

ESP

ESP Associates, P.A.

P.O. Box 7030
Charlotte, NC 28241

3475 Lakemont Blvd.
Fort Mill, SC 29708

704.583.4949 (NC)
803.802.2440 (SC)

www.espassociates.com



COPY TO:

- (A) Addressee
- (B) ESP Main Project File
- (C) PM's Project File

LETTER OF TRANSMITTAL

ESP Project Name:	Doc Bennett
ESP Project No.:	WG14.400

TO: NCDENR - Division of Waste Management
 401 Oberlin Road Room 240
 Raleigh, NC 27605
 919-508-8523

Attention: Dr. Zi-Qiang Chen, PhD

Date: May 1, 2009

We are Sending:

<input checked="" type="checkbox"/> Enclosed	<input type="checkbox"/> Change Order	<input type="checkbox"/> _____ Originals	<input type="checkbox"/> Under separate cover via _____
<input type="checkbox"/> Samples	<input type="checkbox"/> Computations	<input type="checkbox"/> _____ Sepia(s)	<input type="checkbox"/> _____
<input type="checkbox"/> Literature	<input type="checkbox"/> Specifications	<input type="checkbox"/> _____ Print(s)	_____
<input type="checkbox"/> Copy of Letter	<input type="checkbox"/> Floppy Disk	<input type="checkbox"/> _____ Set(s) of Plans	_____

Copies	Dated	Sheet	Description
3	04/30/09	1-11	Doc Bennett LCID Landfill Permit Renewal Plans
1			Comment Response letter
1			DENR Erosion Control Approval
1			Planning Approval letter for Conditional Use Permit

These are Being Sent:

<input type="checkbox"/> For Your Approval	<input type="checkbox"/> Approved as Noted	<input type="checkbox"/> Corrected and Returned
<input checked="" type="checkbox"/> For Your Use	<input type="checkbox"/> Approved as Submitted	<input type="checkbox"/> As Requested
<input type="checkbox"/> For Your Review and Comment	<input type="checkbox"/> Approved as Changed	_____
<input type="checkbox"/> For Your Signature	<input type="checkbox"/> Returned for Corrections	_____
<input type="checkbox"/> For Bids Due _____	<input type="checkbox"/> Returned After Loan to Us	_____

By: Courier UPS Mail Other

Please let me or Scott Childers know if you have any questions or require additional information.

Signed & Date Andre Mullins 5/1/2009

Signed & Date *Andre Mullins* 5/1/09

*If enclosures are not as noted, kindly notify us immediately



April 30, 2009

Zi-Qiang Chen Ph.D.
Solid Waste Section Permitting Branch
NCDENR Division of Waste Management
1646 Mail Service Center
Raleigh, NC 27699-1646

RE: Doc Bennett LCID Landfill
NCDENR Project No: 26-K

Dear Mr. Chen,

I received a comment letter from your office yesterday dated January 12, 2009. I have reviewed your comments and I have reviewed the plans. Per your request I will address the appropriate comments in this letter and in the engineering plans.

1. *Page 2: Provide an update of the County's new sediment and erosion control plans that have been submitted to the Division of Land Quality. **A copy of the latest sediment and control permit letter is attached with this correspondence.***
2. *Provide and update to the original Operation Plan. **There is no change to the operational plan the intent of this submittal is for permit renewal.***
3. *Pages 1-2, and Sheet 2 of the Engineering Plans: Provide a set of copies of the testing/observing results from the eight test pits in the facility. **This information should be part of the original submittal. Does this need to be resent as this is a permit renewal?***
4. *Pages 1-2, and Sheet 7 of the Engineering plans: Add a Narrative of, and denote on the sheet, which cells are closed and which one(s) is(are) active. **All cells on the lower tier (phases 1-6) are active to this date no phases that are inactive or closed out. Phase annotation on Sheet 8 cross sections are revised to reflect which are active and which are future.***
5. *Pages 1-2, and Sheet 7 of the Engineering plans: Clarify if there are gas control devices, such as gas probes and flares, installed in the facility; if yes, where the devices are located on these or other sheets. **Per our conversation on April 23, 2009 no gas control devices are required for this or any LCID landfill. Thus none are shown on the revised plans.***
6. *Sheet 7 of the Engineering Plan: Confirm that the proposed grading and fill material side slopes do not exceed three to one (3:1). **A note was placed on the plans that no grading shall exceed a 3:1 slope.***

If you have any questions or concerns please do not hesitate to call me or Scott Childers at 803-802-2440. Thanks for your assistance and we look forward to working with you on future projects.

