

# REQUEST FOR BOARD ACTION / CONTRACT CONTROL FORM

**Tracking Number:** 24.

**Date of Request:** November 5, 2007

**Date Request Received:**

**Board Meeting Date Requested:** November 19, 2007

**Board Meeting Date Assigned:**

**Short Title:** Special Use Permit For Wastewater Treatment Plant Improvements.

**Request Status:**

- Request is proceeding to Board of Commissioners
- More information is needed – see attached
- Request on hold – no further information needed
- Other:

**Background:** This Special Use Permit request was denied by the Board of Commissioners at the January 16, 2007 meeting. It was subsequently appealed to Pender County Superior Court where it was remanded back to the local jurisdiction. The applicant is requesting a re-hearing of the Special Use Permit.

*(Administrative Use Only)*

**Specific Action Requested:** The Board of Commissioners is requested to hold a public hearing for the submitted Special Use Permit.

## CONTRACT TYPE

**Requested by:** Planning Staff  
**Department:** Planning  
**Title:** N/A  
**Contact Phone:** 910.259.1202  
**Contact Fax:** 910.259.3735

- Renewal
- For Service(s)
- Intergovernmental – County as Grantee
  - Federal Grantor
  - State Grantor
  - Grantor
- County as Grantor
  - County Funds
  - Other Funds:
- Revision
- For Equipment

**PURCHASING** Budgeted Item:  Yes  No  
Date Rec'd:  Reviewed and Approved  
 Comments on Reverse

Date Sent:

Signed:

**ATTORNEY**  Reviewed and Approved  
Date Rec'd:  Legal Problem(s)  
 Comments on Reverse

Date Sent:

Signed:

**FINANCE** Sufficient Funds  Available  
Date Rec'd  Not Available  
 Budget Amendment Necessary  
 Budgeted Amendment is Attached  
 Comments on Reverse

Date Sent:

Signed:

**CLERK** Signature(s) Required:  
 Board Chairman/County Manager  
 Other:

Date Rec'd Approved by Board:  Yes  No  
At meeting on

**Special Use Permit for Wastewater Treatment Plant Improvements**

**SUBJECT:** CASE NO: 07-11-19-35  
**PROPERTY RECORD NO:** 4203-76-4927-0000  
**APPLICANT:** Stroud Engineering, PA  
**OWNER:** Carolina Water Service, Inc

**ACTION REQUESTED:** Approval of a Special Use Permit for improvements to an existing wastewater treatment plant.

**HISTORY/BACKGROUND:**

**Project Location:** The project site is located at 128 Fairway Drive, Hampstead, NC.

**Project Description:** The applicant is requesting a Special Use Permit to install improvements to the existing wastewater treatment plant in the Belvedere subdivision. The applicant proposes the installation of a 22' diameter clarifier between the existing bridge filter and the 75' diameter waste treatment plant in order to increase the plant's capacity. The increase in capacity is proposed in order to satisfy the utility's obligation within its established service district. All work related to the installation of these improvements will be limited to the treatment plant's property.

This Special Use Permit request was denied at the January 16, 2007 Board of Commissioners meeting. An appeal was filed with Pender County Superior Court where the case was remanded back to the local jurisdiction for a re-hearing.

