

## TOWN OF SOUTHERN SHORES TOWN COUNCIL REGULAR MEETING

5375 N. Virginia Dare Trail, Southern Shores, NC 27949 Phone 252-261-2394 / Fax 252-255-0876 www.southernshores-nc.gov

w.soutnernsnores-nc.go
PITTS CENTER

Tuesday, January 03, 2023 at 5:30 PM

## **AGENDA**

## **Call Meeting to Order**

Pledge of Allegiance Moment of Silence

## Amendments to / Approval of Agenda

## **Consent Agenda**

- 1. Minute Approval-emailed
- 2. Surplus Resolution-Resolution 2023.01.01

### **Presentations**

### **Staff Reports**

Deputy Town Manager/Planning Director
Monthly Permit Reports
Planning Board Update
Police Chief
Fire Chief
Town Manager
Beach Nourishment Update

Town Attorney

General Public Comment (Limit: 3 minutes per speaker.)

### **Old Business**

### **New Business**

- 3. Public Hearing-SUP-22-01, a Special Use Permit application submitted by Timmons Group on behalf of Fire Service Real Estate, Inc. to construct a new EMS/Fire Station at 28 E. Dogwood Trl.
- 4. Public Hearing-TCA-22-04, a Town Code Amendment application submitted by the Town of Southern Shores to add Town Code Section 1-13, Conflicts of Interest.
- 5. 2023-2024 Biennium Legislative Goals

General Public Comment (Limit: 3 minutes per speaker.)

## **Council Business**

## **Adjourn**

Item 2.



## **Town of Southern Shores**

5375 N. Virginia Dare Trail, Southern Shores, NC 27949 Phone 252-261-2394 / Fax 252-255-0876 www.southernshores-nc.gov

## A RESOLUTION DECLARING CERTAIN PROPERTY OF THE TOWN TO BE SURPLUS AND AUTHORIZING THE DISPOSITION OF SAID PROPERTY

#2023.01.01

**WHEREAS**, the Town Council of the Town of Southern Shores, North Carolina, has determined that the Town owns certain personal property that is no longer needed or usable by the Town; and

**WHEREAS**, the property is described below:

## **Surplus Property Information**

Make	Model	Year	Department	V.I.N. / Description	Surplus
Dodge	Charger	2013	Police	2C3CDXAT9DH742633	Gov-Deals

**NOW, THEREFORE, BE IT RESOLVED** by the Southern Shores Town Council that the Town Manager or his designee are hereby authorized to dispose of the aforementioned property by any means allowable to include offering for sale at public auction, donation to a nonprofit organization, internet on-line offering, private negotiation and sale, upset bid process, or destruction.

**AND BE IT FURTHER RESOLVED** that property described in this resolution is surplus as of January 3, 2023.

	ATTEST:
Timebath Maray, Mayor	Chaile Kana Danuty Clark
Elizabeth Morey, Mayor	Sheila Kane, Deputy Clerk

 From:
 David Kole

 To:
 Sheila Kane

 Cc:
 Cliff Ogburn

 Subject:
 Surplus vehicle

**Date:** Monday, December 19, 2022 3:41:33 PM

Attachments: <u>image001.png</u>

Good afternoon, Sheila, below is the vehicle we would like to surplus on Gov. Deals.

Thank you

D Kole

2013 Dodge Charger VIN # 2C3CDXAT9DH742633 Mileage 59,366 miles





177th Session

David M. Kole
Chief of Police
Southern Shores Police Dept.
5375 N. Virginia Dare Trail
Southern Shores, NC. 27949
W-252-261-3331 Fax-252-261-4851



## AGENDA ITEM SUMMARY FORM

MEETING DATE: January 3, 2023

**ITEM TITLE:** SUP-22-01

### **ITEM SUMMARY:**

The applicant seeks a Special Use Permit to construct an 8,756 sq. ft. EMS/Fire Station at 28 E. Dogwood Trl. Parking for the proposed EMS/Fire Station is shown on site as well as in the Town right-of-way along E. Dogwood Trl. The site plan also shows a 10 ft. wide landscaped buffer along the northern and eastern property lines (as discussed at the March 21, 2022 Planning Board meeting). The applicable lot coverage requirement for Fire Stations is 85% and the site plan shows a proposed total of 68.9%. There are no lights shown on the proposed plans. There are two permanent signs shown at a total of 46.9 sq. ft. and there is one appx. 4 ft. tall, 6 sq. ft. temporary sign shown. The Planning Board granted a Variance on December 1, 2022 to allow stormwater in the drainage area that contains the concrete apron off of E. Dogwood Trl. to be collected and stored in the retention area located at 29 E. Dogwood Trl. as it is today.

Fire Stations are a permitted use in the R-1, Low-density Residential District provided that a Special Use Permit is granted by the Town Council following a recommendation made by the Town Planning Board. In granting any Special Use Permit, the Board may recommend appropriate conditions and safeguards in conformity with Article X, Administration and Enforcement. Before granting any Special Use Permit, the Town shall make affirmative findings that:

- a. The applicant has met the requirements of the applicable provisions of the Town Chapter pertaining to Zoning, Subdivision Chapter, and all other applicable Ordinances.
- b. That the use as proposed will conform with the Town's Land Use Plan, and will be compatible with the area in which it is to be located, if developed in accordance with the conditions specified in the Chapter and additionally required by the Town Council as authorized by the Chapter.
- c. That the use will not materially endanger the public health and safety if located where proposed and developed according to the plan submitted.
- d. That the use as proposed will not overburden the Town Volunteer Fire Department fire-fighting capabilities and the County water supply capacity to the Town, as said facilities and capabilities will exist on the completion date of the Special Use for which the application is made

### STAFF RECOMMENDATION:

The Land Use Plan identifies this area as Residential in the R-1, Low-density Residential Zoning District which is consistent with the improvements proposed in the application. All applicable regulations in the Town Zoning Ordinance and all of Town Staff's concerns that are applicable to this application have been identified or are addressed in the recommended conditions. Town Staff recommends conditional approval of the application and the Town Planning Board recommended conditional approval of the application with the following conditions:

- 1. The following permit shall be issued prior to submittal of a Building Permit application:
  - a. Improvement Permit and Authorization to Construct a new wastewater collection, treatment and disposal system as issued by the Dare County Health Department.
- 2. A lighting plan shall be submitted with the Building Permit and Zoning Permit application.
- 3. A maximum of two wall signs shall be permitted not to exceed 64 sq. ft. A maximum of five temporary signs, not exceeding 6 sq. ft. and 5 ft. in height each, shall be permitted while the building is under construction. Revised plans shall be submitted with the Building Permit and Zoning Permit application (this recommended condition has been satisfied).
- 4. The applicant must strictly abide by all requirements of the Town Code and must also strictly comply with all other applicable local, State, and Federal requirements.

## **REQUESTED ACTION:**

Motion to approve SUP-22-01 with the recommended conditions (1, 2, and 4).

## STAFF REPORT

**To:** Southern Shores Town Council

**Date:** January 3, 2023 **Case:** SUP-22-01

**Prepared By:** Wes Haskett, Deputy Town Manager/Planning Director

## **GENERAL INFORMATION**

**Applicant:** Timmons Group, Kimberly D. Hamby

1805 W. City Drive, Unit E. Elizabeth City, NC 27909

**Property Owner:** Fire Service Real Estate, Inc.

15 South Dogwood Trl. Southern Shores, NC 27949

**Requested Action:** Special Use Permit application to construct a new EMS/Fire Station at 28

E. Dogwood Trl.

**PIN #:** 986819516864 **Location:** 28 E. Dogwood Trl.

**Zoning:** R-1, Low-Density Residential District

Existing Land Use: "Residential"

Surrounding Land Use & Zoning:

**North-**Residential; RS-1, Single-Family Residential District **South-**Residential; RS-1, Single-Family Residential District **East-** Residential; RS-1, Single-Family Residential District **West-** Residential; RS-1, Single-Family Residential District

**Physical Characteristics:** Developed (existing EMS/Fire Station).

**Applicable Regulations:** Town Zoning Ordinance: Article III, <u>Interpretation and Definition</u>

<u>of Terms</u>; Article IV, <u>Application of Regulations</u>; Article VI, <u>General Provisions</u>; Article VII, <u>Schedule of District Regulations</u>;

Article X, Administration and Enforcement.

## **ANALYSIS**

The applicant seeks a Special Use Permit to construct an 8,756 sq. ft. EMS/Fire Station at 28 E. Dogwood Trl. Parking for the proposed EMS/Fire Station is shown on site as well as in the Town right-of-way along E. Dogwood Trl. The site plan also shows a 10 ft. wide landscaped buffer along the northern and eastern property lines (as discussed at the March 21, 2022 Planning Board meeting). The applicable lot coverage requirement for Fire Stations is 85% and the site plan shows a proposed total of 68.9%. There are no lights shown on the proposed plans. There are two permanent signs shown at a total of 46.9 sq. ft. and there is one appx. 4 ft. tall, 6 sq. ft. temporary sign shown. The Planning Board granted a Variance on December 1, 2022 to allow stormwater in the drainage area that contains the concrete apron off of E. Dogwood Trl. to be collected and stored in the retention area located at 29 E. Dogwood Trl. as it is today.

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## RECOMMENDATION

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## **Town of Southern Shores**

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www.southernshores-nc.gov

### PLANNING BOARD GENERAL APPLICATION FORM TOWN OF SOUTHERN SHORES, NC 27949

Date: 11 /18/22	Filing Fee:	\$.10/SF Rec	ecipt No. N/A Application No. SUP-22-0
NOTE: The Planning Board w	vill follow the specific p		Ordinance Chapter 36. Article X
Administration and Enforcemen	it, Section 36-299.		
Please check the applicable Cha	pter/Article:		
☐ Chapter 36. Article IX. Pl	chedule of District Re anned Unit Developm ministration and Enfo view other than one an ction 36-300-Application of 36-303 Fees ction 36-304-Vested Ri	ent (PUD) orcement, Section 36-299 od two family dwelling u on for Permit for Condi	
Certification and Standing: A information on this application is			d I certify that the
Applicant Name Fire Serv	ice Real Estate, Inc.		(Applicant must be property owner by Town policy)
Address: 15 S. Do			-
	Shores, NC 27949		
Phone	Email		-
Agent, Contrac Address 1805 W. C Elizabeth	Hamby, PE, Timmor etor, Other (Circle one) City Drive, Unit E City, NC 27909		- - com
Property Involved: X Souther	ern ShoresMartin's	Point (Commercial only)	
Address: 28 E. Do	gwood Trail	Zoning district	R1
Section 3 Blo  Request: X Site Plan Review	J	25, part Lot size (sq.ft.) 2  2  2  2  2  2  2  2  2  2  2  2  2	
PUD (Planned Uni	t Development) Sul	bdivision OrdinanceVe	ested Right Variance
Change To:Zoning Map	Zoning Ordinance		
Patrick Regan		11/17/20	022
Signature		Date	

<sup>\*</sup> Attach supporting documentation and twelve copies of the site plan.

### Wes Haskett

From: Sent: Kim Hamby <Kim.Hamby@timmons.com>

To:

Wednesday, November 23, 2022 12:38 PM Wes Haskett

Subject:

FW: Dare EMS - waterline connections (Southern Shores and Med Flight)

Wes,

Good afternoon. See below from Pat. He has no comments on the SS water services.

Thanks and Have a Happy Thanksgiving!

### Kimberly D. Hamby, PE

Senior Project Manager

## TIMMONS GROUP | www.timmons.com

1805 West City Drive, Unit E | Elizabeth City, NC 27909

Office: 252.621.5029 | Fax: 252.562.6974

Mobile: 252-340-3264 | kim.hamby@timmons.com

Your Vision Achieved Through Ours

### To send me files greater than 20MB click here.

From: Pat Irwin <pat.irwin@darenc.com>

**Sent:** Wednesday, November 23, 2022 12:35 PM **To:** Kim Hamby < Kim. Hamby @timmons.com>

Subject: Re: Dare EMS - waterline connections (Southern Shores and Med Flight)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Kim:

Received, thank you. We have no comments. Enjoy your Thanksgiving!

Pat

On Mon, Nov 21, 2022 at 3:00 PM Kim Hamby < Kim.Hamby@timmons.com > wrote:

Good afternoon, Pat. I hope you are doing well and looking forward to a long holiday weekend.

As you probably know, I am working on multiple EMS station for the county.

Southern Shores (EMS #4) has been submitted to the Town for a variance and site plan review. Wes has asked me to get your comments on the water which is only a domestic and fire service just as what is existing. I have attached the utility plan sheet and detail sheet for your review and comment.

Med Flight (EMS #7) is going to have a main extension since we are coming across the road with a 6" line for fire and tapping the domestic off of that. I have again attached the pertinent sheets.

Please let me know your thoughts on both when you get the chance.

Thank you,

## Kimberly D. Hamby, PE

Senior Project Manager

## TIMMONS GROUP | www.timmons.com

1805 West City Drive, Unit E | Elizabeth City, NC 27909

Office: 252.621.5029 | Fax: 252.562.6974

Mobile: 252-340-3264 | kim.hamby@timmons.com

Your Vision Achieved Through Ours

To send me files greater than 20MB click here.