Sincerely yours,
ESP Associates, P.A.

A handwritten signature in black ink, appearing to read "André M. Mullins", written in a cursive style.

André M. Mullins. EI
Project Manager

CUMBERLAND COUNTY

**Preliminary Technical Review Comments
For Barnhill Contracting Company
LCID Landfill (Crowell Site) Permit Renewal Application
LCID Permit No.: 26-K
Doc ID No.: 6580**

January 12, 2009

NOTE: Please provide a response to all of the comments on a “comment for comment” basis. Where appropriate, revise the text of the Permit Renewal Application and/or the Engineering Plans that addresses the issues discussed in the comments.

1. Page 2: Provide an update of the County’s new erosion and sedimentation control plans that have been submitted to the Division of Land Quality.
2. Provide an update to the original Operation Plan.
3. Pages 1-2, and Sheet 2 of the Engineering Plans: Provide a set of copies of the testing/observing results from the eight test pits in the facility.
4. Pages 1-2, and Sheet 7 of the Engineering Plans: Add a narrative of, and denote on the sheet, which cells are closed and which one(s) is(are) currently active.
5. Sheets 1 and 7 of the Engineering Plans: Clarify if there are gas control devices, such as gas probes and flares, installed in the facility; If yes, where the devices are located on these or other sheets.
6. Sheet 7 of the Engineering Plan: Confirm that the proposed grading and fill material side slopes do not exceed three to one (3:1).



North Carolina Department of Environment and Natural Resources
Division of Land Resources
Land Quality Section

James D. Simons, PG, PE
Director and State Geologist

Michael F. Easley, Governor
William G. Ross Jr., Secretary

December 19, 2008

LETTER OF APPROVAL

Barnhill Contracting Company
Attn: Steve Waters, Office Manager
P.O. Box 35376
Fayetteville, NC 28303-

RE: Project Name: Doc Bennett LCID Landfill Acres Approved: 12.8
Project ID: Cumbe-2009-021
County: Cumberland Rockfish Doc Bennett Road
River Basin: Cape Fear Stream Classification: Other
Submitted By: ESP Associates, P.A.
Date Received by LQS: 12/11/2008
Plan Type: Revised

Dear Mr. Waters:

This office has reviewed the subject erosion and sedimentation control plan. We find the plan to be acceptable and hereby issue this Letter of Approval. The enclosed Certificate of Approval must be posted at the job site. This plan approval shall expire three (3) years following the date of approval, if no land-disturbing activity has been undertaken, as is required by Title 15A NCAC 4B .0129.

Title 15A NCAC 4B .0118(a) requires that a copy of the approved erosion control plan be on file at the job site. Also, this letter gives the notice required by G.S. 113A-61.1(a) of our right of periodic inspection to insure compliance with the approved plan.

North Carolina's Sedimentation Pollution Control Act is performance-oriented, requiring protection of existing natural resources and adjoining properties. If, following the commencement of this project, the erosion and sedimentation control plan is inadequate to meet the requirements of the Sedimentation Pollution Control Act of 1973 (North Carolina General Statute 113A-51 through 66), this office may require revisions to the plan and implementation of the revisions to insure compliance with the Act.

