

County of Forsyth



LCIDN34-90-2C Permit Car/Stewart

February 17, 1997

RECEIVED
N.C. Dept. of EHNR
FEB 24 1997
Winston-Salem
Regional Office

Mr. and Mrs. Henry C. and Frances Stewart
1439 Hauser Road
Lewisville, NC 27023

Dear Mr. and Mrs. Stewart:

Please be advised that an inspection of the property on Hauser Road, referenced as Tax Lot(s) 13A, 13U and 13V, Block 4435, zoned RS40, indicates that a violation of the Unified Development Ordinance exists, specifically Chapter A, Article 2, and Chapter B, Sections 2-5.37, 5-4.4, and 9-1, Table 2.6 in that:

Use conditions for required improvements to existing Land Clearing and Inert Debris landfills not met.

Failure to correct said violations(s) within ten (10) days of receipt of this notice will result in you being assessed a civil penalty of one hundred dollars (\$100.00) for each day the violation continues after the tenth (10th) day. In addition, the county may also seek injunctive relief to remedy this violation.

In addition to assessment of a civil penalty, Section 9-1 of the Unified Development Ordinance provides that a violation of the Zoning Ordinance constitutes a misdemeanor punishable upon conviction of a fine not to exceed \$500.00 or imprisonment up to thirty (30) days. You may avoid all such penalties by bringing the described property into compliance within ten (10) days of receiving this Notice.

If you have any questions about bringing the property into compliance, please call Richard Vinson, Zoning Inspector, at 748-3096.

As soon as you have brought the property into compliance with the Unified Development Ordinance, you should call our office so that a prompt inspection can be made and further penalties, if any, can be stopped.

Very truly yours,



Richard Vinson
Zoning Inspector for Inspections
Division Superintendent

OFFICER'S RETURN

Received _____, 19 ____.

Served _____, 19 ____, by delivering the original letter, of which is a true copy, to _____.

_____.

Deputy Sheriff, Sheriff's
Department of Forsyth County

County of Forsyth



June 5, 1996

Mr. Carl Stewart
1439 Hauser Road
Lewisville, NC 27023

RE: Improvement Standards
Hauser Road
Zoned: RS40
Lot: 13A, 13U, 13V
Block: 4435

Dear Sir or Madam:

On January 16, 1996 you were notified by our office that the landfill at the above address would need to meet improvement standards in order to comply with Chapter B, Article 5-4 of the Zoning Ordinance. The deadline for compliance is January 1, 1997.

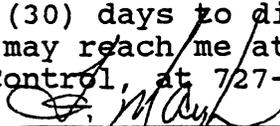
This letter will serve as your second and final notice for complying with the necessary improvements prior to issuance of violation notices.

In addition, to Zoning regulations, Environmental Regulations, Chapter C, Article VII Erosion Control, of the Unified Development Ordinance requires that an Erosion Control plan be submitted to the Inspections Division and a grading permit be obtained for any Land Clearing and Inert Debris Landfill (LCID) that exceeds 10,000 square feet in area.

If your site has been closed or will be closed prior to January 1, 1997, you will need to obtain a letter of closure from the NC Department of Environment, Health, and Natural Resources and forward a copy of the letter to the Inspections Division at P O Box 2511, Winston-Salem, NC 27102.

Failure to comply with the regulations may result in civil penalties being assessed against property owners.

Please contact our office within (30) days to discuss compliance with the regulations. You may reach me at (910) 748-3096 or Jeff Kopf, Erosion Control, at 727-2388.



F. Mayhan
Zoning Inspector

Copy To: NCDEHNR

**Division of Environmental Health
and Laboratory**

Fred G. Overstreet
DIRECTOR



Health Department

Dr. Thomas R. Dundon
DIRECTOR

April 10, 1990

Mr. H. Carl Stewart
1439 Hauser Road
Lewisville, N. C.

RE: Closure of Non-Conforming Site

Dear Mr. Stewart:

Please review the attached closure conditions for your non-conforming disposal site.

