THE ERWIN BOARD OF COMMISSIONERS JULY 2022 REGULAR WORKSHOP MONDAY, JULY 25, 2022 @ 6:00 P.M. ERWIN MUNICIPAL BUILDING BOARDROOM

AGENDA

1. MEETING CALLED TO ORDER

- A. Invocation
- B. Pledge of Allegiance

2. AGENDA ADJUSTMENTS /APPROVAL OF AGENDA

3. **CONSENT**

All items on Consent Agendas are considered routine, to be enacted on one motion without discussion. If a Board member or citizen request discussion of an item, the item will be removed from the Consent Agenda and considered under New Business.

A. SRO MOU Renewal (Page 2)

4. **OLD BUSINESS**

- A. Erwin Business Complex (Page 3)
- B. Community Building Sign (Page 5)
- C. Erwin Depot (Page 7)

5. **NEW BUSINESS**

- A. Budget Recap (Page 8)
- B. Rail Trail Agreement (Page 13)
- C. ZT-2022-004 (Page 22)
- D. Bryant Rd Subdivision Preliminary Plat (Page 42)

6. **ADJOURNMENT**

Re: Renewal of School Resource Officer Program Memorandum of Understanding

Per Article VII entitled "Amendments and Modifications; Additional Policies and Procedures" of the School Resource Officer Program Memorandum of Understanding dated October 1, 2018 ("MOU"), attached hereto, the Harnett County Board of Education and **Town of Erwin** mutually agree to renew the MOU on the same terms and conditions for a term of 12 months beginning July 1, 2022, and ending June 30, 2023.

SIGNATURES:	Mes
<u>し 30-32</u> DATE	6/30/22 DATE
•	
DATE	

Old Business Item 4A

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: July 25, 2022

Subject: Erwin Business Complex

We have some people that are involved with the Erwin Business Complex that will be attending this meeting to give an update on all of the work that has been completed. There was a notice sent out to all of the adjacent property owners on the intent to redevelop this brownfield property as well. They are here to discuss that plan as well. This notice has been placed at Town Hall since May 2022.

Attachment:

Summary of Notice of Intent to Redevelop a Brownfields Property

SUMMARY OF NOTICE OF INTENT TO REDEVELOP A BROWNFIELDS PROPERTY

Brownfields Property Name: Erwin Mill Brownfields Project Number: 22058-18-043

Note: This is a Ready for Reuse Brownfields Agreement. Therefore, the Name of the Prospective Developer is unknown at this time.

Pursuant to the North Carolina Brownfields Property Reuse Act (the "Act") authorized by North Carolina General Statutes (NCGS) § 130A-310.30 through 130A-310.40, and specifically pursuant to NCGS § 130A-310.34, INSERT PD NAME, as Prospective Developer, has filed with the North Carolina Department of Environmental Quality ("DEQ") a Notice of Intent to Redevelop a Brownfields Property ("Property") located at 200 N 13th Street, Erwin, Harnett County. The Brownfields Property, which is the former site of the Erwin Textile Mill, consists of 55.25 acres. Environmental contamination exists on the Brownfields Property in soil, groundwater, surface water, indoor air, soil gas, and sediment. [Name of PD] has committed itself to redevelop the Brownfields Property for no uses other than [name activity committed to consistent with BFA]. The Notice of Intent to Redevelop a Brownfields Property includes: (1) a proposed Brownfields Agreement between DEQ and [INSERT PD NAME], which in turn includes (a) a map showing the location of the Property, (b) a description of the contaminants involved and their concentrations in the media of the Property, (c) the above-stated description of the intended future use of the Brownfields Property, and (d) proposed investigation and remediation; and (2) a proposed Notice of Brownfields Property prepared in accordance with NCGS § 130A-310.35.

The full Notice of Intent to Redevelop a Brownfields Property may be reviewed online at the DEQ public record database, Laserfiche, by entering the project number 22058-18-043 into the search bar at the following web address:

https://edocs.deq.nc.gov/WasteManagement/Welcome.aspx?dbid=0&repo=WasteManagement

The "Act" requires a public comment period of at least 30 days. The first day of public comment is defined as the day after which all of the following public notice tasks have occurred: the date this Notice is: (1) published in a newspaper of general circulation serving the area in which the Brownfields Property is located; (2) conspicuously posted at the Brownfields Property; and (3) mailed or delivered to each owner of property contiguous to the Brownfields Property. Written public comments may be submitted to DEQ within 30 days after the public comment period begins. Written requests for a public meeting may be submitted to DEQ within 21 days after the public comment period begins. These periods will start no sooner than May 13, 2022, and will end no sooner than the later of: 1) 30 and 21 days, respectively, after that; or 2) 30 and 21 days, respectively, after completion of the latest of the three (3) above-referenced tasks, if such completion occurs later than the date stated herein. All public comments and public meeting requests should be addressed as follows:

Mr. Bruce Nicholson
Brownfields Program Manager
Division of Waste Management
NC Department of Environmental Quality
1646 Mail Service Center
Raleigh, North Carolina 27699-1646

Old Business Item 4B

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: July 25, 2022

Subject: Community Building Sign

I have an updated proposed sign for the outside of the Community Building. It will be placed against a brick wall and be illuminated.

Town of Erwin Community Center

- 36" x 72" single-faced wall sign
- All aluminum cabinet
- Painted black with high gloss, car-grade paint (color TBD)
- LED illumination, UL certified
- White acrylic pan faces with 3M exterior high-performance vinyl copy (copy TBD)
- Photocell included

Price = \$1525 + tax

Install = \$400 + tax + permits

Brickwork and Footing

48" x 104" x 8" U-shaped monument with 16" wide columns

Price = \$3900 + tax

TOTAL ESTIMATED COSTS- \$6,000





ERWIN COMMUNITY BUILDING

261 v 791 Wall Cian w/ II Driak Manumant

Old Business Item 4C

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: July 25, 2022 Subject: Erwin Depot

We have reached out to the firm that designed the plans for the Depot. I am still waiting to hear back from them at the time of writing this memo. If we are going to move forward with replacing the roof on the depot we are going to need to replace a few rafters. We need to know what type of roof to request for bids. I know we have discussed keeping the building as original as possible. We have options to look into such as a metal, cedar shake, or asphalt shingles. We need some direction before we can get bids.

New Business Item 5A

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: July 25, 2022

Subject: Budget Discussion

I have put together a summary of the revenues and expenditures from the five previous fiscal years that have been audited and approved by both the State of North Carolina and by the Town of Erwin Board of Town Commissioners. I did not include data from the Fiscal Year 2021-2022 because the budget has not been finalized or audited yet. But our numbers are looking good as well for the most recent fiscal year. One thing to keep in mind is that it is important that we build up our fund balance. A number of years ago it got to a level that was not acceptable. We have worked very hard to cut spending and build up our fund balance.

To the best of my knowledge, the Town of Erwin has always supported any bank that was located inside our Town Limits. Hence why we have a number of different accounts. At the moment, we have accounts with Truist (BB&T and Suntrust merged together) and First Federal. We also have an account with North Carolina Capital Trust (cash management on your monthly reports). With the upcoming rise in interest rates, I feel like we should move some of our unrestricted funds to this account.

Budget Recap Previous Five Fiscal Years

General Fund

	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
REVENUES	\$3,106,354	\$3,270,671	\$3,633,653	\$4,033,686	\$3,748,463
EXPENDITURES	\$2,653,008	\$3,062,734	\$3,358,726	\$3,727,152	\$2,955,443
SURPLUS	\$453,346	\$207,937	\$274,927	\$306,534	\$793,020

This is an overview of the expenditures and revenues from the General Fund that were in the five previous fiscal years that have been audited and approved by both the Erwin Board of Town Commissioners and the State of North Carolina. We have done our best to limit expenditures these last few years. We have been able to build our fund balance back up over these last few years. It is important to have a healthy fund balance for any uncertain economic times.

- FY-2020-2021- If you recall we approached this Fiscal Year 2020-2021 with a conservative approach due to the unknown impact of COVID-19. This balance also includes COVID-19 SRF Funds of \$234,000 that were reported as a reimbursement for law enforcement salaries and benefits in response to COVID-19.
 - o \$230,624 higher than expected sales tax revenue as well.

All Funds

	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
REVENUES	\$3,711,105	\$3,653,065	\$3,996,582	\$5,297,862	\$5,091,878
EXPENDITURES	\$3,191,163	\$3,375,245	\$3,676,975	\$5,168,892	\$3,916,183
SURPLUS	\$519,942	\$277,820	\$319,607	\$128,970	\$1,175,695

This is an overview of the expenditures and revenues from all of our funds that were in the five previous fiscal years that have been audited and approved by both the Erwin Board of Town Commissioners and the State of North Carolina.

Unrestricted Funds

- Cash Management (Capital Trust)
- Truist Cash in Bank
- First Federal Money Market
- First Federal Money Market

Restricted Funds

- Truist State Forfeiture
- Truist Capital Reserve/Community Enhancement
- First Federal Capital Reserve
- Truist Health Reserves
- Priebe Fund Account
- Al Woodall PARTF Fund
- American Rescue Plan Fund
- * FY-2020-2021- If you recall we approached this Fiscal Year 2020-2021 with a conservative approach due to the unknown impact of COVID-19. This balance also includes COVID-19 SRF Funds of \$234,000 that were reported as a reimbursement for law enforcement salaries and benefits in response to COVID-19.
 - o \$230,624 higher than expected sales tax revenue as well.

Linda P. Williams

John Frye <jfrye@capitalmc.com> From: Sent:

Subject: ö

Linda P. Williams; Town Erwin Manager Monday, July 11, 2022 5:18 PM

New Account Applications

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.

Linda & Snow

additional accounts to track particular funds after the start of the fiscal year. To get that started, all I need is the name you would like to use for each account. We will I hope you both had an easy turn of the fiscal year and a nice Fourth of July. When we met a few weeks ago you all discussed possibly wanting to establish some then prefill the application for you based on your current account with us. It is an easy process and takes just a day to get started.

June 15th, 22 Our rates as we discussed are expected to rise significantly based on the information from the Federal Reserve I shared with you when we met. I think this would be a good move for you all and catching it at the front end would certainly be in your favor.

If I can answer any questions or help in any way, just let me know.

Take care,

John

John Frye, CPA, CPFO

Vice President

The North Carolina Capital Management Trust c/o Capital Management of the Carolinas, LLC 1520 South Boulevard, Suite 230

Charlotte, NC 28203

Phone: 800-222-3232 910-638-5197 704-332-4151 Cell:

jfrye@capitalmc.com

Mestricted Funds

Capital Aeserve / Community Enhancement 8 213, 240.54 Town of Grwin: Capital Reserve (1st Federal Bank) & 2,353,303,91 B 87

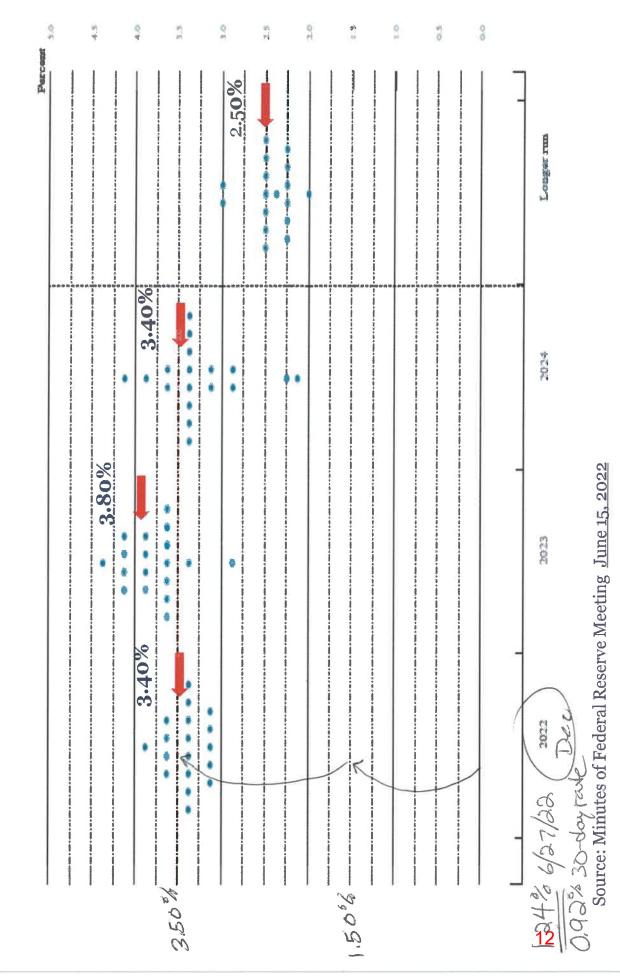
Town of Erwin: Al Woodall Park (1st Federal) \$ 388,175.66 G

General Funds:

lown of Emin (1st Federal: Prestige Business M. Market) 136,818.76
Sown of Emin (1st Federal: Fremium M.M. Business) 858,160.47

Federal Reserve "Dots" Chart

Estimate of Appropriate Level of Federal Funds Rate at End of Each Year



New Business Item 5B

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: July 25, 2022

Subject: Rail Trail Agreement FY 2022-2023

Harnett County has sent a proposed agreement to both the Town of Erwin and the City of Dunn in regards to the Dunn-Erwin Rail Trail. The Dunn-Erwin Rail Trail is a major asset to the Town of Erwin and Harnett County. When the trail was first developed there was never an official agreement approved in regards to maintenance (mowing, limb cutting, spraying weeds, etc..). There was an agreement that all three parties would contribute to the maintenance. This agreement would clear up the duties and responsibilities of all three parties. Erwin does have a higher costs share in the agreement with maintenance but we do have a lot more grass to be maintained on the trail compared to Dunn.