**EVALUATION:**

- A) Public Notifications:** Advertisements for the proposal have been placed in the Topsail Voice and Pender Post. Adjacent property owners were notified by first class mail. (See certification attached)
- B) Basis for Granting SUP:** See attachment A for approval procedures (15.3 of Zoning Ord.) and revocation procedures (15.4b of Zoning Ord.).
- C) Zoning Ordinance Compliance:** This property is zoned PD, Planned Development and wastewater treatment plant is permitted through SUP.
- D) 2005 Land Use Plan Compliance:** This property is classified as an Urban Growth Area. The project is consistent with the 2005 Land Use Plan.
- E) Existing Land Use In Area:** The site is surrounded by woodland to the southeast and east and golf course to the northwest, west, and north.
- F) Site Access Conditions:** The site has access to Fairway Drive through a parcel owned Pender Land Holdings, Inc on an asphalt access way.
- G) Conditions To Consider In Issuing A Special Use Permit For This Project:**
1. No junk, debris trash or inoperable vehicles, recycled or salvaged materials shall be stored on the site outside a completely enclosed building.
  2. No project activity shall commence on the site including clearing and grading until a Final Zoning Permit has been issued.
  3. No permanent personnel occupancy on-site will be allowed.
  4. All operations must follow federal, state, and local standards, regulations, ordinances, permits, statutes, and/or laws.
  5. The project must have commercial site plan review for a zoning permit.
  6. Type B buffer requirements must be met with either existing vegetative cover or landscaping if existing vegetative cover is insufficient.
  7. The project shall be developed in accord with the provisions of the Pender County Zoning Ordinance and the applicant's final revised site plan as approved by the Zoning Administrator and the conditions contained in this permit.
  8. Any violations of the conditions of this permit, confirmed by the Zoning Administrator shall result in this permit becoming void, if not corrected within 30 days of receipt of the notice of violation with a scheduling

of a public hearing with the Board of Commissioners at the next available meeting the 31st day of receipt of the notice of violation for a revocation.

9. The obligations imposed by this permit will be the responsibility of the property owner and operator and shall continue in affect until all conditions of this permit and other permits have been complied with and the Pender County Planning Department has made a final inspection of the site and provided a written certification that the site is in compliance.

**RESOLUTION: NOW, THEREFORE, BE IT RESOLVED**, that on November 19, 2007 the Pender County Board of Commissioners considered a Special Use Permit for wastewater treatment plant improvements for Stroud Engineering, PA as described herein, F.D. Rivenbark, Chairman to the Board, is authorized to execute the order implementing this resolution and provide notice to the applicant of the action taken herein.

**AMENDMENTS:**

**MOVED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**APPROVED** \_\_\_\_\_ **DENIED** \_\_\_\_\_ **UNANIMOUS** \_\_\_\_\_

**YEA VOTES:** Rivenbark \_\_\_ Blanchard \_\_\_ Brown \_\_\_ Tate \_\_\_ Williams \_\_\_

\_\_\_\_\_  
**F.D. Rivenbark,**  
**Chairman**

11-19-07  
**Date**

\_\_\_\_\_  
**ATTEST**

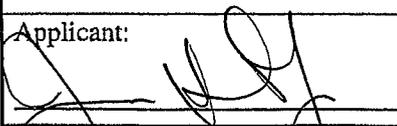
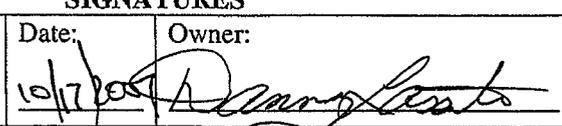
11-19-07  
**Date**

**PENDER COUNTY  
SPECIAL USE PERMIT APPLICATION FORM**

| THIS SECTION FOR OFFICE USE |             |             |          |
|-----------------------------|-------------|-------------|----------|
| Application No.             | 07-11-19-35 | Date        | 10/17/07 |
| Permit Fee                  | \$200.00    | Receipt No. | 077061   |

| APPLICANT INFORMATION  |   |
|--|---|
| Applicant Name: <u>Stroud Engineering, PA</u>                        | Owner Name: <u>Carolina Water Service, Inc.</u> |
| Address: <u>102-D Cinema Drive</u>                                   | Address: <u>5701 Westpark Drive Ste.101</u>     |
| <u>Wilmington, NC 28403</u>  | <u>P.O. Box 240908</u>                          |
| Phone No: <u>(910) 815-0775</u>                                      | Phone No: <u>(704) 525-7990</u>                 |
| Legal relationship of applicant to owner: <u>Consulting Engineer</u> |   |