Mr. Patrick Irwin

Utilities Director
Department of Water
600 Mustian Street
Kill Devil Hills, NC 27948
(252) 475-5603 (phone)

### **Wes Haskett**

From:

Josh Coltrain <joshc@darenc.com>

Sent:

Monday, November 14, 2022 10:03 AM

To:

Kim Hamby

Subject:

Dare EMS stations 4/7

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

## Good morning Kim,

The revised plans for the new Dare EMS stations look good. I am ready to write the permits. Could you please send me the final sets of plans showing the calculations, pumps/selection based on curve and any other septic details so I can prepare the final permit package.

Thanks,

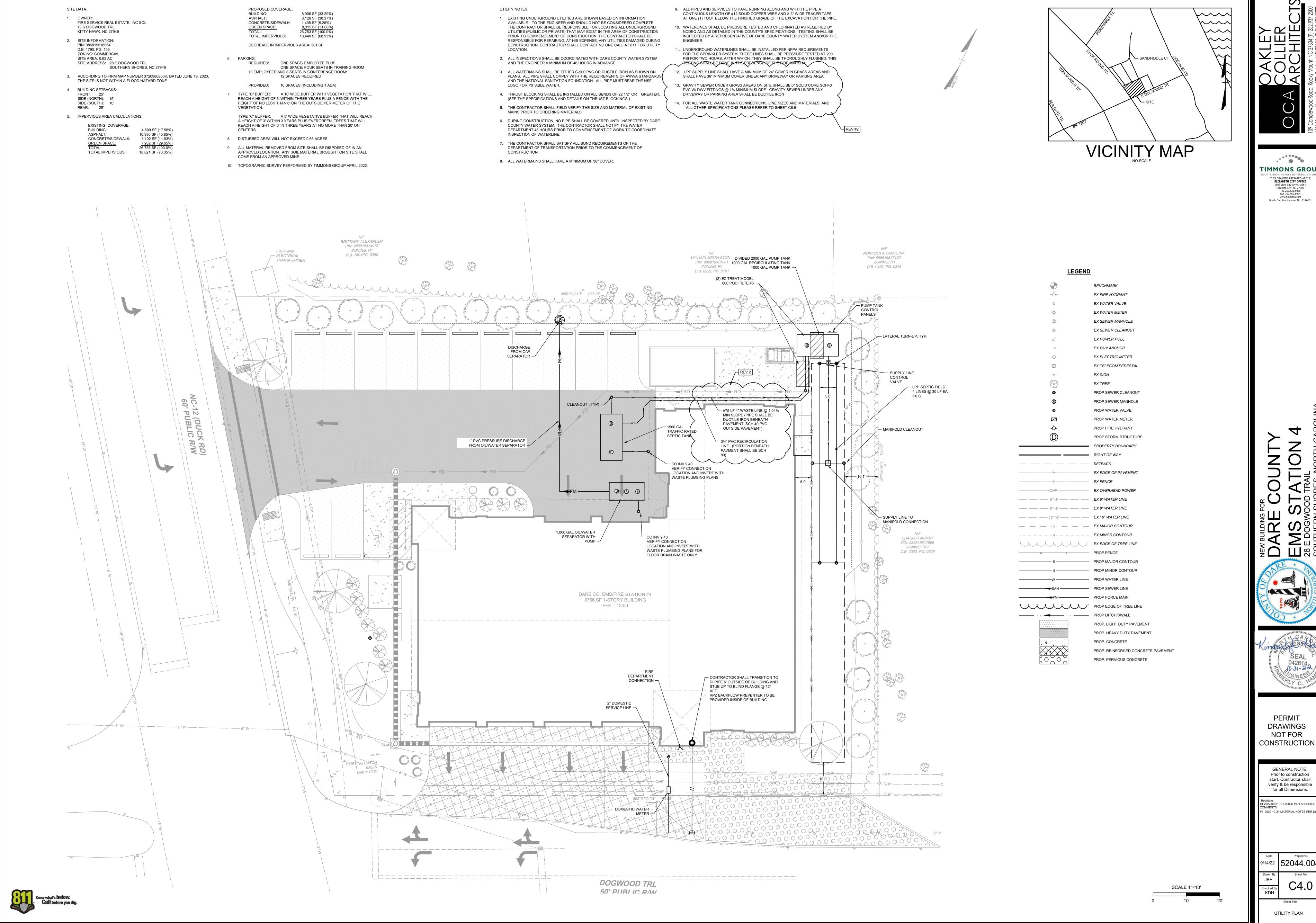
## Josh Coltrain, REHS

Environmental Health Supervisor
Department of Health & Human Services
Public Health Division
P.O. Box 669, Manteo, NC 27954
252.475.5014 phone

www.darenc.com



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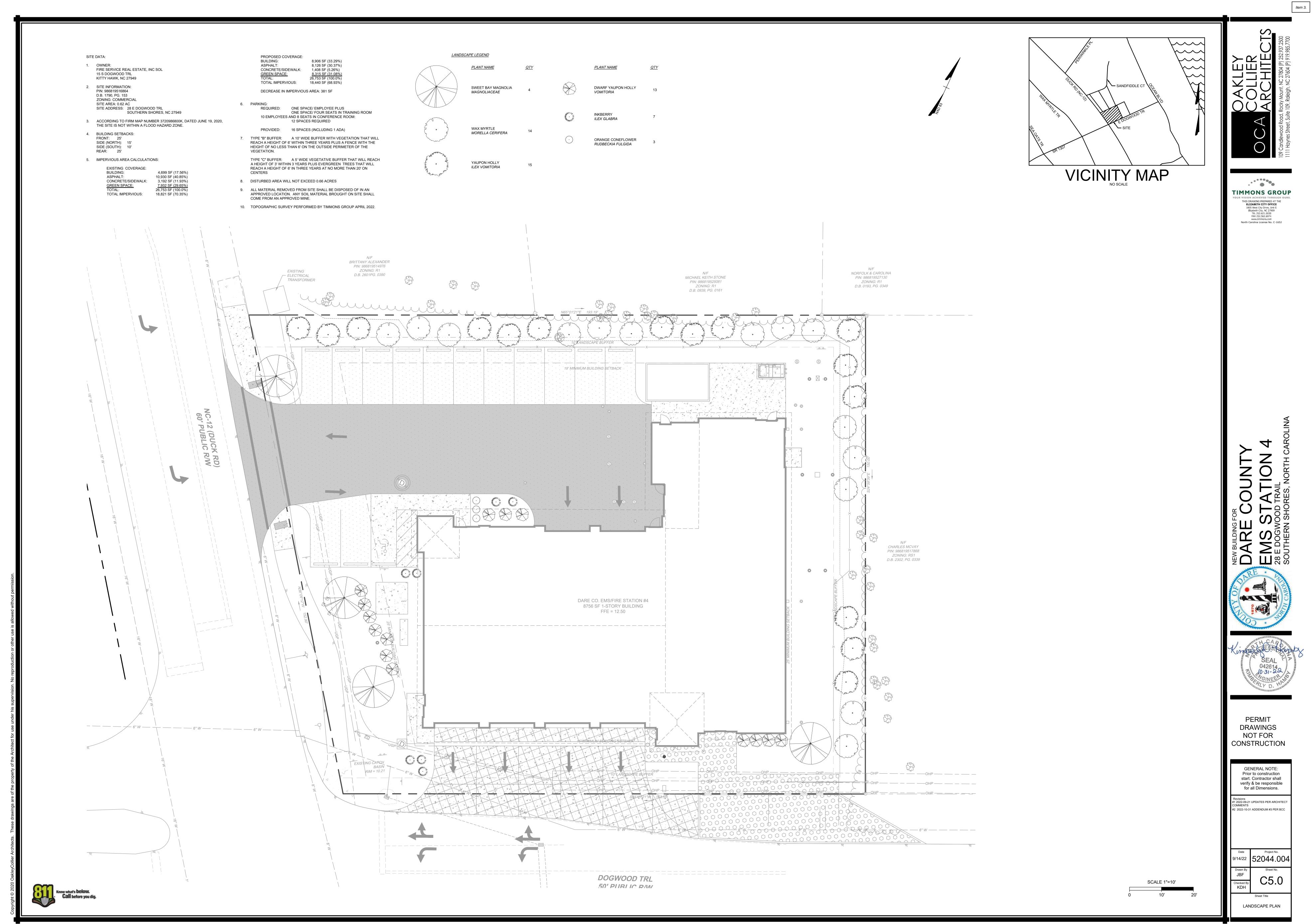


**TIMMONS GROUP** THIS DRAWING PREPARED AT THE ELIZABETH CITY OFFICE www.timmons.com North Carolina License No. C-1652

Prior to construction start. Contractor shall verify & be responsible

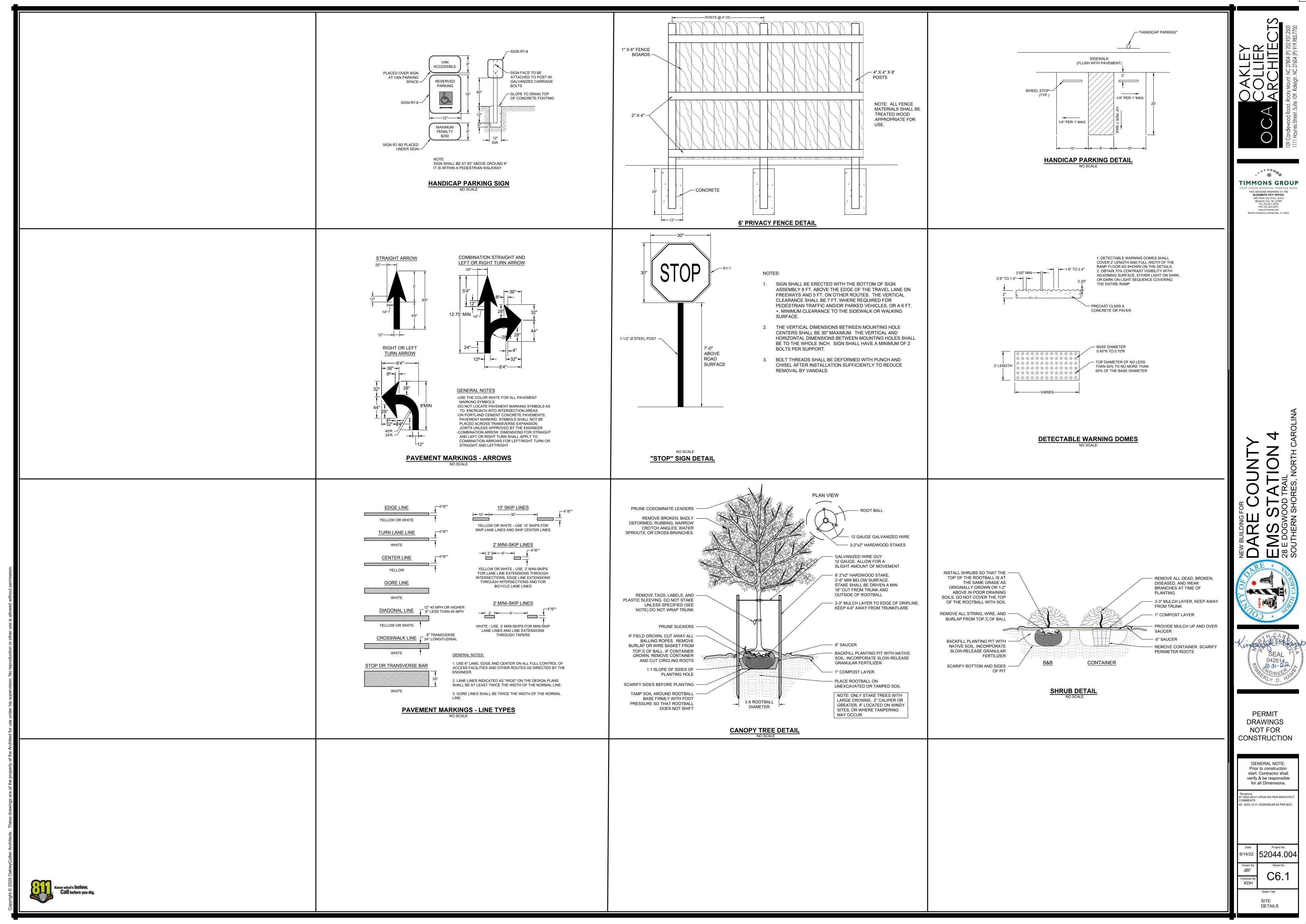
1 2022-09-21 UPDATES PER ARCHITEC

9/14/22 52044.004



Item 3.

