

WARD

State of North Carolina  
Department of Environment  
and Natural Resources  
Division of Water Quality



James B. Hunt, Jr., Governor  
Wayne McDevitt, Secretary  
A. Preston Howard, Jr., P.E., Director

DIVISION OF WATER QUALITY  
May 11, 1998

Weyerhaeuser Real Estate Co.  
Attn: Mr. J. Edwin Mitchell, Jr.  
119 Middle Street  
New Bern, NC 28560

Subject: Permit No. SW7971120  
Evans Mill Subdivision  
Low Density Stormwater Project  
Craven County

Dear Mr. Mitchell:

The Washington Regional Office received the completed Stormwater Application for the subject project on April 22, 1998. 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. SW7971120 dated May 11, 1998 to Weyerhaeuser Real Estate Co.

This permit shall be effective from the date of issuance until rescinded and shall be subject to the conditions and limitations as specified therein.

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, P.O. Drawer 27447, Raleigh, NC 27611-7447. Unless such demands are made this permit shall be final and binding.

Weyerhaeuser Real Estate Co.

May 11, 1998

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If you have any questions, or need additional information concerning this matter, please contact Bill Moore at (919) 946-6481, extension 264.

Sincerely,



for Roger K. Thorpe  
Water Quality Supervisor  
Washington Regional Office

cc: McKim & Creed Engineers  
Craven County Inspections  
Washington Regional Office  
Central Files

STATE OF NORTH CAROLINA  
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES  
DIVISION OF WATER QUALITY

STATE STORMWATER MANAGEMENT PERMIT

LOW 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

Weyerhaeuser Real Estate Co.

Craven County

FOR THE

construction, operation and maintenance of stormwater management systems in compliance with the provisions of 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 for grass swales to serve Evans Mill Subdivision located near New Bern, NC.

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. The following criteria are approved as meeting the stormwater rules for this project:
  - a. The total area for this project is 124.83 acres.
  - b. Total impervious area proposed for this project site is 30.04 acres.
  - c. Total number of lots is 67.
  - d. Allowable built-upon area must be consistent with proposed plans and restrictions submitted in the application by the permittee.

2. ~~The overall tract built-upon area percentage or lot sizes for the project must be maintained at levels at least as stringent as the low density levels specified in the stormwater rules.~~
3. The development must demonstrate that no areas within the project site are of such high density that stormwater runoff threatens water quality.
4. Approved plans and specifications for projects covered by this permit are incorporated by reference and are enforceable parts of the permit.
5. The only runoff conveyance systems allowed will be vegetated conveyances such as swales with minimum side slopes of 3:1 (H:V) or curb outlet systems as defined in the stormwater rules and approved by the Division.
6. No piping shall be allowed except:
  - a. That minimum amount necessary to direct runoff beneath an impervious surface such as a road
  - b. That minimum amount needed under driveways to provide access to lots.
7. Projects covered by this permit will maintain a minimum 30 foot wide vegetative buffer between all impervious areas and surface waters.
8. No homeowner/lot owner/developer shall be allowed to fill in, alter, or pipe any vegetative practices (such as swales) shown on the approved plans as part of the stormwater management system without submitting a revision to the permit and receiving approval from the Division.
9. Each of the lots in the subdivision will be limited to the amount of built-upon area indicated in the approved plans and consistent with item 1 above.
10. The permittee is responsible for verifying that the proposed home plans do not exceed the allowable built-upon area. Once the lot transfer is complete, the home plan may not be revised without approval from the permittee, and responsibility for meeting the built-upon area limit is transferred to the individual homeowner.
11. Deed restrictions are incorporated into this permit by reference and must be recorded with the Office of Register of Deeds. A copy of the recorded restrictions must be received by this Office within 30 days of the date of recording. Recorded deed restrictions must include, as a minimum, the following statements related to stormwater management:

- a. A statement of the allowable built-upon area per lot in the following form:  
"The allowable built-upon area per lot shall not exceed those numbers listed in attached exhibit A, inclusive of that portion of the right-of-way between the front lot line and the edge of the pavement, structures, pavement, walkways of brick, stone, slate, not including wood decking."
- b. Items related to stormwater management must remain in the deed restriction, and this is to be indicated by including the following:  
"The covenants pertaining to stormwater regulations may not be changed or deleted without concurrence of the State."
- c. To assure that vegetated conveyances are not piped (in accordance with item 5) deed restrictions must indicate that:  
"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."
12. The Engineer/Owner/Developer/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.
13. The following items will require a modification to the permit:
  - a. Any revision to the approved plans, regardless of size
  - b. Project name change
  - c. Transfer of ownership
  - d. Redesign or addition to the approved amount of built-upon area
  - e. Further subdivision of the project area.
  - f. In addition, the Director may determine that other revisions to the project should require a modification to the permit.
14. 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.

