESULT:	**CONTINUED [UNANIMOUS]**	**Next: 4/4/2016 5:00 PM**
MOVER:	Mike D. Hall, Commissioner	
SECONDER:	Paul M. Beaumont, Commissioner	
AYES:	David L. Griggs, Board Chairman, O. Vance Aydlett, Vice Chairman, S. Paul O'Neal, Board Member, Paul M. Beaumont, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner	
ABSENT:	Mike H. Payment, Commissioner	

B. Consideration and Action: PB 07-10 Lake View at Currituck: Request to amend the sketch (master) plan, preliminary plat, and use permit to allow 13 additional residential lots in the planned unit development located off Survey Road in Moyock, Tax Map 15, Parcels 83A, 83B, 83C, 83D, and 83E, Moyock Township.

The request submitted by Lake View at Currituck, LLC is to amend the development agreement (separate submittal), sketch (master) plan, and the preliminary plat to add 13 residential lots in an area previously labeled as future development (5.81 acres). An amendment to the development agreement is required to increase the density and modify the future development area. Lake View at Currituck is a planned unit development and is subject to the transition standards of the UDO. The proposed changes to the approved plans are as follows:

- Modification of the phasing plan to include Phase 3A (13 lots) and relocation of phasing lines (strikethrough text is to be removed and underlined text is the proposed changes).
  - Phase 1 49 single family lots (year ~~1~~2)
  - Phase 2 55 single family lots (year ~~2~~3)
  - Phase 3A 13 single family lots (year 4)
  - Phase 3 42 single family lots (year ~~3~~5)
  - Phase 4 7.21 acres commercial (years ~~4-8~~6-9)
- An amendment to the development agreement (see attached memo for details).
- Extend the term of the development agreement for one additional year.
- Assignment of the development agreement between Currituck County and Survey Road, LLC to Lake View Land Development, LLC.
- Amendments to the use permit (see below)

Communication: Approval of Minutes for March 21, 2016 (Approval Of Minutes from March 21, 2016)

- Relocation of one pocket park from the residential subdivision entrance to an area adjacent to the mail kiosk and associated parking area (Fountain Lake Way).
- Removal of the park equipment layout from the pocket parks which is replaced with a statement to allow design flexibility to meet the recreational needs of the community.
- An adjustment of lots 36-39 in Phase 2 for access to Phase 3A and to accommodate a small recreational vehicle parking area required for Phase 3A.
- Interconnectivity to the Jarvis property (western edge of Phase 3A).

RECOMMENDATIONS

TECHNICAL REVIEW COMMITTEE

THE TECHNICAL REVIEW COMMITTEE RECOMMENDS ADOPTION OF THE USE PERMIT AND APPROVAL OF THE AMENDED SKETCH (MASTER) PLAN AND AMENDED PRELIMINARY PLAT/USE PERMIT SUBJECT TO THE FOLLOWING CONDITIONS OF APPROVAL:

1. The application complies with all applicable review standards of the UDO provided the following items are addressed:
    a. The BOC entered into a development agreement with Survey Road, LLC on November 25, 2014 (recorded November 26, 2014) to develop the property in question. The proposed 13 residential lot addendum as shown on the amended sketch (master) plan and preliminary plat requires the BOC acceptance and approval of the amended development agreement (copy provided).
    b. The amended preliminary plat indicates a typical lot that illustrates a pool setback to be five feet from the property lines. The current ordinance does not permit a five foot accessory structure setback.
    c. Correct the development summary and phasing plan on sheet 7 of 7 of the amended sketch plan to reflect Phase 4 as commercial under development type.
2. The following conditions of approval necessary to ensure compliance with the review standards of the UDO and to prevent or minimize adverse effects of the development application on surrounding lands for all phases of the Lake View of Currituck (strikethrough text is requested removal and underlined text is requested to be added; renumber as appropriate):
    a. ~~The pre-construction plans shall meet and address all NCDOT traffic engineer comments and recommended changes~~. (*Commentary: Removal requested by the applicant.)*
    b. ~~The proposed, improved access connection to the adjacent property does not extend to the property line. This access will not be used by a property owner until such time as the interconnection is made; staff recommends the developer posting a bond for installation in lieu of paving the connection to the property line~~. Fountain Lake Way and Green Lake Road connection stub and associated sidewalks shall terminate no more than five feet from the edge of the existing ditch or drainage easement and the developer shall post a performance guarantee with the county to ensure funds are available to complete the connections. *(Commentary: Fountain Lake Way now accesses a park and mail kiosk and shall be improved to terminate no more than five feet from the edge of the existing ditch or drainage easement).*

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c. Wheelchair ramps shall be provided at intersections and other major points of pedestrian flow. Wheelchair ramps and depressed curbs shall be constructed in accordance with NCDOT standards. Please provide a curb cut detail with the submittal pre-construction plans.
d. On street parking, if installed, shall be provided in accordance with the variance issued by the Board of Commissioners.
e. The pedestrian loop trail system must be located a minimum of 10 feet from all exterior property lines and shall be located such to provide safe movement.
f. A Dominion Power encroachment agreement is required to allow roads, pedestrian trails, required landscape buffers, and wastewater treatment infiltration pond within their 150 foot utility easement. The agreement must be provided at the pre-construction submittal.
g. Pedestrian easements shall be provided on the final plat where the sidewalk extends beyond the street right-of-way and on private lots. (Development Review Manual)
h. Given the relativity small size of the proposed lots, deed restrictions or restrictive covenants shall restrict parking of boats and recreational vehicles on individual lots or a boat/rv parking area shall be provided.
i. The development impact statement references the pedestrian related active recreation element. In the interest of providing a complete and safe active recreation system, the applicant shall provide sidewalks along Survey Road frontage, and between the proposed residential and nonresidential uses.
j. The required improvements shall be installed and accepted prior to submission of final plat approval for each phase.
k. The applicant shall submit a home and building design template that will be incorporated with the approval. Residential structures shall be designed with:
    a. Variation in exterior architectural materials (siding, roofing);
    b. Vertical and horizontal relief in buildings (roof lines, eaves, bump outs);
    c. Variation in house styles/types;
    d. Inclusion of front porches, projecting bays, vestibules; and,
    e. The units shall have proportional attributes including overall height to width ratios of existing building facades, doors, windows, projecting canopies, and other architectural features within the vernacular of the area.
l. All open space areas surrounding the lake shall be stabilized with grass, vegetation, and proposed landscaping prior to recordation of the first phase.
m. All visual relief open space within each phase shall be stabilized and vegetated with grass and proposed landscaping buffer.
n. Low impact development techniques should be integrated in the project to manage treatment of stormwater. (WQ3, WQ6, WQ7)
o. Internal pedestrian circulation shall be required for all commercial areas through the use of clearly defined walkways. (CD8, CD9)

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p. In commercial areas, parking located between a commercial building and street rights-of-way shall be screened with a Type B Bufferyard. (CA3, CD7, CD8)
q. Dumpsters or similar solid waste receptacles, HVAC equipment, commercial mechanical units, or similar appurtenances shall be screened from view using a combination of solid landscaping or opaque fencing. (LUP CA3)
r. Landscape islands shall be incorporated into the commercial parking areas. (LUP CD7, CD8, CA3)
s. In commercial areas pedestrian plazas or similar shaded outdoor seating areas shall be provided. (LUP CD7, CD8, CD9)
t. Neighborhood serving commercial development shall integrate pedestrian scale and design (proportional relationship of buildings and spaces to pedestrians). Retail, office, and entertainment uses shall be appropriately designed, small-scale businesses. (LUP CD1, CD5, CD6, CD7, CD8, CD9).
u. The maximum amount of pond aeration devices allowed by NC DWQ shall be installed.
~~v. A complete downstream analysis shall be included with the pre-construction submittal.~~*(Commentary: Removal requested by the applicant. Stormwater infrastrucuture was approved without a complete downstream analysis for all phases except Phase 3A which will be subject to the stormwater manual).*
w. The driveways shall be two vehicle deep parking (including garage).
~~X The slope of ponds shall be considered.~~ *(Commentary: Removal requested by the applicant).*
y. Cluster mailboxes shall be used.
z. The building pad elevations shall be raised a minimum of 18 inches, above existing grade, except in Phase 3A where building pad elevations will meet current UDO and stormwater manual requirements in effect on (enter date of use permit amendment).
aa. A solid vegetative buffer and fencing between shall be provided to the adjacent agricultural properties except in Phase 3A where the farmland buffer shall meet the UDO requirements in effect on (enter date of use permit amendment).
bb. Phase 3A shall be subject to the development agreement and use permit, as amended.

