

DOC ID 13035
27-05
2-25-11 DLW

SOUND SIDE

RECYCLING & MATERIALS, INC.

Recycling New Construction Waste in Currituck County

August 22, 2006

Toni Wyche
NCDENR Division of Waste Management
Solid Waste Section Permitting Branch
1646 Mail Service Center
Raleigh, NC 27699-1646



Dear Toni Wyche,

I am sending this application for our new location on the same property. We are working on the storm water permit at this time. The major changes to the site plan that may be required for storm water will be in an area outside of the 100 foot setback of the recycling area. If you have any requirements for how the storm water is handled please contact me. A copy of our operations plan has been sent to health hazards. Please review our application and contact me with any questions or comments.

Thank you,

Racy Newbern

7565 Caratoke Highway • Jarvisburg, NC 27947

252-491-8666 Phone • 252-491-5454 Fax

**Certification by Land Owner
For Permitting a Solid Waste Management Facility**

I hereby certify that I have read and understand the application submitted by Soundside Recycling ^{environmental} for a permit to operate a solid waste management facility for construction and demolition waste on land owned by the undersigned H.D. Newbern III Marlene H. Newbern located at 7565 Caratolite Hwy; _____, NC, in Jarvisburg Township, Currituck County.

I specifically grant permission for the proposed Solid Waste Management Facility for the Treatment and Processing of Construction and Demolition Waste planned for operation within the confines of Building(s)/Property on the land, as indicated in the permit application. I understand that any permit will be issued in the names of both the operator(s) and the owner(s) of the facility/property. I acknowledge that ownership of land on which a solid waste management facility is located may subject me to cleanup of said property in the event that the operator defaults as well as to liability under the federal Comprehensive Environmental Responsibility, Compensation and Liability Act ("CERCLA"). Without accepting any fault or liability, I recognize that ownership of land on which a solid waste management facility is located may subject me to claims from persons who may be harmed in their persons or property caused by the solid waste management facility.

I am informed that North Carolina General Statute 130A-22 provides for administrative penalties of up to five thousand dollars (\$5000) per day per each violation of the Solid Waste Management Rules. I understand that the Solid Waste Management Rules may be revised or amended in the future, and that the siting and operation of the facility will be required to comply with any such revisions or amendments.

Corporation Name (Print)

Date

(Corporate Seal)

Attest:

Marlene H Newbern
Corporate Secretary Name (Print)

H.D. Newbern III
President or Vice-President Name (Print)

Marlene H Newbern
Corporate Secretary Signature

[Signature]
President or Vice-President Signature

NORTH CAROLINA

Currituck County

I, Deborah H. Bunge Notary Public for said County and State, do hereby certify that H. D. Newbern III
Marlene Newbern personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 11 day of August, 2006.

(Official Seal)

Deborah H. Bunge
Notary Public

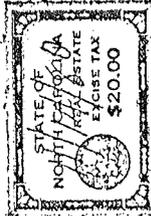
My commission expires 11/3, 2010.

NORTH CAROLINA
CURRITUCK COUNTY

THIS DEED, made this the 18th day of October 1979, by H. D. NEWBERN, JR. and wife, DELLA C. NEWBERN, Parties of the First Part, to H. D. NEWBERN, III and wife, MARLENE H. NEWBERN, Powells Point, North Carolina 27966, Parties of the Second Part;

W I T N E S S E T H:

That said Parties of the First Part, for and in consideration of TEN DOLLARS (\$10.00), and other valuable considerations, to them paid by the Parties of the Second Part, receipt of which is hereby acknowledged, have bargained and sold, and by these presents do bargain, sell, give, grant, and convey unto the said Parties of the Second Part, their heirs and assigns, all those certain lots or parcels of land situate in Poplar Branch Township, Currituck County, North Carolina, described as follows:



FIRST TRACT: A certain tract or parcel of land containing four and one-half (4-1/2) acres, more or less, bounded on the west by the lands of Finley S. Newbern, formerly the lands belonging to W. M. Harrison; on the east by Tract Two as is hereinafter described; on the north by the lands of John and Martha Newbern, and on the south by the lands of H. D. Newbern, Jr. This tract is known as the "Bettie Bright Place" and was conveyed to the Parties of the First Part by deed of W. N. Newbern and wife, Verdie Barrow Newbern, dated July 13, 1955 and is recorded in Deed Book 87, Page 114 in the office of the Register of Deeds of Currituck County.

SECOND TRACT: Lot No. Twelve (12) as shown on a plat or survey made by Shearin and Traylor, dated November 29, 1951, said plat being filed for record in the office of the Register of Deeds in Map Book 1 at Page 89. Reference is expressly made thereto for a more complete description of the property herein described. The property herein described was conveyed to H. D. Newbern, Jr. by deed recorded in Deed Book 82, Page 279.

THIRD TRACT: Lots Nos. Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), and Eleven (11) as shown on a plat made by Shearin and Traylor, dated November 29, 1951, filed for record in the office of the Register of Deeds of Currituck County in Map Book 1, Page 89, reference being expressly made thereto for a more complete description of the property described herein. The property described herein as the Third Tract was conveyed to the Parties

BOOK 172 PAGE 326

of the First Part as follows: Lots Three (3) through Seven (7) by deed recorded in Deed Book 83 at Page 492; Lot Eight (8) by deed recorded in Deed Book 84, Page 504; Lots Nine (9) and Ten (10) by deed recorded in Deed Book 87, Page 115 and Lot Eleven (11) by deed recorded in Deed Book 89, Page 477.

TO HAVE AND TO HOLD the aforesaid lots or parcels of land, together with all privileges and appurtenances thereto belonging unto the Parties of the Second Part, their heirs and assigns, in fee simple.