One item that I would like to point out to all of you is: Item III, Duties of Town, C: "Abide by any and all County ordinances, all applicable State laws, and any and all policies of Harnett County and Harnett County Parks and Recreation Department." A while back I presented proposed rules to the Town Board that were never approved. I feel like this language would make those rules official even though they were never approved by the Erwin Board of Town Commissioners.

Attachments:

Proposed Rail Trail agreement

HARNETT COUNTY

THIS AGREEMENT, entered into and with the effective date of the 1st day of July 2022 between the **Town of Erwin**, a municipality duly incorporated under laws of the State of North Carolina (hereinafter "Town"), the **City of Dunn**, a municipality duly incorporated under laws of the State of North Carolina (hereinafter "City"), and the **County of Harnett**, a body politic and corporate existing under the laws of the State of North Carolina (hereinafter "County");

WITNESSETH:

WHEREAS, the governing bodies of all of the parties to this agreement have found and determined that it is in the public interest and for the public benefit to jointly provide maintenance for the Dunn-Erwin Rail Trail (hereinafter "Facility"); and

WHEREAS, County owns and has authorized the Dunn-Erwin Rail Trail Authority (hereinafter "Authority"), established in 2003, to manage the Facility, a 5.3 mile rail trail connecting the City and Town; and

WHEREAS, the parties desire through this agreement to establish a working relationship whereby their respective financial and physical resources can be joined to provide a cohesive maintenance program for the Facility; and

WHEREAS, the Authority will attempt to contract with a professional landscaping company to provide Lawn Care Services for the Facility. The County, City, and Town mutually agree to share the maintenance tasks not included in the contracted service or tasks required should a Lawn Care Service not be in place; and

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements herein set forth, the parties contract and agree as follows:

I. DUTIES OF COUNTY

County agrees to:

- A. Maintain surrounding grounds. These facilities include:
 - 1. All turf areas, including mowing and trimming.
 - 2. Fences and Traffic Control; including bollards
 - 3. Signage
 - 4. Trail Surfacing; include repair and replacement
- B. Conduct routine inspections of the Facility.

- C. Maintain a service log of all Maintenance operations that sets forth the date of the maintenance activity, the location that was maintained, and the work that was performed.
- D. Provide funding to Authority for 50% of Lawn Care Service Contract, if applicable.

II. DUTIES OF THE CITY:

The City, in consideration of the above, agrees to the following:

- A. Removal and Disposal of litter and trash from provided containers in the City limits and extra-territorial jurisdiction.
- B. Pruning of all plant materials, which include trees and shrubs, and parts thereof, including all material encroaching from adjacent properties.
- C. Removal and disposal of all trimming, branches, and any other debris resulting from the activities described in II.B
- D. Abide by any and all County ordinances, all applicable State laws, and any and all policies of Harnett County and Harnett County Parks and Recreation Department.
- E. In performing the above listed duties, if the City should damage the Facility in any way, then any repair costs shall be the responsibility of the City's.
- F. Provide funding to Authority for 22% of Lawn Care Service Contract, if applicable.

III. DUTIES OF THE TOWN:

The Town, in consideration of the above, agrees to the following:

- A. Removal and Disposal of litter and trash from provided containers in the Town limits and extra-territorial jurisdiction.
- B. Application of herbicides along trail to prevent growth of grasses and weeds.
- C. Abide by any and all County ordinances, all applicable State laws, and any and all policies of Harnett County and Harnett County Parks and Recreation Department.
- D. In performing the above listed duties, if the Town should damage the Facility in any way, then any repair costs shall be the responsibility of the Town's.
- E. Provide funding to Authority for 28% of Lawn Care Service Contract, if applicable
- IV. COMPENSATION AND PAYMENT. All parties are in agreement to pay the Authority the percentages described in Sections I, II, and III for contracted Lawn Care Services of the Facility. Payments may be made by the parties to the Authority in either an annual

lump sum payment to be made by July 31st in the fiscal year in which services are to be provided, or in monthly payments to be made by the 5th day of the month in which service is to be provided. Should there be no contracted services the Town, City, and County shall resume the maintenance duties described in Sections I, II, and III with no payments to the Authority.

- V. LEGAL REPRESENTATION AND LIABILITY. Town, City, and County waive special, incidental, indirect, or consequential damages, including lost profits, good will, revenues or savings, for claims, disputes or other matters in question arising out of or relating to this Agreement. This limitation of liability will survive the expiration or termination of this Agreement.
- VI. TERM OF AGREEMENT, AMENDMENT, AND TERMINATIONS. The term of this Agreement shall commence on July 1, 2022 and shall run through June 30, 2023. This Agreement may be amended from time to time upon the mutual consent of Town, City, and County expressed in writing. Either party may terminate this Agreement for any reason upon thirty (30) days written notice to the other party. Termination shall not relieve Town, City, or County of financial obligations incurred prior to termination.
- VII. NO THIRD-PARTY BENFICIARY. Nothing contained in this Agreement shall create a contractual relationship with or cause of action in favor of a third party against any Party.
- VIII. SEVERANCE CLAUSE. In the event any provision of this Agreement is adjudged to be not enforceable or found invalid, such provision shall be stricken and the remaining provisions shall be valid and enforceable.
- **IX. ENTIRE AGREEMENT.** This Agreement represents the entire agreement between County, City, and Town and supersedes all prior negotiations, representations, or agreements, either written or oral. This Agreement may only be amended by written instrument signed by County, City, and Town.
- X. NOTICES. All notices or other communications which shall be made pursuant hereto shall be in writing and shall be deemed to be given and received (a) when hand delivered to the address stated below, (b) three (3) days after being mailed to the address stated below, postage prepaid by certified or registered mail of the United States, return receipt requested to the address set forth below:

TO: City of Dunn
401 E. Broad St.
Dunn, NC 28334
Attn: City Manager

TO: Town of Erwin
100 West F St. (physical)
PO Box 459 (mail)
Erwin, NC 28339
Attn: Town Manager

TO: County of Harnett
455 McKinney Parkway (physical)
PO Box 65 (mail)
Lillington, North Carolina 27546
Attn: County Manager

With Copy to:

County Staff Attorney 455 McKinney Parkway (physical) PO Box 238 (mailing) Lillington, North Carolina 27546

Either party to this Agreement may change its designated person or designated address at any time and from time to time by giving notice of such change to the other party in the manner set forth above.

XI. GOVERNING LAW AND ORDINANCES. This Agreement shall be governed by the laws of the State of North Carolina. The North Carolina State Courts located in Harnett County, North Carolina shall have jurisdiction to hear any dispute under this Agreement and legal or equitable proceedings by either party must be filed in Harnett County, North Carolina.

IN WITNESS WHEREOF, the parties hereto, through their duly authorized representatives or officers have executed this Agreement as to the date and year first above written.

(The remainder of this page left blank intentionally).

	COUNTY OF HARNETT		CITY OF DUNN
Ву:	Lewis W. Weatherspoon, Chairman	By:	William P. Elmore, Jr., Mayor
ATT	EST:		
	Melissa Capps, Clerk		Tammy Williams, Clerk
	TOWN OF ERWIN		
By:	Randy L. Baker, Mayor		
ATT	EST:		
	Lauren Evans, Clerk		
	tent has been pre-audited in the manner the Local Government Budget & Fiscal		
Jim Roberts,	Dunn Finance Director		
Linda Willia	ms, Erwin Finance Director		
Kimberly Ho	oneycutt, Harnett County CFO		

STATE OF NORTH CAROLINA

COUNTY OF HARNETT

I,, a Notary P	bublic, of the County	and State aforesaid, certify			
that Lewis W. Weatherspoon, who being by me du	I,, a Notary Public, of the County and State aforesaid, certif that Lewis W. Weatherspoon, who being by me duly sworn, says that he is Chairman of the Boar				
of Commissioners of Harnett County, and that Melissa Capps is Clerk of said Board, that the sea affixed to the foregoing and attested instrument is the seal of Harnett County, North Carolina, and					
					that said instrument was signed by him as Chairman of the Board of Commissioners of said Count
and by the Clerk of said Board, who affixed the official seal of Harnett County to said instrument					
and that the said Lewis W. Weatherspoon, C	Chairman of the E	Board of Commissioners,			
acknowledged said instrument to be the act and dec	ed of Harnett County	y, North Carolina.			
Witness my hand and Notarial Seal, this the	day of	, 2022.			
•					
	Notary Public				
	Notary Public Prin	nted Name			
My Commission Expires:					

NORTH CAROLINA

COUNTY OF HARNETT

I,, a Notary Public of the County and State aforesaid, c William P. Elmore, Jr. personally came before me this day and acknowledged that he is May the City of Dunn, a municipal corporation, and that by authority duly given and as the act corporation, the foregoing instrument was signed in its name by its Mayor, sealed with its corporation and attested by Tammy Williams as its City Clerk.		
day of	, 2022.	
Notary Public		
Notary Public Printe	d Name	
	nat by authority duly gin its name by its Mayor lerk. day of Notary Public	

NORTH CAROLINA

COUNTY OF HARNETT

of Erwin, a municipal corporation, and that by auth	, a Notary Public of the County and State aforesaid, certical composition, and that by authority duly given and as the act of the corporation in the instrument was signed in its name by its Mayor, sealed with its corporate seal and a seal and a seal and a seal of the corporate seal and a seal and		
Witness my hand and official stamp or seal, this _	day of, 2022.		
	Notary Public		
	Notary Public Printed Name		
My Commission Expires:			

New Business Item 5C

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: July 25, 2022 Subject: ZT-2022-004

The Town of Erwin has received an application to have a parcel rezoned from our Rural District to our R-10 Zoning District. The parcel that is requested to be rezoned is adjacent to a parcel that is zoned R-10. The applicant plans on requesting that the parcel be voluntarily annexed into Town Limits. If this rezoning request is approved it would open up the option for the applicant to request a special use permit for a planned unit development.