USE PERMIT REVIEW STANDARDS

A USE PERMIT SHALL BE APPROVED ON A FINDING THAT THE APPLICANT DEMONSTRATES THE PROPOSED USE WILL MEET THE BELOW REQUIREMENTS. IT IS STAFF'S OPINION THAT THE EVIDENCE IN THE RECORD, PREPARED IN ABSENCE OF TESTIMONY PRESENTED AT A PUBLIC HEARING, SUPPORTS THE PRELIMINARY FINDINGS

The use will not endanger the public health or safety.
PRELIMINARY APPLICANT FINDINGS:

Communication: Approval of Minutes for March 21, 2016 (Approval Of Minutes from March 21, 2016)

1. THE USE WILL ADHERE TO COUNTY HEALTH AND SAFETY STANDARDS, ALL LOTS WILL FRONT ON LOW-SPEED INTERIOR STREETS, AND WILL BE SERVED WITH PUBLIC WATER AND SEWER. THE PROJECT SHOULD NOT ADVERSELY AFFECT THE PUBLIC HEALTH OR SAFETY.

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.
PRELIMINARY APPLICANT FINDINGS:

1. LAND TO THE SOUTH AND EAST HAS BEEN DEVELOPED INTO SINGLE FAMILY HOMES; THE HOMES THAT WILL BE CONSTRUCTED IN THIS SUBDIVISION WILL BE OF SIMILAR VALUE TO EXISTING HOMES IN THE AREA; OVER 35% OF THE LAND WILL BE PRESERVED AS OPEN SPACE AND LANDSCAPING BUFFERS ARE PROVIDED. THE USE WILL NOT INJURE THE VALUE OF ADJOINING OR ABUTTING LANDS, AND WILL BE IN HARMONY WITH THE SURROUNDING AREA.

The use will be in conformity with the Land Use Plan or other officially adopted plans.
PRELIMINARY APPLICANT FINDINGS:

1. THE LAND USE PLAN CLASSIFIES THIS AREA AS RURAL BUT ADJACENT TO FULL SERVICE WITHIN THE MOYOCK SUBAREA.
2. THE MOYOCK SMALL AREA PLAN CLASSIFIES THE AREA AS FULL SERVICE. THE PROPOSED DEVELOPMENT DENSITY IS 2.37 UNITS PER ACRE, WHICH IS WITHIN THE RANGE OF DENSITIES ENVISIONED IN THE MOYOCK SMALL AREA PLAN.
3. THE FOLLOWING LAND USE PLAN POLICIES ARE RELEVANT TO AND SUPPORT THIS REQUEST:

   POLICY HN1: CURRITUCK COUNTY SHALL ENCOURAGE DEVELOPMENT TO OCCUR AT DENSITIES APPROPRIATE FOR THE LOCATION.

   POLICY HN2: THE COUNTY SHALL… ENCOURAGE ALTERNATIVES TO LARGE LOT DEVELOPMENTS THROUGH INNOVATIVE DEVELOPMENT CONCEPTS AND CORRESPONDING ZONING TECHNIQUES.

   POLICY CD1: NEIGHBORHOOD SERVING COMMERCIAL DISTRICTS SHOULD BE ENCOURAGED TO LOCATE WHERE A COLLECTOR OR SECONDARY STREET INTERSECTS WITH A STREET OF EQUAL OR GREATER SIZE. APPROPRIATELY DESIGNED, SMALL-SCALE BUSINESSES MAY ALSO BE NEAR OTHER NEIGHBORHOOD SERVING FACILITIES SUCH AS SCHOOLS AND PARKS.

   POLICY CD8: MIXED-USE DEVELOPMENTS, PROPERLY PLANNED FROM THE OUTSET, WHICH ALLOW FOR A COMPATIBLE MIXTURE OF RESIDENTIAL AND NON-RESIDENTIAL USES WITH A PEDESTRIAN SCALE AND DESIGN, ARE ENCOURAGED. SIMILARLY, BUSINESSES MAY BE ALLOCATED ADJOINING (AND THEREFORE CONVENIENT TO) AN EXISTING RESIDENTIAL AREA, WHEN SUCH BUSINESSES CAN BE SHOWN TO SATISFY DESIGN CONSIDERATIONS SIMILAR TO A NEWLY PLANNED, PEDESTRIAN-SCALED, MIXED USE DEVELOPMENT.

   POLICY WS3: CURRITUCK COUNTY ENDORSES UTILITIES EXTENSION POLICIES THAT FOCUS WATER AND SEWER SERVICES (1) WITHIN EXISTING DEVELOPED AREAS AND IN NEARBY TARGETED GROWTH AREAS AND (2) WHERE THE LAND IS PARTICULARLY WELL SUITED FOR DEVELOPMENT AND AWAY FROM ENVIRONMENTALLY SENSITIVE AREAS, SUCH AS AREAS WITH EXTENSIVE WETLANDS.

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POLICY PR6: ALL NEW RESIDENTIAL DEVELOPMENT SHALL PROVIDE FOR ADEQUATE OPEN SPACE AND RECREATION IMPROVEMENTS.

POLICY PP3: THE COSTS OF INFRASTRUCTURE, FACILITIES, AND SERVICES RELATED TO THE DEMAND CREATED BY NEW GROWTH AND DEVELOPMENT SHALL BE BORNE, IN EQUITABLE PROPORTION, BY THOSE CREATING THE DEMAND.

POLICY WQ3: CURRITUCK COUNTY SUPPORTS POLICIES, PLANS, AND ACTIONS THAT HELP PROTECT THE WATER QUALITY OF THE COUNTY'S ESTUARINE SYSTEM BY PREVENTING SOIL EROSION AND SEDIMENTATION, AND BY CONTROLLING THE QUANTITY AND QUALITY OF STORMWATER RUNOFF ENTERING THE ESTUARY.

The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to: schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

PRELIMINARY APPLICANT FINDINGS:

1. CURRITUCK COUNTY HAS ADEQUATE PUBLIC FACILITIES TO SERVE THE PROPOSED SUBDIVISION.

At the conclusion of Mr. Woody's presentation to the Board, he clarified the end product of the development will consist of one subdivision with one homeowners association, and discussed the transition for maintenance of the infrastructure to homeowners. Commissioner Hall was concerned with the timing of the turnover of maintenance to homeowners due to the phasing aspect of the development, particularly with the addition of Phase 3A. Mr. Woody suggested the Board could ask the applicant to agree to transition at 75 percent per the current ordinance, and not 51 percent as required under the old ordinance. Roads, stormwater and fill requirements for building pads were clarified. Mr. Woody answered questions regarding the purpose of a dam at the location, saying his understanding was the dam was constructed to prevent sediment from draining into Eagle Creek subdivision.

Continuing with the public hearing, Mr. John Morrison of Twiford Law, representing the applicant, presented the positive aspects of the development for the County, including collecting additional tap fees, increasing utility customers and tax base, and providing interconnectivity. He noted the additional thirteen lots would be increased in size. Mr. Morrison nor the applicant could address the transition percentages without studying the impact of the requirements.