10







## SOUTHERN SHORES, NC

## SC-160LP STORMTECH CHAMBER SPECIFICATIONS

- CHAMBERS SHALL BE STORMTECH SC-160LP.
- 2. CHAMBERS SHALL BE ARCH-SHAPED AND SHALL BE MANUFACTURED FROM VIRGIN, IMPACT-MODIFIED POLYPROPYLENE
- CHAMBERS SHALL MEET THE REQUIREMENTS OF ASTM F2418, "STANDARD SPECIFICATION FOR POLYPROPYLENE (PP) CORRUGATED WALL STORMWATER COLLECTION CHAMBERS"
- CHAMBER ROWS SHALL PROVIDE CONTINUOUS, UNOBSTRUCTED INTERNAL SPACE WITH NO INTERNAL SUPPORTS THAT WOULD
- IMPEDE FLOW OR LIMIT ACCESS FOR INSPECTION. THE STRUCTURAL DESIGN OF THE CHAMBERS, THE STRUCTURAL BACKFILL, AND THE INSTALLATION REQUIREMENTS SHALL ENSURE THAT THE LOAD FACTORS SPECIFIED IN THE AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS. SECTION 12.12, ARE MET FOR: 1)
- FOR IMPACT AND MULTIPLE VEHICLE PRESENCES. CHAMBERS SHALL BE DESIGNED, TESTED AND ALLOWABLE LOAD CONFIGURATIONS DETERMINED IN ACCORDANCE WITH ASTM F2787, "STANDARD PRACTICE FOR STRUCTURAL DESIGN OF THERMOPLASTIC CORRUGATED WALL STORMWATER COLLECTION CHAMBERS".

LONG-DURATION DEAD LOADS AND 2) SHORT-DURATION LIVE LOADS, BASED ON THE AASHTO DESIGN TRUCK WITH CONSIDERATION

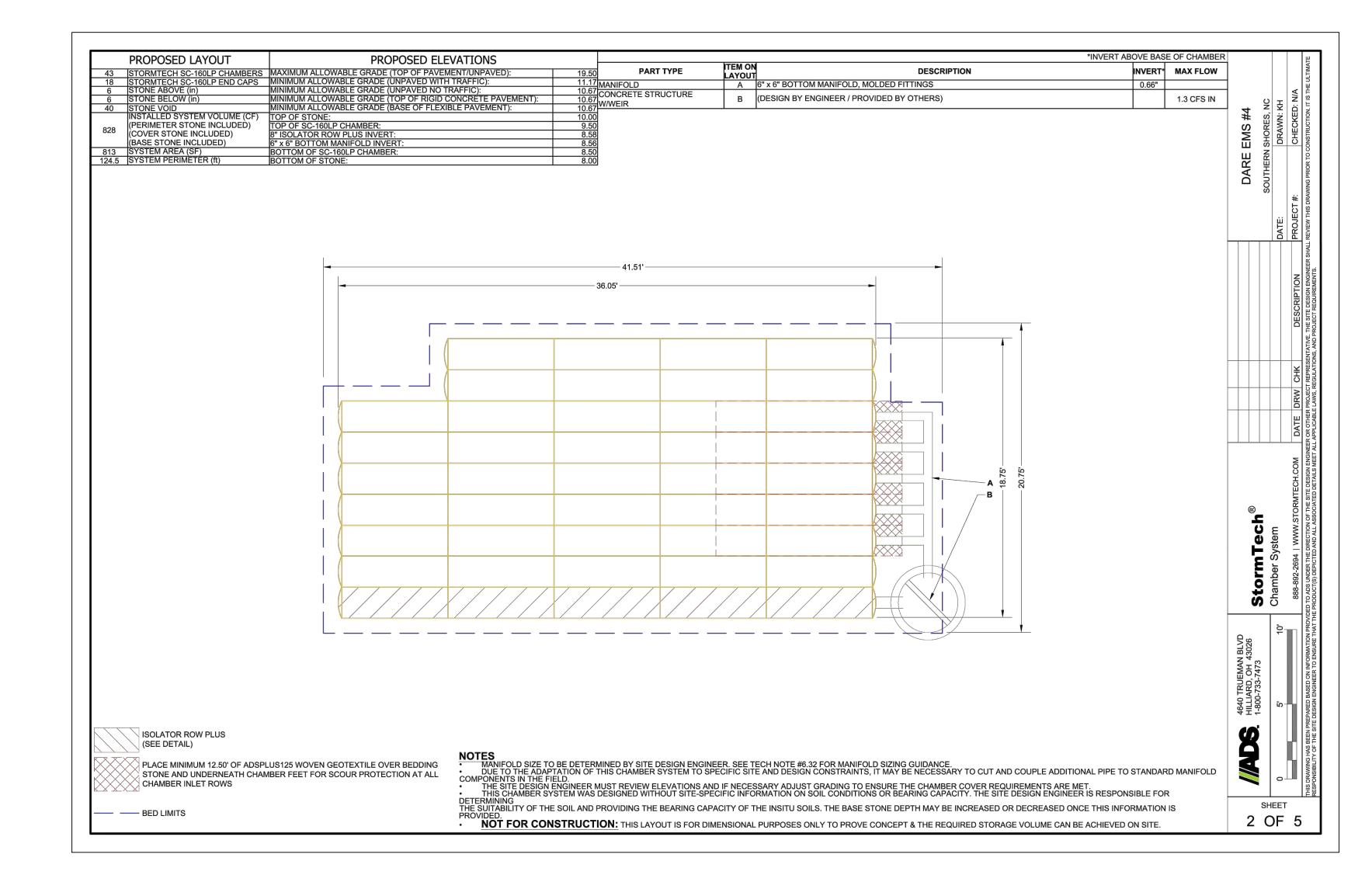
- LOAD CONFIGURATIONS SHALL INCLUDE: 1) INSTANTANEOUS (<1 MIN) AASHTO DESIGN TRUCK LIVE LOAD ON MINIMUM COVER 2) MAXIMUM PERMANENT (75-YR) COVER LOAD AND 3) ALLOWABLE COVER WITH PARKED (1-WEEK) AASHTO DESIGN TRUCK.
- REQUIREMENTS FOR HANDLING AND INSTALLATION: TO MAINTAIN THE WIDTH OF CHAMBERS DURING SHIPPING AND HANDLING, CHAMBERS SHALL HAVE INTEGRAL, INTERLOCKING
- TO ENSURE A SECURE JOINT DURING INSTALLATION AND BACKFILL, THE HEIGHT OF THE CHAMBER JOINT SHALL NOT BE LESS TO ENSURE THE INTEGRITY OF THE ARCH SHAPE DURING INSTALLATION, a) THE ARCH STIFFNESS CONSTANT SHALL BE GREATER THAN OR EQUAL TO 400 LBS/FT/%. THE ASC IS DEFINED IN SECTION 6.2.8 OF ASTM F2418. AND b) TO RESIST CHAMBER

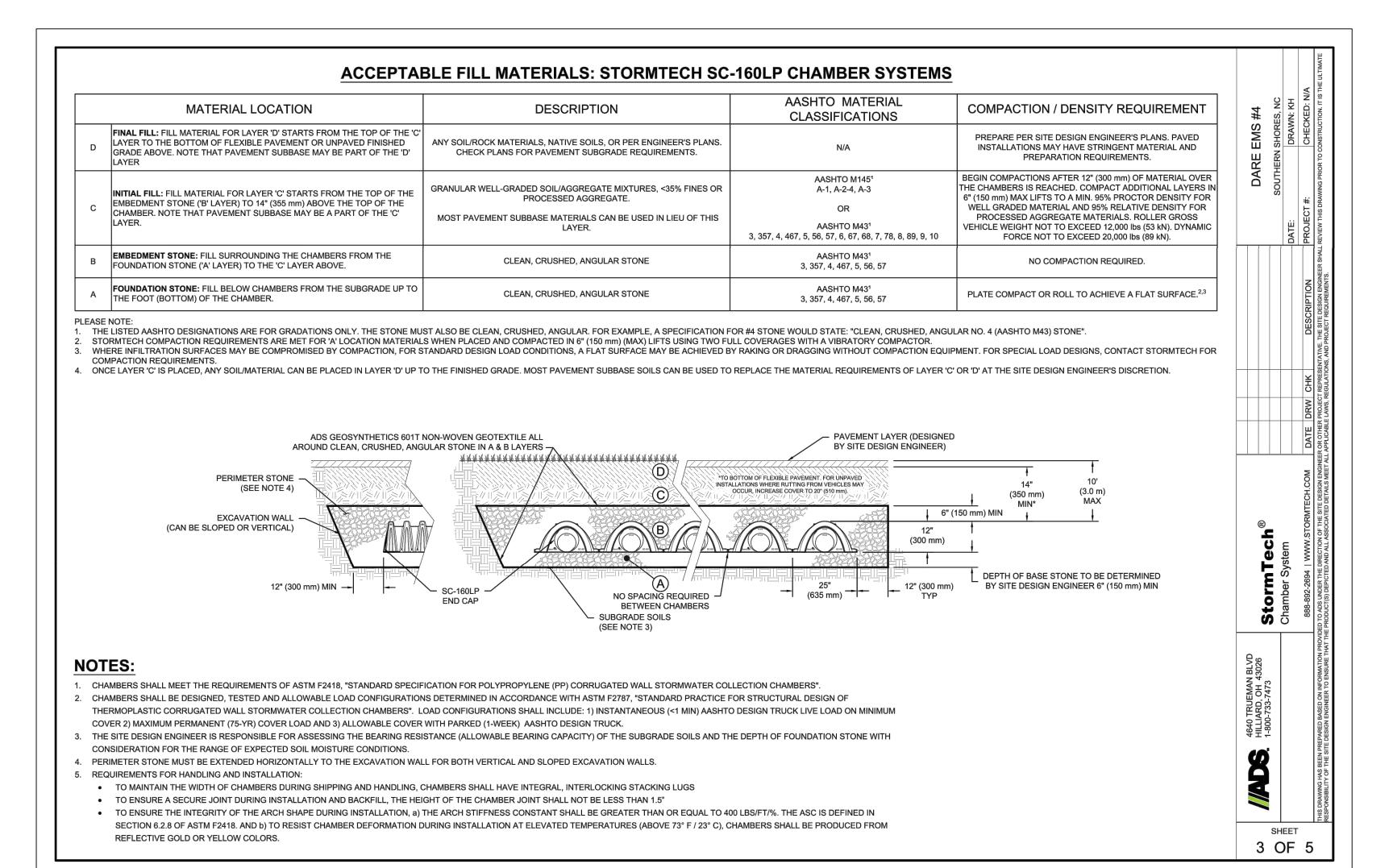
DEFORMATION DURING INSTALLATION AT ELEVATED TEMPERATURES (ABOVE 73° F / 23° C), CHAMBERS SHALL BE PRODUCED

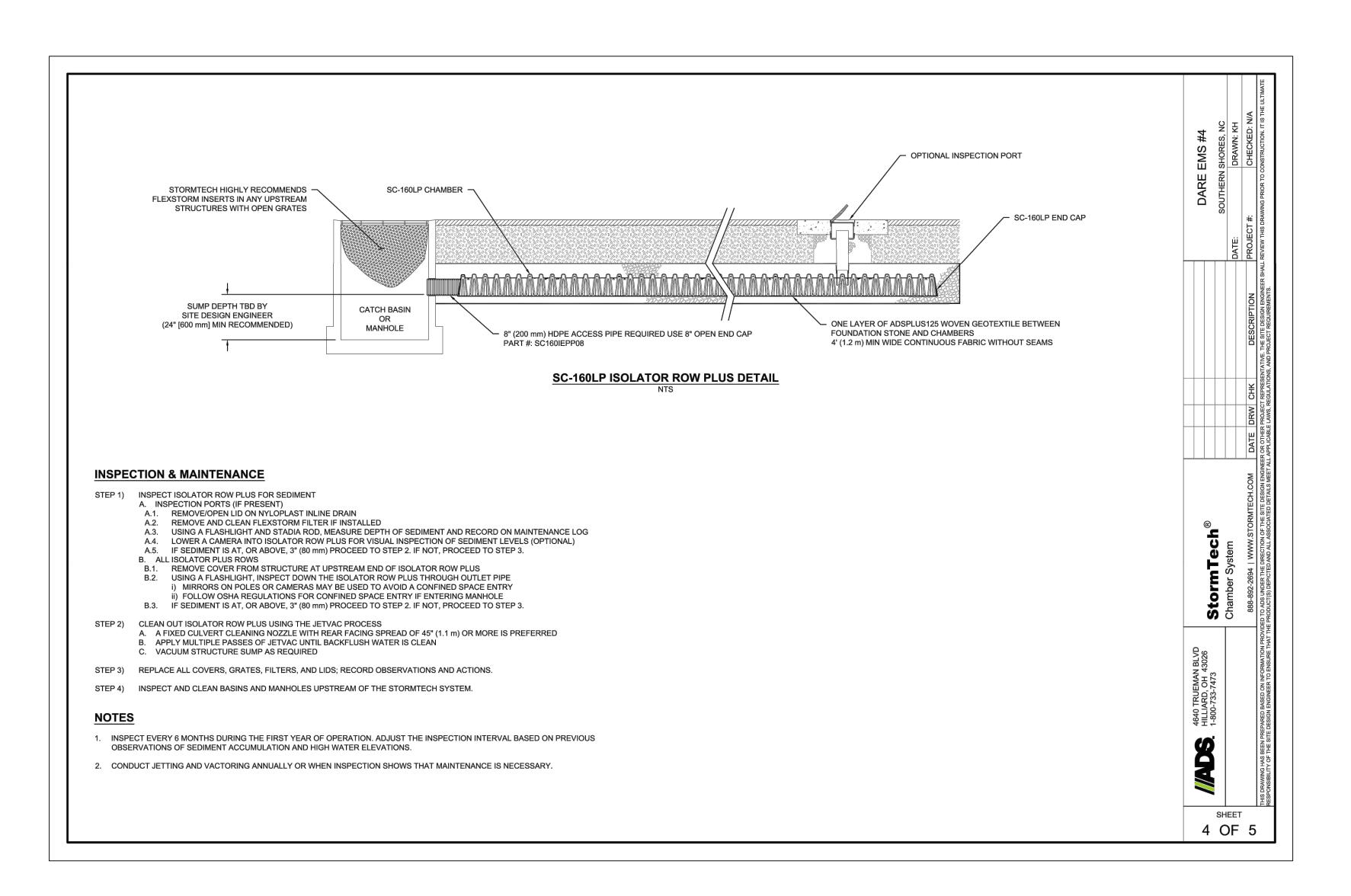
- FROM REFLECTIVE GOLD OR YELLOW COLORS. ONLY CHAMBERS THAT ARE APPROVED BY THE SITE DESIGN ENGINEER WILL BE ALLOWED. UPON REQUEST BY THE SITE DESIGN ENGINEER OR OWNER, THE CHAMBER MANUFACTURER SHALL SUBMIT A STRUCTURAL EVALUATION FOR APPROVAL BEFORE
- DELIVERING CHAMBERS TO THE PROJECT SITE AS FOLLOWS: THE STRUCTURAL EVALUATION SHALL BE SEALED BY A REGISTERED PROFESSIONAL ENGINEER. • THE STRUCTURAL EVALUATION SHALL DEMONSTRATE THAT THE SAFETY FACTORS ARE GREATER THAN OR EQUAL TO 1.95 FOR DEAD LOAD AND 1.75 FOR LIVE LOAD, THE MINIMUM REQUIRED BY ASTM F2787 AND BY SECTIONS 3 AND 12.12 OF THE AASHTO
- LRFD BRIDGE DESIGN SPECIFICATIONS FOR THERMOPLASTIC PIPE. THE TEST DERIVED CREEP MODULUS AS SPECIFIED IN ASTM F2418 SHALL BE USED FOR PERMANENT DEAD LOAD DESIGN EXCEPT THAT IT SHALL BE THE 75-YEAR MODULUS USED FOR DESIGN.