Attachments:

- ZT-2022-004 Application
- ZT-2022-004 Staff Report
- Harnett County GIS Image- No Zoning
- Harnett County GIS Image- Zoning
- Harnett County GIS Image- Blue Line Stream
- Harnett County GIS Image- Easements
- Harnett County GIS Image- Flood Zones
- Harnett County GIS Image- Water and Sewer
- Harnett County GIS Image- Wetlands
- Map of Parcels within 100'
- Surrounding property owners notified
- ZT-2022-004 Public Notice Letter
- Statement-of-Consistency
- Statement-of-Inconsistency

Revised 9-19-2014 Application for an **Amendment To The Official Zoning Map** of Erwin, NC **Staff Only:** Zoning Case # Z-20 Fee: 300 Check # MO Cash PB Recommendation: D A/W Conditions **BOC Date:** Decision: D T A/W Conditions Print Applicant Name: Zachasy Name of Legal Property Owner Location of Property S 20 th Please Circle One of the Following: Less than one Acre One to 4.99 Acres Five or more Acres Zoning change requested from If Conditional District, note conditions: Harnett County Tax Map PIN () 5 9 7 - 1 3 - 6 4 6 6 Property owner(s) of area requested and address(es) (If more space is required, please attach to this document separately) Submit names and addresses of property owners immediately adjacent to the proposed rezoning area (and properties within 100 feet of proposed rezoning area) and across any street(s) and identify on an area map Attach a metes and bounds description, deed drawing of the area involved or a reference to lots in an approved subdivision on the entire property requested for change This application must be filed with the Town Hall by 4:00 p.m. on the Friday which is at least 25 days before the meeting at which it is to be considered and may be withdrawn without penalty no later than 19 days prior to the public hearing Whenever an application requesting an amendment has been acted on and denied by the Town Board, such application, or one substantially similar shall not be reconsidered sooner than one year after the previous denial. It is understood by the undersigned that the Zoning Map, as originally adopted and as subsequently amended, is presumed by the Town to be appropriate to the property involved and that the burden of proof for a zoning amendment rests with the applicant. Applicant is Encouraged to Discuss the Proposed Zoning Amendment with Affected Property Owners. Signature of Applicant Ennis St. Fuguay - Varina, NC 27526 Mailing Address of Applicant



REZONING MAP REQUEST STAFF REPORT

Case: ZT-2022-004

Snow Bowden, Town Manager townmanager@erwin-nc.org

Phone: (910) 591-4200 Fax: (910) 897-5543

Planning Board: 07/18/2022 Town Commissioners: 08/04/2022

Requested zoning map amendment to a vacant parcel located off of South 20th Street. The parcel can be identified by its Harnett County PIN #0597-13-6466.000. The request is to have the parcel rezoned from Rural District (RD) to R-10.

Applicant Information

Owner of Record:

Name: Zachary and Arielle Angle

Address: 126 N. Ennis Street

City/State/Zip: Fuquay-Varina, NC 27526

Property Description

Tract – Vacant Harnett County Tax PIN 0597-13-6466.000 Acres 42.93 Zoning District- Rural District

Vicinity Map

- See Attached Harnett County GIS Image with zoning districts
- See Attached Harnett County GIS Image without zoning districts
- See Attached Harnett County GIS Image showing existing Harnett Regional Water-Water and Sewer Lines
- See Attached Harnett County GIS Image showing existing easements on parcel
- See Attached Harnett County GIS Image showing existing blue line streams on parcel
- See Attached Harnett County GIS Image showing wetlands in area
- See Attached Harnett County GIS Image showing flood zones

Physical Characteristics

Site Description: This is a vacant parcel located off of South 20th Street. The parcel is located in the 100-year and 500-year flood plain. Based on data from Harnett County there are not wetlands on the parcel. There is an existing ingress/egress easement that belongs to the City of Dunn, NC on this lot. Based on data from Harnett County GIS there are sewer lines on this parcel. The parcel is 42.89 acres. The parcel has changes in elevation across the parcel and good views of the Cape Fear River.

Surrounding Land Uses: This parcel is located off of South 20th Street. The majority of the uses off of this street are public infrastructure uses (water/sewer). The Dunn-Erwin Rail Trail is located off of South 20th Street. The vast majority of the other uses in the area are residential. There are some commercial uses located off of West E Street adjacent to the parcel.

Services Available

- Harnett County Regional Water
- Duke Energy would provide electricity
- CenturyLink is the telephone provider

Staff Evaluation

The applicant has requested that this parcel be rezoned from Rural District (RD) to R-10 (Residential).

Town Staff would recommend this rezoning request be evaluated for feasibility.

Staff Evaluation

X Yes No The IMPACT to the adjacent property owners and the surrounding community is reasonable, and the benefits of the rezoning outweigh any potential inconvenience or harm to the community

• **Reasoning:** The applicant is requesting that this parcel remain zoned as a residential zoning district. The applicant does want to develop this lot as a residential land use. If approved, this zoning district would allow for further land development than what would be allowed in its current zoning district. However, the R-10 Zoning District is a bit more restrictive with other land uses that are allowed.

X Yes No The requested zoning district is COMPATIBLE with the existing Land Use Classification.

• **Reasoning:** This parcel is located in an area of Town in our 2014 Land Use Plan that was identified for Low Intensity growth. However, it is adjacent to an area identified for Medium Intensity growth. The Low Intensity growth area allows low impact uses

compatible with surrounding developments. There are a number of homes towards the bottom of West E Street.

X Yes No The proposal does ENHANCE or maintain the public health, safety, and general welfare.

• **Reasoning:** If this rezoning request is approved it would allow for further development of this lot. There would be improvements made to the lot if the rezoning request is approved that would enhance the parcel.

X Yes No The request is for a SMALL SCALE REZONING and should be evaluated for reasonableness.

• **Reasoning:** This is one tract of land that is 42.93 acres.

There is a convincing demonstration that all uses There are fewer permitted land uses with this permitted under the proposed district classification rezoning request. If the rezoning request is would be in the general public interest and not approved it would allow for higher density merely in the interest of an individual or small residential land uses compared to what is group. YES currently allowed. There is a convincing demonstration that all uses permitted under the proposed district classification This rezoning request is to a more restrictive would be appropriate in the area included in the zoning district (R-10). R-10 Zoning would change. (When new allow for more residential development on proposed a district designation is assigned, any use permitted in the this parcel compared to RD. There are a district is allowable, so long as it meets district number of other land uses in the Rural requirements, and not merely uses which District Zoning District compared to R-10. applicants state they intend to make of the property involved.) YES There is a convincing demonstration that the The request is to have the parcel rezoned to character of the neighborhood will not be another residential zoning district. If materially and adversely affected by any use approved, this district allows uses such as a permitted in the proposed change. YES planned unit development as a special use. Special use permits require a public hearing and further approval from the Town Board. The parcel is currently located in our Rural District. There are land uses that are permitted in Rural District compared to our R-10 Zoning District. The proposed change is in accord with the Land This parcel is located in an area identified Development Plan and sound planning principles. for low intensity growth. However, it is adjacent to an area for medium intensity YES growth and a small section of the parcel is found in the medium intensity growth area.

Statement of Consistency

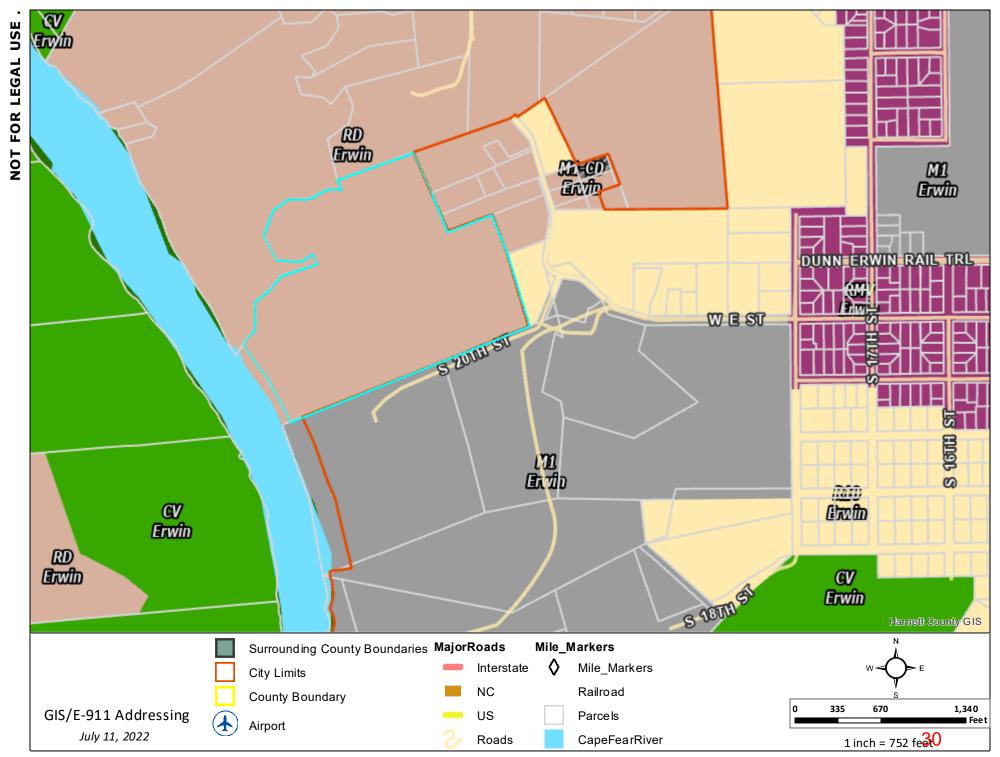
The requested rezoning to R-6is compatible with all of the Town of Erwin's regulatory documents and would not only have a positive impact on the surrounding community, but would enhance the public health, safety, and general welfare as stated in the evaluation. It is recommended that this rezoning request be **Approved.**Or