| PROJECT INFORMATION  |  |
|--|--|
| Property tax record No. <u>4203-76-4927-0000</u>   | Total acreage                          |
| Zoning Designation: <u>PD</u>  | In property: <u>1.62</u>               |
| Acreage to be used for project: <u>907ft2</u>  | Acreage to be disturbed: <u>380ft2</u> |
| Project location and address: <u>Sewer plant is located approximately 250' west of the right of way of Fairway Drive. A 30' easement provides access to the plant. The physical address of the plant is 128 Fairway Dr. Hampstead, NC 28443.</u>   |  |
| Describe activities to be undertaken on project site: <u>Proposed installation of a 22' diameter clarifier will be constructed approximately 50' from the southern property line between the existing bridge filter and the 75' diameter sewer treatment plant. All work related to the installation will be done within and limited to the subject property. No expected work is to be done outside subject property and will not impact adjoining lands.</u> |  |

| SIGNATURES   |                       |   |                       |
|--|-----------------------|---|-----------------------|
| Applicant:  | Date: <u>10/17/07</u> | Owner:  | Date: <u>10-17-07</u> |

| NOTICE TO APPLICANT   |
|---|
| <ol style="list-style-type: none"> <li>1. Applicant must also submit the information described on page two of this form.</li> <li>2. Applicant or agent authorized in writing must attend the public hearing.</li> <li>3. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Board of Commissioners or other authorized person agrees to table or delay the hearing.</li> <li>4. Applicant may wish to review the required findings for approval of a Special Use Permit (p. 3).</li> </ol> |

**RECEIVED**  
**OCT 17 2007**  
 PENDER PLANNING DEPT.



## **STROUD ENGINEERING, P.A.**

CONSULTING ENGINEERS  
102-D CINEMA DRIVE  
WILMINGTON, NORTH CAROLINA 28403  
(910) 815-0775

Project Narrative  
Belvedere Plantation Sewer Plant Expansion  
P523  
10/17/2007

### **Project Location and Access**

The project involves adding a twenty-two feet diameter clarifier tank to increase the sewage treatment capacity at the Belvedere Water System Wastewater Treatment Plant located off of Fairway Drive. The site is afforded access from public roads within this community. Access to the actual construction area will be made via an existing gravel driveway.

### **Project Description**

The project proposes adding a twenty-two feet diameter tank to the existing sewage treatment plant to meet existing service needs within the Belvedere Plantation wastewater system. This additional clarifier is needed to meet present committed capacity needs for developments permitted prior by both Pender County and NCDENR within and adjacent to the Belvedere Plantation community. The tank construction will take three months to complete and will not require any additional employees to operate.

### **Construction Activities to be undertaken on the Site**

The site will require grading only in the immediate area of the proposed tank. The tank will be assembled from pre fabricated parts delivered to the site by tractor trailer.

### **Permits Required**

The permit required by NCDENR Water Quality Section has been issued for this installation. The permit number issued by Water Quality is WQ001664. This permit is attached. There are no other state permits required.

### **Associated Impacts**

The impacts associated with this project are solely related to the sewer system. The addition of this tank will increase the service capability of the Belvedere water system to meet the demand needs presently existing in this community. These impacts can only be considered positive.