9. CHAMBERS AND END CAPS SHALL BE PRODUCED AT AN ISO 9001 CERTIFIED MANUFACTURING FACILITY.

- DARE EMS #4
  - IMPORTANT NOTES FOR THE BIDDING AND INSTALLATION OF THE SC-160LP SYSTEM
  - 1. STORMTECH SC-160LP CHAMBERS SHALL NOT BE INSTALLED UNTIL THE MANUFACTURER'S REPRESENTATIVE HAS COMPLETED A PRE-CONSTRUCTION MEETING WITH THE INSTALLERS.
  - 2. STORMTECH SC-160LP CHAMBERS SHALL BE INSTALLED IN ACCORDANCE WITH THE "STORMTECH SC-160LP CONSTRUCTION GUIDE".
  - FOUNDATION STONE AND EMBEDMENT STONE SURROUNDING CHAMBERS MUST BE A CLEAN, CRUSHED, ANGULAR STONE; AASHTO M43 #3,357, 4,
  - 4. THE FOUNDATION STONE SHALL BE LEVELED AND COMPACTED PRIOR TO PLACING CHAMBERS.
  - 5. THE DEPTH OF FOUNDATION STONE SHALL BE DETERMINED BASED ON THE SUBGRADE BEARING CAPACITY PROVIDED BY THE SITE DESIGN
  - 6. THE CONTRACTOR MUST REPORT ANY DISCREPANCIES CONCERNING CHAMBER FOUNDATION DESIGN AND SUBGRADE BEARING CAPACITIES TO
  - 7. JOINTS BETWEEN CHAMBERS SHALL BE PROPERLY SEATED PRIOR TO PLACING STONE.
  - 8. CHAMBERS SHALL BE INSTALLED "TOE TO TOE". NO ADDITIONAL SPACING BETWEEN ROWS IS REQUIRED.
  - STORMTECH RECOMMENDS 3 BACKFILL METHODS: STONESHOOTER LOCATED OFF THE CHAMBER BED.
  - BACKFILL AS ROWS ARE BUILT USING AN EXCAVATOR ON THE FOUNDATION STONE OR SUBGRADE. BACKFILL FROM OUTSIDE THE EXCAVATION USING A LONG BOOM HOE OR EXCAVATOR.
  - 10. ADS RECOMMENDS THE USE OF "FLEXSTORM CATCH IT" INSERTS DURING CONSTRUCTION FOR ALL INLETS TO PROTECT THE SUBSURFACE STORMWATER MANAGEMENT SYSTEM FROM CONSTRUCTION SITE RUNOFF.
  - NOTES FOR CONSTRUCTION EQUIPMENT
  - 1. THE USE OF CONSTRUCTION EQUIPMENT OVER SC-160LP CHAMBERS IS LIMITED: NO EQUIPMENT IS ALLOWED ON BARE CHAMBERS.
  - NO RUBBER TIRED LOADERS, DUMP TRUCKS, OR EXCAVATORS ARE ALLOWED UNTIL PROPER FILL DEPTHS ARE REACHED IN ACCORDANCE WITH THE "STORMTECH SC-160LP CONSTRUCTION GUIDE". WEIGHT LIMITS FOR CONSTRUCTION EQUIPMENT CAN BE FOUND IN THE "STORMTECH SC-106LP CONSTRUCTION GUIDE".
  - 2. FULL 36" (900 mm) OF STABILIZED COVER MATERIALS OVER THE CHAMBERS IS REQUIRED FOR DUMP TRUCK TRAVEL OR DUMPING.
  - CONTACT STORMTECH AT 1-888-892-2694 WITH ANY QUESTIONS ON INSTALLATION REQUIREMENTS OR WEIGHT LIMITS FOR CONSTRUCTION EQUIPMENT.









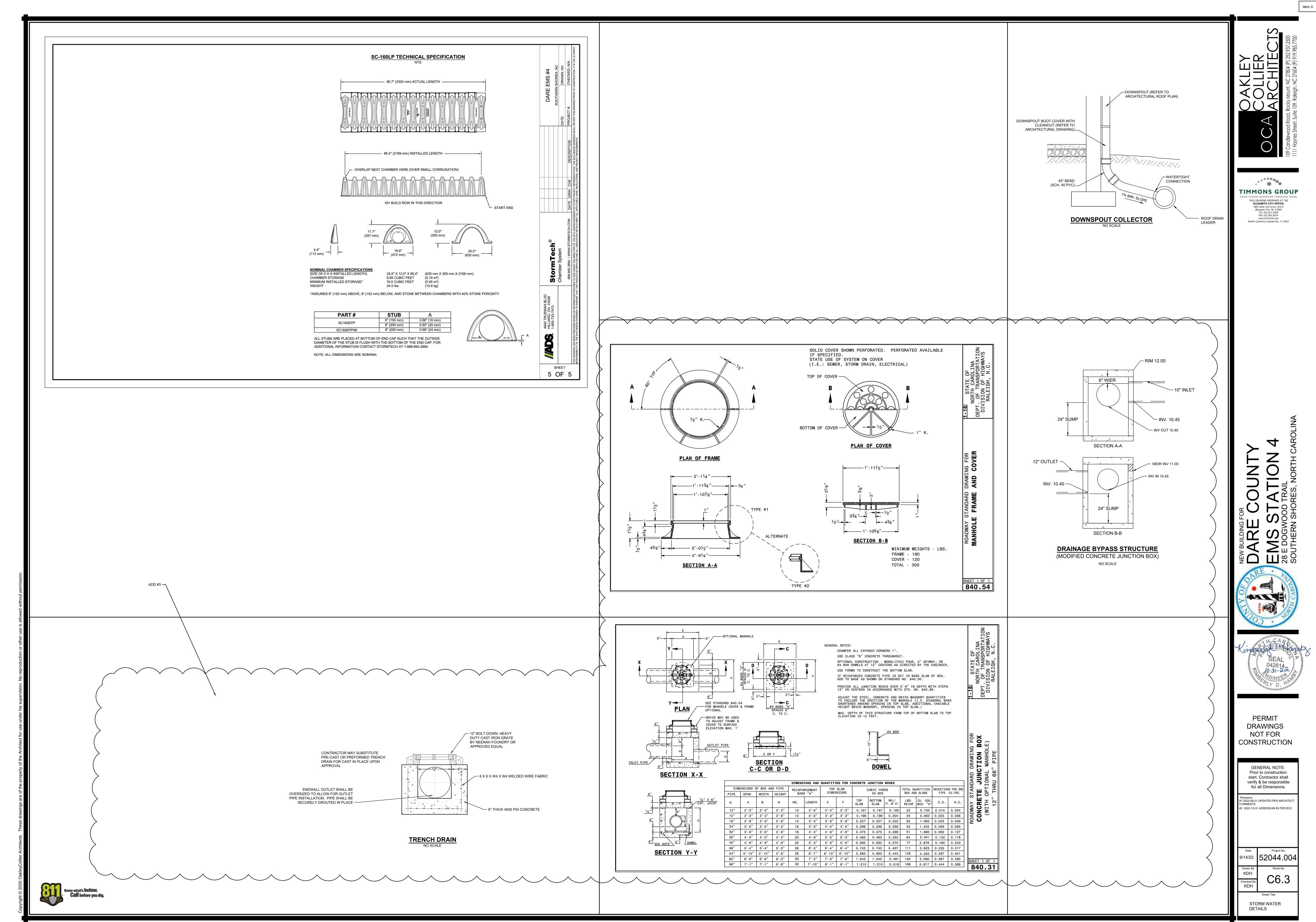






Prior to construction start. Contractor shall verify & be responsible

STORM WATER



ELIZABETH CITY OFFICE

FAX 252.562.6974

North Carolina License No. C-1652

## GROUND STABILIZATION AND MATERIALS HANDLING PRACTICES FOR COMPLIANCE WITH THE NCG01 CONSTRUCTION GENERAL PERMIT ementing the details and specifications on this plan sheet will result in the construction activity being considered compliant with the Ground Stabilization and Materials Handling ections of the NCG01 Construction General Permit (Sections E and F, respectively). The rmittee shall comply with the Erosion and Sediment Control plan approved by the delegated authority having jurisdiction. All details and specifications shown on this sheet may not apply depending on site conditions and the delegated authority having jurisdiction. SECTION E. GROUND STABILIZATION

	Re	equired Ground Stabil	ization Timeframes
Site Area Description		Stabilize within this many calendar days after ceasing land disturbance	Timeframe variations
(a)	Perimeter dikes, swales, ditches, and perimeter slopes	7	None
(b)	High Quality Water (HQW) Zones	7	None
(c)	Slopes steeper than 3:1	7	If slopes are 10' or less in length and are not steeper than 2:1, 14 days are allowed
(d)	Slopes 3:1 to 4:1	14	<ul> <li>-7 days for slopes greater than 50' in length and with slopes steeper than 4:1</li> <li>-7 days for perimeter dikes, swales, ditches, perimeter slopes and HQW Zones</li> <li>-10 days for Falls Lake Watershed</li> </ul>
(e)	Areas with slopes flatter than 4:1	14	<ul> <li>-7 days for perimeter dikes, swales, ditches, perimeter slopes and HQW Zone</li> <li>-10 days for Falls Lake Watershed unless there is zero slope</li> </ul>

practicable but in no case longer than 90 calendar days after the last land disturbing activity. Temporary ground stabilization shall be maintained in a manner to render the surface stable against accelerated erosion until permanent ground stabilization is achieved.

## **GROUND STABILIZATION SPECIFICATION** Stabilize the ground sufficiently so that rain will not dislodge the soil. Use one of the

Temporary Stabilization	Permanent Stabilization
<ul> <li>Temporary grass seed covered with straw or other mulches and tackifiers</li> <li>Hydroseeding</li> <li>Rolled erosion control products with or without temporary grass seed</li> <li>Appropriately applied straw or other mulch</li> <li>Plastic sheeting</li> </ul>	<ul> <li>Permanent grass seed covered with straw or other mulches and tackifiers</li> <li>Geotextile fabrics such as permanent soil reinforcement matting</li> <li>Hydroseeding</li> <li>Shrubs or other permanent plantings covered with mulch</li> <li>Uniform and evenly distributed ground cover sufficient to restrain erosion</li> <li>Structural methods such as concrete, asphalt or retaining walls</li> <li>Rolled erosion control products with grass seed</li> </ul>

or surrounded by secondary containment structures.

- POLYACRYLAMIDES (PAMS) AND FLOCCULANTS Select flocculants that are appropriate for the soils being exposed during
- construction, selecting from the NC DWR List of Approved PAMS/Flocculants. Apply flocculants at or before the inlets to Erosion and Sediment Control Measures.