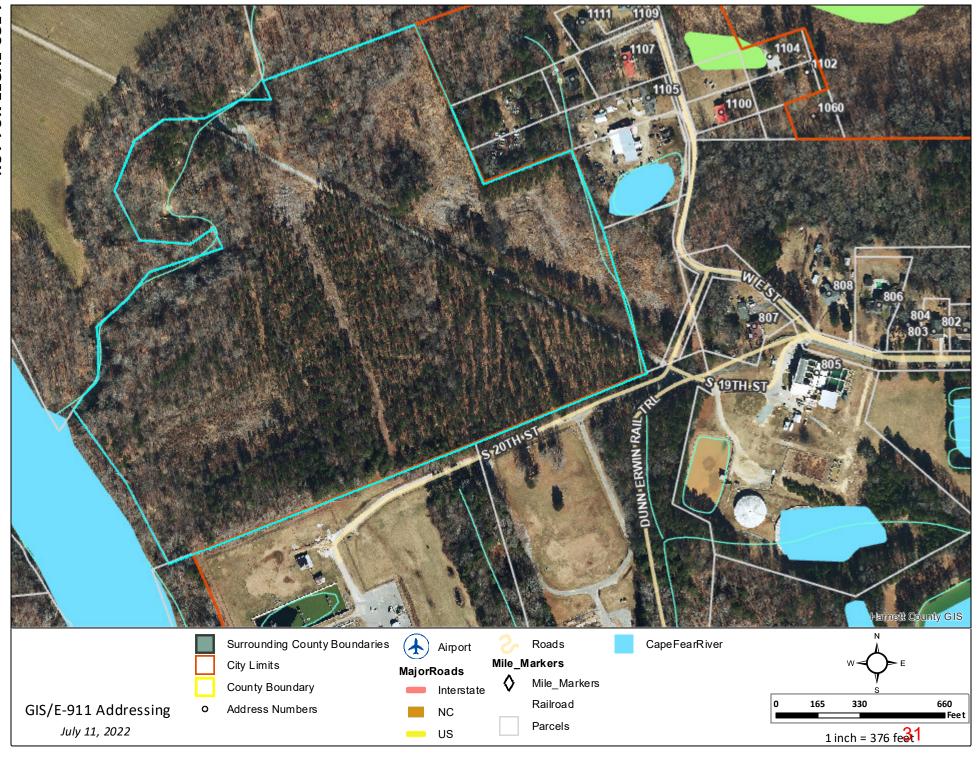
Statement of In-Consistency

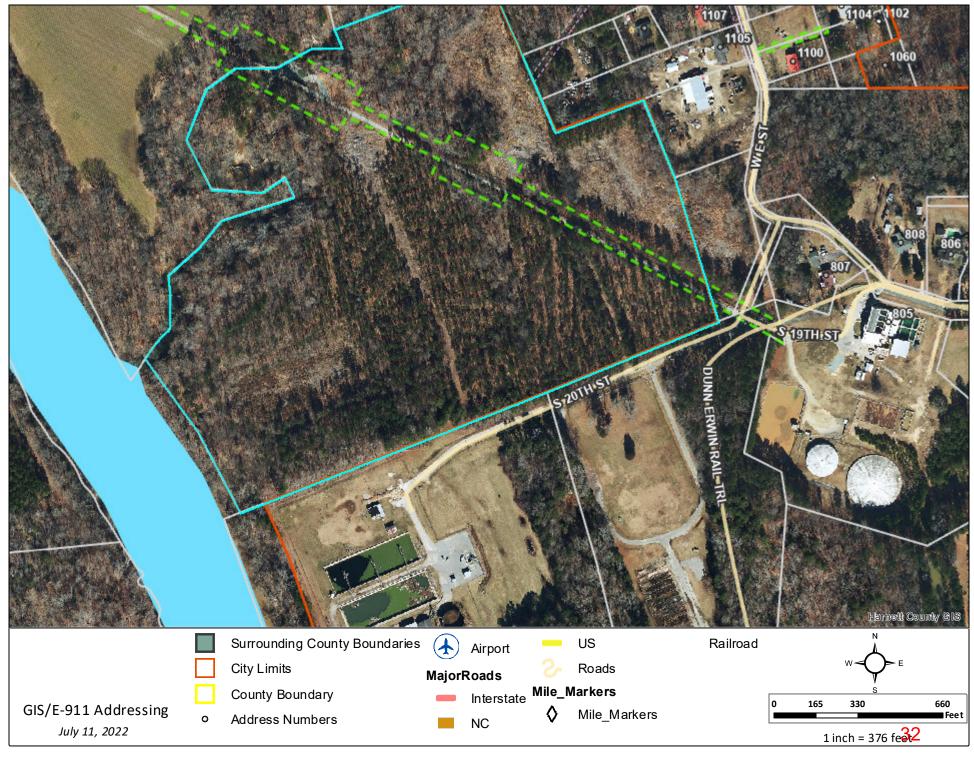
The requested rezoning to R-6 is **NOT** compatible with all of the Town of Erwin's regulatory documents and it would have a negative impact on the surrounding community. It is recommended that this rezoning request **NOT BE APPROVED.**

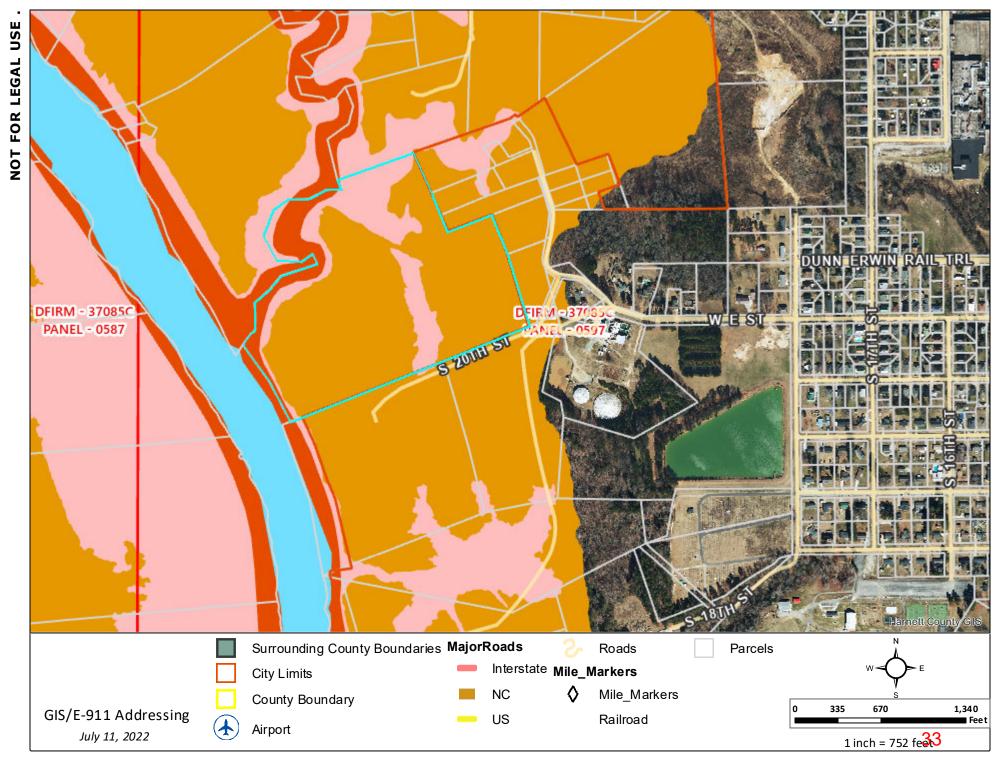
Attachments:

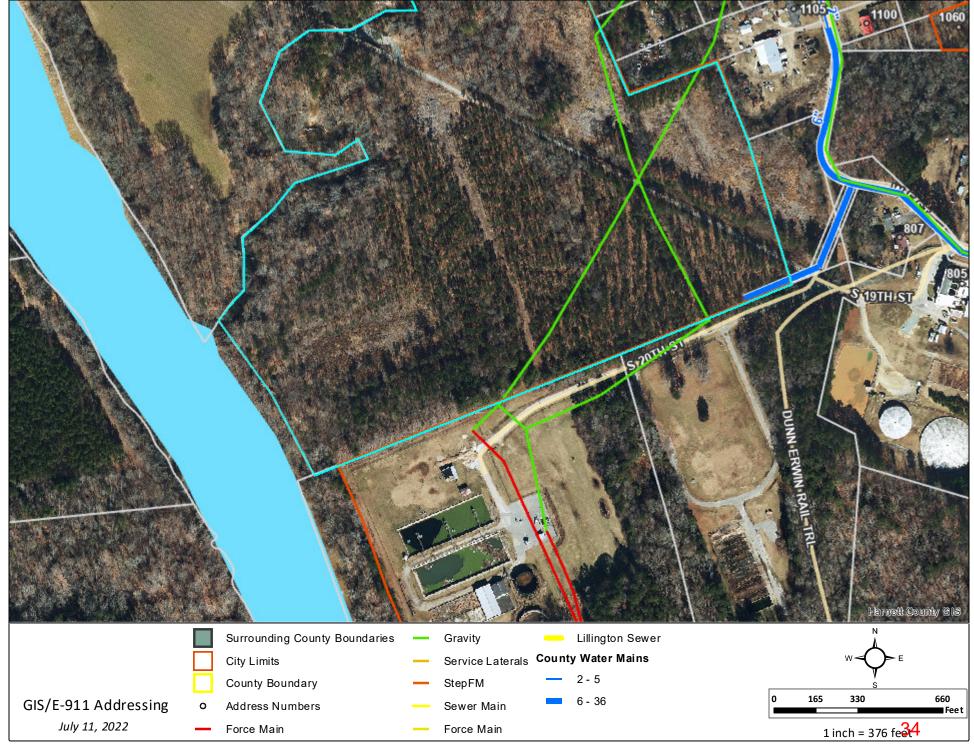
- ZT-2022-003 Application
- Harnett County GIS Image with zoning districts
- Harnett County GIS Image without zoning districts
- Adjacent property owner sheet
- Public notice letter sent to adjacent property owners

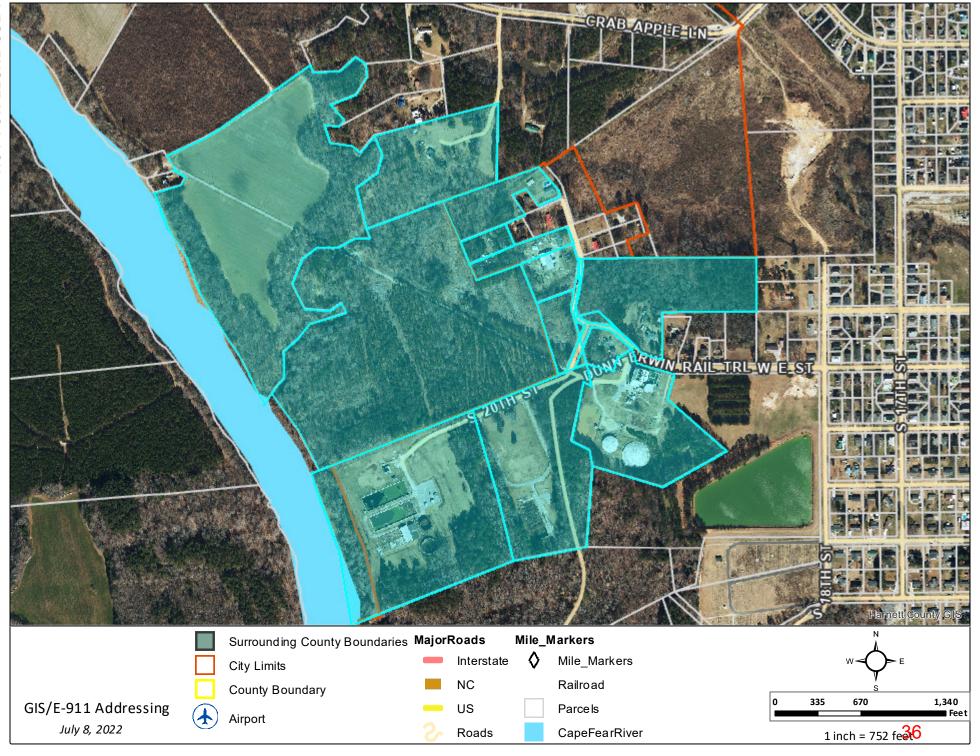












Owner - BAYLES JERRY RAY SR & BAYLES FAYE P

Mailing Address - P O BOX 343 ERWIN, NC 28339-0000

Owner - AGUIRE JUAN CORTES & GUTIERREZ DOLORES NARVAEZ

Mailing Address - 8916 WALTER MYATT RD WILLOW SPRING, NC 27592-9377

Owner - HOBBS ROY E & HOBBS FAYE F

Mailing Address - 1109 WEST E STREET ERWIN, NC 28339-0000

Owner - FAIRCLOTH PAUL & FAIRCLOTH BERTHA

Mailing Address - 1105 WEST E ST ERWIN, NC 28339-3105

Owner - FAIRCLOTH FREDDIE LEE

Mailing Address - 1100 WEST E STREET ERWIN, NC 28339-0000

Owner - GLOVER LINDA W & WEST RICHARD T

Mailing Address - 2664 HIDDEN SPRINGS CT MARIETTA, GA 30062-5763

Owner - CRAFFORD JOHN E & CRAFFORD VALERIE

Mailing Address - 807 W E ST ERWIN, NC 28339-1914

Owner - DUNN CITY OF & A MUNICIPAL CORPORATION

Mailing Address - PO BOX 1065 DUNN, NC 28335-1065

Owner - HARNETT COUNTY

Mailing Address - PO BOX 759 LILLINGTON, NC 27546-0000

Jerry and Faye Bayles Juan Aguire and Dolores Gutierrez PO Box 343 8916 Walter Myatt Road Erwin, NC 28339 Willow Spring, NC 27592 Roy and Faye Hobbs Paul and Bertha Faircloth 1109 West E Street 1105 West E Street Erwin, NC 28339 Erwin, NC 28339 Freddie Lee Faircloth Richard West and Linda Glover 1100 West E Street 2664 Hidden Springs Court Marietta, GA 30062 Erwin, NC 28339 The City of Dunn, NC John and Valerie Crafford ATTN: Steven Neuschafer, City Manager 807 West E Street PO Box 1065 Erwin, NC 28339 Dunn, NC 28335 **Harnett County** Zach and Arielle Angle ATTN: Brent Trout, County Manager 126 N. Ennis Street PO Box 759 Fuquay-Varina, NC 27526 Lillington, NC 27546



TOWN OF ERWIN

P.O. Box 459 • Erwin, NC 28339 Ph: 910-897-5140 • Fax: 910-897-5543 www.erwin-nc.org

07/11/2022

Mayor
Randy L. Baker
Mayor Pro Tem
Ricky W. Blackmon
Commissioners
Alvester L. McKoy
Timothy D. Marbell
Charles L. Byrd
David L. Nelson
William R. Turnage

Notice of a Public Hearing ZT-2022-004

The Board of Commissioners of the Town of Erwin will hold a public hearing pursuant to NC General Statute 160D-406 on August 4th, 2022 at 7:00 P.M. at the Erwin Town Hall, 100 West F Street, Erwin, North Carolina to hear public comment on a proposed rezoning request.