Mark Bissell, Engineer for the applicant, touted the connectivity and said the project's density is less than what is allowable. He said the lot sizes were compatible with Eagle Creek, addressed stormwater and drainage for the Board, noting they did correct some issues but he did not believe the dam was causing an obstruction. Mr. Bissell clarified the water flows away from Eagle Creek, and said dewatering for lake excavation at the project should cease completely within the next few days.

With no further questions from the Board and no one else wishing to speak, Chairman Griggs closed the Public Hearings for both PB 14-16 and PB 07-10 and asked for a motion.

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After approval of the continuation for PB 14-16, Commissioner Hall moved to continue PB 07-10 also, to allow time for the applicant to consider transitioning to the homeowners association at 75% or at 51%. Commissioner Beaumont seconded and the motion carried unanimously.

RESULT:	**CONTINUED [UNANIMOUS]**	**Next: 4/4/2016 5:00 PM**
MOVER:	Mike D. Hall, Commissioner	
SECONDER:	Paul M. Beaumont, Commissioner	
AYES:	David L. Griggs, Board Chairman, O. Vance Aydlett, Vice Chairman, S. Paul O'Neal, Board Member, Paul M. Beaumont, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner	
ABSENT:	Mike H. Payment, Commissioner	

C. Consideration and Action: PB 15-18 Mashuda Multi-Family:

This item was removed from the agenda.

D. Public Hearing and Action: PB 15-26 Currituck County:

This item was removed from the agenda.

NEW BUSINESS

A. Consideration and Action: Moyock Commons, Phase 2, Subsequent Similar Request: Request for the Board to consider a subsequent rezoning request for Moyock Commons, Phase 2

Ben Woody, Planning and Community Development Director, reviewed the applicant's request to waive the one year waiting period after denial of a rezoning request. Mr. Woody reviewed the super-majority vote that is required for approval, and the four findings were reviewed with the Board for determining consideration of the request.

TO: Board of Commissioners

FROM: Planning Staff

DATE: February 19, 2016

SUBJECT: Moyock Commons, Phase 2, Subsequent Similar Request

Chip Freidman is asking the board to consider a subsequent rezoning request for Moyock Commons, Phase 2. As you may recall the board denied the rezoning request (AG to C-SFM) for this property on December 7, 2015. Section 2.3.16 of the UDO requires a one year waiting period after an application is denied before an application proposing the same or similar development may be submitted for the same land. This same section of the UDO allows the board to waive this time limit only on a finding by two-thirds of its membership that the owner or agent has demonstrated that:

- There is a substantial change in circumstances relevant to the issues or facts considered during review of the prior application that might reasonably affect the board's application of the relevant review standards to the development proposed in the new application; or
- New or additional information is available that was not available at the time of review of the prior application and that might reasonably affect the board's application of the relevant review standards to the development proposed in the new application; or

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- The new application proposed to be submitted is materially different from the prior application; or
- The final decision on the prior application was based on a material mistake of fact.

Mr. Friedman request the one year period be waived upon the following:

- This application is for a different zoning district
- The 2016 newly enacted UDO changes to this zoning district and changes to other zoning districts by the board.
- The new information learned from Dan Scanlon, County Manager, at the December 7, 2015 public hearing where he requested direction from the board for the Moyock watershed drainage district needing improvements to the districts 869 acres per North Carolina Statue on districts.
- New information from engineer Andy Deel stating improvements to this property's ditches will benefit the drainage district.

The purpose for the UDO one year required waiting period is noted by the North Carolina Supreme Court in George v. Town of Edenton, 294 N.C. 679, 242 S.E.2d 877 (1978), "A waiting period required by the ordinance is designed to prevent an applicant from subjecting the residents of an area to the burden of having to protest and defend against a series of repetitious applications."

Should the board find that granting a waiver of the one year waiting period is justified; the subsequent rezoning request will proceed as a new application.

Mr. Chip Friedman, applicant, took the position that the request is not a subsequent similar request but a new request for rezoning, to Mixed Residential (MXR) as opposed to Single Family Mainland (SFM).

Commissioner Beaumont asked Mr. Woody to describe the MXR zoning, to which Mr. Woody said MXR permits commercial components and multi-family as well as single family, stating his opinion that MXR is more robust with different character of development. Stormwater, landscaping would remain the same, with changes to design and lot sizes.

County Attorney Ike McRee explained the intent of the one-year waiting requirement. Referring to case law, he explained the purpose is so members of public do not have to return time and again to defend against a series of repetitious applications. Mr. Friedman also referenced case law regarding making reasonable accommodations to promote fairness to applicants. Chairman Griggs expressed his opinion that the hearing process puts the public at somewhat of a disadvantage, requiring the community to put money out of pocket to hire experts to testify in opposition to a project. Mr. Friedman said he is following the rules of the Board, and restated his position that the application submitted was not the same.

Commissioner Beaumont moved to deny the subsequent rezoning request for Moyock Commons phase 2, as he did not see a basis to grant the waiver at this time of the one year time limit on a similar application, adding that he and the Board clearly understood it is a second application.

Commissioner Gilbert seconded and the motion carried unanimously.

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RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paul M. Beaumont, Commissioner
SECONDER:	Marion Gilbert, Commissioner
AYES:	David L. Griggs, Board Chairman, O. Vance Aydlett, Vice Chairman, S. Paul O'Neal, Board Member, Paul M. Beaumont, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner
ABSENT:	Mike H. Payment, Commissioner

B. Approval of Contract with Air Concepts, Inc.

County Attorney Ike McRee reviewed the exception in North Carolina General Statute 14-234 that would allow Currituck County to contract with a government official, stating the county falls within the guidelines established. He reviewed the contract with Air Concepts, Inc., the company owned by Commissioner Payment, stating the contract would not exceed twelve months and would have an aggregate limit of $40,000, with quarterly postings of any payments made by the county.

Commissioner Gilbert moved to approve the contract. The motion was seconded by Chairman Griggs and carried unanimously.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Marion Gilbert, Commissioner
SECONDER:	David L. Griggs, Board Chairman
AYES:	David L. Griggs, Board Chairman, O. Vance Aydlett, Vice Chairman, S. Paul O'Neal, Board Member, Paul M. Beaumont, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner
ABSENT:	Mike H. Payment, Commissioner

C) Board Appointments

1. Economic Development Advisory Board

The following reappointments to the Economic Development Advisory Board were unanimously approved by the Board of Commissioners.

Commissioner Aydlett nominated Martha Burns for reappointment.
Chairman Griggs nominated Ray Griggs for reappointment.
Commissioner Beaumont nominated Greg Laput for reappointment.
Commissioner Gilbert nominated John Harris, a consensus nominee, for reappointment.

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RESULT:	**APPROVED [UNANIMOUS]**
AYES:	David L. Griggs, Board Chairman, O. Vance Aydlett, Vice Chairman, S. Paul O'Neal, Board Member, Paul M. Beaumont, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner
ABSENT:	Mike H. Payment, Commissioner

D) Consent Agenda

Commissioner Gilbert moved to approve the Consent Agenda. Chairman Griggs seconded and the motion carried unanimously.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Marion Gilbert, Commissioner
SECONDER:	David L. Griggs, Board Chairman
AYES:	David L. Griggs, Board Chairman, O. Vance Aydlett, Vice Chairman, S. Paul O'Neal, Board Member, Paul M. Beaumont, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner
ABSENT:	Mike H. Payment, Commissioner

1) Approval Of Minutes for March 7, 2016

2. Budget Amendments

		Debit	Credit
Account Number	Account Description	Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10460-592000	Courthouse Projects	$ 19,545	
10775-516200	Vehicle repair	$ 327	
10380-484001	Insurance recovery		$ 41,478
10390-499900	Appropriated Fund Balance	$ 21,606	
		$ 41,478	$ 41,478

Explanation: Public Works (10460) - Increase appropriations for damages resulting in insurance claims: Animal Shelter dryer and water damage - $10,235, less deductible $5,000; Extension roof leak $7,694; Historic Courthouse transformer $505; Sheriff's Department Roof leak $111; Detention Center fence damage $1,000 less depreciation of $300; and Sr Center auto window replacement $327. The Health Department roof will need further evaluation to determine necessary steps to resolve future problems; insurance determined value $52,175, less depreciation $10,679 and $5,000 deductible.