Store flocculants in leak-proof containers that are kept under storm-resistant cover

Apply flocculants at the concentrations specified in the NC DWR List of Approved erosion on disturbed soils for temporary or permanent control needs. PAMS/Flocculants and in accordance with the manufacturer's instructions. Provide ponding area for containment of treated Stormwater before discharging

## **EQUIPMENT AND VEHICLE MAINTENANCE** Maintain vehicles and equipment to prevent discharge of fluids.

- Provide drip pans under any stored equipment. Identify leaks and repair as soon as feasible, or remove leaking equipment from the
- Collect all spent fluids, store in separate containers and properly dispose as hazardous waste (recycle when possible).
- Remove leaking vehicles and construction equipment from service until the problem has been corrected. Bring used fuels, lubricants, coolants, hydraulic fluids and other petroleum products

## to a recycling or disposal center that handles these materials.

## LITTER, BUILDING MATERIAL AND LAND CLEARING WASTE Never bury or burn waste. Place litter and debris in approved waste containers.

2. Provide a sufficient number and size of waste containers (e.g dumpster, trash receptacle) on site to contain construction and domestic wastes. Locate waste containers at least 50 feet away from storm drain inlets and surface waters unless no other alternatives are reasonably available.

Locate waste containers on areas that do not receive substantial amounts of runoff

from upland areas and does not drain directly to a storm drain, stream or wetland. Cover waste containers at the end of each workday and before storm events or provide secondary containment. Repair or replace damaged waste containers. 6. Anchor all lightweight items in waste containers during times of high winds.

7. Empty waste containers as needed to prevent overflow. Clean up immediately if

containers overflow. Dispose waste off-site at an approved disposal facility.

## 9. On business days, clean up and dispose of waste in designated waste containers.

- PAINT AND OTHER LIQUID WASTE Do not dump paint and other liquid waste into storm drains, streams or wetlands. Locate paint washouts at least 50 feet away from storm drain inlets and surface waters unless no other alternatives are reasonably available.
- Contain liquid wastes in a controlled area. Containment must be labeled, sized and placed appropriately for the needs of site. Prevent the discharge of soaps, solvents, detergents and other liquid wastes from

## construction sites.

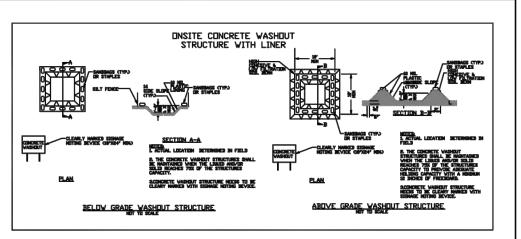
- Install portable toilets on level ground, at least 50 feet away from storm drains, streams or wetlands unless there is no alternative reasonably available. If 50 foot offset is not attainable, provide relocation of portable toilet behind silt fence or place
- on a gravel pad and surround with sand bags. Provide staking or anchoring of portable toilets during periods of high winds or in high foot traffic areas. Monitor portable toilets for leaking and properly dispose of any leaked material.

## Utilize a licensed sanitary waste hauler to remove leaking portable toilets and replace with properly operating unit.

NCG01 GROUND STABILIZATION AND MATERIALS HANDLING

- EARTHEN STOCKPILE MANAGEMEN Show stockpile locations on plans. Locate earthen-material stockpile areas at least 50 feet away from storm drain inlets, sediment basins, perimeter sediment controls and surface waters unless it can be shown no other alternatives are reasonably
- Protect stockpile with silt fence installed along toe of slope with a minimum offset of five feet from the toe of stockpile. Provide stable stone access point when feasible.
- Stabilize stockpile within the timeframes provided on this sheet and in accordance with the approved plan and any additional requirements. Soil stabilization is defined as vegetative, physical or chemical coverage techniques that will restrain accelerated

NORTH CAROLINA **M** Environmental Quality



approving authority.

CONCRETE WASHOUTS Do not discharge concrete or cement slurry from the site.

- Dispose of, or recycle settled, hardened concrete residue in accordance with local and state solid waste regulations and at an approved facility. Manage washout from mortar mixers in accordance with the above item and in addition place the mixer and associated materials on impervious barrier and within
- Install temporary concrete washouts per local requirements, where applicable. If an alternate method or product is to be used, contact your approval authority for review and approval. If local standard details are not available, use one of the two types of temporary concrete washouts provided on this detail. Do not use concrete washouts for dewatering or storing defective curb or sidewalk
- sections. Stormwater accumulated within the washout may not be pumped into or discharged to the storm drain system or receiving surface waters. Liquid waste must be pumped out and removed from project. Locate washouts at least 50 feet from storm drain inlets and surface waters unless it can be shown that no other alternatives are reasonably available. At a minimum,
- install protection of storm drain inlet(s) closest to the washout which could receive spills or overflow. Locate washouts in an easily accessible area, on level ground and install a stone entrance pad in front of the washout. Additional controls may be required by the
- Install at least one sign directing concrete trucks to the washout within the project limits. Post signage on the washout itself to identify this location. Remove leavings from the washout when at approximately 75% capacity to limit overflow events. Replace the tarp, sand bags or other temporary structural components when no longer functional. When utilizing alternative or proprietary products, follow manufacturer's instructions.
- 10. At the completion of the concrete work, remove remaining leavings and dispose of in an approved disposal facility. Fill pit, if applicable, and stabilize any disturbance caused by removal of washout.

## HERBICIDES, PESTICIDES AND RODENTICIDES

Store herbicides, pesticides and rodenticides in their original containers with the label, which lists directions for use, ingredients and first aid steps in case of accidental poisoning. Do not store herbicides, pesticides and rodenticides in areas where flooding is

Store and apply herbicides, pesticides and rodenticides in accordance with label

possible or where they may spill or leak into wells, stormwater drains, ground water or surface water. If a spill occurs, clean area immediately. Do not stockpile these materials onsite.

HAZARDOUS AND TOXIC WASTE

Create designated hazardous waste collection areas on-site. 2. Place hazardous waste containers under cover or in secondary containment. 3. Do not store hazardous chemicals, drums or bagged materials directly on the ground.

| EFFECTIVE: 04/01/19

### Inspect (during normal Inspection records must include business hours) (1) Rain gauge If no daily rain gauge observations are made during weekend or maintained in good working holiday periods, and no individual-day rainfall information i available, record the cumulative rain measurement for those unattended days (and this will determine if a site inspection is needed). Days on which no rainfall occurred shall be recorded as "zero." The permittee may use another rain-monitoring device approved by the Division. At least once per . Identification of the measures inspected, 7 calendar days 2. Date and time of the inspection. and within 24 3. Name of the person performing the inspection 4. Indication of whether the measures were operating hours of a rain 24 hours Description of maintenance needs for the measure. Description, evidence, and date of corrective actions taken. (3) Stormwater At least once per 1. Identification of the discharge outfalls inspected, . Date and time of the inspection, outfalls (SDOs) and within 24 3. Name of the person performing the inspection 4. Evidence of indicators of stormwater pollution such as oil hours of a rain event ≥ 1.0 inch in sheen, floating or suspended solids or discoloration, Description, evidence, and date of corrective actions taken. (4) Perimeter of At least once per If visible sedimentation is found outside site limits, then a record 7 calendar days of the following shall be made: and within 24 1. Actions taken to clean up or stabilize the sediment that has left

SELF-INSPECTION, RECORDKEEPING AND REPORTING

Self-inspections are required during normal business hours in accordance with the table

below. When adverse weather or site conditions would cause the safety of the inspection

personnel to be in jeopardy, the inspection may be delayed until the next business day on

which it is safe to perform the inspection. In addition, when a storm event of equal to or

greater than 1.0 inch occurs outside of normal business hours, the self-inspection shall be

performed upon the commencement of the next business day. Any time when inspections

SECTION A: SELF-INSPECTION

wetlands onsite 7 calendar days

and within 24

hours of a rain

After each phase

of grading

or offsite

(6) Ground

stabilization

measures

were delayed shall be noted in the Inspection Record.

(d) The maintenance and repair requirements for all E&SC measures have been performed. (e) Corrective actions have been taken to E&SC measures. 2. Additional Documentation to be Kept on Site event ≥ 1.0 inch in | 2. Description, evidence, and date of corrective actions taken, and In addition to the E&SC plan documents above, the following items shall be kept on the 3. An explanation as to the actions taken to control future stream has visible increased turbidity from the construction activity, then a record of the following shall be made: 1. Description, evidence and date of corrective actions taken, and

. Records of the required reports to the appropriate Division

The phase of grading (installation of perimeter E&SC)

measures, clearing and grubbing, installation of storm

drainage facilities, completion of all land-disturbing

activity, construction or redevelopment, permanent

. Documentation that the required ground stabilization

timeframe or an assurance that they will be provided as

measures have been provided within the required

soon as possible.

NOTE: The rain inspection resets the required 7 calendar day inspection requirement.

Regional Office per Part III, Section C, Item (2)(a) of this permit.

site and available for inspectors at all times during normal business hours, unless the Division provides a site-specific exemption based on unique site conditions that make this requirement not practical: (a) This General Permit as well as the Certificate of Coverage, after it is received. ) Records of inspections made during the previous twelve months. The permittee shall

SELF-INSPECTION, RECORDKEEPING AND REPORTING

The approved E&SC plan as well as any approved deviation shall be kept on the site. The

approved E&SC plan must be kept up-to-date throughout the coverage under this permit

**Documentation Requirements** 

E&SC measure shown on the approved E&SC

plan. This documentation is required upon the

initial installation of the E&SC measures or if

plan or complete, date and sign an inspection

Initial and date a copy of the approved E&SC

plan or complete, date and sign an inspection

report to indicate compliance with approved

Complete, date and sign an inspection report.

Initial and date a copy of the approved E&SC

report to indicate the completion of the

plan or complete, date and sign an inspection

report to indicate completion of the

construction phase.

corrective action.

ground cover specifications.

the E&SC measures are modified after initial

The following items pertaining to the E&SC plan shall be kept on site and available for

(a) Each E&SC measure has been installed Initial and date each E&SC measure on a copy

and does not significantly deviate from the of the approved E&SC plan or complete, date

| locations, dimensions and relative elevations | and sign an inspection report that lists each

(b) A phase of grading has been completed. Initial and date a copy of the approved E&SC

inspection at all times during normal business hours.

SECTION B: RECORDKEEPING

1. E&SC Plan Documentation

Item to Document

shown on the approved E&SC plan.

(c) Ground cover is located and installed

in accordance with the approved E&SC

record the required observations on the Inspection Record Form provided by the Division or a similar inspection form that includes all the required elements. Use of

electronically-available records in lieu of the required paper copies will be allowed if shown to provide equal access and utility as the hard-copy records. 3. Documentation to be Retained for Three Years All data used to complete the e-NOI and all inspection records shall be maintained for a period

of three years after project completion and made available upon request. [40 CFR 122.41]

## PART II, SECTION G, ITEM (4) DRAW DOWN OF SEDIMENT BASINS FOR MAINTENANCE OR CLOSE OUT

Sediment basins and traps that receive runoff from drainage areas of one acre or more shall use outlet structures that withdraw water from the surface when these devices need to be drawn down for maintenance or close out unless this is infeasible. The circumstances in which it is not feasible to withdraw water from the surface shall be rare (for example, times with extended cold weather). Non-surface withdrawals from sediment basins shall be allowed only when all of the following criteria have been met:

- (a) The E&SC plan authority has been provided with documentation of the non-surface withdrawal and the specific time periods or conditions in which it will occur. The non-surface withdrawal shall not commence until the E&SC plan authority has approved these items, (b) The non-surface withdrawal has been reported as an anticipated bypass in accordance with Part III, Section C, Item (2)(c) and (d) of this permit,
- (c) Dewatering discharges are treated with controls to minimize discharges of pollutants from stormwater that is removed from the sediment basin. Examples of appropriate controls include properly sited, designed and maintained dewatering tanks, weir tanks, and filtration systems,
- (d) Vegetated, upland areas of the sites or a properly designed stone pad is used to the extent feasible at the outlet of the dewatering treatment devices described in Item (c) above, (e) Velocity dissipation devices such as check dams, sediment traps, and riprap are provided at the discharge points of all dewatering devices, and

## (f) Sediment removed from the dewatering treatment devices described in Item (c) above is disposed of in a manner that does not cause deposition of sediment into waters of the United States.

## SELF-INSPECTION, RECORDKEEPING AND REPORTING

### **SECTION C: REPORTING** 1. Occurrences that Must be Reported

Permittees shall report the following occurrences: (a) Visible sediment deposition in a stream or wetland.

- (b) Oil spills if:
- They are 25 gallons or more, They are less than 25 gallons but cannot be cleaned up within 24 hours,

They are within 100 feet of surface waters (regardless of volume).

- They cause sheen on surface waters (regardless of volume), or
- ) Releases of hazardous substances in excess of reportable quantities under Section 311 of the Clean Water Act (Ref: 40 CFR 110.3 and 40 CFR 117.3) or Section 102 of CERCLA (Ref: 40 CFR 302.4) or G.S. 143-215.85.
- (d) Anticipated bypasses and unanticipated bypasses.
- e) Noncompliance with the conditions of this permit that may endanger health or the

## Reporting Timeframes and Other Requirements

After a permittee becomes aware of an occurrence that must be reported, he shall contact the appropriate Division regional office within the timeframes and in accordance with the other requirements listed below. Occurrences outside normal business hours may also be reported to the Department's Environmental Emergency Center personnel at (800)

Reporting Timeframes (After Discovery) and Other Requirements (a) Visible sediment • Within 24 hours, an oral or electronic notification. deposition in a • Within 7 calendar days, a report that contains a description of the sediment and actions taken to address the cause of the deposition.

