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November 13, 2014

Pender County Planning & Community Development  
805 South Walker Street  
Burgaw, North Carolina 28425

Re: Application of Four Points Recycling for a Text Change to Table of Permitted Uses

To Whom It May Concern:

The letter addresses the requirements of Section 3.18.5 of the Pender County Unified Development Ordinance as follows:

1. The proposed text amendment would be serve to add an additional solid waste management use that is not currently addressed within the Unified Development Ordinance even though the Ordinance does address a number of solid waste management uses. The proposed text amendment would allow the processing of “silverculture waste”, which is defined as waste materials produced from the care and cultivation of forest trees, vegetative debris, yard trash, yard waste and the crushing of concrete to create materials that could be sold as ABC rock.

The purpose and intent of the proposed text would allow for a commercial deposit facility for the deposit from the pickup of silverculture debris generated from snow, ice and windstorms occurring in Pender County as well as, silverculture debris picked up by yard maintenance contractors who have no other place to deposit silverculture debris within the county. Additionally, the deposit facility would allow unused concrete debris to be recycled and sold for other commercial uses such as ABC rock.

2. The proposed text amendment would serve as an additional solid waste management use that is not currently being utilized in the County. Currently, there are no existing commercial silverculture waste management sites located in the county, excepting any commercial or county facilities. Since Pender County is growing and is more urbanized there are less options for the residents and citizens within Pender

County to deposit there “yard debris”. The more preferred method of eliminating yard debris now is to have such debris delivered to a facility where the debris can be grinded into smaller matter and utilized as mulch and for other commercial viable uses rather than having such material being burned or being piled to allow for natural decay. Additionally, the proposed text would serve to eliminate concrete debris that may typically be store within a construction landfill for an indefinite period of time and instead recycling such material so that it can utilized for other commercial uses.

3. The proposed text amendment does not serve to correct an error within the Ordinance; however it does serve to add an additional uses not previously contemplated.

4. The proposed text amendment regarding silviculture, yard waste, yard trash and demolition landfill facility is governed by North Carolina law through the North Carolina Department of Environment and Natural Resources in accordance with Chapter 13B, Title 15A, of the North Carolina Administrative Code.

Additionally, the applicant is requesting that Section 5.2.3 of the Table of Permitted Uses within the Unified Development Ordinance be amended under Sector 56: Administrative And Support and Waste Management and Remediation Services to add Compost Dump Facility as the “Use Type” which is classified by the North American Industry Classification System Number 562119 and that such use be permitted as a use by right within the General Business Zoning District.

Respectfully,

A handwritten signature in blue ink, appearing to read "R. Kenan, Jr.", with a stylized flourish at the end.

Robert C. Kenan, Jr.  
Attorney for Applicant