



NORTH CAROLINA
Environmental Quality

ROY COOPER

Governor

ELIZABETH S. BISER

Secretary

BRIAN WRENN

Director

November 10, 2022

Estates at Carova Beach Association
Attn: Lawrence Riggs - President
PO Box 400
Corolla, NC 27927

**Subject: State Stormwater Management Permit No. SW7110102
Estates at Carova Beach
Low Density Project
Currituck County**

Dear Lawrence Riggs:

The Washington Regional Office received a complete Stormwater Management Permit Application for the transfer of ownership of Estates at Carova Beach from Carova Corporation to Estates at Carova Beach Association on October 6, 2022. Staff review of the plans and specifications has determined that the project, as proposed, will comply with the Stormwater Regulations set forth in Title 15A NCAC 2H.1000. We are forwarding Permit No. SW7110102 dated November 10, 2022 for the subject project.

This permit shall be effective from the date of issuance until rescinded, shall replace permit SW7110102 issued on February 11, 2011 and the project shall be subject to the conditions and limitations as specified therein and does not supersede any other agency permit that may be required. Failure to comply with these requirements will result in future compliance problems. Please note that this permit is not transferable except after notice to and approval by the Division. Please pay special attention to the Operation and Maintenance requirements in this permit. Failure to establish an adequate system for operation and maintenance of the stormwater management system will result in future compliance problems.

If any parts, requirements, or limitations contained in this permit are unacceptable, you have the right to request an adjudicatory hearing upon written request within thirty (30) days following receipt of this permit. This request must be in the form of a written petition, conforming to Chapter 150B of the North Carolina General Statutes, and filed with the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, NC 27699-6714. Unless such demands are made this permit shall be final and binding.

If you have any questions, or need additional information concerning this matter, please contact me at (252) 946-6481.

Sincerely,

William Carl Dunn, PE
Division of Energy, Mineral and Land Resources

cc: J. Tutton Garner – Carova Corporation (tutgarner@comcast.net)
Washington Regional Office



North Carolina Department of Environmental Quality | Division of Energy, Mineral and Land Resources
Washington Regional Office | 943 Washington Square Mall | Washington, North Carolina 27889
252.946.6481

**STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF ENERGY, MINERAL, AND LAND RESOURCES**

STATE STORMWATER MANAGEMENT PERMIT

HIGH DENSITY DEVELOPMENT

In accordance with the provisions of Article 21 of Chapter 143, General Statutes of North Carolina as amended, and other applicable Laws, Rules, and Regulations

PERMISSION IS HEREBY GRANTED TO

Estates at Carova Beach Association

Estates at Carova Beach – Sections 1, 2 & 5

Currituck County

FOR THE

construction, operation and maintenance of a 24% low density subdivision in compliance with the provisions of Session Law 2008-211 and 15A NCAC 2H .1000 (hereafter referred to as the "*stormwater rules*") and the approved stormwater management plans and specifications, and other supporting data as attached and on file with and approved by the Division of Water Quality and considered a part of this permit.

The Permit shall be effective from the date of issuance until rescinded and shall be subject to the following specific conditions and limitations:

I. DESIGN STANDARDS

1. Section 1 is limited to a maximum of 245,257 square feet of built-upon area, Section 2 is limited to a maximum of 173,509 square feet and Section 5 is limited to a maximum of 167,043 square feet of impervious area for a total of 585,809 square feet of impervious area as indicated in the application and as shown on the approved plans. (See Attachment "A" for details)
2. The overall tract built-upon area percentage for the project must be maintained at 24% per the requirements of Session Law 2008-211 and Section .1005 of the stormwater rules.
3. The built-upon areas associated with this project shall be located at least 50 feet landward of all perennial and intermittent surface waters.
4. The only runoff conveyance systems allowed will be vegetated conveyances such as swales with minimum side slopes of 3:1 (H:V) as defined in the stormwater rules and approved by the Division.
5. All roof drains must terminate at least 50 foot from the mean high water mark.