858-0368.

Division staff may waive the requirement for a written report on a case-by-case basis. If the stream is named on the NC 303(d) list as impaired for sedimentrelated causes, the permittee may be required to perform additiona monitoring, inspections or apply more stringent practices if staff determine that additional requirements are needed to assure compliance

with the federal or state impaired-waters conditions. (b) Oil spills and Within 24 hours, an oral or electronic notification. The notification shall include information about the date, time, nature, volume and location of the spill or release. substances per Item 1(b)-(c) above

A report at least ten days before the date of the bypass, if possible. (c) Anticipated bypasses [40 CFR The report shall include an evaluation of the anticipated quality and 22.41(m)(3)]

(d) Unanticipated Within 24 hours, an oral or electronic notification bypasses [40 CFR Within 7 calendar days, a report that includes an evaluation of the 122.41(m)(3)] quality and effect of the bypass. (e) Noncompliance Within 24 hours, an oral or electronic notification with the conditions

Within 7 calendar days, a report that contains a description of the of this permit that noncompliance, and its causes; the period of noncompliance, may endanger including exact dates and times, and if the noncompliance has not health or the been corrected, the anticipated time noncompliance is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. [40 CFR 122.41(I)(6). Division staff may waive the requirement for a written report on a case-by-case basis.

> NORTH CAROLINA **S** Environmental Quality

## NCG01 SELF-INSPECTION, RECORDKEEPING AND REPORTING

MULCH - 2 TONS/ACRE (SMALL GRAIN STRAW) ANCHOR - ASPHALT EMULSION AT 450 GAL/ACRE

## **EFFECTIVE:** 04/01/19

## **CONSTRUCTION SEQUENCING**

- 1. INSTALL EROSION CONTROL DEVICES AT SITE DISCHARGE POINTS AND ALL SILT FENCE TO PREVENT OFF
- 3. INSTALL THE REMAINING SEDIMENT AND EROSION CONTROL PROTECTION.
- 4. INSTALL THE ASPHALT FOR THE PROPOSED PARKING & DRIVEWAYS.
- 6. MONITOR AND MAINTAIN THE INSTALLED EROSION CONTROL MEASURES AND REPAIR AS NECESSARY.

— STANDARD METAL POSTS

GALVANIZED HARDWARE

WIRE EXTENDS TO THE TOP OF THE BOX

2'-0" IN GROUND

- SITE SEDIMENTATION.
- 2. PERFORM CLEARING DEMOLITION WORK.
- 5. PROVIDE GROUNDCOVER IN ACCORDANCE WITH DETAIL MARKED 'EROSION CONTROL MEASURES', THIS
- 7. REMOVE ANY REMAINING CONTROL DEVICES.

## PERMANENT SEEDING SCHEDULE FOR COASTAL PLAIN

DATE	TYPE	BROADCAST SEEDING RATES
OCT 1 - APR 1	SERICEA LESPEDEZA	15 LBS/ACRE
AUG 30 - MAR 15	KY 31 TALL FESCUE	200-250 LBS/ACRE
AUG 15 - APR 15	RYE GRAIN	40 LBS/ACRE
APR 15 - AUG 15	GERMAN MILLET	10 LBS/ACRE

## **TEMPORARY SEEDING SCHEDULE**

DATE	TYPE	PLANTING RATES
DEC 1 - APR 15	ANNUAL LESPEDEZA (KOBE IN PIEDMONT AND COASTAL PLAIN)	50 LBS/ACRE
APR 15 - AUG 15 (COASTAL PLAIN)	GERMAN MILLET	40 LBS/ACRE
AUG 15 - DEC 30 (COASTAL PLAIN)	RYE	120 LBS/ACRE

## THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE REQUIREMENTS OF THE EROSION AND SEDIMENT CONTROL STANDARDS AND SPECIFICATIONS OF THE DEPARTMENT OF ENVIRONMENTAL AND NATURAL RESOURCES. SOIL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE PROVIDED ON ALL AREAS OF THE SITE WHICH ALL

## PROVIDE A GROUNDCOVER (TEMPORARY OR PERMANENT) ON EXPOSED SLOPES WITHIN 14 CALENDAR DAYS FROM THE LAST LAND-DISTURBING ACTIVITY FOR SLOPES 3:1 OR FLATTER AND LESS THAN 50' IN LENGTH, FOR SLOPES 4:1 OR FLATTER OF ANY LENGTH (EXCEPT FOR PERIMETERS AND HQW ZONES), AND SLOPES NO STEEPER THAN 2:1 AND LESS

PROVIDE GROUNDCOVER (TEMPORARY OR PERMANENT) ON EXPOSED SLOPES WITHIN 7 CALENDAR DAYS FOR SLOPES STEEPER THAN 3:1 OR SLOPES 3:1 OR FLATTER GREATER THAN 50' IN LENGTH, FOR HIGH QUALITY WATER (HWQ) ZONES, AND PERIMETER DIKES, SWALES, DITCHES AND SLOPES PROVIDE GROUNDCOVER (TEMPORARY OR PERMANENT) ON ALL EXPOSED SLOPES WITH IN 21 CALENDAR DAYS

FOLLOWING COMPLETION OF ANY PHASE OF GRADING; AND, A PERMANENT GROUNDCOVER FOR ALL DISTURBED

AREAS WITHIN 15 WORKING DAYS OR 90 CALENDAR DAYS (WHICHEVER IS SHORTER) FOLLOWING COMPLETION OF

CONSTRUCTION OR DEVELOPMENT. THE CONTROL MEASURES SHALL BEGIN PRIOR TO ANY LAND DISTURBING ACTIVITY INCLUDING CLEARING; SHALL CONTINUE DURING CONSTRUCTION AND SHALL CONTINUE WITH THE NECESSARY MAINTENANCE UNTIL THE DISTURBED LAND IS STABILIZED. COMPLIANCE WITH LOCAL AND/OR STATE SOIL EROSION AND SEDIMENTATION CONTROL LAWS SHALL BE THE ENTIRE RESPONSIBILITY OF THE CONTRACTOR. THIS PARAGRAPH IS INTENDED TO SERVE ONLY AS A GUIDE TO THE CONTRACTOR FOR COMPLIANCE WITH SUCH LAWS. ORDERS, RULES AND REGULATIONS CONCERNING EROSION AND SEDIMENTATION CONTROL PROTECTION OF EXISTING STRUCTURES AND FACILITIES FROM

SEDIMENTATION SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. ITEMS TO BE PROTECTED SHALL INCLUDE, BUT

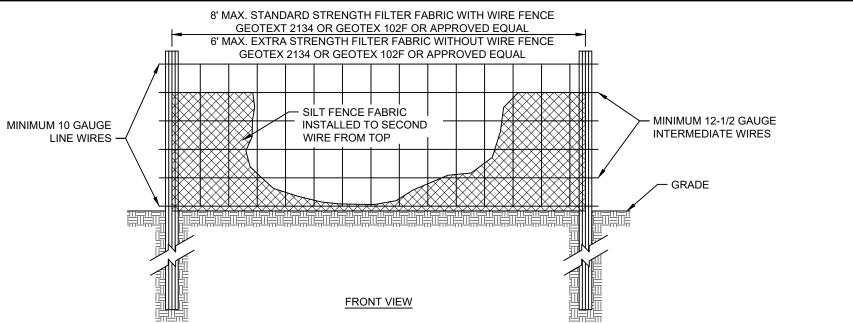
ARE NOT LIMITED TO, CATCH BASINS, NATURAL WATERWAYS, DRAINAGE DITCHES, WALKS, DRIVES, ROADS, LAWNS,

## **SEEDBED PREPARATION**

- CONSTRUCTION SPECIFICATIONS 1. PREPARE SOIL AS NECESSARY TO ESTABLISH AN ADEQUATE SEEDBED FOR RECEIVING SEED USING
- TILLAGE AND/OR REMOVAL OF DEBRIS (ROCKS, ROOTS, OBSTRUCTIONS). CHISEL COMPACTED AREAS AND SPREAD TOPSOIL 3 INCHES DEEP OVER ADVERSE SOIL CONDITIONS, IF AVAILABLE SOIL SHALL RECEIVE LIME, FERTILIZER AND/OR SUPERPHOSPHATE UNIFORMLY AS NEEDED PER
- RECOMMENDATIONS FROM NORTH CAROLINA DEPARTMENT OF AGRICULTURE OR OTHER COMMERCIAL LABORATORY.
- 3. SEED ON A FRESHLY PREPARED SEEDBED AND ENSURE SEED IS LIGHTLY COVERED FOLLOWING
- INSTALLATION. 4. MULCH IMMEDIATELY AFTER SEEDING.
- 5. CONTRACTOR SHALL SEED ALL AREAS THAT ARE DISTURBED WITHIN TWO DAYS. INSPECT ALL SEEDED AREAS AND MAKE SURE NECESSARY REPAIRS OR RESEEDINGS WITHIN THE PLANTING SEASON. IF POSSIBLE. AFTER ALL CONSTRUCTION ACTIVITIES ARE COMPLETE, AN INSPECTION WILL BE COMPLETED TO DETERMINE IF ADDITIONAL SEEDING WILL BE REQUIRED.

## FERTILIZER, LIME, AND MULCH SHALL BE APPLIED AT RATES RECOMMENDED BY NCDA (OR OTHERS). OTHERWISE, APPLY AS DESCRIBED BELOW.

AGRICULTURAL LIMESTONE - 1-1.5 TONS/ACRE ON COURSE TEXTURED SOILS AND 2-3 TONS/ACRE IN FINE-TEXTURED SOILS. SOILS WITH PH OF 6 OR HIGHER NEED NOT BE LIMED. FERTILIZER - 700/1000 LBS/ACRE (10-10-10)



- STEEL POST WOVEN WIRE FABRIC — SILT FENCE FABRIC (32" MIN. WIDTH) — FILL SLOPE - 8" MINIMUM COVER **OVER SKIRT\*** - 8" DOWN AND 4" FORWARD ALONG TRENCH

## USE SYNTHETIC FILTER FABRIC OF AT LEAST 95% BY WEIGHT OF POLYOLEFINS OR POLYESTER, WHICH IS CERTIFIED BY

- THE MANUFACTURER OR SUPPLIER AS CONFORMING TO THE REQUIREMENTS IN ASTM D 6461.
- 2 SYNTHETIC FILTER FABRIC SHOULD CONTAIN ULTRAVIOLET RAY INHIBITORS AND STABILIZERS TO PROVIDE A MINIMUM OF 6 MONTHS OF EXPECTED USABLE CONSTRUCTION LIFE AT A TEMPERATURE RANGE OF 0-120 DEGREES F. 3. ENSURE THAT POSTS FOR SEDIMENT FENCES ARE 1.33 LB/LF STEEL WITH A MINIMUM LENGTH OF 5'. MAKE SURE THAT
- 4. FOR REINFORCEMENT OF STANDARD STRENGTH FILTER FABRIC, USE WIRE FENCE WITH A MINIMUM 14 GAUGE AND A MAXIMUM MESH SPACING OF 6 INCHES.

STEEL POSTS HAVE PROJECTIONS TO FACILITATE FASTENING THE FABRIC.

## INSPECT SEDIMENT FENCES AT LEAST ONCE A WEEK AND AFTER EACH RAINFALL. MAKE ANY REQUIRED REPAIRS IMMEDIATELY

. SHOULD THE FABRIC OF A SEDIMENT FENCE COLLAPSE, TEAR, DECOMPOSE, OR BECOME INEFFECTIVE, REPLACE IT

3. REMOVE SEDIMENT DEPOSITS AS NECESSARY TO PROVIDE ADEQUATE STORAGE VOLUME FOR THE NEXT RAIN AND

TO REDUCE PRESSURE ON THE FENCE. TAKE CARE TO AVOID UNDERMINING THE FENCE DURING CLEANOUT. 4. REMOVE ALL FENCING MATERIALS AND UNSTABLE SEDIMENT DEPOSITS AND BRING THE AREA TO GRADE AND

STABILIZE IT AFTER THE CONTRIBUTING DRAINAGE AREA HAS BEEN PROPERLY STABILIZED.