I believe the continued fill of this site to prevent water from accumulating on top but at the same time control the run off to prevent off site and on site siltation problems is consistent with proper closure. Therefore, please establish elevations on this site that will accomplish the following:

1. Promote controlled runoff yet prevent the accumulation of standing water above the area; and
2. Create ditches next to the road and on the perimeter of the disposal area so that water will be carried to the silt pond as required by erosion control.

The attached closure permit for a non-conforming site is not approval of prior disposal activities but is intended to properly close-out an existing site. Your work on this site must be accomplished by next April 5, 1991. I understand that much of this work is based on the availability of suitable disposal materials and uncontaminated soils but nevertheless 12 months from the date of this letter the site shall be closed, stabilizing and growing native grasses.

If you have any questions please call.

Sincerely,

DIVISION OF ENVIRONMENTAL HEALTH

Jim Bryan, R.S.
Environmental Health Supervisor

CERTIFIED COPY OF NON-CONFORMING
SOLID WASTE CLOSURE PERMIT

I do hereby certify that the attached CLOSURE PERMIT is an exact and true copy of Permit No. 34-90-2C

Fred G. Overstreet R.D.
FRED G. OVERSTREET, DIRECTOR

Environmental Health Section

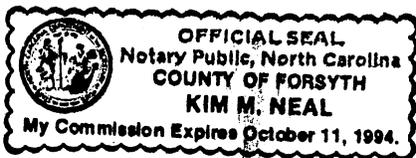
North Carolina

Forsyth County

I, Kim M. Neal, a Notary Public for said County and State, do hereby certify that Fred G. Overstreet personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the April day of 6th, 1990.

(Official Seal)



Kim M. Neal
Notary Public

My Commission Expires October 11, 1994.

PERMIT #: 34-90-2C

DATE ISSUED: April 6, 1990

FORSYTH COUNTY PUBLIC HEALTH
DIVISION OF ENVIRONMENTAL HEALTH
SOLID AND HAZARDOUS WASTE SECTION
P. O. BOX 2975
WINSTON-SALEM, NC 27102

N O N - C O N F O R M I N G S O L I D W A S T E C L O S R E
P E R M I T

Carl Stewart is hereby required to properly close and record a non-conforming landfill, in the register of deeds office, located at Hauser Road, Block 4435, Lot Part of 13L, in accordance with Article 9, Chapter 130A, of the General Statutes of North Carolina and all rules promulgated thereunder and subject to the conditions set forth in this permit. The facility is located on the below described property:

SEE: ATTACHED PLAT MAP FOR LOCATION OF DEMOLITION LANDFILL
SEE: ATTACHED DESCRIPTION(S) ON "EXHIBIT A" AND/OR "DEED"


Fred G. Overstreet, Director
Division of Environmental Health

CONDITIONS AND REQUIREMENTS OF SOLID WASTE CLOSURE PERMIT

1. This site is subject to review at an administrative hearing upon petition of anyone whose legal rights, privileges, and duties may have been affected by the issuance thereof.
2. This closure permit shall not be effective unless the certified copy is filed in the register of deeds' office, in the grantor index under the name of the owner of the land in the county or counties in which the land is located. After recordation, the certified copy shall be returned to the Solid & Hazardous Waste Management Section of the Forsyth County Health Department, Division of Environmental Health and shall have indicated on it the page and book number, date of recordation and registrar's seal.
3. The following requirements shall be implemented to close the site:
 - a. Site preparation in accordance with closure plan.
 - b. Site inspection made by a representative of the Division of Environmental Health.
4. This solid waste disposal site is permitted to receive uncontaminated soils, stumps, limbs, leaves, concrete, masonry, wood and other substances upon approval by the Division of Environmental Health on a case by case basis.
5. The closure of this facility shall conform to Rule .0502 of the Solid Waste Management Rules.
6. The final slope of a demolition landfill shall be flatter than 2:1 unless other engineered plans are approved by the permitting agency.
7. Dust suppression shall be provided.
8. Erosion control features shall be constructed/installed as per approved erosion control plan. These features shall include but not be limited to: energy dissipaters, silt fences, straw, berms, dikes, and diversion ditches and brush barriers.
9. All finished areas within six months of completion shall be stabilized at its surface with native grasses.
10. Vehicles shall not exceed a safe speed for the materials being hauled and shall be covered or secured with suitable device(s) when on the public highway.