## II. SCHEDULE OF COMPLIANCE

1. The permittee shall comply with the following schedule for construction and maintenance of the Low Density Option stormwater systems:
  - a. 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 except roads.
  - b. During construction, erosion shall be kept to a minimum and any eroded areas of the swales or other vegetated conveyances will be repaired immediately.
2. 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 revegetating of the side slopes
  - d. Immediate repair of eroded areas
  - e. Maintenance of side slopes in accordance with approved plans and specifications.
3. The permittee shall submit recorded deed restrictions limiting built-upon area per lot in accordance with Part I, item 9, within 30 days of the date of recording.
4. The Permittee shall submit the Engineer/Owner/Designer/ Permittee Certification in accordance with Part I, item 12, within 30 days of completion of the project.
5. The permittee shall submit all information requested by the Director or his representative within the time frame specified in the written information request.

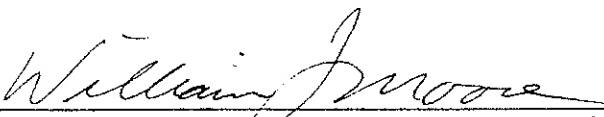
## III. GENERAL CONDITIONS

1. 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.
2. The permit issued shall continue in force and effect until revoked or terminated.
3. The permit may be modified, revoked and reissued or terminated for cause. The filing of a request for a permit modification, revocation and reissuance, or termination does not stay any permit condition.

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 Title 15A of the North Carolina Administrative Code, Subchapter 2H.1000; and North Carolina General Statute 143-215.1 et.al.
5. The permittee shall submit to the Director and shall have received approval for revised plans, specifications, and calculations prior to construction, for those revisions under any of the following conditions:
  - a. Any additions, deletions or redesign of the previously permitted amount of built-upon area proposed regardless of the size of the modification.
  - b. Further subdivision of the project area.
6. The permit is not transferable to any person except after notice to and approval by the Director. The Director may require modification or revocation and reissuance of the permit to change the name and incorporate such other requirements as may be necessary. A formal permit request must be submitted to the Division of Water Quality accompanied by the appropriate fee, documentation from both parties involved, and other supporting materials as may be appropriate. The approval of this request will be considered on its merits, and may or may not be approved.
7. 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.

Permit issued this the 11 th day of May, 1998.

**NORTH CAROLINA ENVIRONMENTAL MANAGEMENT COMMISSION**

  
for A. Preston Howard, Jr., P.E., Director  
Division of Water Quality  
By Authority of the Environmental Management Commission

Permit Number SW7971120

BUILT-UPON AREA  
EXHIBIT A  
EVANS MILLS SUBDIVISION

Lot #	Actual Lot	Proposed	
	Size (SF)	Built-Upon Area	% Impervious Area
1	143,116	30,000	21%
2	177,574	35,000	20%
3	58,859	15,000	25%
4	52,516	12,000	23%
5	31,475	9,000	29%
6	30,539	9,000	29%
7	145,983	30,000	21%
8	187,318	40,000	21%
9	67,354	15,000	22%
10	59,175	14,000	24%
11	269,676	40,000	15%
12	47,877	12,000	25%
13	40,921	10,000	24%
14	53,657	14,000	26%
15	57,536	14,000	24%
16	104,737	25,000	24%
17	79,991	20,000	25%
18	42,877	10,000	23%
19	38,212	10,000	26%
20	36,582	10,000	27%
21	41,569	10,000	24%
22	38,405	10,000	26%
23	38,405	10,000	26%
24	38,405	10,000	26%
25	38,410	10,000	26%
26	73,118	18,000	25%
27	59,690	15,000	25%
28	51,560	15,000	29%
29	35,582	10,000	28%
30	286,248	40,000	14%
31	103,633	30,000	29%
32	83,162	20,000	24%
33	50,094	12,000	24%
34	63,163	15,000	24%
35	77,044	20,000	26%
36	100,257	25,000	25%
37	113,011	25,000	22%
38	129,122	30,000	23%
39	133,658	35,000	26%
40	122,348	30,000	25%
41	52,555	12,000	23%
42	42,816	10,000	23%
43	45,713	12,000	26%
44	44,684	10,000	22%
45	44,684	10,000	22%



BUILT-UPON AREA  
EXHIBIT A  
EVANS MILLS SUBDIVISION

46	55,311	14,000	25%
47	55,738	14,000	25%
48	45,198	10,000	22%
49	45,196	10,000	22%
50	42,900	10,000	23%
51	49,244	12,000	24%
52	55,998	14,000	25%
53	44,200	10,000	23%
54	44,200	10,000	23%
55	46,792	12,000	26%
56	82,964	20,000	24%
57	46,201	12,000	26%
58	45,741	10,000	22%
59	45,281	10,000	22%
60	45,003	10,000	22%
61	46,756	12,000	26%
62	43,244	10,000	23%
63	42,000	10,000	24%
64	42,000	10,000	24%
65	57,166	14,000	24%
66	75,828	20,000	26%
67	92,136	25,000	27%
Common Area	178,988	45,000	25%
Total Lot SF	4,782,408	1,097,000	
Total Lot Ac.	109.789	25.18	23%
Total R/W Ac.	10.934	3.82	35%
Total Com. Ac.	4.109	1.03	
Total Ac.	124.832	30.04	24%
Total % Impervious			24%