Net Budget Effect: Operating Fund (10) - Increased by $19,872.

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Account Number	Account Description	Debit: Decrease Revenue or Increase Expense	Credit: Increase Revenue or Decrease Expense
10510-516000	Repair & Maintenance	$ 13,000	
10510-531000	Gas		$ 13,000
10511-516000	Repair & Maintenance	$ 7,000	
10511-561000	Professional Services		$ 7,000
		$ 20,000	$ 20,000

Explanation: Sheriff (10510); Jail (10511) - Transfer budgeted funds to purchase rock for the shooting range and around Sheriff's office and for plumbing and HVAC repairs in the Jail.

Net Budget Effect: Operating Fund (10) - No change.

Account Number	Account Description	Debit: Decrease Revenue or Increase Expense	Credit: Increase Revenue or Decrease Expense
10540-511000	Telephone & Postage	$ 2,000	
10540-532000	Supplies	$ 1,000	
10540-531000	Gas		$ 3,000
10660-514000	Travel	$ 1,000	
10660-590000	Capital Outlay	$ 1,900	
10660-531000	Gas		$ 1,000
10660-514800	Fees Paid to Officials		$ 900
10660-526000	Advertising		$ 1,000
		$ 5,900	$ 5,900

Explanation: Inspections (10540); Planning (10660) - Transfer budgeted funds for operations, additional staff training and furniture.

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Account Number	Account Description	Debit Decrease Revenue or Increase Expense	Credit Increase Revenue or Decrease Expense
63838-545800	White Goods Disposal	$ 15,000	
63838-571500	Recycling		$ 15,000
		$ 15,000	$ 15,000

Explanation: Solid Waste (63838) - Transfer funds to cover White Goods disposal fees.

Net Budget Effect: Solid Waste (63) - No change.

Account Number	Account Description	Debit Decrease Revenue or Increase Expense	Credit Increase Revenue or Decrease Expense
68888-590000	Capital Outlay	$ 5,000	
68888-516000	Repairs & Maintenance	$ 5,000	
68888-533200	Lab Test	$ 3,000	
68888-545000	Contract Services		$ 13,000
		$ 13,000	$ 13,000

Explanation: Walnut Island Sewer (68888) - Transfers for operations.

Net Budget Effect: Walnut Island Sewer Fund (68) - No change.

Account Number	Account Description	Debit Decrease Revenue or Increase Expense	Credit Increase Revenue or Decrease Expense
10750-514500	Training & Education	$ 1,000	
10750-514000	Travel		$ 1,000
		$ 1,000	$ -

Explanation: Social Services Administration (10750) - Transfer funds for Supervisory Management Program through the UNC School of Government.

Net Budget Effect: Operating Fund (10) - No change.

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Account Number	Account Description	Debit Decrease Revenue or Increase Expense	Credit Increase Revenue or Decrease Expense
10550-516200	Vehicle Maintenance	$ 1,000	
10550-590000	Capital Outlay	$ 4,000	
10550-561000	Professional Services		$ 5,000
		$ 5,000	$ -

Explanation: Airport (10550) - Transfer budgeted funds for repairs to the linemen's truck and courtesy vehicle and for replacement of the lighting system in Hangars A and B.

Net Budget Effect: Operating Fund (10) - No change.

Account Number	Account Description	Debit Decrease Revenue or Increase Expense	Credit Increase Revenue or Decrease Expense
20609-590000	Capital Outlay	$ 19,068	
20609-545000	Contracted Service		7500
20609-531400	Equipment Fuel		$ 11,568
		$ 19,068	$ 19,068

Explanation: Whalehead Stormwater District (20609) - Transfer funds for three generators to use in the Whalehead Stormwater District.

Net Budget Effect: Whalehead Stormwater Drainage District (20) - No change.

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Account Number	Account Description	Debit Decrease Revenue or Increase Expense	Credit Increase Revenue or Decrease Expense
12546-516106	Building and Grounds	$ 4,200	
12546-561006	Professional Services	$ 13,429	
12546-590006	Capital Outlay	$ 700	
12546-513006	Utilities		$ 1,200
12546-544006	Volunteer Assistance		$ 13,429
12546-554006	Insurance		$ 3,700
		$ 18,329	$ 18,329

Explanation: Corolla Volunteer Fire Department (12546) - Transfer per request of fire department.

Net Budget Effect: Fire Services Fund (12) - No change.

Account Number	Account Description	Debit Decrease Revenue or Increase Expense	Credit Increase Revenue or Decrease Expense
10430-545000	Contract Services	$ 6,123	
10310-400015	Ad Valorem Taxes - 2015 Levy		$ 6,123
		$ 6,123	$ 6,123

Explanation: Elections (10430) - Increase appropriations to replace the HVAC in the polling site at Gibbs Woods.

Net Budget Effect: Operating Fund (10) - Increased by $6,123.

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Account Number	Account Description	Debit Decrease Revenue or Increase Expense	Credit Increase Revenue or Decrease Expense
12548-536115	Personal Protective Equipment	$ 8,000	
12548-532115	Fire Supplies	$ 12,000	
12548-553015	Dues & Subscriptions	$ 7,000	
12548-511015	Telephone & Postage	$ 4,254	
12548-554015	Insurance		$ 1,694
12548-590015	Capital Outlay		$ 25,560
12548-526015	Promotions		2000
12548-531015	Gas		$ 2,000
		$ 31,254	$ 31,254
Explanation:	Knott Island Vol. Fire Department (12548) - Transfers per request of fire department.		
Net Budget Effect:	Fire Services Fund (12) - No change.		

3. ITS Surplus Resolution

Communication: Approval of Minutes for March 21, 2016 (Approval Of Minutes from March 21, 2016)

RESOLUTION

WHEREAS, the Board of Commissioners of Currituck County, North Carolina during its regularly scheduled meeting held on March 21, 2016 authorized the following, pursuant to GS 160A and 270(b), that the property listed below, be sold at auction or given to another governmental entity:

Description	Service Tag/Serial No.	Asset Tag	Item No.
Dell Latitude E6500	2XKYHL1	7179	P001
Dell Precision T3500	9T5ZKM1	7332	P002
Dell Optiplex 780	167FFN1	7313	P003
GoBook XR-1	ZZGEG7144ZZ2127	6483	P004
GoBook XR-1	ZZGEG7144ZZ2144	6517	P005
GoBook XR-1	ZZGEG7144ZZ2136	6474	P006
GoBook XR-1	ZZGEG7144ZZ2140	6520	P007
GoBook XR-1	ZZGEG7212ZZ8117	6629	P008
GoBook XR-1	ZZGEG7144ZZ2130	6480	P009
GoBook XR-1	ZZGEG7144ZZ2134	6476	P010
GoBook XR-1	ZZGEG7144ZZ2135	6475	P011
GoBook XR-1	ZZGEG7144ZZ2132	6478	P012
GoBook XR-1	ZZGEG6320ZZ3516	6340	P013
GoBook XR-1	ZZGEG6320ZZ3515	6339	P014
GoBook XR-1	ZZGEG7031ZZ0637	6466	P015
GoBook XR-1	ZZGEG7031ZZ0632	6461	P016
GoBook XR-1	ZZGEG7169ZZ4424	6511	P017
Dell Optiplex 755	FXFHTG1	6942	P018
HP Compaq DC 7800 Ultra Slim	MXL8210VR1	6881	P019
Dell Optiplex 755	BXFHTG1	6938	P020
Dell Optiplex 755	3ZFHTG1	6936	P021
Dell Optiplex 755	CMQ8LF1	6751	P022
Dell Optiplex 755	BMQ8LF1	6749	P023
Dell Precision 390	JWM4SB1	6307	P024
Dell Optiplex 755	3ZQ8LF1	6762	P025
Dell Optiplex 755	8MQ8LF1	6752	P026
General Dynamics GoBook VR-2 (orig donated by LCVFD)	ZZGEG8164ZZ9295	NONE	P027
General Dynamics GoBook XR-1	ZZGEG8010ZZ3337	6797	P028
Dell OptiPlex 760	HV5N5J1	7063	P029
Dell OptiPlex 755	6NQ8LF1	6759	P030
Dell OptiPlex 755	2NQ8LF1	6758	P031
Dell Latitude D830	8VHBTG1	6920	P032
HP Compaq DC 7900	CAC92804WH	NONE	P033
HP Compaq DC 7900	CAC9220429	NONE	P034
HP Compaq DC 7900	CAC933007H	NONE	P035
HP Compaq DC 7900	CAC933007T	NONE	P036
HP Compaq DC 7900	CAC922041C	NONE	P037
HP Color Laserjet 3550	CNBR504751	NONE	P038
HP Laserjet 4350dtnsl	USBXS34877	6063	P039
Dell Optiplex 755	5PQ8LF1	6761	P040
3M Digital Wall Display 9200IW Plus	A8J40702994	6882	P041
Dell Latitude D830	BSJNBG1	6870	P042
Xerox 5820	N9N-071914	4126	P043
Dell Optiplex 755	67KLWG1	6935	P044
Dell Optiplex 755	HYFHTG1	6941	P045
Panasonic PT-LB60NTU Projector	SB6330048	6266	P046
Dell Latitude D505 (from Whalehead Club)	JB8VD51	NONE	P047
Dell Studio (from Whalehead Club)	JK90VL1	NONE	P048
Fujitsu fi-5120C scanner	011874	6448 partial	P049
Fujitsu fi-5110C scanner	110785	NONE	P050
Fujitsu fi-5110C scanner	125464	NONE	P051
Fujitsu fi-5110C scanner	507649	NONE	P052
Fujitsu fi-5110C scanner	005091	NONE	P053
Fujitsu fi-5110C scanner	005056	NONE	P054
Fujitsu fi-5110C scanner	122953	NONE	P055
Adobe Creative Suite 4 - Design Standard		7195	P056
Adobe Creative Suite 6 - Design & Web Premium		NONE	P057
Sony BRC-Z700 Pan/Tilt Video Camera	111834	7403	P058
Sound Forge 8 (for old Apple system)		NONE	P059
Cisco UC520-16 Unified Communication Phone System	FGL152024PT	7457	P060
Cisco WS-C3624-PWR-XL-EN Switch	FAA0517K0DL	6768 partial	P061
Cisco WS-C3624-PWR-XL-EN Switch	CHK0623W1U6	6768 partial	P062
Dell Optiplex 755	8YFHTG1	6943	P063
Dell Optiplex GX520	D0BJPB1	6214	P064
Itronix GoBook XR-1 laptop	ZZGEG7144ZZ2137	6473	P065
Itronix GoBook XR-1 laptop	ZZGEG7144ZZ2133	6477	P066
Itronix GoBook XR-1 laptop	ZZGEG7212ZZ8113	6625	P067
Itronix GoBook XR-1 laptop	ZZGEG7212ZZ8124	6636	P068
Itronix GoBook XR-1 laptop	ZZGEG7212ZZ8120	6632	P069

David L. Griggs, Chairman
Currituck County Board of Commissioners

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4. Surplus Resolution-Emergency Management

R E S O L U T I O N

WHEREAS, the Board of Commissioners of Currituck County, North Carolina during its regularly scheduled meeting held on March 21, 2016 authorized the following, pursuant to GS 160A and 270(b), that the property listed below be given to Crawford Township Volunteer Fire Department.
Asset Tag #7388 - SunnyBrook Travel Trailer (Command Trailer) - VIN# 4UBAS0P2111V24656
ADOPTED, this 21st day of March, 2016.

_____
David L. Griggs
Currituck County Board of
Commissioners

ATTEST:

_____
Leeann Walton
Clerk to the Board

5. Surplus Resolution-Sheriff's Department

R E S O L U T I O N
WHEREAS, the Board of Commissioners of Currituck County, North Carolina during its regularly scheduled meeting held on March 21, 2016 authorized the following, pursuant to GS 160A and 270(b) that the property listed below be disposed of through auction.

Asset#		Description		Serial#
4554	1999	CHEV	VAN	1GCHG39R6X1105972
6350	2007	FORD	CROWNVIC	2FAFP71W67X134630
6735	2008	FORD	CROWNVIC	2FAHP71V08X146225
6770	2008	CHEV	IMPALA	2A1WS553581238343
6672	2008	YAHAMA	ATV	5Y4AH23Y88A002294
6091	2005	YAHAMA	ATV	5Y4AJ15Y55A009193
7396	2011	YAHAMA	ATV	5Y4AH28Y9BA009500
7397	2011	YAHAMA	ATV	AH28Y-0010072
7398	2011	YAHAMA	ATV	AH28Y-0008983
6030	2006	FORD	VAN	1FBSS31L36HB26749
6270	2006	FORD	CROWNVIC	2FAFP71W76X124848
7017	2009	DODGE	CHARGER	2B3KA43T59H624549
7351	2010	DODGE	CHARGER	2B3AA4CTXAH318981
2924	1993	FORD	E350 VAN	1FBHE31H4PHB91805

The assorted vehicles listed belonging to the Sheriff's Office are in fair to poor condition, and have been stripped of all markings and emergency equipment prior to decommissioning.
NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of County of Currituck reserves the right to reject any and all bids.

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ADOPTED, this 21 day of MARCH , 2016.

E) Commissioner's Report

Commissioner O'Neal reported that the North Carolina Department of Transportation planned the resurfacing of roads in Moyock would begin early April, shooting for completion in early May. Paving for NC 168 would include from the railroad tracks in Moyock to the vicinity of Food Lion.

Commissioner Gilbert wished everyone a happy Easter and announced she would be attending Tuesday's Albemarle Commission legislative meeting from 10 am till Noon at Museum of the Albemarle.

Commissioner Beaumont reported on the excellent showings by Currituck County Middle School and Moyock Middle School at a recent regional math competition.

Commissioner Hall wished all a happy Easter and reminded everyone County offices would be closed in observance of Good Friday.

F) County Manager's Report

No Report

PUBLIC COMMENT

Please limit comments to matters other than those appearing on this agenda as a Public Hearing. Public comments are limited to 5 minutes.

Chairman Griggs opened the Public Comment period.

Peggy Lusk, Moyock, thanked the Board for their consideration of residents with regard to the Moyock Commons development decision, saying it will allow time for the Moyock stormwater committee to meet and discuss the project.

Wende Shannon, Moyock, also discussed Moyock Commons, believing the original project had a commercial element to it and was removed based on feedback from residents. She thanked the Board for hearing citizen concerns.

Judy Pinney, Moyock, said she was pleased with the decision made regarding Moyock Commons thanking the Board for their comments related to the proposed development.

With no one else wishing to speak, Chairman Griggs closed the Public Comment period.

SPECIAL MEETING OF THE TOURISM DEVELOPMENT AUTHORITY

The meeting of the Board of Commissioners was recessed and Commissioners reconvened to hold a special meeting of the Tourism Development Authority (TDA). Tameron Kugler, Director of Travel and Tourism, joined the TDA at the bench and Dan Scanlon, County Manager, reviewed the budget amendments and project ordinances, which included the construction of the restroom facility at Historic Corolla Park and the design phase of a building to display restored boats. Mr. Scanlon explained the funding of the projects through occupancy tax, with

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the money for the boat house coming back to the county from appropriations made in prior years to the Whalehead Preservation Trust to fund the project.