PERMIT #: 34-90-2C

DATE: April 6, 1990

11. All fill must upon completion stay a minimum of 15 feet from any property line, and 25 feet from any public utility. All easements and access shall be preserved to allow service, inspection and maintenance of public utilities.
12. The site must/shall be inspected by the owner/operator at least once every ten (10) working days.
13. Signs indicating: "Site Closed", "No Unauthorized Dumping", "No Hazardous, Liquid or Infectious Waste Shall Be Accepted Or Disposed", and "The Permit No." shall be posted in a conspicuous location at the entrance(s) of the site.
14. Ingress and Egress shall be controlled with a suitable device, i.e. a chain, cable or gate. Where access is next to a public or private road, berms shall be installed to provide a controllable access.
15. The site shall not be accessible to the general public. The operator or his representative must demonstrate acceptable control of the site.
16. All drainage features shall be preserved.
17. At no time shall any part of the fill site enter a flood way. Disposal into the flood plain is expressly forbidden without approved, engineered plans to control flood waters.
18. Proper closure is subject to periodic review. At the time of review, the closure requirements may be modified, depending on the condition(s) at the site on the day of review.
19. 24 inches of soil (cover material) is required.
20. This permit is null and void if the local fire department is not made aware of the location and activity of the landfill.
21. Provision for sufficient cover materials (uncontaminated soils) shall be demonstrated on site by stockpiling soils unless soils are available on site.
22. Any amendments to the closure operational plan for the site shall be recorded in the Forsyth County Register of Deeds' office.
23. At all times a four-foot separation distance shall be maintained between the fill material(s) and groundwater.