The developer is responsible for obtaining any and all permits and approvals necessary for the development of this project prior to the commencement of this land disturbing activity. This could include agencies such as the Division of Water Quality's stormwater regulations, their enforcement requirements within Section 401 of the Clean Water Act, the Environmental Protection Agency and/or the U.S. Army Corps of Engineers' jurisdiction of Section 404 of the Clean Water Act, the Division of Solid Waste Management's landfill regulations, local County or Municipalities' ordinances, or others that may be required. This approval cannot

Letter of Approval
Barnhill Contracting Company
December 19, 2008
Page 2 of 2

supersede any other permit or approval; however, in the case of a Cease and Desist Order from the Corps of Engineers, that Order would only apply to wetland areas. All upland areas would still have to be in compliance with the N.C. Sedimentation Pollution Control Act.

If any area on site falls within the jurisdiction of Section 401 or 404 of the Clean Water Act, the developer is responsible for compliance with the requirements of the Division of Water Quality, the Corps of Engineers and the Environmental Protection Agency (EPA) respectively. Any erosion control measures that fall within jurisdictional wetland areas must be approved by the aforementioned agencies prior to installation. The Land Quality Section must be notified of a relocation of the measures in question to the transition point between the wetlands and the uplands to assure that the migration of sediment will not occur. If that relocation presents a problem or contradicts any requirements of either DWQ, the Corps, or the EPA, it is the responsibility of the developer to inform the Land Quality Section regional office so that an adequate contingency plan can be made to assure sufficient erosion control remains on site. Failure to do so will be considered a violation of this approval.

Please be aware that your project will be covered by the enclosed NPDES General Stormwater Permit NCGO1000 (Construction Activities). You should first become familiar with all of the requirements for compliance with the enclosed general permit.

Please note that this approval is based in part on the accuracy of the information provided in the Financial Responsibility Form, which you provided. You are requested to file an amended form if there is any change in the information included on the form. In addition, it would be helpful if you notify this office of the proposed starting date for this project. Please notify us if you plan to have a preconstruction conference.

Your cooperation is appreciated.

Sincerely,



Sally McKinney, EI
Land Quality Section

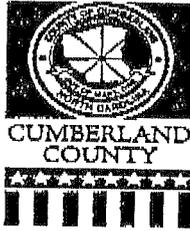
Enclosures: Certificate of Approval
NPDES Permit

cc: ESP Associates, P.A.
Ken Sykes, Building Inspector
Belinda Henson, Division of Water Quality
Land Quality Section - Fayetteville Regional Office File

Donovan McLaurin,
Chair
Wade, Falcon & Godwin

Lori Epler,
Vice-Chair
Cumberland County

Garland C. Hostetter,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman
Patricia Hall,
Town of Hope Mills
Charles C. Morris,
Town of Linden



COUNTY of CUMBERLAND

Planning and Inspections Department

Doc' Bennett

WE 14.400

Thomas J. Lloyd,
Director

Cecil F. Combs,
Deputy Director

Clifton McNeill, Jr.,
Roy Turner,
Sara E. Piland,
Cumberland County

RECEIVED

APR 14 2009

Fax

To: <i>Andre Mullins</i>	From: <i>J. Barnhill</i>
Fax: <i>803-802-2515</i>	Pages: <i>9</i>
Phone: <i>803-835-0881</i>	Date: <i>4-14-09</i>
Re:	cc:

Urgent For Review Please Comment Please Reply

• Comments:

Hope THIS HELPS!

PLANNING DEPARTMENT

Post Office Box 1829
Fayetteville, NC 28302
Telephone (919) 678-7600

CUMBERLAND COUNTY JOINT PLANNING BOARD

John Britt
CHAIRMAN

George Vaughan
PLANNING DIRECTOR

May 26, 1992

MEMO TO: CUMBERLAND COUNTY BOARD OF COMMISSIONERS

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: CASE NO. P92-3. THE ADDITION OF CONDITIONAL USE OVERLAY DISTRICT TO ALLOW A PRIVATELY OWNED BORROW PIT AND DEMOLITION LANDFILL IN AN RR RURAL RESIDENTIAL DISTRICT FOR AN AREA LOCATED WEST OF DOC BENNETT ROAD (SR 2212) AND SOUTH OF I-95 BYPASS. (COUNTY ORDINANCE)