There has been a zoning map amendment application submitted to the Town to have a vacant parcel located off of South 20th Street rezoned. The property can be identified by its Harnett County PIN # 0597-13-6466.000. The property is currently in our Rural District (RD) Zoning District. The applicant has requested to have this parcel rezoned to our R-10 (Residential) Zoning District.

A copy of this case is available for review at the Erwin Town Hall. Questions concerning this case can be addressed to the Town Manager Snow Bowden at 910-591-4200 or by email at townmanager@erwin-nc.org.

Snow	Bowden
Town	Manager

Regards,

Statement-of-Consistency

Town Clerk

The requested rezoning to R-10 is compatible with all of the Town of Erwin's regulatory documents and would not only have a positive impact on the surrounding community, but would enhance the public health, safety, and general welfare as stated in the evaluation. It is recommended that this rezoning request be Approved.
Randy Baker
Mayor
Lauren Evans

Statement-of-Inconsistency

Lauren Evans Town Clerk

and would not have a positive impact or	mpatible with all of the Town of Erwin's regulatory documents the surrounding community and would not enhance the public ated in the evaluation. It is recommended that this rezoning
Randy Baker Mayor	

New Business Item 5D

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: July 25, 2022

Subject: Bryant Road Subdivision Preliminary Plat

The Town of Erwin has received the preliminary subdivision plat for a subdivision that would be located off of St. Matthews Road and Bryant Road. The preliminary plat includes 219 single family units. The preliminary plat includes 143 detached single family dwellings and 76 townhome units. Town home units are consider single family dwellings as well.

Attachments:

• Subdivision Preliminary Plat

CONTACT INFORMATION

DEVELOPER
OLD EAST PROPERTIES, LLC 410 N. BOYLAN AVENUE RALEIGH, NC CONTACT: MARK EISENBEIS PHONE: 919.825.1135

999 CARLTON ST, CLAYTON, NC 27520

OWNER TART, CARPER JR & KARA 200 MURDOCK C ROAD, CAMERON, NC 28326 PARCEL: 1507-34-7604

REFERENCES

PARCEL: 1507-45-1001

SURVEY GALLOWAY GEOSPATIAL INFORMATICS AND SURVEYING 7405 WALNUT GROVE LANE 324 BLACKWELL STREET CONTACT: CALE GALLOWAY, PLS, GISP, CFM CONTACT: EVAN MORGAN PHONE: 919.732.1300

PHONE: 252.565.2657 ENVIRONMENTAL ENGINEER SAGE ECOLOGICAL SERVICES, INC 3707 SWIFT DRIVE RALEIGH, NC CONTACT: SEAN CLARK, PWS PHONE: 919.559.1537

REVIEW AGENCIES / UTILITY CONTACTS

100 West F Street PO BOX 459, Erwin, NC 28339 CONTACT: SNOW BOWDEN (TOWN MANAGER) PHONE: 910.897-5140

7854 TRAP WAY WILMINGTON, NC CONTACT: WILLIAM W. (BILL) DREITZLER, PE PHONE: 919.818.2235 STORMWATER

REGIONAL WATER & WASTEWATER UTILITY 700 McKINNEY PARKWAY 3800 BARRETT DRIVE LILLINGTON, NC RALEIGH, NC 27609 PHONE: 910.893.7575 PHONE: 919.791.4200

PROJECT NARRATIVE

• THIS IS A PRELIMINARY PLAT SUBMITTAL FOR A 219 LOT PROJECT ON ST. MATTHEWS ROAD AND BRYAN ROAD AND IS ZONED IN THE TOWN OF ERWIN AS CONDITIONAL USE (ERWIN R6-CU, ZT-2022-01).

ZONING CONDITIONS

- A 10-FOOT BUFFER WILL BE PROVIDED AROUND THE PROPERTY, OUTSIDE OF PRIVATE LOTS.
- TOWNHOMES SHALL BE ADDED AS AN ALLOWABLE RESIDENTIAL USE AND TOWNHOME LOT WIDTHS SHALL CONFORM TO BUILDER PRODUCT WIDTHS AND NOT LIMITED BY ZONING MINIMUM LOT WIDTH.
- MINIMUM REQUIRED PARKING SHALL BE TWO PARKING SPACES PER DWELLING UNIT. DWELLING UNITS CAN ACHIEVE MINIMUM REQUIRED PARKING IN DRIVEWAYS, GARAGES, ON-STREET PARKING, OR OFF-STREET PARKING LOTS, OR A COMBINATION OF ANY OF THE ABOVE.
- . <u>ANNEXATION:</u> THE DEVELOPMENT SHALL BE ANNEXED INTO TOWN LIMITS PRIOR TO ANY APPROVAL FOR FINAL PLATS.
- SIGNAGE: MONUMENT SIGNS SHALL BE MADE OF BRICK, STONE, OR MASONRY MATERIAL
- SETBACKS (RESIDENTIAL BUILDINGS): SETBACKS SHALL BE MEASURED FROM THE LOT LINE TO THE BUILDING WALL. BUILDING EAVES, AT-GRADE PATIOS, AND AT-GRADE STOOPS SHALL BE ALLOWED IN THE SETBACK AREA. THE MINIMUM SETBACKS FROM THE LOT LINES TO THE BUILDINGS FOR EACH RESIDENTIAL USE TYPE

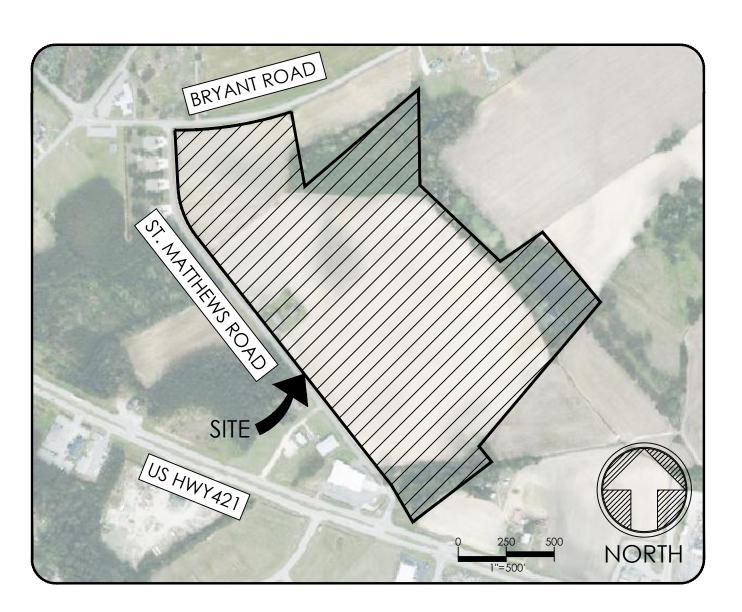
LAND USE TYPE	MINIMUM FRONT SETBACK	MINIMUM SIDE SETBACK	MINIMUM SIDE SETBACK (ADJACENT TO STREET)	MINIMUM REAR SETBACK
SINGLE FAMILY DETACHED	20'	8'	10'	20'
SINGLE FAMILY ATTACHED	20'	MIN. SEPARATION DICTATED BY FIRE CODE	10'	MIN. SEPARATION DICTATED BY FIRE CODE

- STREET SIGNAGE: STREET SIGNAGE, IF PROPOSED TO BE DECORATIVE AND DIFFERENT FROM TOWN OF ERWIN SIGNS, MUST BE IN ACCORDANCE WITH THE LATEST VERSION OF THE TOWN OF ERWIN STREET AND
- . <u>STREETLIGHTS:</u> THE DEVELOPER SHALL COORDINATE WITH THE ELECTRICAL UTILITY PROVIDER ON THE LIGHTING PLAN LAYOUT AND AVAILABLE STREETLIGHT FIXTURES.
- ENTRANCES: ALL SUBDIVISION ENTRANCES SHALL BE REVIEWED AND APPROVED BY THE TOWN OF ERWIN AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION DURING THE APPROPRIATE SITE PLAN
- D. DRIVEWAYS: ALL INDIVIDUAL DRIVEWAYS SHALL BE CONCRETE AND ABLE TO ACCOMMODATE AT LEAST ONE VEHICLE OUTSIDE OF THE PUBLIC RIGHT-OF-WAY (INCLUSIVE OF THE GARAGE).
- . OPEN SPACE: ALL LANDS WITHIN AREAS REQUIRED TO BE MAINTAINED AS OPEN SPACE BY THE HOMEOWNER'S ASSOCIATION, OR IF APPLICABLE A HOMEOWNER'S ASSOCIATION MANAGEMENT FIRM, SHALL BE PROTECTED BY A PERMANENT CONSERVATION EASEMENT AND RESTRICTIVE COVENANT, PROHIBITING FURTHER DEVELOPMENT, AND RECORDED UPON FINAL PLAT APPROVAL AS "OPEN SPACE."
- 2. <u>BUILDING MATERIALS:</u> EXTERIOR BUILDING MATERIALS WILL BE BRICK OR STONE VENEER, VINYL, OR FIBER CEMENT SIDING.
- 3. STORMWATER: STORMWATER QUALITY AND QUANTITY CONTROLS WILL BE INSTALLED ACCORDING TO MUNICIPAL AND NCDEQ REQUIREMENTS.
- 4. NUISANCE: CONSTRUCTION ACTIVITIES SHALL BE SUBJECT TO TOWN OF ERWIN GRADING AND BUILDING PERMIT RULES, AND AN APPROVED EROSION CONTROL PLAN WILL BE FOLLOWED TO LIMIT DUST, NOISE, AND SEDIMENT POLLUTION AS REQUIRED. BUILDING AND SITE INSPECTORS WILL HAVE ACCESS TO THE SITE TO ENFORCE ALL APPLICABLE CONSTRUCTION ORDINANCES. CONSTRUCTION SHALL BE SUBJECT TO ALL TOWN NOISE ORDINANCES, PUBLIC AND PRIVATE UTILITY REGULATIONS, AND LOCAL, COUNTY, AND
- 5. <u>ELEVATIONS:</u> NO TWO ADJACENT LOTS OR LOTS DIRECTLY ACROSS THE STREET FROM ONE ANOTHER, EXCLUDING LOTS SEPARATED BY A STREET, OPEN SPACE, OR EASEMENT 50' WIDE OR GREATER, SHALL UTILIZE THE SAME ELEVATION OF THE SAME PRODUCT FOOTPRINT.
- 6. <u>OPEN SPACE:</u> ALL LANDS WITHIN AREAS REQUIRED TO BE MAINTAINED AS OPEN SPACE BY THE HOMEOWNER'S ASSOCIATION SHALL BE PROTECTED BY A PERMANENT RESTRICTIVE COVENANT, PROHIBITING FURTHER DEVELOPMENT, AND RECORDED UPON FINAL PLAT APPROVAL AS "OPEN SPACE".
- Y. FIRE CODE: DEVELOPMENT MUST COMPLY WITH THE LATEST EDITION OF THE NC FIRE PREVENTION CODE OR CURRENT EDITION ADOPTED FOR USE BY THE TOWN OF ERWIN AND HARNETT COUNTY. THIS INCLUDES, BUT IS NOT LIMITED TO, REQUIREMENTS RELATED TO ACCESS ROADWAYS, HYDRANT LOCATIONS, AND
- 8. <u>HOMEOWNER'S ASSOCIATION:</u> ALL OWNERS OF DEVELOPABLE LOTS SHALL IMMEDIATELY BECOME MEMBERS OF A HOMEOWNER'S ASSOCIATION. A DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS AND BYLAWS FOR THE HOMEOWNER'S ASSOCIATION SHALL BE REVIEWED, APPROVED, AND RECORDED WITH THE FINAL PLAT. THE HOMEOWNER'S ASSOCIATIONS SHALL BE PROFESSIONALLY MANAGED AND SHALL BE IN PLACE TO ENFORCE AND ABATE ALL COMMUNITY ASSOCIATION COVENANTS, CONDITIONS, AND RESTRICTIONS, AND SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND UPKEEP OF ALL OPEN SPACE AND IMPROVEMENTS BUILT THROUGHOUT THE DEVELOPMENT, INCLUDING THE MAINTENANCE AND UPKEEP OF ALL DRAINAGE EASEMENTS AND DETENTION/RETENTION/WATER