II. SCHEDULE OF COMPLIANCE

1. Swales and other vegetated conveyances shall be constructed in their entirety, vegetated, and be operational for their intended use prior to the construction of any built-upon surface.
2. During construction, erosion shall be kept to a minimum and any eroded areas of the swales or other vegetated conveyances will be repaired immediately.
3. The permittee shall at all times provide the operation and maintenance necessary to operate the permitted stormwater management systems at optimum efficiency to include:
 - a. Inspections
 - b. Sediment removal.
 - c. Mowing, and re-vegetating of the side slopes.
 - d. Immediate repair of eroded areas.
 - e. Maintenance of side slopes in accordance with approved plans and specifications.
 - f. Maintenance of level spreaders and infiltration areas in accordance with approved plans and O&M documents.
4. The permittee shall submit to the Director and shall have received approval for revised plans, specifications, and calculations prior to construction, for any modification to the approved plans, including, but not limited to, those listed below:
 - a. Any revision to any of the items shown on the approved plans, including the stormwater management system, design concept, built-upon area, details, etc.
 - b. Project name change.
 - c. Transfer of ownership.
 - d. Redesign or addition to the approved amount of built-upon area or to the drainage area.
 - e. Further subdivision, acquisition, or selling of the project area.
 - f. Filling in, altering or piping any vegetative conveyance shown on the approved plan.
5. The permittee shall submit all information requested by the Director or his representative within the time frame specified in the written information request.
6. No piping shall be allowed except that minimum amount necessary to direct runoff beneath an impervious surface such as a road and that minimum amount needed under driveways to provide access to lots.
7. Within 30 days of completion of the project, the permittee must certify in writing that the project's stormwater controls, and impervious surfaces have been constructed within substantial intent of the approved plans and specifications. Any deviation from the approved plans must be noted on the Certification.
8. The permittee is responsible for verifying that the proposed built-upon area does not exceed the allowable built-upon area. Once the lot transfer is complete, the built-upon area may not be revised without approval from the Division of Water Quality, and responsibility for meeting the built-upon area limit is transferred to the individual property owner, provided that the permittee complies with the requirements of Section II.11 and II.12 of this permit.

9. Deed restrictions are incorporated into this permit by reference and must be recorded with the Office of the Register of Deeds prior to the sale of any lot. Recorded deed restrictions must include, as a minimum, the following statements related to stormwater management:
 - a. The following covenants are intended to ensure ongoing compliance with State Stormwater Management Permit Number SW7110102, as issued by the Division of Water Quality under NCAC 2H.1000.
 - b. The State of North Carolina is made a beneficiary of these covenants to the extent necessary to maintain compliance with the Stormwater Management Permit.
 - c. These covenants are to run with the land and be binding on all persons and parties claiming under them.
 - d. The covenants pertaining to stormwater may not be altered or rescinded without the express written consent of the State of North Carolina, Division of Water Quality.
 - e. Alteration of the drainage as shown on the approved plans may not take place without the concurrence of the Division of Water Quality.
 - f. The maximum built-upon area per lot is (see Attachment "A") square feet. This allotted amount includes any built-upon area constructed within the lot property boundaries, and that portion of the right-of-way between the front lot line and the edge of the pavement. Built upon area includes, but is not limited to, structures, asphalt, concrete, gravel, brick, stone, slate, and coquina, but does not include raised, open wood decking, or the water surface of swimming pools.
 - g. Filling in or piping of any vegetative conveyances (ditches, swales, etc.) associated with the development except for average driveway crossings, is strictly prohibited by any persons.
 - h. Each lot will maintain a 50 foot wide vegetated buffer between all impervious areas and surface waters.
 - i. All roof drains shall terminate at least 50 foot from the mean high water mark.
 - j. If permeable pavement credit is desired, the property owner must submit a request, with supporting documentation, to the permittee and receive approval prior to construction of the permeable pavement.
10. The permittee shall submit a copy of the recorded deed restrictions within 30 days of the date of recording.
11. If the permittee sets up an Architectural Review Committee or Board (ARC or ARB) to review plans for compliance with the restrictions, the plans reviewed must include all proposed built-upon area (BUA). Any approvals given by the ARC or ARB do not relieve the lot owner of the responsibility to maintain compliance with the permitted BUA limit.
12. All stormwater conveyances will be located in either dedicated right-of-way (public or private), recorded common areas or recorded drainage easements. The final plats for the project will be recorded showing all such required easements, in accordance with the approved plans.
13. The Director may notify the permittee when the permitted site does not meet one or more of the minimum requirements of the permit. Within the time frame specified in the notice, the permittee shall submit a written time schedule to the Director for modifying the site to meet minimum requirements. The permittee shall provide copies of revised plans and certification in writing to the Director that the changes have been made.

14. If permeable pavement credit is desired, the permittee must submit a request to modify the permit to incorporate such language as required by the Division of Water Quality. The request to modify must include a soils report identifying the type of soil, the Seasonal High Water Table elevation and the infiltration rate. Upon the successful completion of a permit modification, the individual lot owners that request to utilize permeable pavements must submit the necessary forms and documentation to the permittee and receive approval prior to construction of the permeable pavement.