PERMIT #: 34-90-2C

DATE: April 6, 1990

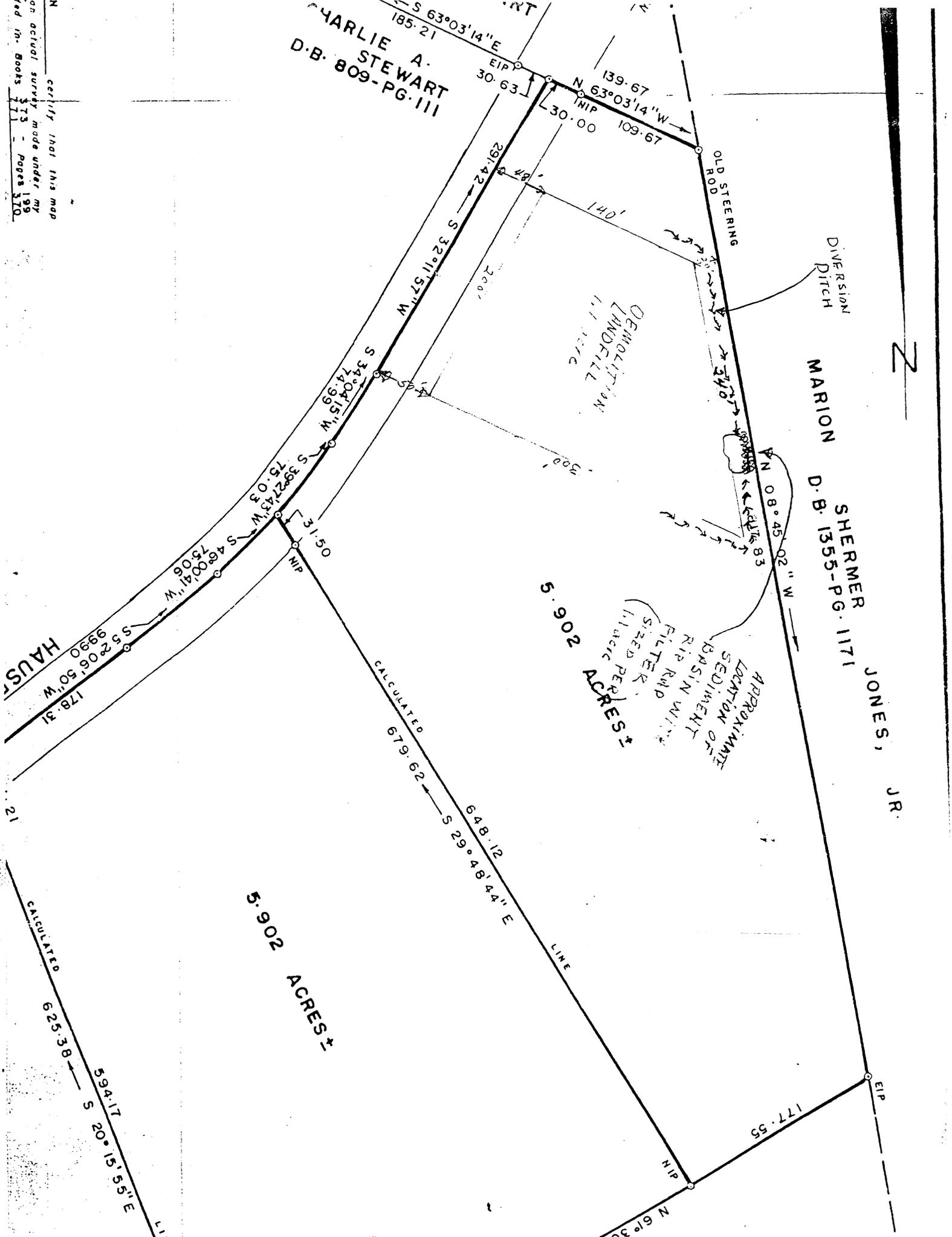
24. A final closure plan shall be approved by the Division of Environmental Health, Solid & Hazardous Waste Management Section 30 days prior to establishing the final elevations.
25. Financial responsibility shall be demonstrated by the owner and the contractor to close the non-conforming site. A "CLOSURE BOND" may be required to assure financial capability.
26. Surface water shall be diverted in a controllable manner from the operational area and not allowed to be impounded over waste. Solid waste shall not be disposed of in water.
27. Temporary seeding will be utilized as necessary to control erosion.
28. Springs and seeps which exist or may form on the site will have to be evaluated. Permit(s) from the Army Corps of Engineers may be needed to handle this type of water.
29. This permit does not allow the permittee to violate other rules, regulations, etc. Other permits and regulations may apply; therefore, the permittee and contractor are responsible for other local, state, and federal permits.

EXHIBIT A:

SURVEY DISCRIPTION

BEGINNING at an iron stake in the East line of Marion Shermer Jones, Jr. (see Deed book 1355, page 1171), Forsyth County Registry), said iron stake being the Southwest corner of Monroe T. Cumby (see Deed Book 1477, page 1461, Forsyth County Registry); running thence from said point of Beginning with Cumby's line, North $61^{\circ} 30' 00''$ East 177.55 feet to an iron stake, corner with Ruby Stewart Loman and husband, Jesse Herman Loman; running thence with Loman's line South $29^{\circ} 48' 44''$ east crossing an iron stake in the West right of way line of Hauser Road at 648.12 feet and continuing along the same course an additional 31.5 feet to a point in the center of Hauser Road, for a total distance of 679.62 feet; running thence along the center of Hauser Road the following three courses and distances: South $39^{\circ} 27' 43''$ West 75.03 feet to a point; South $34^{\circ} 04' 15''$ West 74.99 feet to a point, and south $32^{\circ} 11' 57''$ West 74.99 feet to a point, and South $32^{\circ} 11' 57''$ West 291.42 feet to a point in Charlie Stewart's line; running thence with Charlie Stewart's line, North $63^{\circ} 03' 14''$ West crossing an iron stake in the West right of way line of Hauser Road at 30 feet and continuing along the same course 109.67 feet for a total distance of 139.67 feet to an old steering rod in the Eastern line of Marion Shermer Jones, Jr.; running thence with the East line of Jones, North $08^{\circ} 45' 02''$ West 817.83 feet to an iron stake, the point and place BEGINNING, containing 5.902 acres, more or less. Said description being in accordance with a survey entitled Property of Lindsay A. Stewart made by Kenneth A. Vaughn, RLS. Being part of Tax Lot 13L, Block 4435 as presently shown on the Forsyth County Tax Maps in Lewisville Township.