File F:\master\p523\wpd\sewerspecialnarrative.doc



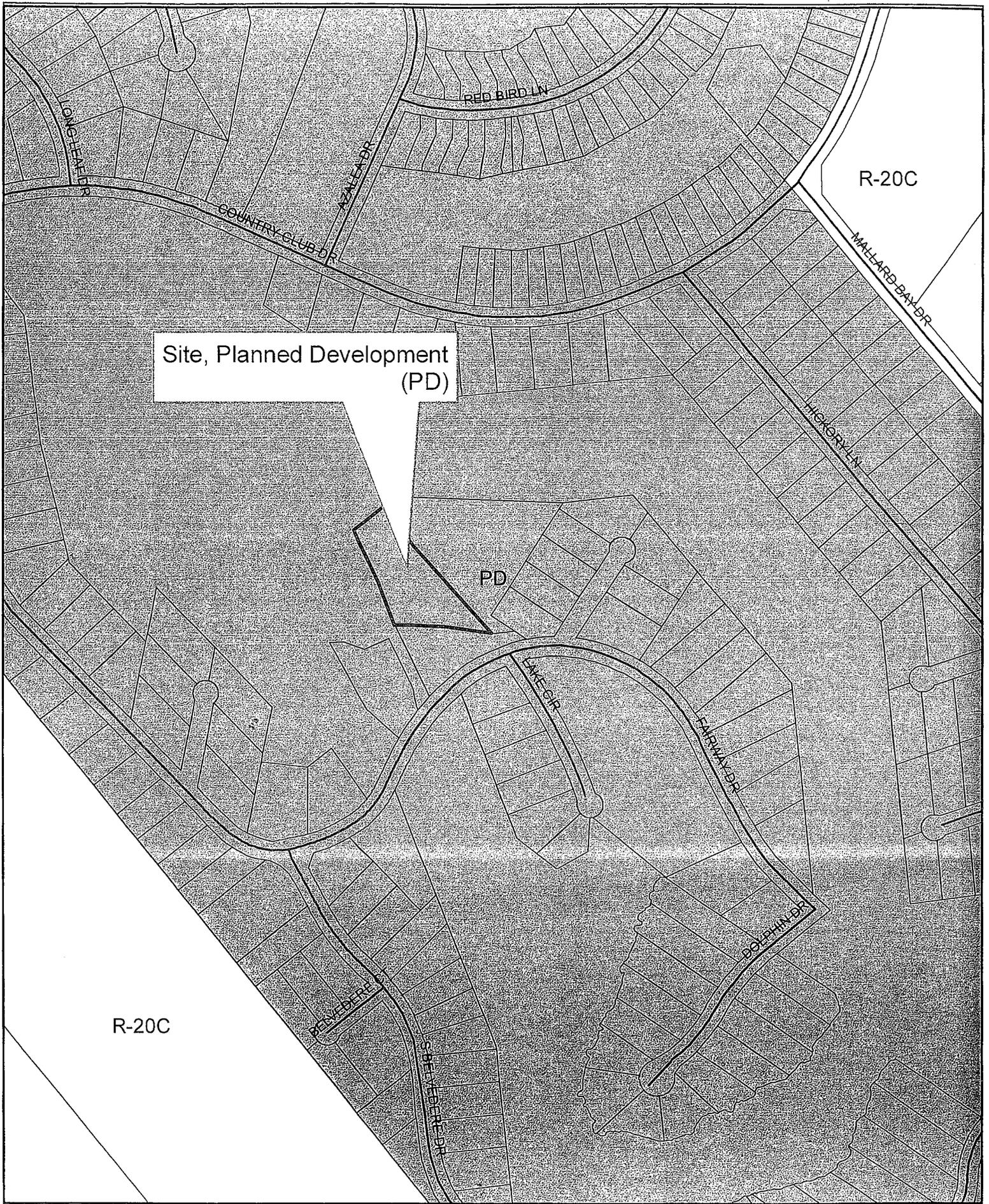
Site

1 inch equals 1,500 feet

750 375 0 750 Feet

Stroud Engineering Sewer Plant- SUP

Vicinity Map



Site, Planned Development  
(PD)