Commissioner Aydlett moved to approve. Commissioner Gilbert seconded and the motion carried unanimously.

With there being no further business, the meeting of the Tourism Development Authority was adjourned.

1. TDA-Budget Amendments

		Debit	Credit
Account Number	Account Description	Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
15447-587050	T T - Co Govt Facilities Fund	$ 250,000	
15448-590000	Capital Outlay		$ 250,000
		$ 250,000	$ 250,000
Explanation:	Occupancy Tax-Tourism Related (15447); Whalehead (15448) - Move funding for construction of a restroom facility at Historic Corolla Park from the Whalehead budget to the Multi-year construction fund. This project will be designed in the current fiscal year with construction beginning in a future year.		
Net Budget Effect:	Occupancy Tax (15) - No change.		

		Debit	Credit
Account Number	Account Description	Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
15442-514500	Training & Education	$ 4,325	
15442-514000	Travel	$ 2,300	
15320-415000	Occupancy Tax		$ 6,625
		$ 6,625	$ 6,625
Explanation:	Occupancy Tax - Promotion (15442) - Increase appropriations for the Tourism staff to attend Marketing college. This is an annual event that is normally held in the fall. For this year, the event has been moved to the Spring 2016 due to scheduling conflicts. This funding was in the FY 2017 budget and will be		
Net Budget Effect:	Occupancy Tax (15) - Increased by $6,625.		

Communication: Approval of Minutes for March 21, 2016 (Approval Of Minutes from March 21, 2016)

Account Number	Account Description	Debit Decrease Revenue or Increase Expense	Credit Increase Revenue or Decrease Expense
15447-587050	T T - Co Govt Facilities Fund	$ 9,625	
15350-465003	Whalehead Retail Sales		$ 9,625
		$ 9,625	$ 9,625
Explanation:	Occupancy Tax-Tourism Related (15447); Whalehead (15448) - Appropriate funds for the design of a facility for historical boats.		
Net Budget Effect:	Occupancy Tax (15) - Increased by $9,625.		

2. Project Ordinances: Boat House Design/Restroom facility construction

COUNTY OF CURRITUCK
CAPITAL PROJECT ORDINANCE

BE IT ORDAINED by the Currituck County Board of Commissioners, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

SECTION 1. The project authorized is to design and construct a restroom facility at the Corolla Historic Park.

SECTION 2. The following amounts are appropriated for the project:

Restroom - Corolla Historic Park	$ 250,000
	$ 250,000

SECTION 3. The following revenues are available to complete this project:

Transfer from Occupancy Tax	$ 250,000
	$ 250,000

SECTION 4. The Finance Director is hereby directed to report, on a quarterly basis, on the financial status of each project element delineated in Section 2 above.

Communication: Approval of Minutes for March 21, 2016 (Approval Of Minutes from March 21, 2016)

SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS

The Budget Officer is hereby authorized to transfer appropriations within the fund as contained herein under the following conditions:

a. He may transfer amounts between object line items within the fund up to One Thousand dollars ($1,000).

SECTION 6. CONTRACTUAL OBLIGATIONS

The County Manager is hereby authorized to execute contractual documents under the following conditions:

a. He may execute contracts for construction or repair projects which do not require formal competitive bid procedures.

b. He may execute contracts for (1) purchases of apparatus, supplies, and materials, or equipment which are within the budgeted departmental appropriations; (2) leases of personal property for a duration of one year or less and within budgeted departmental appropriations; and (3) services which are within budgeted departmental appropriations.

c. He may execute contracts, as the lessor or lessee of real property, which are of a duration of one year or less which are within the budgeted departmental appropriations.

SECTION 7. USE OF BUDGET ORDINANCE

The Budget Officer and the Finance Director shall use this capital project ordinance for administration of the budget and for the accounting system.

ADOPTED this 21st day of March 2016.

_____
David Griggs, Chairman Board of Commissioners

ATTEST:

_____
Leeann Walton Clerk to the Board

COUNTY OF CURRITUCK
CAPITAL PROJECT ORDINANCE

BE IT ORDAINED by the Currituck County Board of Commissioners, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Communication: Approval of Minutes for March 21, 2016 (Approval Of Minutes from March 21, 2016)

SECTION 1. The project authorized is to design a boat facility at the Corolla Historic Park.

SECTION 2. The following amounts are appropriated for the project:

Boat Facility Design	$	9,625
	$	9,625

SECTION 3. The following revenues are available to complete this project:

Transfer from Occupancy Tax	$	9,625
	$	9,625

SECTION 4. The Finance Director is hereby directed to report, on a quarterly basis, on the financial status of each project element delineated in Section 2 above.

SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS

The Budget Officer is hereby authorized to transfer appropriations within the fund as contained herein under the following conditions:

a. He may transfer amounts between object line items within the fund up to One Thousand dollars ($1,000).

SECTION 6. CONTRACTUAL OBLIGATIONS

The County Manager is hereby authorized to execute contractual documents under the following conditions:

a. He may execute contracts for construction or repair projects which do not require formal competitive bid procedures.

b. He may execute contracts for (1) purchases of apparatus, supplies, and materials, or equipment which are within the budgeted departmental appropriations; (2) leases of personal property for a duration of one year or less and within budgeted departmental appropriations; and (3) services which are within budgeted departmental appropriations.

c. He may execute contracts, as the lessor or lessee of real property, which are of a duration of one year or less which are within the budgeted departmental appropriations.

Communication: Approval of Minutes for March 21, 2016 (Approval Of Minutes from March 21, 2016)

SECTION 7. USE OF BUDGET ORDINANCE

The Budget Officer and the Finance Director shall use this capital project ordinance for administration of the budget and for the accounting system.

ADOPTED this 21st day of March 2016.

David Griggs, Chairman Board of Commissioners

ATTEST:

Leeann Walton Clerk to the Board

CLOSED SESSION

3. Closed session pursuant to G.S. 143-318.11(a)(3) to consult with the county attorney and to preserve the attorney-client privilege regarding the matter captioned Swan Beach, LLC v. Currituck County.

The Board of Commissioners reconvened the regular meeting, after which Chairman Griggs moved to enter Closed Session pursuant to G.S. 143-318.11(a)(3) to consult with the county attorney in order to preserve the attorney-client privilege and to receive advice from the county attorney regarding a claim against the county and for the following pending lawsuit: Swan Beach Corolla v. Currituck County and to give the county attorney direction regarding other pending legal matters. Commissioner Gilbert seconded, the motion carried unanimously, and the Board of Commissioners entered closed session.