BRYANT ROAD SUBDIVISION PRELIMINARY PLAT

UNDERFOOT PROJECT - C21023.00 TOWN OF ERWIN ZT-2022-01

> LOCATION: 504 ST. MATTHEW ROAD HARNETT COUNTY ERWIN, NC



PREPARED BY:



underfoot ENGINEERING

> 1149 EXECUTIVE CIRCLE CARY, NC 27511 P:919.576.9733 NCBELS # C-3847

CONTACT: MIKE ROSELLI, PE MROSELLI@UNDERFOOTENGINEERING.COM

SITE DATA

PARCEL IDENTIFICATION NUMBER EXISTING PARCEL ACREAGE (AC.) PROPOSED USE RESIDENTIAL - SINGLE FAMILY DETACHED & ATTACHED ERWIN R6-CU (ZT-2022-001) DEVELOPMENT TIER SUBURBAN

WATERSHED UPPER BLACK RIVER WATERSHED CAPF FFAR RIVER BASIN FIRM PANEL 3720150600J, EFFECTIVE 10/03/2006 SUBDIVISION INFORMATION: REQUIRED PROPOSED SINGLE FAMILY UNITS 50' X 120' TOWNHOUSE UNITS 22' X 100' TOWNHOUSE TOTAL 76 DU TOTAL DWELLING UNITS 219 DU DENSITY 3.99 DU/AC. MINIMUM LOT SIZE 1 6000 SF. 6000 SF.

MINIMUM LOT WIDTH (DETACHED) 50 FT 50 FT MIN MINIMUM LOT WIDTH (ATTACHED) 22 FT SETBACK REQUIREMENTS SINGLE FAMILY DETACHED BUILDING SETBACK 20 FT 8 FT 10 FT CORNER 20 FT REAR SINGLE FAMILY ATTACHED BUILDING SETBACK **FRONT** SIDE ² SEE NOTE ² SEE NOTE 2

CORNER 10 FT 10 FT SEE NOTE 2 SEE NOTE 2 PARKING REQUIREMENTS VEHICLE 3 438 MIN. MAX BUILDING HEIGHT (FT) 35 MAX TOTAL STREET LENGTH TOTAL OPEN SPACE 900,464 SF. 20.67 AC

FOR SINGLE FAMILY DETACHED LOTS ONLY.

SPACES PER DWELLING UNIT.

PER ZONING CONDITION #6, MINIMUM SEPARATED WILL BE DICTATED BY NC FIRE PREVENTION CODE OR CURRENT EDITION ADOPTED FOR USE BY THE TOWN OF ERWIN AND HARNETT COUNTY. PER ZONING CONDITION #3, MINIMUM PARKING REQUIREMENTS SHALL BE TWO (2) PARKING

SHEET INDEX

C-300

C-000 COVER SHEET C-100 **EXISTING CONDITIONS & DEMOLITION PLAN** C-200 SUBDIVISION PLAN

ISSUED FOR APPROVAL

REVISION DATE: _____

PRELIMINARY GRADING & DRAINAGE PLAN

PRELIMINARY UTILITY PLAN

SIGNATURE THIS DOCUMENT IS NOT ISSUED BY UNDERFOOT ENGINEERING WITHOUT TWO SIGNATURES ABOVE PROJECT #:

PLAN REVISIONS REVISION



BRYANT ROAD PRELIMINARY PLA⁻

504 ST MATTHEWS ROAD ERWIN, NC 28339

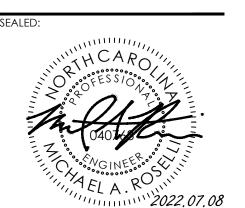
PROJECT #: DRAWN BY REVIEWED BY: 1ST SUBMITTAL: 2022.07.0

> FOR REVIEW AND APPROVAL

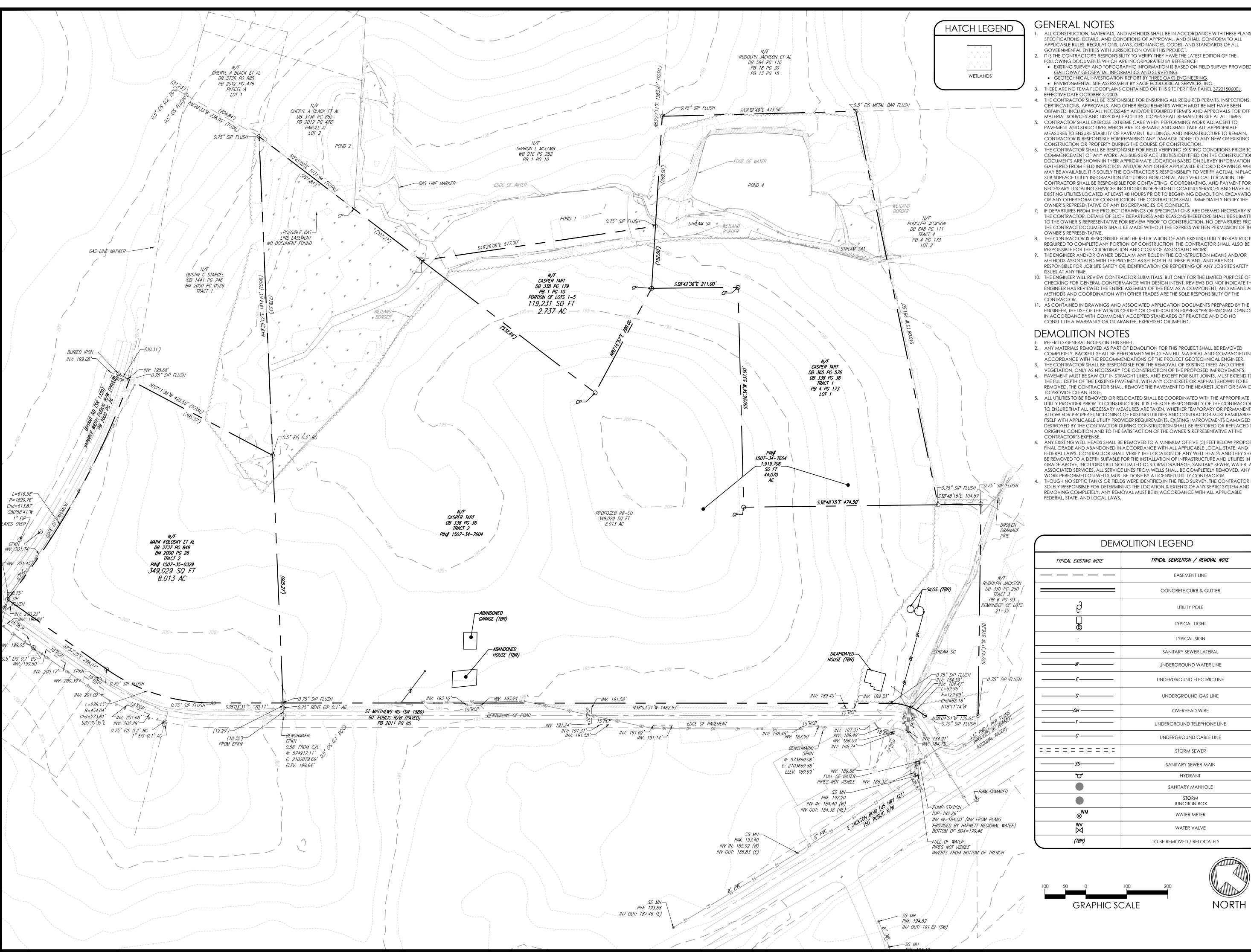
OLD EAST PROPERTIES



CARY, NC 27511 P:919.576.9733 NCBELS # C-3847



COVER SHEET



GENERAL NOTES

- ALL CONSTRUCTION, MATERIALS, AND METHODS SHALL BE IN ACCORDANCE WITH THESE PLANS, SPECIFICATIONS, DETAILS, AND CONDITIONS OF APPROVAL, AND SHALL CONFORM TO ALL APPLICABLE RULES, REGULATIONS, LAWS, ORDINANCES, CODES, AND STANDARDS OF ALL GOVERNMENTAL ENTITIES WITH JURISDICTION OVER THIS PROJECT.
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THEY HAVE THE LATEST EDITION OF THE FOLLOWING DOCUMENTS WHICH ARE INCORPORATED BY REFERENCE: EXISTING SURVEY AND TOPOGRAPHIC INFORMATION IS BASED ON FIELD SURVEY PROVIDED BY
- GALLOWAY GEOSPATIAL INFORMATICS AND SURVEYING.

 GEOTECHNICAL INVESTIGATION REPORT BY THREE OAKS ENGINEERING.

 ENVIRONMENTAL SITE ASSESSMENT BY SAGE ECOLOGICAL SERVICES, INC.

 THERE ARE NO FEMA FLOODPLAINS CONTAINED ON THIS SITE PER FIRM PANEL 3720150600J,
- EFFECTIVE DATE OCTOBER 3, 2003.

 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ENSURING ALL REQUIRED PERMITS, INSPECTIONS,
- CERTIFICATIONS, APPROVALS, AND OTHER REQUIREMENTS WHICH MUST BE MET HAVE BEEN OBTAINED, INCLUDING ALL NECESSARY AND/OR REQUIRED PERMITS AND APPROVALS FOR OFF SITE MATERIAL SOURCES AND DISPOSAL FACILITIES. COPIES SHALL REMAIN ON SITE AT ALL TIMES. 5. CONTRACTOR SHALL EXERCISE EXTREME CARE WHEN PERFORMING WORK ADJACENT TO PAVEMENT AND STRUCTURES WHICH ARE TO REMAIN, AND SHALL TAKE ALL APPROPRIATE MEASURES TO ENSURE STABILITY OF PAVEMENT, BUILDINGS, AND INFRASTRUCTURE TO REMAIN. CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY DAMAGE DONE TO ANY NEW OR EXISTING CONSTRUCTION OR PROPERTY DURING THE COURSE OF CONSTRUCTION.
- 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD VERIFYING EXISTING CONDITIONS PRIOR TO COMMENCEMENT OF ANY WORK, ALL SUB-SURFACE UTILITIES IDENTIFIED ON THE CONSTRUCTION DOCUMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATION BASED ON SURVEY INFORMATION GATHERED FROM FIELD INSPECTION AND/OR ANY OTHER APPLICABLE RECORD DRAWINGS WHICH MAY BE AVAILABLE. IT IS SOLELY THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ACTUAL IN PLACE SUB-SURFACE UTILITY INFORMATION INCLUDING HORIZONTAL AND VERTICAL LOCATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING, COORDINATING, AND PAYMENT FOR ALL NECESSARY LOCATING SERVICES INCLUDING INDEPENDENT LOCATING SERVICES AND HAVE ALL EXISTING UTILITIES LOCATED AT LEAST 48 HOURS PRIOR TO BEGINNING DEMOLITION, EXCAVATION, OR ANY OTHER FORM OF CONSTRUCTION. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER'S REPRESENTATIVE OF ANY DISCREPANCIES OR CONFLICTS.
- IF DEPARTURES FROM THE PROJECT DRAWINGS OR SPECIFICATIONS ARE DEEMED NECESSARY BY THE CONTRACTOR, DETAILS OF SUCH DEPARTURES AND REASONS THEREFORE SHALL BE SUBMITTED TO THE OWNER'S REPRESENTATIVE FOR REVIEW PRIOR TO CONSTRUCTION. NO DEPARTURES FROM THE CONTRACT DOCUMENTS SHALL BE MADE WITHOUT THE EXPRESS WRITTEN PERMISSION OF THE OWNER'S REPRESENTATIVE.
- 8. THE CONTRACTOR IS RESPONSIBLE FOR THE RELOCATION OF ANY EXISTING UTILITY INFRASTRUCTURE REQUIRED TO COMPLETE ANY PORTION OF CONSTRUCTION. THE CONTRACTOR SHALL ALSO BE
- RESPONSIBLE FOR THE COORDINATION AND COSTS OF ASSOCIATED WORK. 9. THE ENGINEER AND/OR OWNER DISCLAIM ANY ROLE IN THE CONSTRUCTION MEANS AND/OR METHODS ASSOCIATED WITH THE PROJECT AS SET FORTH IN THESE PLANS, AND ARE NOT RESPONSIBLE FOR JOB SITE SAFETY OR IDENTIFICATION OR REPORTING OF ANY JOB SITE SAFETY
- 10. THE ENGINEER WILL REVIEW CONTRACTOR SUBMITTALS, BUT ONLY FOR THE LIMITED PURPOSE OF CHECKING FOR GENERAL CONFORMANCE WITH DESIGN INTENT. REVIEWS DO NOT INDICATE THE ENGINEER HAS REVIEWED THE ENTIRE ASSEMBLY OF THE ITEM AS A COMPONENT, AND MEANS AND METHODS AND COORDINATION WITH OTHER TRADES ARE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
- 11. AS CONTAINED IN DRAWINGS AND ASSOCIATED APPLICATION DOCUMENTS PREPARED BY THE ENGINEER, THE USE OF THE WORDS CERTIFY OR CERTIFICATION EXPRESS "PROFESSIONAL OPINION" IN ACCORDANCE WITH COMMONLY ACCEPTED STANDARDS OF PRACTICE AND DO NO CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.