III. GENERAL CONDITIONS

1. This permit is not transferable to any person or entity except after notice to and approval by the Director. The Director may require modification or revocation and re-issuance of the permit to change the name and incorporate such other requirements as may be necessary. In the event of a name or ownership change, a completed Name/Ownership Change form, signed by both parties, must be submitted to the Division of Water Quality accompanied by the supporting documentation as listed on page 2 of the form. The approval of this request will be considered on its merits, and may or may not be approved.
2. The permittee is responsible for compliance with all permit conditions until the Director approves a transfer of ownership. Neither the sale of the project nor the transfer of common areas to a third party, such as a homeowner's association, constitutes an approved transfer of the stormwater permit.
3. Failure to abide by the conditions and limitations contained in this permit may subject the Permittee to an enforcement action by the Division of Water Quality, in accordance with North Carolina General Statutes 143-215.6A to 143-215.6C.
4. The issuance of this permit does not prohibit the Director from reopening and modifying the permit, revoking and reissuing the permit, or terminating the permit as allowed by the laws, rules, and regulations contained in Session Law 2008-211, Title 15A of the North Carolina Administrative Code, Subchapter 2H.1000; and North Carolina General Statute 143-215.1 et. al.
5. In the event that the facilities fail to perform satisfactorily, including the creation of nuisance conditions, the Permittee shall take immediate corrective action, including those as may be required by the Division, such as the construction of additional or replacement stormwater management systems.
6. The permittee grants permission to DENR Staff to enter the property during normal business hours, for the purpose of inspecting all components of the stormwater management facility.
7. The permit issued shall continue in force and effect until revoked or terminated. The permit may be modified, revoked and reissued or terminated for cause. The filing of a request for a permit modification, revocation and re-issuance, or termination does not stay any permit condition.
8. Unless specified elsewhere, permanent seeding requirements for the swales must follow the guidelines established in the North Carolina Erosion and Sediment Control Planning and Design Manual.

9. Approved plans and specifications for this project are incorporated by reference and are enforceable parts of the permit.
10. The issuance of this permit does not preclude the Permittee from complying with any and all statutes, rules, regulations, or ordinances, which may be imposed by other government agencies (local, state and federal), which have jurisdiction.
11. The permittee shall notify the Division in writing of any name, ownership or mailing address changes at least 30 days prior to making such changes.
12. The permittee shall electronically submit to the Division an annual certification completed by either the permittee or their designee confirming the projects conformance with permit conditions

Permit issued this the 10th day of November, 2022.

NORTH CAROLINA ENVIRONMENTAL MANAGEMENT COMMISSION

For Brian Wrenn, Director
Division of Energy, Mineral and Land Resources
By Authority of the Environmental Management Commission

Permit Number SW7110102

ATTACHMENT "A"

SECTION 1

Lot #	Lot Area (s.f.)	Allowable built-upon area (s.f.)
101	77,420	23,226
102	68,461	20,538
103	66,009	19,803
104	75,882	22,765
105	65,378	19,613
106	65,368	19,610
107	69,585	20,876
108	82,996	24,899
109	92,485	27,746
110	75,715	22,715
111	73,224	21,967
Open Space & Unimproved R/w Area:		625,321 s.f.
Fire Pond Access Road coverage:		1,500 s.f.

Total project area: 1,437,844 s.f.
Total Impervious coverage: 245,257 s.f.
% impervious coverage: 17.05%

SECTION 2

Lot #	Lot Area (s.f.)	Allowable built-upon area (s.f.)
101	65,466	19,640
102	66,930	20,079
103	67,547	20,264
104	98,300	29,490
105	68,465	20,540
106	74,191	22,257
107	66,371	19,911
108	66,092	19,828
Open Space & Unimproved R/w Area:		558,357 s.f.
Fire Pond Access Road coverage:		1,500 s.f.

Total project area: 1,131,719 s.f.
Total Impervious coverage: 173,509 s.f.
% impervious coverage: 15.33%

SECTION 5

Lot #	Lot Area (s.f.)	Allowable built-upon area (s.f.)
100	65,365	19,610
101	66,000	19,800
102	66,358	19,907
103	66,610	19,983
104	67,219	20,166
105	68,298	20,489
106	48,361	14,508
107	41,900	12,570
108	66,700	20,010
Open Space & Unimproved R/w Area:		558,357 s.f.