ACTION: THE NINE MEMBERS PRESENT AT THE APRIL 21, 1992 REGULAR MEETING VOTED UNANIMOUSLY TO APPROVE THE CONDITIONAL USE OVERLAY DISTRICT

Mr. Lloyd displayed a map outlining the existing zoning and land use in the area and a site plan for the proposed conditional use district. He stated that this case was originally heard by the Board in January as a requested rezoning to a manufacturing district, and after listening to complaints from the neighborhood, the Board requested that the applicant find an alternate access or satisfy the complaints of the neighbors. He stated an agreement had been reached, and the Planning staff now recommended approval of the Conditional Use Overlay District.

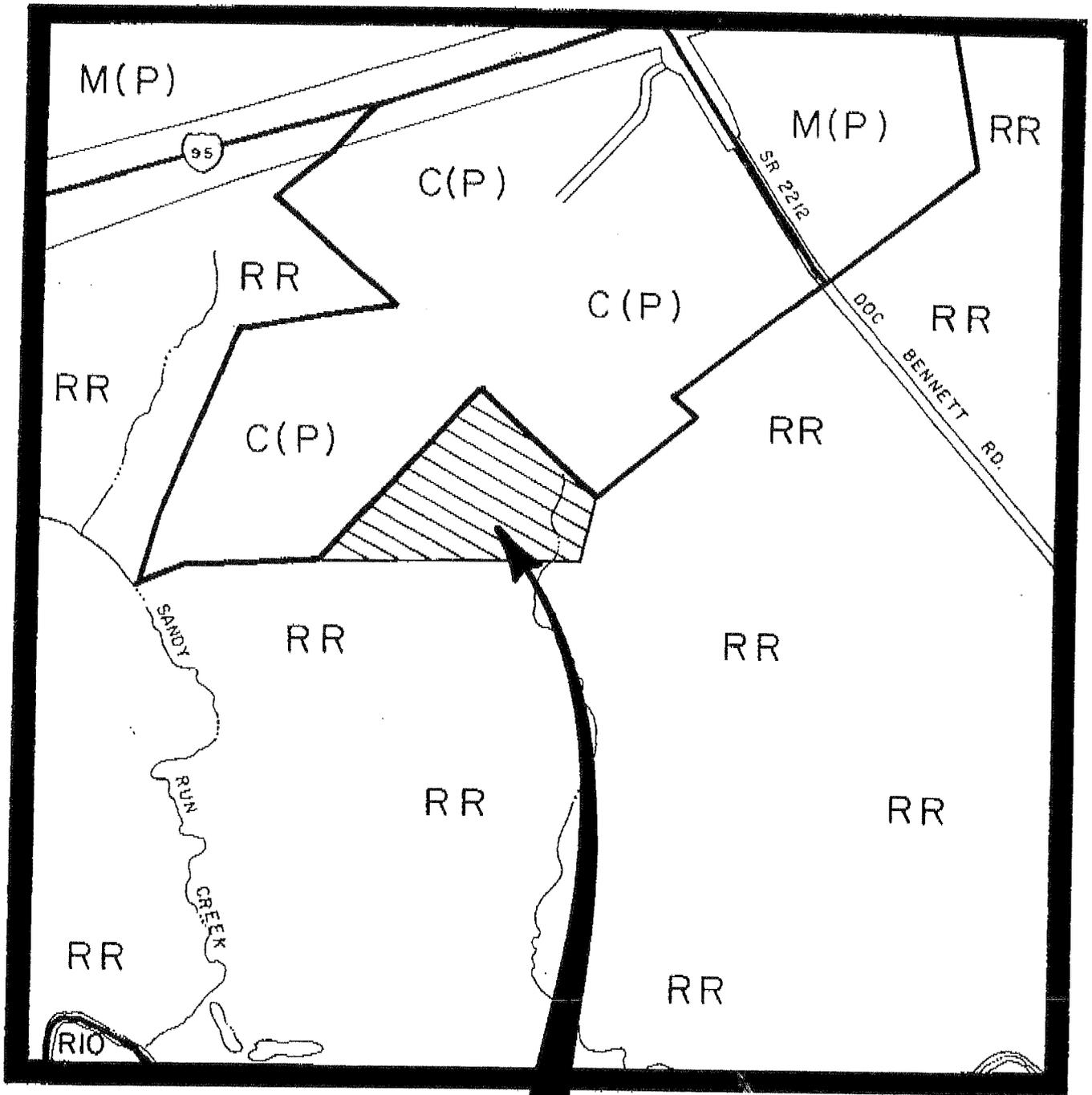
Mr. Graham Moore, president of Crowell Constructors, appeared before the Board stating that he had met with the residents and promised to fix the road and keep it maintained. He stated that this rezoning is necessary to obtain a permit from the State for a demolition type of landfill.