I hereby certify that this map is a true and correct copy of the original survey made under my hand and seal on the 17th day of August 1939. Pages 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200.



CHARLIE A. STEWART
D.B. 809-PG. 111

DIVERSION
DITCH

MARION SHERMER
D.B. 1355-PG. 1171

JONES, JR.

DEMOLITION
LANDFILL

APPROXIMATE
LOCATION OF
SEDIMENT
BASIN WITH
RIP RAP
FILTER
SIZED PERIST
1.1 acre

5.902 ACRES ±

5.902

CALCULATED

679.62

648.12

S 29°48'44" E

LINE

CALCULATED

625.38

594.17

S 20°15'55" E

HAUS

178.31

S 5°20'06" 50" W

S 4°08'00" 41" W

S 3°27'43" W

S 3°04'15" W

185.21

S 63°03'14" E

EIP

30.63

NIP

30.00

N 63°03'14" W

109.67

139.67

OLD STEERING
OD ROD

N 08°45'02" W

83

177.95

NIP

N 6°30'

N



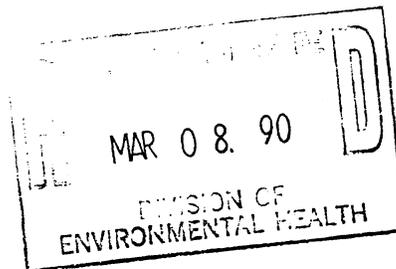
PUBLIC WORKS
DEPARTMENT

City of Winston-Salem

March 5, 1990

Mr. Carl Stewart
1439 Hauser Road
Lewisville, N.C. 27023

RE: DEMOLITION DEBRIS DISPOSAL SITE
TAX BLOCK: 4435
TAX LOT: PART OF 13L



Dear Mr. Stewart:

You have inquired regarding zoning regulations as they apply to this property.

This will advise you that so long as the fill material consists entirely of demolition type debris and non-putrescible waste materials, it is our opinion that your proposal can be approved.

If you have not already done so, the Division of Environmental Health, P. O. Box 2975, Winston-Salem, North Carolina 27102, should be contacted for their approval of your project.

Sincerely,

Jimmie Beeding
for Aubrey Smith
Inspections Superintendent

AS/dh

EROSION CONTROL ITEMS NEEDED:

- 1.) A stone outlet structure located in the swale at the bottom of the fill slope.
- 2.) Two diversion ditches cut, one on each side of the stone outlet structure directing all runoff into the stone outlet structure.

Division of Environmental Health
and Laboratory

Fred G. Overstreet
DIRECTOR



Health Department

Dr. Thomas R. Dundon
DIRECTOR

February 9, 1990

*please file
2-12-90*

Mr. H. Carl Stewart
1439 Hauser Road
Lewisville, N. C.

RE: Demolition Landfill

Dear Carl:

Please note that I have completed my review of your demolition landfill and will have no problem with issuing a permit. However, I will need a letter from the Erosion Control Office (727-2389) indicating that an erosion control plan has been approved and that the site doesn't conflict with zoning prior to actual issuance of the permit.

The Erosion Control Officer, Tommy Beeding, has indicated that he will need a site plan addressing erosion control.

If you have questions etc. please call, I will try to help you in this matter.

Sincerely,

DIVISION OF ENVIRONMENTAL HEALTH

Jim Bryan, R.S.

Jim Bryan, R.S.
Environmental Health Sanitarian

JB:jk