GENERAL NOTE Prior to construction start. Contractor shall verify & be responsible

2022-09-21 UPDATES PER ARCHITE 2 2022-10-31 ADDENDUM #3 PER B0

9/14/22 52044.00

**EROSION CONTROL** 

## - #57 WASHED STONE PLACED TO A HEIGHT OF 16" MINIMUM ABOVE THE TOP OF BOX INSPECT INLETS AT LEAST WEEKLY AND AFTER EACH SIGNIFICANT (1/2 INCH OR GREATER) RAINFALL EVENT CLEAR THE MESH WIRE OF ANY DEBRIS OR OTHER OBJECTS TO PROVIDE ADEQUATE FLOW FOR SUBSEQUENT RAINS. TAKE CARE NOT TO DAMAGE OR UNDERCUT THE WIRE MESH DURING SEDIMENT REMOVAL. REPLACE **INLET PROTECTION**

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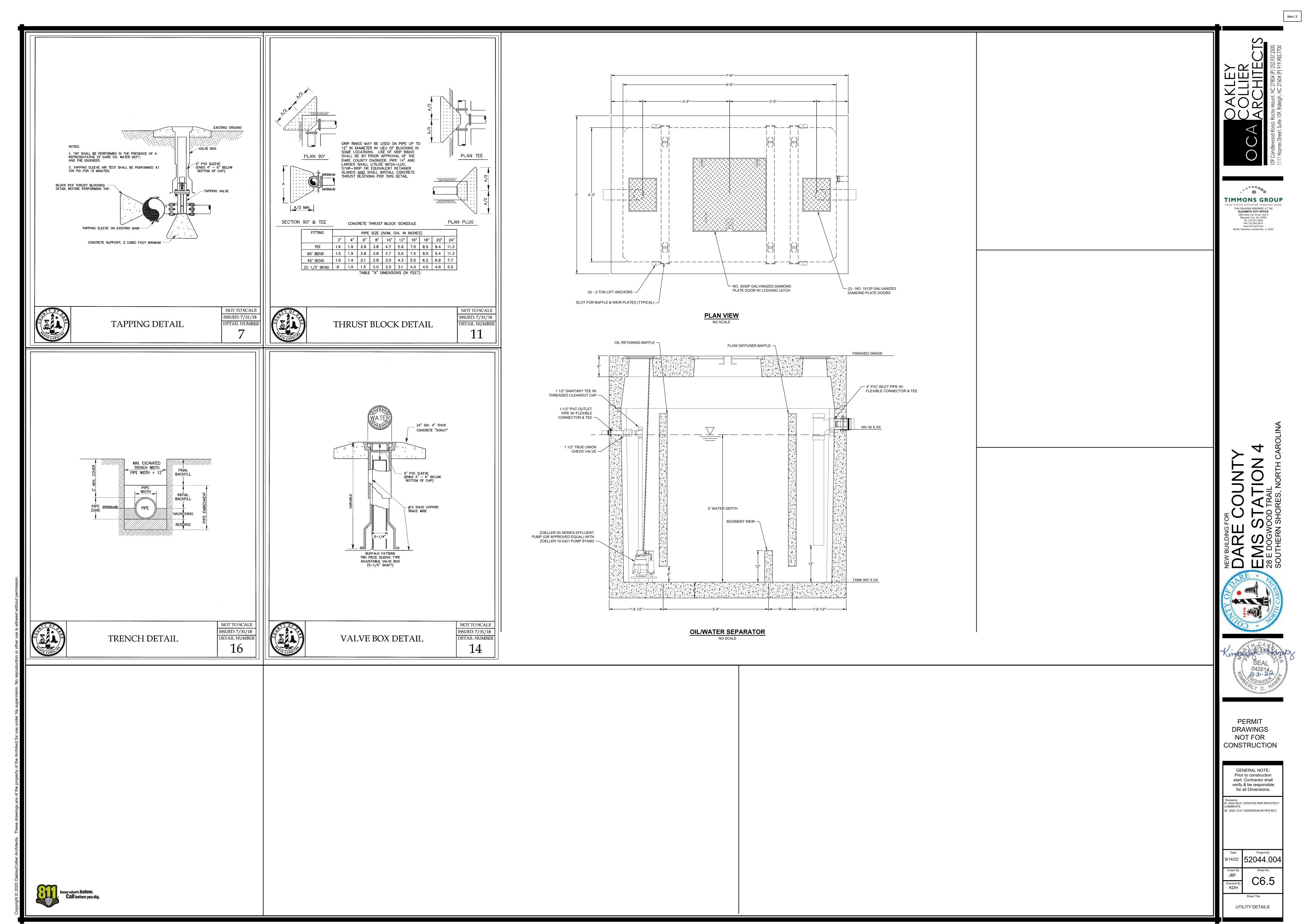


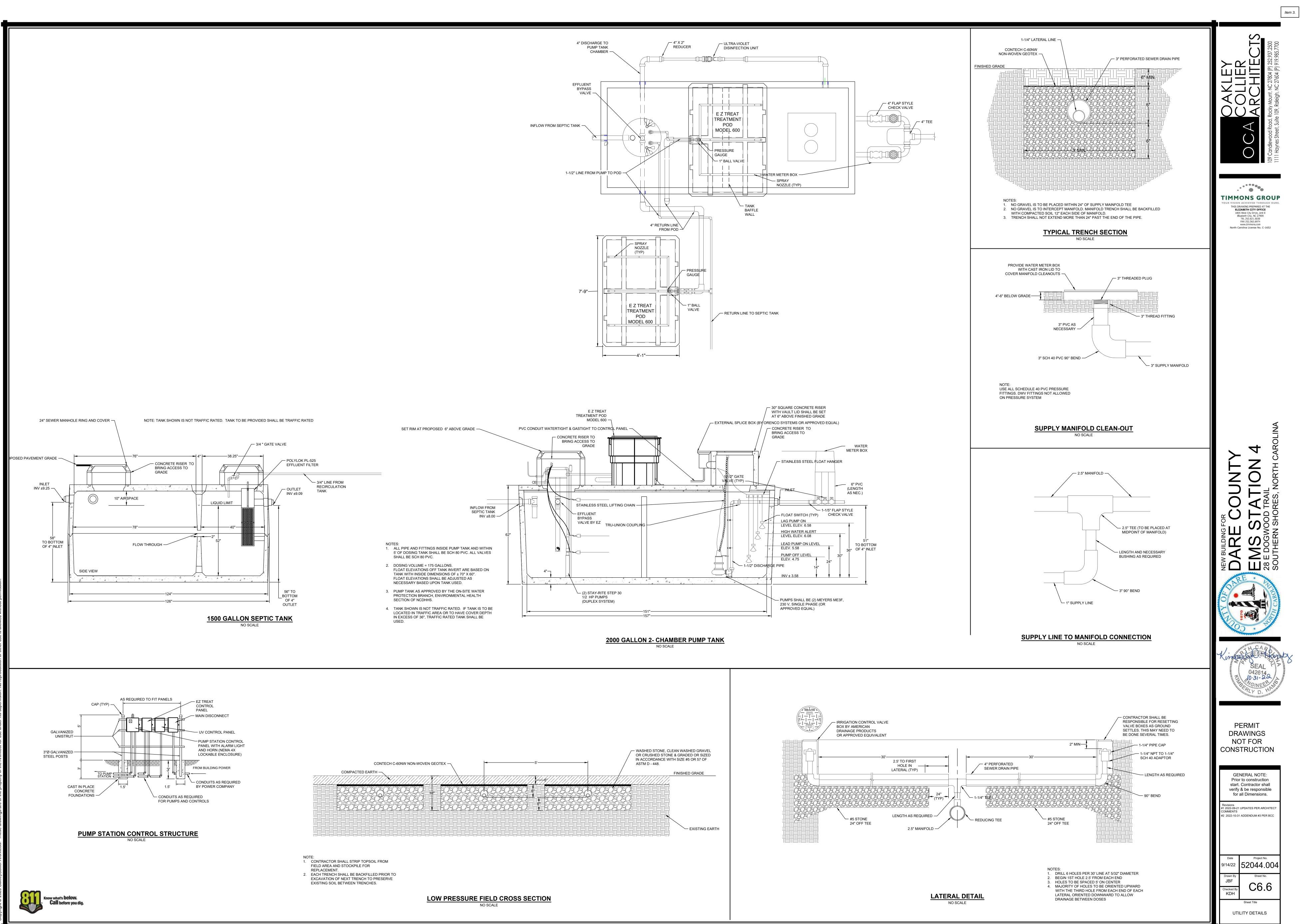


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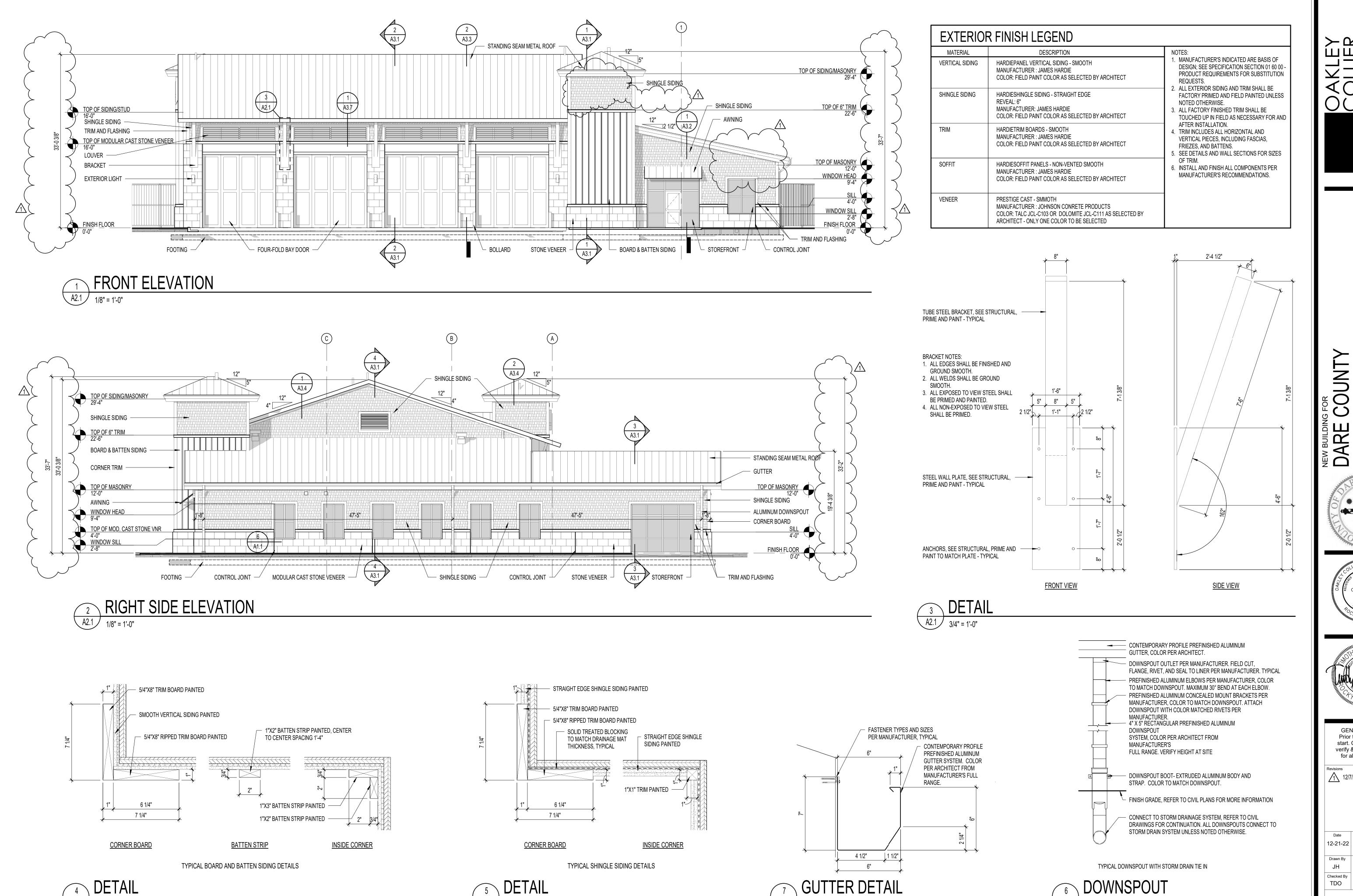








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COLLIER
ARCHITECT

109 Candlewood Road, Rocky Mount, NC 27804 (P) 252.937.2501

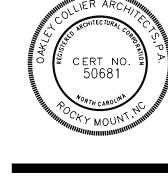
1111 Haynes Street, Suite 109, Raleigh, NC 27604 (P) 919.985.7700

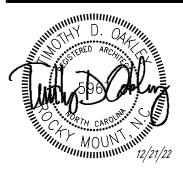
ARE COUNTY

MS STATION 4

E DOGWOOD TRAIL

OZET OZET





GENERAL NOTE:
Prior to construction
start. Contractor shall
verify & be responsible
for all Dimensions.

Revisions
12/7/22 - TOWN REVIEW

71 12/1/22 - TOWN NEVIEW

Date Project No.
12-21-22 21032

Drawn By Sheet No.