DEMOLITION NOTES

- 2. ANY MATERIALS REMOVED AS PART OF DEMOLITION FOR THIS PROJECT SHALL BE REMOVED COMPLETELY. BACKFILL SHALL BE PERFORMED WITH CLEAN FILL MATERIAL AND COMPACTED IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE PROJECT GEOTECHNICAL ENGINEER.
- 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL OF EXISTING TREES AND OTHER VEGETATION, ONLY AS NECESSARY FOR CONSTRUCTION OF THE PROPOSED IMPROVEMENTS. 4. PAVEMENT MUST BE SAW CUT IN STRAIGHT LINES, AND EXCEPT FOR BUTT JOINTS, MUST EXTEND TO THE FULL DEPTH OF THE EXISTING PAVEMENT. WITH ANY CONCRETE OR ASPHALT SHOWN TO BE REMOVED, THE CONTRACTOR SHALL REMOVE THE PAVEMENT TO THE NEAREST JOINT OR SAW CUT TO PROVIDE CLEAN EDGE.
- UTILITY PROVIDER PRIOR TO CONSTRUCTION. IT IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR TO ENSURE THAT ALL NECESSARY MEASURES ARE TAKEN, WHETHER TEMPORARY OR PERMANENT, TO ALLOW FOR PROPER FUNCTIONING OF EXISTING UTILITIES AND CONTRACTOR MUST FAMILIARIZE ITSELF WITH APPLICABLE UTILITY PROVIDER REQUIREMENTS. EXISTING IMPROVEMENTS DAMAGED OR DESTROYED BY THE CONTRACTOR DURING CONSTRUCTION SHALL BE RESTORED OR REPLACED TO ORIGINAL CONDITION AND TO THE SATISFACTION OF THE OWNER'S REPRESENTATIVE AT THE CONTRACTOR'S EXPENSE.
- 6. ANY EXISTING WELL HEADS SHALL BE REMOVED TO A MINIMUM OF FIVE (5) FEET BELOW PROPOSED FINAL GRADE AND ABANDONED IN ACCORDANCE WITH ALL APPLICABLE LOCAL, STATE, AND FEDERAL LAWS. CONTRACTOR SHALL VERIFY THE LOCATION OF ANY WELL HEADS AND THEY SHALL BE REMOVED TO A DEPTH SUITABLE FOR THE INSTALLATION OF INFRASTRUCTURE AND UTILITIES IN GRADE ABOVE, INCLUDING BUT NOT LIMITED TO STORM DRAINAGE, SANITARY SEWER, WATER, AND ASSOCIATED SERVICES, ALL SERVICE LINES FROM WELLS SHALL BE COMPLETELY REMOVED. ANY WORK PERFORMED ON WELLS MUST BE DONE BY A LICENSED UTILITY CONTRACTOR.
- THOUGH NO SEPTIC TANKS OR FIELDS WERE IDENTIFIED IN THE FIELD SURVEY, THE CONTRACTOR IS SOLELY RESPONSIBLE FOR DETERMINING THE LOCATION & EXTENTS OF ANY SEPTIC SYSTEM AND REMOVING COMPLETELY. ANY REMOVAL MUST BE IN ACCORDANCE WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS.

DEM	DEMOLITION LEGEND		
TYPICAL EXISTING NOTE	TYPICAL DEMOLITION / REMOVAL NOTE		
	EASEMENT LINE		
	CONCRETE CURB & GUTTER		
ę	UTILITY POLE		
	TYPICAL LIGHT		
	TYPICAL SIGN		
	SANITARY SEWER LATERAL		
W	UNDERGROUND WATER LINE		
<i>E</i>	UNDERGROUND ELECTRIC LINE		
	underground gas line		
———ОН ————	OVERHEAD WIRE		
	UNDERGROUND TELEPHONE LINE		
	UNDERGROUND CABLE LINE		
========	STORM SEWER		
	SANITARY SEWER MAIN		
₩	HYDRANT		
	Sanitary manhole		
	STORM JUNCTION BOX		
⊗ ^{wM}	WATER METER		
wv ×	WATER VALVE		
(TBR)	TO BE REMOVED / RELOCATED		

GRAPHIC SCALE



PLAN REVISIONS

DATE REVISION



BEFORE YOU DIG

It's fast. It's free. It's the law.

BRYANT ROAD PRELIMINARY PLA1

504 ST MATTHEWS ROAD ERWIN, NC 28339

EVIEWED BY: ST SUBMITTAL: 2022.07.08

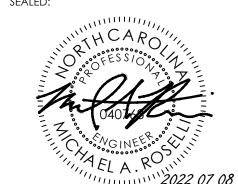
> FOR REVIEW AND APPROVAL

PREPARED FOR:

OLD EAST PROPERTIES

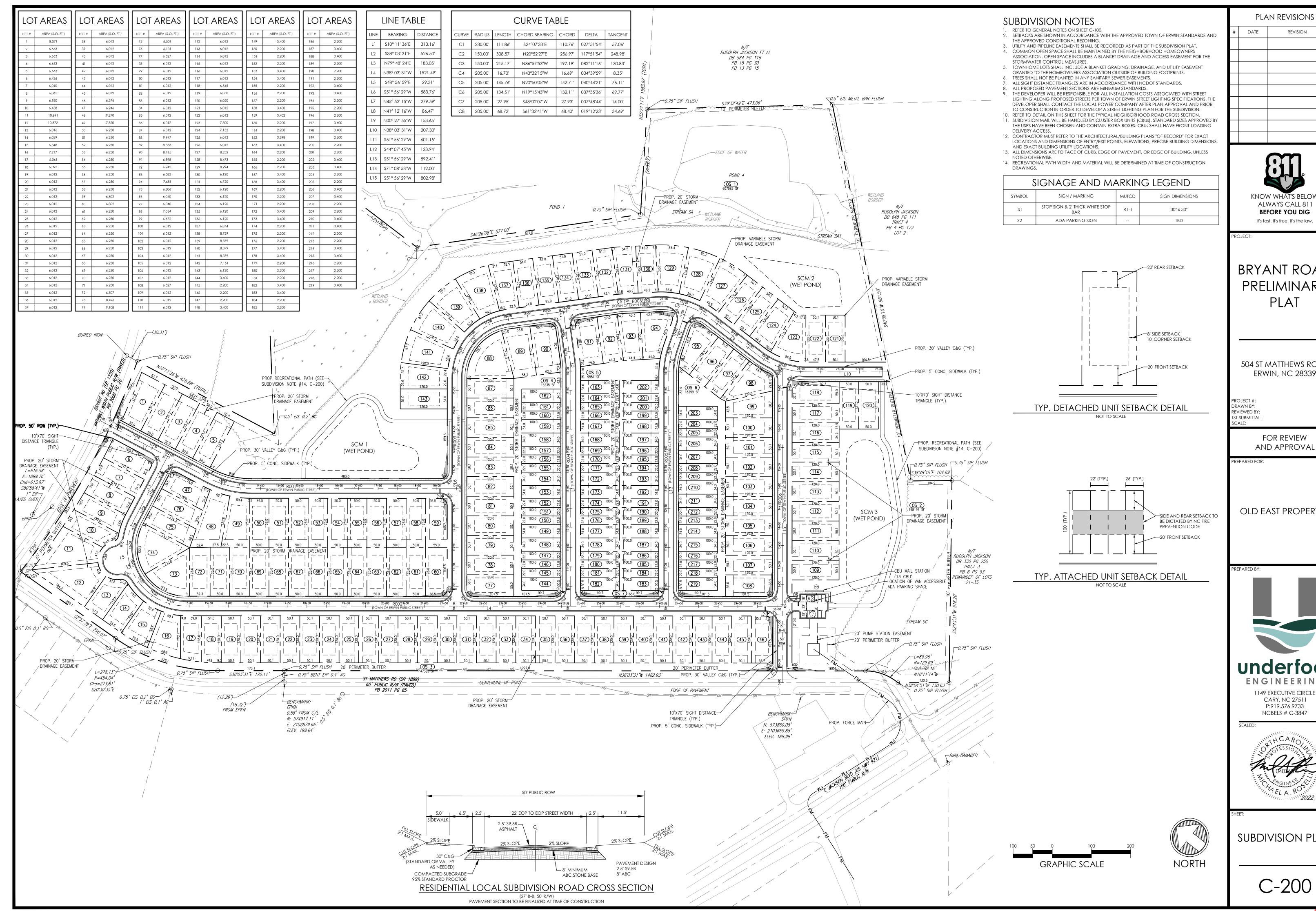
undertoot ENGINEERING

> 1149 EXECUTIVE CIRCLE CARY, NC 27511 P:919.576.9733 NCBELS # C-3847



EXISTING **CONDITIONS & DEMOLITION PLAN**

C-100



KNOW WHAT'S BELOW ALWAYS CALL 811

BRYANT ROAD PRELIMINARY

504 ST MATTHEWS ROAD ERWIN, NC 28339

2022.07.0

AND APPROVAL

OLD EAST PROPERTIES

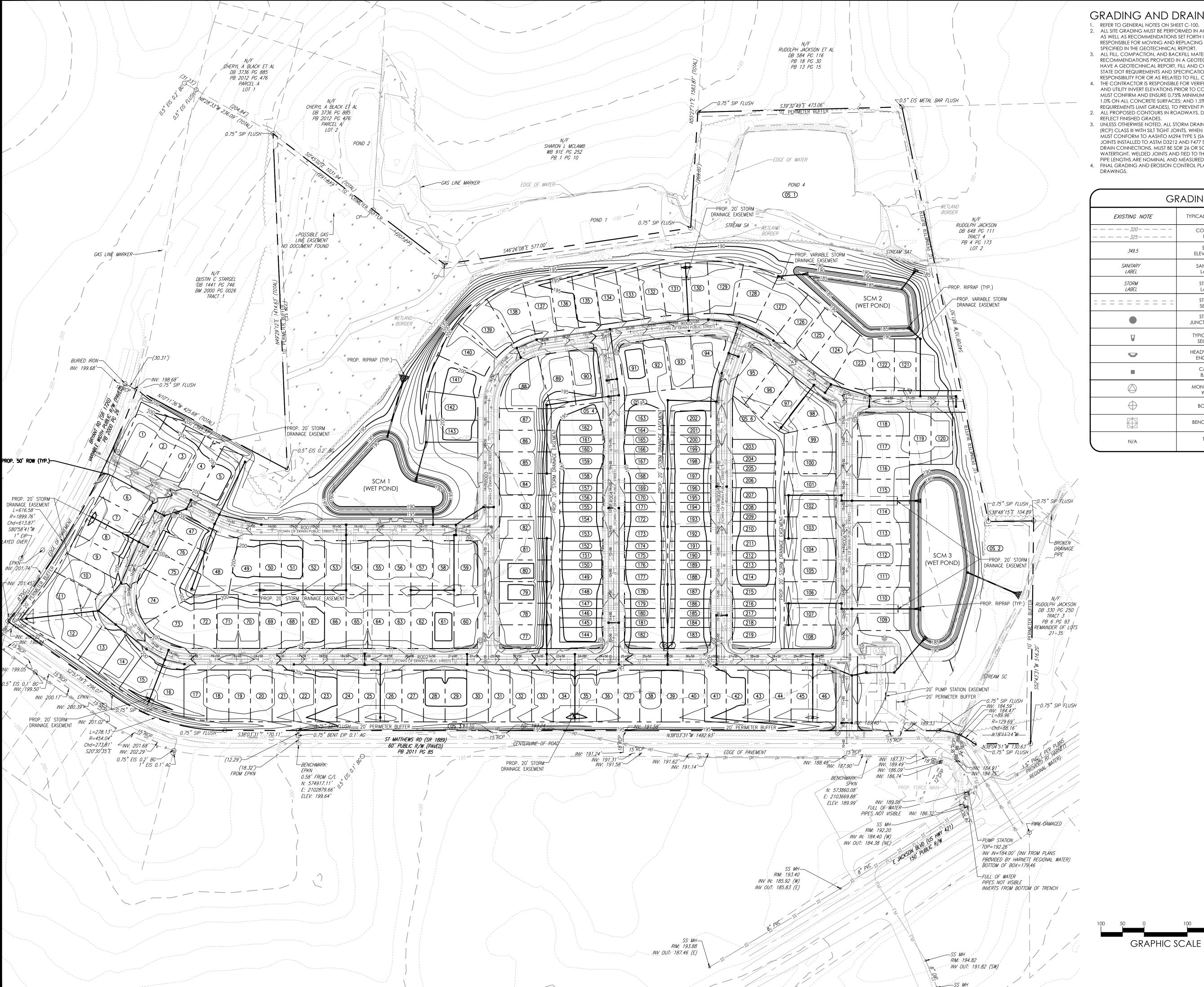


1149 EXECUTIVE CIRCLE CARY, NC 27511

P:919.576.9733 NCBELS # C-3847



SUBDIVISION PLAN



GRADING AND DRAINAGE NOTES

- . REFER TO GENERAL NOTES ON SHEET C-100. ALL SITE GRADING MUST BE PERFORMED IN ACCORDANCE WITH THESE PLANS AND SPECIFICATIONS
 AS WELL AS RECOMMENDATIONS SET FORTH IN THE GEOTECHNICAL REPORT. THE CONTRACTOR IS RESPONSIBLE FOR MOVING AND REPLACING UNSUITABLE MATERIALS WITH SUITABLE MATERIALS AS SPECIFIED IN THE GEOTECHNICAL REPORT.
- 3. ALL FILL, COMPACTION, AND BACKFILL MATERIALS REQUIRED SHALL BE PER THE RECOMMENDATIONS PROVIDED IN A GEOTECHNICAL REPORT. WHEN THE PROJECT DOES NOT HAVE A GEOTECHNICAL REPORT, FILL AND COMPACTION MUST, AT A MINIMUM, COMPLY WITH STATE DOT REQUIREMENTS AND SPECIFICATIONS. THE ENGINEER SHALL HAVE NO LIABILITY OR RESPONSIBILITY FOR OR AS RELATED TO FILL, COMPACTION, AND BACKFILL.
- 4. THE CONTRACTOR IS RESPONSIBLE FOR VERIFICATION OF EXISTING TOPOGRAPHIC INFORMATION AND UTILITY INVERT ELEVATIONS PRIOR TO COMMENCING ANY CONSTRUCTION. CONTRACTOR MUST CONFIRM AND ENSURE 0.75% MINIMUM SLOPE AGAINST ALL ISLAND, GUTTERS, AND CURBS; 1.0% ON ALL CONCRETE SURFACES; AND 1.5% MINIMUM ON ASPHALT (EXCEPT WHERE ADA
- REQUIREMENTS LIMIT GRADES), TO PREVENT PONDING.
 2. ALL PROPOSED CONTOURS IN ROADWAYS, DRIVES, AND SIDEWALKS AND SPOT ELEVATIONS REFLECT FINISHED GRADES.
- 3. UNLESS OTHERWISE NOTED, ALL STORM DRAINAGE PIPE SHALL BE REINFORCED CONCRETE PIPE (RCP) CLASS III WITH SILT TIGHT JOINTS. WHEN HIGH-DENSITY POLYETHYLENE PIPE (HDPE) IS NOTED, IT MUST CONFORM TO AASHTO M294 TYPE S (SMOOTH INTERIOR) WITH GASKETS FOR WATERTIGHT JOINTS INSTALLED TO ASTM D3212 AND F477 SPECIFICATIONS. PVC PIPE, WHEN USED FOR ROOF DRAIN CONNECTIONS, MUST BE SDR 26 OR SCHEDULE 40 UNLESS OTHERWISE NOTED WITH
- WATERTIGHT, WELDED JOINTS AND TIED TO THE STORMWATER SYSTEM WITH WATERTIGHT JOINTS. PIPE LENGTHS ARE NOMINAL AND MEASURED CENTER OF STRUCTURE TO CENTER OF STRUCTURE. 4. FINAL GRADING AND EROSION CONTROL PLANS SHALL BE DEVELOPED AT TIME OF CONSTRUCTION

EXISTING NOTE	TYPICAL NOTE TEXT	PROPOSED NOTE
	CONTOUR LINE	320 — 325 —
349.5	SPOT ELEVATIONS	TC 349.00 TC 349.5
SANITARY LABEL	SANITARY LABEL	MH XXX
STORM LABEL	STORM LABEL	STM XXX
=======	STORM SEWER	
•	STORM JUNCTION BOX	•
V	TYPICAL END SECTION	V
lacksquare	HEADWALL OR ENDWALL	•
	CATCH BASIN	
	MONITORING WELL	N/A
\oplus	BORING	N/A
	BENCHMARK	N/A
N/A	TEST PIT	•

PLAN REVISIONS

DATE REVISION



BEFORE YOU DIG It's fast. It's free. It's the law.

BRYANT ROAD PRELIMINARY PLAT

504 ST MATTHEWS ROAD ERWIN, NC 28339

PROJECT #: DRAWN BY: REVIEWED BY: **1ST SUBMITTAL:** 2022.07.08

> FOR REVIEW AND APPROVAL

OLD EAST PROPERTIES



ENGINEERING 1149 EXECUTIVE CIRCLE CARY, NC 27511

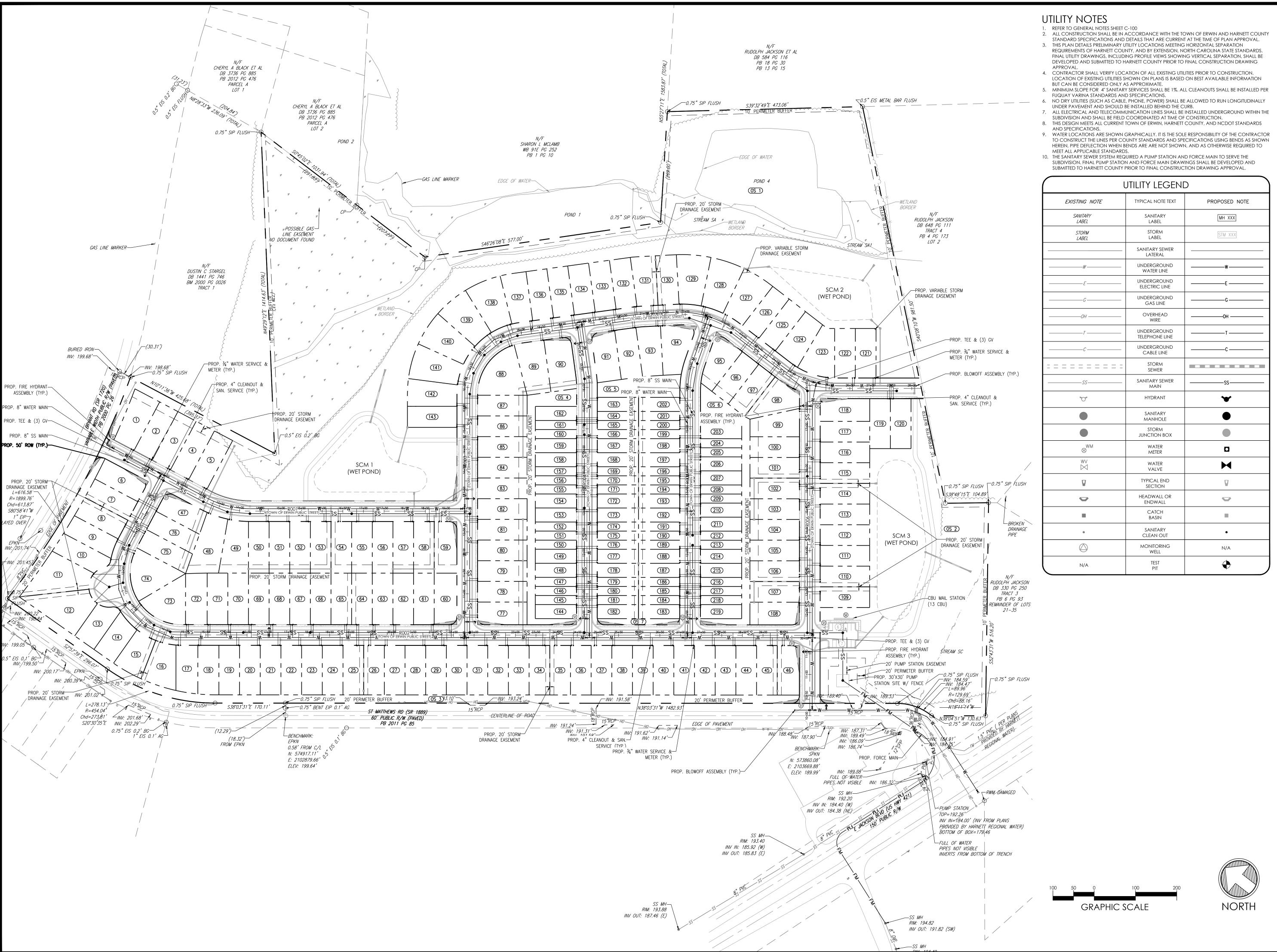
P:919.576.9733 NCBELS # C-3847



PRELIMINARY GRADING & **DRAINAGE PLAN**

C-300





PLAN REVISIONS

REVISION

DATE



BEFORE YOU DIG It's fast. It's free. It's the law.

BRYANT ROAD PRELIMINARY PLA1

504 ST MATTHEWS ROAD ERWIN, NC 28339

PROJECT #: DRAWN BY: REVIEWED BY: 1ST SUBMITTAL: 2022.07.08

> FOR REVIEW AND APPROVAL

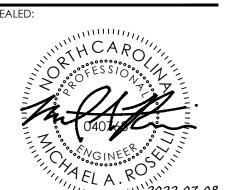
PREPARED FOR:

OLD EAST PROPERTIES



1149 EXECUTIVE CIRCLE CARY, NC 27511 P:919.576.9733

NCBELS # C-3847



PRELIMINARY UTILITY PLAN

C-400