No one appeared in opposition to the Conditional Use Overlay District.

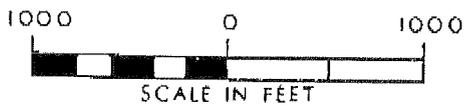
After finding that the request is reasonable, not unduly discriminatory, in the public interest and all uses permitted in the proposed district are suitable for this property, a motion was made by Mr. Morine and seconded by Mr. Maxwell to approve the request subject to the conditions outlined in the Conditional Use Permit application. The motion passed unanimously.

bs

Attachment



NORTH



CONDITIONAL USE OVERLAY DISTRICT REQUEST

ACREAGE: 26.294 Act HEARING NO: P92-3

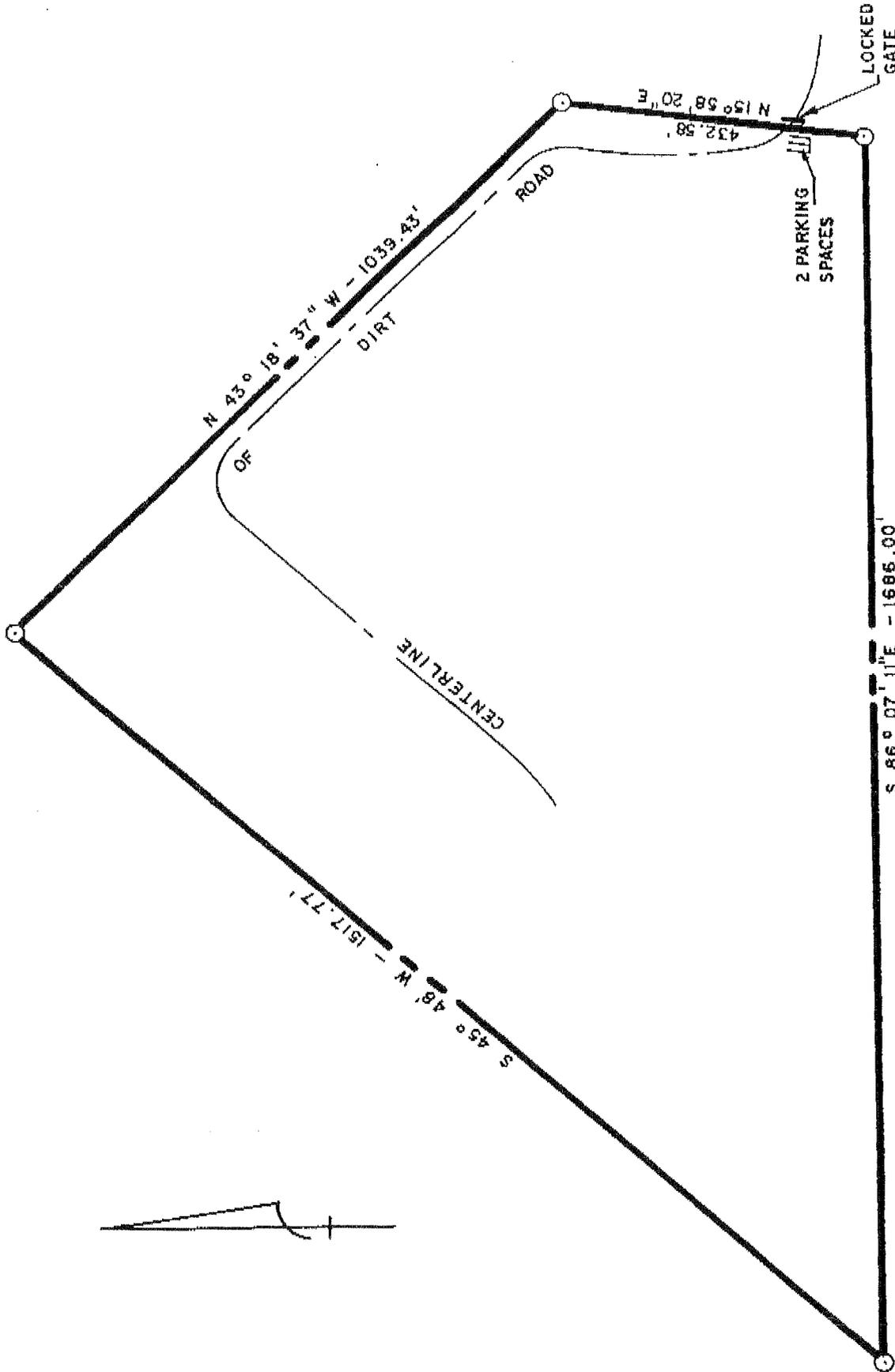
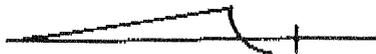
ORDINANCE: COUNTY