ADJOURN

Motion to Adjourn Meeting

The Board returned from Closed Session. With no further business Commissioner Gilbert moved to adjourn, seconded by Commissioner Hall. The motion carried unanimously and the meeting of the Board was adjourned.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Marion Gilbert, Commissioner
SECONDER:	Mike D. Hall, Commissioner
AYES:	David L. Griggs, Board Chairman, O. Vance Aydlett, Vice Chairman, S. Paul O'Neal, Board Member, Paul M. Beaumont, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner
ABSENT:	Mike H. Payment, Commissioner

Communication: Approval of Minutes for March 21, 2016 (Approval Of Minutes from March 21, 2016)

Currituck County
Agenda Item Summary Sheet

Agenda ID Number – (ID # 1498)

Agenda Item Title

Moyock Volunteer Fire Department Purchase-Approval Request

Brief Description of Agenda Item:

The Contract for Fire Protection and Rescue Services includes the following requirement:

> *The Department agrees to advise and inform the County at a regularly scheduled or special Commissioners' meeting, or as part of the annual budget process, of the proposed purchase, sale, lease, lease-purchase or similar financial transaction of any real or personal property - the total cost of which would total more than Five Thousand and 00/1000 Dollars ($5,000), or any single expenditure in excess of Five Thousand and 00/100 Dollars ($5,000) and shall inform the Commissioners at said meeting as to the proposed funding of and justification for said proposed purchase or sale.*

The Moyock Volunteer Fire Department requests to utilize approximately $12,000 of existing funds: rebuild the bumper mount and overhaul the pump of their water tender. The request was approved by the FAB at the February meeting.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

Moyock Fire Department
108 Fire Station Ct.
Moyock, NC 27958

February 18, 2016

To: Currituck County Fire and EMS Advisory Board

From: Robert F. Pervere, Fire Chief

Re: Moyock Fire Department Capital Outlay Project Request

I am formally soliciting the support from the Fire and EMS Advisory Board and, ultimately, their representation at the soonest possible meeting of the Currituck County Board of Commissioners in order to expedite approval of the expenditure of funds already present in the operating budget of the Moyock Fire Department.

The water tender currently in service at the Moyock Fire Department is 23 years old and those years of wear and tear have caused the pump and mount on it to become unserviceable. With some re-work of the pump and the mount to which it is attached, I can extend the life of this truck an additional 10 years, minimum.

I have attached an estimate from Fire Connections in Rocky Mount, North Carolina to rebuild the bumper mount and overhaul the pump in order to help us extend this apparatus' life (I have solicited estimates from two other vendors who returned costs for the same project of $13,000 and $20,000; Fire Connections, ultimately, is performing the work needed for the lowest cost). This project and this expenditure have the full faith and support of the Moyock Fire Department corporation, as expressed in their monthly business meeting held February 9th of this year.

In order to accomplish this task, I will need approval from the Board of Commissioners to do the following:

1. Dissolve the current Capital Outlay (590003) project entitled "Combi-Tool Purchase" and reallocate the $8,500.72 set-aside for it to this project.
2. Transfer $3,165.76 from Gas, Oil, Etc. (531003) to Capital Outlay (590003) in order to make up the difference for the $11,666.48 needed for the attached estimate.

Again, all of these monies are already present in the current operating budget of the Moyock Fire Department, I desire only the support of the FEAB and their representation with both County Finance and the County Board of Commissioners in order to facilitate the funds transfer and approval.

In advance, I appreciate your time, effort, and consideration with regard to this project.

Phone: 252.435.2281 Fax: 252.435.6450

Attachment: MFD_February_2016_FEAB_Request (1498 : Moyock VFD-Bumper Mount Rebuild)

Currituck County
Agenda Item Summary Sheet

Agenda ID Number – (ID # 1502)

Agenda Item Title

Budget Amendments

Brief Description of Agenda Item:

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

ɔer 2016066

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 4th day of April 2016, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2016.

		Debit	Credit
Account Number	Account Description	Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10530-553000	Dues and Subscriptions		$ 500
10530-514800	Fees pd to officials		$ 500
10530-514000	Travel		$ 1,000
10530-533900	Ambulance Supplies	$ 2,000	
10530-590000	Capital Outlay		$ 5,000
10530-561000	Professional Services	$ 5,000	
		$ 7,000	$ 7,000

Explanation: Emergency Medical Services (10530) - Transfer funds for operations.

Net Budget Effect: Operating Fund (10) - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-April 4 2016 (1502 : Budget Amendments)

ber 2016067

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 4th day of April 2016, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2016.

Account Number	Account Description	Debit Decrease Revenue or Increase Expense	Credit Increase Revenue or Decrease Expense
10530-516200	Vehicle Maintenance	$ 15,000	
10530-533900	Ambulance Supplies	$ 2,000	
10530-561000	Professional Services	$ 5,000	
10530-514000	Travel		$ 1,000
10530-514800	Fees pd to officials		$ 500
10530-516000	Repairs and Maintenance		$ 5,000
10530-531000	Gas		$ 10,000
10530-553000	Dues and Subscriptions		$ 500
10530-590000	Capital Outlay		$ 5,000
		$ 22,000	$ 22,000

Explanation: Emergency Medical Services (10530) - Transfer funds for operations.

Net Budget Effect: Operating Fund (10) - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-April 4 2016 (1502 : Budget Amendments)

ɔer 2016068

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 4th day of April 2016, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2016.

Account Number	Account Description	Debit Decrease Revenue or Increase Expense	Credit Increase Revenue or Decrease Expense
10796-516000	Repairs & Maintenance	$ 5,500	
10796-513000	Utilities		$ 1,000
10796-514500	Training & Education		$ 500
10796-526000	Advertising		$ 500
10796-532000	Supplies		$ 3,500
		$ 5,500	$ 5,500

Explanation: Currituck County Rural Center (10796) - Transfer funds to cover tractor repairs.

Net Budget Effect: Operating Fund (10) - No change.

Minute Book # _____, Page # _____

Journal # _____

_____
Clerk to the Board

Attachment: BudAmends-April 4 2016 (1502 : Budget Amendments)

ɔer 2016069

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 4th day of April 2016, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2016.

Account Number	Account Description	Debit Decrease Revenue or Increase Expense	Credit Increase Revenue or Decrease Expense
12546-511006	Telephone & Postage		$ 1,000
12546-513006	Utilities		$ 300
12546-516106	Building & Grounds	$ 1,300	
12546-531006	Gas		$ 1,000
12546-532006	Supplies		$ 1,500
12546-532106	Fire Supplies		$ 5,118
12546-536106	Personnel Protective Equipment		$ 1,500
12546-553006	Dues & Subscriptions	$ 500	
12546-554006	Insurance		$ 800
12546-590000	Capital Outlay	$ 9,418	
		$ 11,218	$ 11,218

Explanation: Corolla Volunteer Fire Department (12546) - Operating transfers per request of Volunteer Fire Department.

Net Budget Effect: Fire Services Fund (12) - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-April 4 2016 (1502 : Budget Amendments)

ber 2016070

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 4th day of April 2016, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2016.

Account Number	Account Description	Debit Decrease Revenue or Increase Expense	Credit Increase Revenue or Decrease Expense
10440-526000	Advertising	$ 250	
10440-532000	Supplies	$ 2,000	
10440-545000	Contract Services	$ 2,000	
10440-514500	Training & Education		$ 500
10440-535000	Safekeeping		$ 250
10440-561000	Professional Services		$ 1,500
10350-468000	Sale of Fixed Assets		$ 2,000
		$ 4,250	$ 4,250

Explanation: Finance (10440) - Transfer budgeted funds for additional check stock needed for operations, to advertise unanticipated position vacancy and for increased Gov Deals auction sales.

Net Budget Effect: Operating Fund (10) - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-April 4 2016 (1502 : Budget Amendments)

ıer 2016071

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 4th day of April 2016, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2016.

Account Number	Account Description	Debit Decrease Revenue or Increase Expense	Credit Increase Revenue or Decrease Expense
12543-590003	Capital Outlay	$ 3,166	
12543-531003	Gas		$ 3,166
		$ 3,166	$ 3,166

Explanation: Moyock Volunteer Fire Department (12543) - Transfer budgeted funds to rework the pump and mount on the water tender for the fire department.