Drawn By

JH

Checked By
TDO

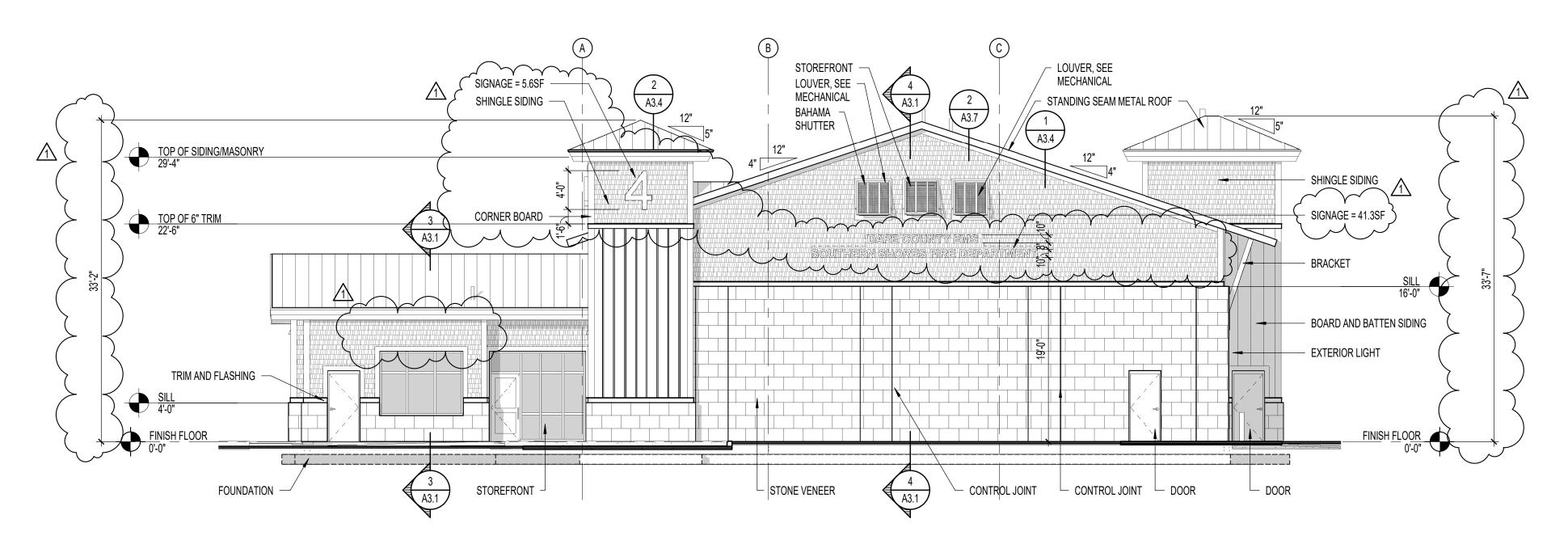
Sheet No.

Sheet Title
EXTERIOR ELEVATIONS

A2.1 3/4" = 1'-0"

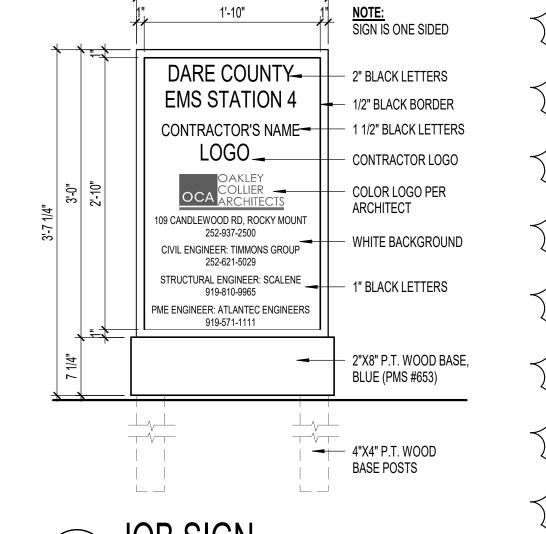
00

# REAR ELEVATION A2.2 1/8" = 1'-0"



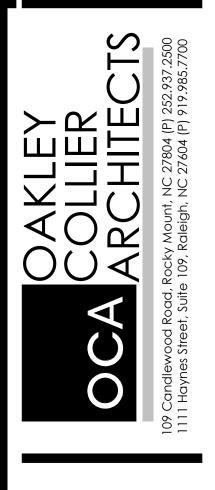
LEFT SIDE ELEVATION

1/8" = 1'-0"

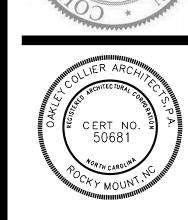


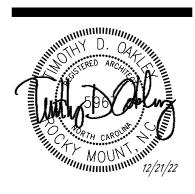
3 JOB SIGN A2.2 1" = 1'-0"

FACING STREET	ELEVATION	CONTENT	AREA (SF)
NC-12 (DUCK RD)	LEFT SIDE	DARE COUNTY EMS SOUTHERN SHORES FIRE DEPARTMENT	41.3 SF
		4	5.6 SF
	TOTAL		46.9 SF



DARE COUNTY
EMS STATION 4
28 E DOGWOOD TRAIL
SOUTHERN SHORES, NC 27949





GENERAL NOTE: Prior to construction start. Contractor shall verify & be responsible for all Dimensions.
Revisions 12/7/22 - TOWN REVIEW

Date	Project No.

12-21-22	21032
Drawn By	Sheet No.
JH	400
Checked By	AZ.Z
TDO	

EXTERIOR ELEVATIONS



## AGENDA ITEM SUMMARY FORM

MEETING DATE: January 3, 2023

**ITEM TITLE:** TCA-22-04

### **ITEM SUMMARY:**

In 2019, the N.C. General Assembly enacted North Carolina General Statutes Chapter 160D, Local Planning and Development Regulation, which consolidated and clarified former Chapters 160A and 153A that addressed development regulations for Municipalities and Counties. The Chapter became effective January 1, 2021 with the requirement that all Municipalities and Counties update their ordinances to be compliant with it by July 1, 2021. Due to the Town Code Update project, Town Staff chose to postpone amending the Town Code to be compliant with Chapter 160D until the amendments from the Town Code Update project were complete.

As a result of that postponement, and in an effort to bring the Town Code into compliance with Chapter 160D without making numerous amendments, the Town Council adopted Town Code Amendment TCA-21-05 on July 6, 2021 that clarified that the North Carolina General Statutes (in particular Chapter 160D) must be satisfied whenever the Town Code conflicts with, contradicts or is otherwise inconsistent with the North Carolina General Statutes. The next proposed amendment required under Chapter 160D is a Town Code Amendment (TCA) that incorporates conflicts of interest requirements from 160D into the Town Code.

### STAFF RECOMMENDATION:

Town Staff recommends approval of the application to the Town Council recommended approval of the application at the December 19, 2022 Planning Board meeting.

### **REQUESTED ACTION:**

Motion to approve TCA-22-04.

## STAFF REPORT

**To:** Southern Shores Town Council

**Date:** January 3, 2023 **Case:** TCA-22-04

**Prepared By:** Wes Haskett, Deputy Town Manager/Planning Director

## **GENERAL INFORMATION**

**Applicant:** Town of Southern Shores

**Requested Action:** Amendment of the Town Code by adding Section 1-13.

## **ANALYSIS**

In 2019, the N.C. General Assembly enacted North Carolina General Statutes Chapter 160D, Local Planning and Development Regulation, which consolidated and clarified former Chapters 160A and 153A that addressed development regulations for Municipalities and Counties. The Chapter became effective January 1, 2021 with the requirement that all Municipalities and Counties update their ordinances to be compliant with it by July 1, 2021. Due to the Town Code Update project, Town Staff chose to postpone amending the Town Code to be compliant with Chapter 160D until the amendments from the Town Code Update project were complete.

As a result of that postponement, and in an effort to bring the Town Code into compliance with Chapter 160D without making numerous amendments, the Town Council adopted Town Code Amendment TCA-21-05 on July 6, 2021 that clarified that the North Carolina General Statutes (in particular Chapter 160D) must be satisfied whenever the Town Code conflicts with, contradicts or is otherwise inconsistent with the North Carolina General Statutes. The next proposed amendment required under Chapter 160D is a Town Code Amendment (TCA) that incorporates conflicts of interest requirements from 160D into the Town Code.

### RECOMMENDATION

Town Staff recommends approval of the application to the Town Council recommended approval of the application at the December 19, 2022 Planning Board meeting.



## **Town of Southern Shores**

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## www.southernshores-nc.gov

TCA-22-04 11-29-22 Ordinance 2022-XX-XX

## AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE TOWN OF SOUTHERN SHORES, NORTH CAROLINA

## ARTICLE I. Purpose(s) and Authority.

**WHEREAS**, pursuant to N.C.G.S. Chap. 160A, the Town has duly codified the Town's Code of Ordinances (the "Town Code"); and

**WHEREAS**, the North Carolina General Assembly adopted 2019 N.C. Sess. Law 111 to clarify and change the land-use regulatory laws of the State, including the recodification of many existing land-use regulatory laws in a newly created N.C.G.S. Chap. 160D pursuant to 2019 N.C. Sess. Law 111, Part II; and

**WHEREAS**, the Town desires to amend its Town Code to conform to N.C.G.S. Chap. 160D as provided in this ordinance amendment; and

**WHEREAS**, the Town further finds that in accordance with the findings above it is in the interest of and not contrary to the public's health, safety, and general welfare for the Town to amend the Town Code as stated below.

## **ARTICLE II. Construction.**

For purposes of this ordinance amendment, underlined words (<u>underline</u>) shall be considered as additions to existing Town Code language and strikethrough words (<u>strikethrough</u>) shall be considered deletions to existing language. Any portions of the adopted Town Code which are not repeated herein, but are instead replaced by an ellipses ("...") shall remain as they currently exist within the Town Code.

## **ARTICLE III. Amendment of Zoning Ordinance.**

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Southern Shores, North Carolina, that the Town Code shall be amended as follows:

**PART I.** That **Sec. 1-13. Conflicts of interest.** Be amended as follows:

## Sec. 1-13. Conflicts of interest.

Sec. 1-13. Conflicts of interest

<u>(a)</u>	<u>Town council</u> . A town council member shall not vote on any legislative decision
	regarding a development regulation adopted pursuant to this Town Code where
	the outcome of the matter being considered is reasonably likely to have a direct,
	substantial, and readily identifiable financial impact on the member. A town
	council member shall not vote on any zoning amendment if the landowner of the
	property subject to a rezoning petition or the applicant for a text amendment is a
	person with whom the member has a close familial, business, or other
	associational relationship.

(b) Appointed boards. Members of appointed boards shall not vote on any advisory or legislative decision regarding a development regulation adopted pursuant to this Town Code where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. An appointed board member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship.

(c) Administrative staff. No staff member shall make a final decision on an administrative decision required by this Town Code if the outcome of that decision would have a direct, substantial, and readily identifiable financial impact on the staff member or if the applicant or other person subject to that decision is a person with whom the staff member has a close familial, business, or other associational relationship. If a staff member has a conflict of interest under this section, the decision shall be assigned to the supervisor of the staff person or such other staff person as may be designated by the development regulation or other ordinance.

1. No staff member shall be financially interested or employed by a business that is financially interested in a development subject to regulation under this Town Code unless the staff member is the owner of the land or building involved. No staff member or other individual or an employee of a company contracting with the town to provide staff support shall engage in any work that is inconsistent with his or her duties or with the interest of the town, as determined by the town.

(d) Quasi-judicial decisions. A member of any board exercising quasi-judicial functions pursuant to this Town Code shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.

1	(e) Resolution of objection. If an objection is raised to a board member's participation
2	at or prior to the hearing or vote on a particular matter and that member does not
3	recuse himself or herself, the remaining members of the board shall by majority
4	vote rule on the objection.
5	
6	(f) Familial relationship. For purposes of this section, a "close familial relationship"
7	means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term
8	includes the step, half, and in-law relationships.
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10	ARTICLE IV. Severability.
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12	All Town ordinances or parts of ordinances in conflict with this ordinance amendment are
13	hereby repealed. Should a court of competent jurisdiction declare this ordinance
14	amendment or any part thereof to be invalid, such decision shall not affect the remaining
15	provisions of this ordinance amendment nor the Zoning Ordinance or Town Code of the
16	Town of Southern Shores, North Carolina which shall remain in full force and effect.
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18	ARTICLE V. Effective Date.
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20	This ordinance amendment shall be in full force and effect from and after theday of
	, 2023.
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24	Elizabeth Morey, Mayor
25	ATTEST:
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28	Town Clerk
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31	APPROVED AS TO FORM:
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34	Town Attorney
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36	Date adopted:
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89	Motion to adopt by Councilmember:
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1	Motion seconded by Councilmember:
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-3	Vote: AYES NAYS
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# 2023-2024 Biennium Legislative Goals | Designate Your Municipality's Voting Delegate

The League's member-driven legislative goals development process coincides with the start of each new legislative biennium. During even-numbered years, members come together to submit their legislative goals and priorities. Over the last few months, the Legislative Policy Committee considered these ideas, then presented its recommendations to the Board of Directors at their December meeting. The Board refined the position further before sending them to the full League membership for a final vote. After the final voting period closes, cities and towns will have a focused advocacy agenda to pursue at the state and federal levels.

**Designation of the Voting Delegate:** Each Voting Delegate shall cast the single vote of the municipality for the Legislative Goals and Core Municipal Principles.

Deadline to Designate Voing Delegate: Thursday, January 12, 2023

Membership Voting Period: Thursday, December 15, 2022 - Friday, January 13, 2023

If you have questions, contact Derrick Applewhite | dapplewhite@nclm.org | 919-715-1229

## **VOTING DELEGATE INFORMATION**

Name *			
Title	First	Last	***************************************
Municipality *		3	
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Item 5.

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		,	
referred Address *			
Address Line 1			,
City	North Carolina	~	Zip Code
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