HEARING DATE

ACTION

PLANNING BOARD

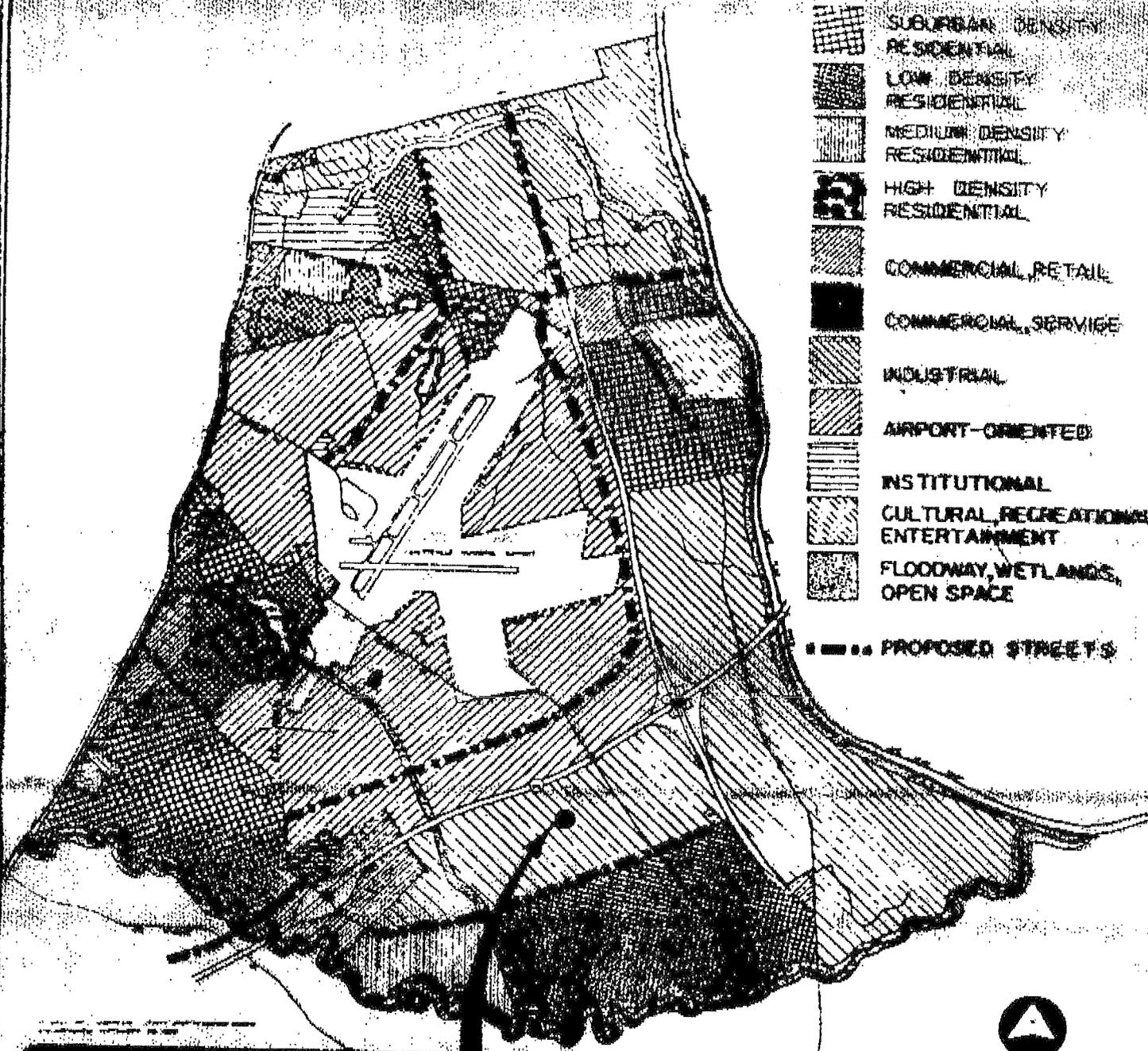
GOVERNING BOARD



CONDITIONAL USE OVERLAY DISTRICT
 REQUEST: FOR A DEMOLITION LANDFILL
 CASE: P92 -3 SCALE: 1" = 200' ZONED: RR
 ACREAGE: 26.294 AC. ±

LEGEND

-  SUBURBAN DENSITY RESIDENTIAL
-  LOW DENSITY RESIDENTIAL
-  MEDIUM DENSITY RESIDENTIAL
-  HIGH DENSITY RESIDENTIAL
-  COMMERCIAL, RETAIL
-  COMMERCIAL, SERVICE
-  INDUSTRIAL
-  AIRPORT-ORIENTED
-  INSTITUTIONAL
-  CULTURAL, RECREATIONAL, ENTERTAINMENT
-  FLOODWAY, WETLANDS, OPEN SPACE
-  PROPOSED STREETS



CASE NO. P92-3
CONDITIONAL USE OVERLAY
DISTRICT REQUEST

EXHIBIT 14 - PROPOSED LAND USE PLAN



CUMBERLAND COUNTY JOINT PLANNING BOARD

AIRPORT AREA PLAN

DORNEY

APPLICATION FOR CONDITIONAL USE DISTRICT

1. Proposed uses(s):

- A. List the uses proposed for the Conditional Use District.
(Use of the underlying district will continue to be legal,
unless otherwise restricted)

Demolition landfill, stumps, trees, concrete block, brick, broken
concrete, uncontaminated soil

- B. Justification in terms of need and benefit to the community.

Include a statement regarding how the uses will be compatible.
Crowell Constructors, Inc. has been using this area for the last 18
years for a borrow pit & demolition landfill. This area is located
in the eastern part of the county and would be very convenient for hauling
debris from future construction projects at the Industrial Park area &
areas on the east side of Fayetteville which in turn lowers the cost for
demolition work, whether for state, county, city or private concern. We (over)

- C. Density:

If the project is to include residential units, state the
number of dwelling units proposed for the project and the
gross number of acres to be used.

NEXT PAGE

No residential units included - Same as Rural Residential

2. Dimensional Requirements

- A. Reference either the dimensional requirements of district as
shown in Section 7.3 or list proposed setbacks.