Total project area: 1,115,168 s.f.
Total Impervious coverage: 167,043 s.f.
% impervious coverage: 14.98%



NORTH CAROLINA
Environmental Quality

ROY COOPER

Governor

ELIZABETH S. BISER

Secretary

BRIAN WRENN

Director

November 16, 2022

Estates at Carova Beach Association
Attn: Lawrence Riggs - President
PO Box 400
Corolla, NC 27927

**Subject: Approved Plan Revision
Estates at Carova Beach
Stormwater Project No. SW7110102
Currituck County**

Dear Lawrence Riggs:

On October 6, 2022, the Washington Regional Office received a Plan Revision request for Stormwater Management Permit Number SW7110102.

The plan revision request is for the following:

Removing two culverts from the original plan to facilitate drainage needs.

Based on the current Division of Energy, Mineral, and Land Resources Guidance on this issue your plan revision request is hereby approved. Please incorporate this approval into your existing plan set and permit file.

Please be aware that all terms and conditions of the permit issued on November 10, 2022 remain in full force and effect. Please also understand that the approval of this revision to the approved plans for the subject State Stormwater Permit is done on a case-by-case basis. Any other changes to this project must be submitted to and approved through the Division of Energy, Mineral, and Land Resources prior to construction. The issuance of this plan revision does not preclude the permittee from complying with all other applicable statutes, rules, regulations or ordinances which may have jurisdiction over the proposed activity, and obtaining a permit or approval prior to construction.

If you have any questions, or need additional information concerning this matter, please contact me at (252) 946-6481.

Sincerely,

William Carl Dunn, PE
Environmental Engineer

cc: David M. Klebitz, PE– Bissell Professional Group (davek@bissellprofessionalgroup.com)
Washington Regional Office



North Carolina Department of Environmental Quality | Division of Energy, Mineral and Land Resources
Washington Regional Office | 943 Washington Square Mall | Washington, North Carolina 27889
252.946.6481

Estates at Corova PIN #'s

087B-000-0OSB-0001

087B-000-0OSA-0001

087B-000-0108-0001

087B-000-1090-0001

087B-000-0110-0001

087B-000-0111-0001

087B-000-0107-0001

087B-000-0106-0001

087B-000-0105-0001

087B-000-0104-0001

087B-000-0101-0001

087B-000-0102-0001

087B-000-0103-0001

087B-000-0OSE-0005

087B-000-0OSF-0005

087B-000-0107-0005

087B-000-0108-0005

087B-000-0109-0005

087B-000-0100-0005

087B-000-AREA-0000

087B-000-0101-0005

087B-000-0102-0000

087B-000-0103-0005

087B-000-0104-0005

087B-000-0105-0005

087B-000-0106-0005

087B-000-00SD-0002

087B-000-00SC-0002

087B-000-0105-0002

087B-000-0106-0002

087B-000-0107-0002

087B-000-0108-0002

087B-000-0104-0002

087B-000-0101-0002

087B-000-0102-0002

087B-000-0103-0002

087B-000-AREA-0000

LETTER OF TRANSMITTAL

Date: 6-22-23

To: Currituck County Development
Services Department

Project # 4167

ADDRESS: 153 Courthouse Road
Currituck, NC 27929

Project Name: Estates at Carova Beach

<input checked="" type="checkbox"/>	HAND DELIVERED	<input type="checkbox"/>	OVER-NITE MAIL	<input type="checkbox"/>	MAILED	<input type="checkbox"/>	FAXED
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We are sending Enclosed Attached Under separate cover via _____ the following items:

- | | | | |
|---|--|---|--|
| <input type="checkbox"/> As Requested | <input type="checkbox"/> For Client Approval | <input type="checkbox"/> For Bid Submission | <input type="checkbox"/> For Construction |
| <input type="checkbox"/> For Your Signature | <input checked="" type="checkbox"/> For Approval | <input type="checkbox"/> For Distribution | <input type="checkbox"/> For Const. Record |
| <input type="checkbox"/> For Review & Comment | <input type="checkbox"/> For Your Records | <input type="checkbox"/> For Release | <input type="checkbox"/> Confidential |

COPIES	DESCRIPTION	DATE
3	SET OF PLANS	6-22-23
1	8.5 X 11 REDUCTION	6-22-23
2	COPIES OF SIGNED APPLICATIONS	6-22-23
2	COPIES OF APPROVALS FOR STORMWATER	6-22-23

THANK YOU.

Sincerely,
BISSELL PROFESSIONAL GROUP

Marcie Respass

Marcie Respass
Engineer Coordinator