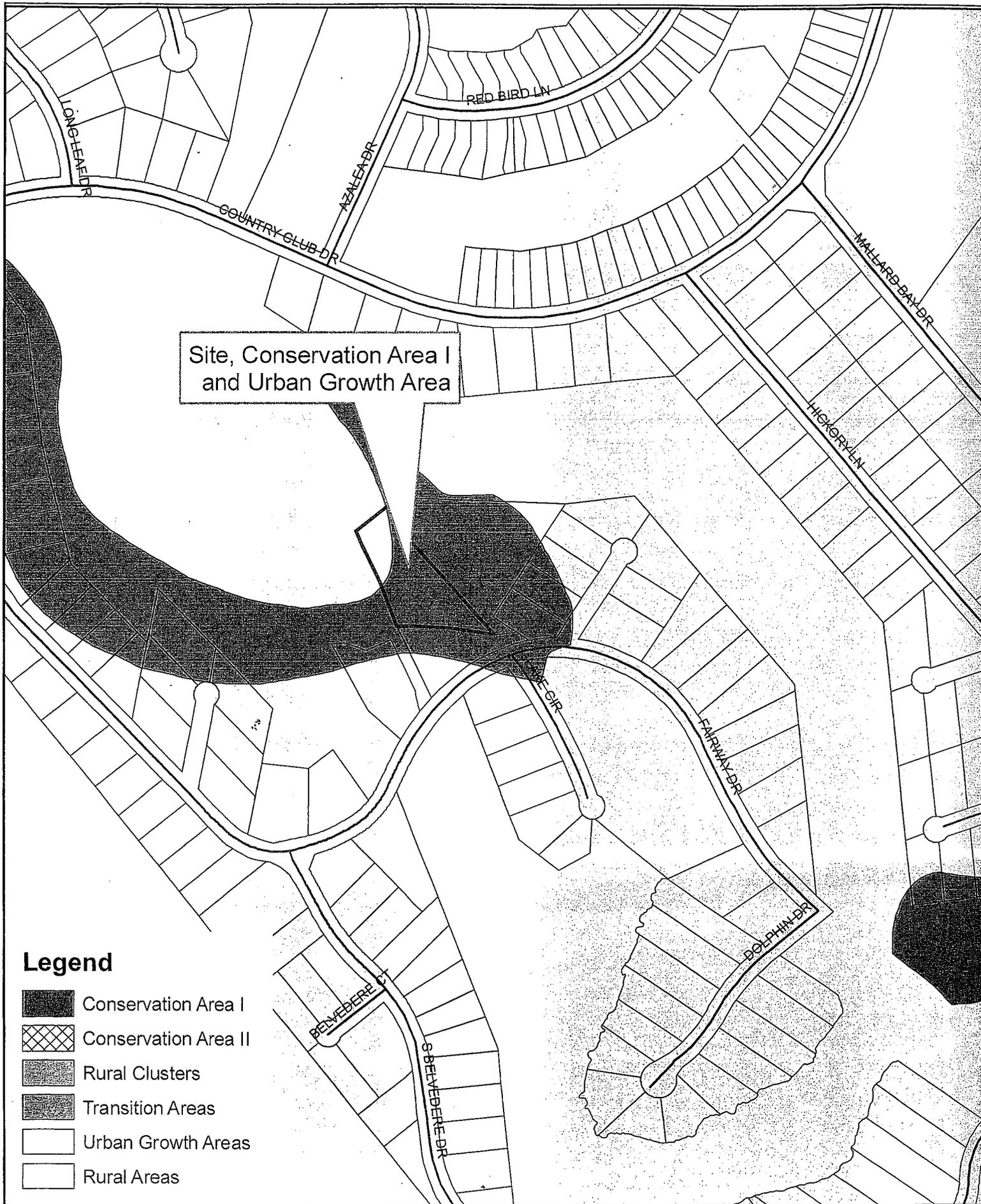
PD

R-20C

R-20C

1 inch equals 375 feet  
190 95 0 190 Feet

# Stroud Engineering Sewer Plant- SUP Zoning

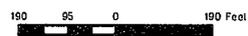


Site, Conservation Area I  
and Urban Growth Area

**Legend**

-  Conservation Area I
-  Conservation Area II
-  Rural Clusters
-  Transition Areas
-  Urban Growth Areas
-  Rural Areas

1 inch equals 375 feet



Stroud Engineering Sewer Plant- SUP  
Land Use (2005)



Site

1 inch equals 375 feet

190 95 0 190 Feet

Stroud Engineering Sewer Plant- SUP  
Orthos (2003)