Following setbacks of M2: 50' front, 30' side, 20' rear

- B. Off street parking and loading.

See enclosed overlay

3. Sign Requirements

- A. Reference district sign regulations proposed from Section 9.4.

N/A

b. (cont'd) have recently been informed by the state that if we continue using this site we must obtain a demolition landfill permit.

B. List any variance proposed from those regulations.

N/A

4. Miscellaneous

Set forth order conditions and performance criteria, such as days and hours of operation, number of employees, exterior lighting, and noise, odor and smoke emission controls, which are proposed appropriate to make the proposed use of the property compatible with surrounding areas and uses allowed therein.

The demolition landfill will be used only by Crowell Constructors, Inc. and its affiliates. It will not be used by the general public. The hours of operation will be 7:30 AM to 5:00 PM Monday - Saturday and will be open on an intermittent basis. Normally, no more than two equipment operators will be on site, no exterior lighting will be (over)

5. Site Plan Requirement:

Attach a site plan drawn to scale. If the proposed uses involve development subject to Cumberland County subdivision regulations, the site plan required hereunder may be general in nature, showing a generalized street pattern, if applicable and the location of proposed uses. If the proposed uses involve development not subject to subdivision regulations, the site plan shall include sufficient detail to allow the Planning Department and Planning Board to analyze the proposed use(s) and arrangement of use(s) on the site. Outline all buildings to be placed on the site, the proposed number of stories, the location and number of off-street parking spaces, proposed points of access to existing streets and internal circulation patterns, and the location of all proposed buffers and fences.

See attached site plan - no buildings are to be placed on site, parking spaces are indicated on site plan.

6. Acknowledgement

It is understood and agreed that upon review by the Planing Board and action by the Board of Commissioners, the uses proposed in the petition may be modified and conditions and limitations placed upon them to insure compatibility of the uses with land use plans and uses in the surrounding area.

TO THE PLANNING BOARD AND THE COUNTY COMMISSIONERS OF THE COUNTY OF CUMBERLAND, NC.

I (We), the undersigned, do hereby respectfully make application and petition the County Commissioners to amend the Zoning Ordinance and to change the Zoning Map, of the County of Cumberland as hereinafter requested, and in support of this application, the following facts are shown:

- 1) (THE PROPERTY SOUGHT TO BE REZONED IS LOCATED)
 - a. Address: Doc Bennett Road (SR 2212) Zip 28305
Number/Street/Road
 - b. Located on SR 2212 South/West side of the street (north, south, east, west);
(name or street or road)
 - c. Tax Parcel Identification Number 0434 // 04 // 91 // 3840 (obtain from Tax
Supervisor's Office Map blk lot)
 - d. Known as Lot(s)# _____ Frontage 517 ft. Depth: 200 Containing 26.294 acres.
- 2.) The applicant must furnish a correct metes and bounds description of the area to be rezoned. If requesting more than one zoning classification, a metes and bounds description of each adjacent tract to be rezoned, must be provided. (Please attach copy of deed(s) to be rezoned)
- 3.) The property sought to be rezoned is owned by Crowell Constructors, Inc. as evidenced by deed from Cumberland County, North Carolina recorded in Book No. 2644, Page 357, Register of Cumberland County.
- 4.) It is desired and requested that the foregoing property be rezoned:
From: Zoned RR To: C.U.O for MP/M2
- 4a.) Please explain or note the proposed use of the property requested for rezoning: Demolition landfill: stumps, trees, concrete block, broken concrete, brick, uncontaminated soil
- Note: This information is not to be used in the consideration of the rezoning request by Planning Board and/or County Commissioners but to ensure that the correct zoning district has been requested for the proposed or intended use of the subject property.
- 5.) Existing use of property (Specify any structures & respective uses):
Borrow pit, demolition landfill - In use for over 18 years
- 6.) Existing and/or proposed water service: (Specify if Community System):
None
- 7.) Existing and/or proposed sewer service: (Specify if Community System):
None