Net Budget Effect: Fire Services Fund (12) - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-April 4 2016 (1502 : Budget Amendments)

Currituck County
Agenda Item Summary Sheet

Agenda ID Number – (ID # 1503)

Agenda Item Title

A Resolution Condemning the Action of the North Carolina Marine Fisheries Commission to Use the Supplement Process to Restrict Southern Flounder

Brief Description of Agenda Item:

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

Attachment: Resolution-Southern Flounder Condemnation (1503 : Resolution-Southern Flounder-Condemn Use of Supplement Proc)

A RESOLUTION
CONDEMNING THE ACTION
OF THE NORTH CAROLINA MARINE FISHERIES COMMISSION
TO USE THE SUPPLEMENT PROCESS TO RESTRICT SOUTHERN FLOUNDER

WHEREAS, during their November 2015 meeting at Jennette's Pier, the North Carolina Marine Fisheries Commission (NCMFC) approved using a controversial "Supplement Process" to close down most of the state's fishing for southern flounder; and

WHEREAS, the established procedure for responsible fisheries governance is through the use of a Fisheries Management Plan (FMP), which is designed to incorporate peer reviewed science, stakeholder input, and other pertinent facts to establish fisheries policies in a deliberate, open, and transparent way; and

WHEREAS, instead of relying on a thoroughly vetted Amendment Process to the southern flounder Fisheries Management Plan, the NCMFC chose instead to invoke the use of the Supplement Process in spite of the fact that there is no scientific evidence to support such a drastic measure that will have draconian consequences; and

WHEREAS, when the NCMFC adopted the Supplement Process they violated and misused the statutory authority granted them in NCGS 113-182.1 which requires that the NCMFC provide a position on the supplement based on science from the Division of Marine Fisheries or from independent experts; and

WHEREAS, the North Carolina Marine Fisheries Commission also chose to ignore the will of the people as expressed in resolutions it received prior to their November meeting from the Counties of Bertie, Camden, Carteret, Currituck, Dare, Hyde, Pasquotank, and Tyrrell opposing the use of the Supplement Process to restrict southern flounder; and

WHEREAS, the arbitrary and capricious action taken by NCMFC at its November 2015 meeting threatens to harm North Carolina's commercial fishermen by depriving them of a traditional source of income that is fundamental to sustaining local economies throughout North Carolina's coastal communities without cause; and

WHEREAS, the Currituck County Board of Commissioners stands ready to vigorously support our Working Watermen in their efforts to prevent the implementation of the Supplement Process and asks all coastal communities to join in this endeavor; and.

WHEREAS, the Currituck County Board of Commissioners calls on the North Carolina Marine Fisheries Commission to determine if any changes are in fact needed for the southern flounder Fisheries Management Plan through the established Amendment Process whereby scientific and accurate stock assessment can properly be determined with the benefit of peer review and public input from all stakeholders including elected officials of coastal communities and commercial fishermen;

NOW, THEREFORE, BE IT RESOLVED, that the Currituck County Board of Commissioners strongly urges the North Carolina Marine Fisheries Commission to immediately suspend the use of the Supplement Process for southern flounder and undertake a deliberate, thoughtful, and methodical review of the Fisheries Management Plan to determine what, if any, changes are needed based on peer reviewed science and stakeholder input.

BE IT FURTHER RESOLVED, that the Currituck County Board of Commissioners calls on all coastal communities to adopt similar resolutions supporting North Carolina's working watermen who vitally depend on the southern flounder fishery to provide jobs, generate incomes, provide a freshly caught public trust resource to the tables of North Carolina families, and bolster the economy of North Carolina.

Adopted the 4th day of April, 2016.

(SEAL)

_____
David L. Griggs, Chairman

Attest:

_____
Leeann Walton, Clerk to the Board

Attachment: Resolution-Southern Flounder Condemnation (1503 : Resolution-Southern Flounder-Condemn Use of Supplement Proc)

Currituck County
Agenda Item Summary Sheet

Agenda ID Number – (ID # 1494)

Agenda Item Title

Third Amendment to Tower Lease Agreement-734 Ocean Trail

Brief Description of Agenda Item:

3rd Amendment to Tower Lease Agreement with Verizon.

Board Action Requested

Action

Person Submitting Agenda Item

Sandee Salimbene, Assistant

Presenter of Agenda Item

Corolla/256206
CGC/3.7.16

THIRD AMENDMENT TO TOWER LEASE AGREEMENT

THIS THIRD AMENDMENT TO TOWER LEASE AGREEMENT (the "Third Amendment") is made and entered into this ____day of _____ 201_, by and between **CURRITUCK COUNTY** ("Lessor") and **CELLCO PARTNERSHIP** d/b/a Verizon Wireless ("Lessee"). Lessor and Lessee are at times collectively referred to hereinafter as the "Parties" or individually as the "Party".

WITNESSETH:

WHEREAS, Lessor and Lessee entered into a Tower Lease Agreement on January 20, 2006, as amended by that First Amendment to Tower Lease Agreement on March 6, 2012 and Second Amendment to Tower Lease Agreement on September 9, 2014 (collectively, the "Agreement"), whereby Lessee leased from Lessor certain ground space and space on the Lessor's Tower located at 734 Ocean Trail, Corolla, Currituck County, North Carolina, and as further described in the Agreement (the "Premises");

WHEREAS, the Parties desire to amend the Agreement to modify Lessee's equipment;

NOW THEREFORE, in consideration of the premises and the mutual undertakings herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Exhibit "B-2" of the Agreement is hereby replaced and superseded in its entirety by the attached Exhibit "B-3". In the event of any discrepancies between Exhibit "B-2 and Exhibit "B-3", Exhibit "B-3" shall control.

2. Lessor and Lessee each hereby warrant to the other that the person executing this Third Amendment on behalf of the warranting party has the full right, power and authority to enter into, and execute, this Third Amendment on that party's behalf, and that no consent from any other person or entity is necessary as a condition precedent to the legal effect of this Third Amendment.

3. The Agreement and Third Amendment contain all agreements, promises or understandings between Lessor and Lessee and no verbal or oral agreements, promises or understandings shall be binding upon either the Lessor or Lessee in any dispute, controversy or proceeding at law, and any addition, variation or modification to the Agreement and Third Amendment shall be void and ineffective unless made in writing and signed by the parties. In the event any provision of the Agreement and Third Amendment is found to be invalid or unenforceable, such a finding shall not affect the validity and enforceability of the remaining provisions of the Agreement and Third Amendment.

Attachment: 3rd Amendment to Tower Lease Verizon 734 Ocean Trl (1494 : 3rd Amendment to Tower Lease Agreement)

4. Except as expressly set forth herein, all other terms, covenants and conditions of the Agreement shall remain unmodified and in full force and effect, and the Parties hereby confirm and ratify such terms and conditions and agree to perform and comply with the same. In the event of a conflict between the terms of the Agreement and the terms of this Third Amendment, the terms of this Third Amendment shall be controlling.

[SIGNATURES TO FOLLOW]

Attachment: 3rd Amendment to Tower Lease Verizon 734 Ocean Trl (1494 : 3rd Amendment to Tower Lease Agreement)

IN WITNESS WHEREOF, Lessor and Lessee have executed this Third Amendment effective as of the day and year first above written.

LESSOR:

CURRITUCK COUNTY

_____
WITNESS

By: _____
Name: _____
Title: _____
Date: _____

LESSEE:

CELLCO PARTNERSHIP
d/b/a Verizon Wireless

_____
WITNESS

By: _____
Name: Aparna Khurjekar
Title: Vice President – Field Network
Date: _____

Attachment: 3rd Amendment to Tower Lease Verizon 734 Ocean Trl (1494 : 3rd Amendment to Tower Lease Agreement)

EXHIBIT "B-3"

Lessee is authorized to install and maintain the following equipment:

ANTENNAS:	(4) SBNHH-1D65C (2) BXA-70063/8CF
RAD CENTER:	195'
REMOTE RADIO HEADS:	(2) B13 RRH4x30-4R-700 (2) B25 RRH4x30W-PCS
TMAS:	(2) RFS ATMAWSD-1A20
DISTRIBUTION BOXES:	(2) RHSDC-3315-PF-48

Diameter of Transmission Lines: Not to exceed 1 5/8"

Attachment: 3rd Amendment to Tower Lease Verizon 734 Ocean Trl (1494 : 3rd Amendment to Tower Lease Agreement)