Said Parties of the First Part covenant to and with the Parties of the Second Part, their heirs and assigns, that they are seized of said land in fee, and have the right to so convey the same in fee simple; that the said land is free and clear of all encumbrances; and that they do hereby warrant and will forever defend the title to the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said Parties of the First Part have hereunto set their hands and seals the day and year first above written.

H. D. Newbern, Jr. (SEAL)
H. D. Newbern, Jr.

Della C. Newbern (SEAL)
Della C. Newbern

STATE OF NORTH CAROLINA

COUNTY OF Currituck

I, the undersigned Notary Public, do hereby certify that H. D. Newbern and wife, Della C. Newbern, personally came before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal this 18th day of October, 1979.

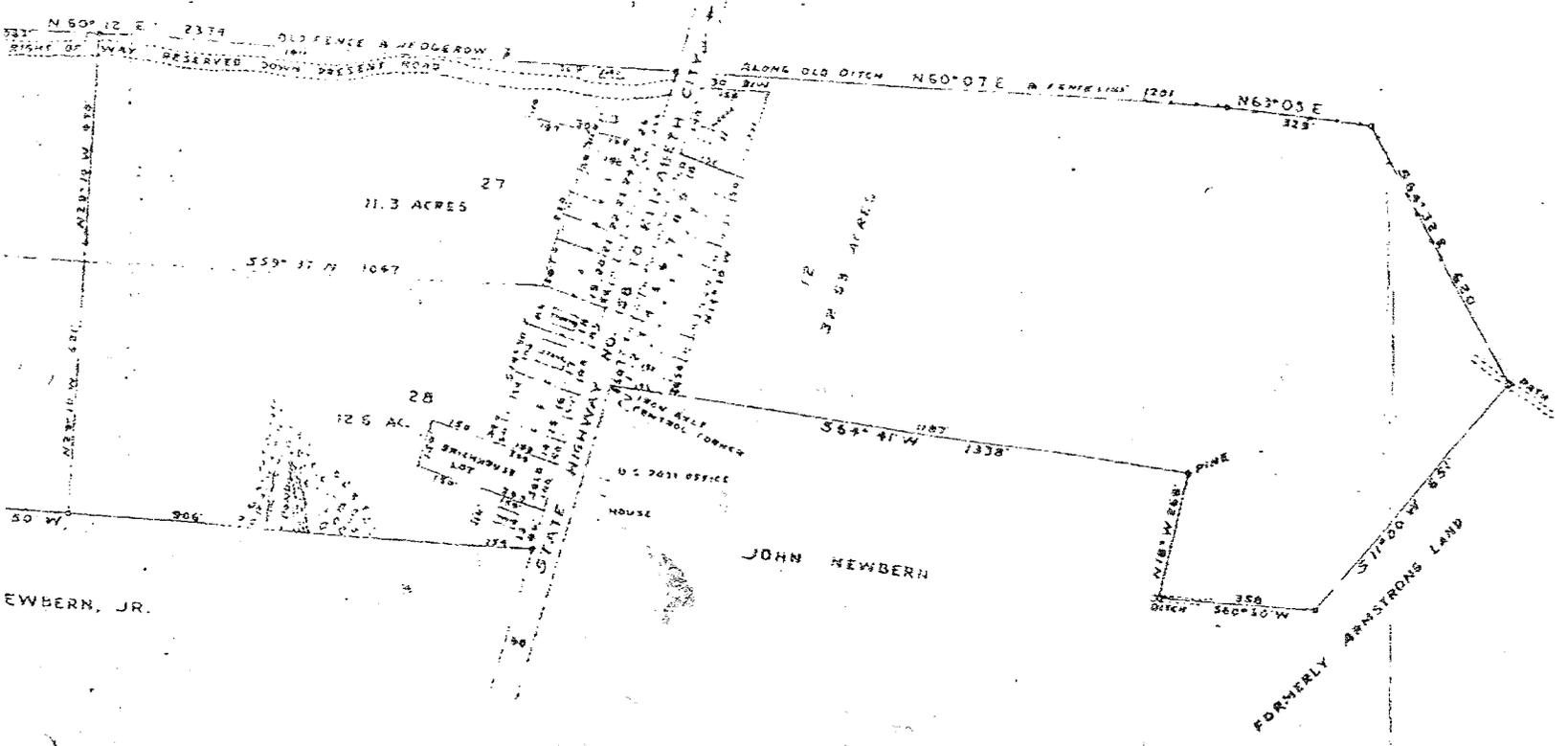
Conrad S. Newbern (Notary Public)
Notary Public

LAW OFFICES
WHITE, HALL, MULLIN,
BRUNSON & SMALL
501 E. Main Street
ELIZABETH CITY, N. C.

My commission expires:

July 18, 1981

FILE NO. 961 01-13 '04 13-10 ID# E C B MASS HEAD PAGE 11-11 FAX: 1 252 441 8662



EWBERN, JR.

ROCHELLE REALTY
Real Estate Brokers
Company
 WILSON, KINGTON & ROANOKE RAPIDS, N.C.

MAP SHOWING SUB-DIVISION
 OF
 J. E. RAPER PROPERTY- POWELLS PT.
 POPLAR BRANCH TOWNSHIP CURRITUCK CO., N.C.

SCALE 1" = 200' Nov. 29, 1951

SHEARIN & TRAYLOR
 ROANOKE RAPIDS, N.C.

Copy of Map, 1951



**COUNTY OF CURRITUCK
SPECIAL USE PERMIT EXTENDED**

On the date(s) listed below, the Board of Commissioners for the County of Currituck met and held a public hearing to consider the following application:

Applicant: HD (Racy) Newbern

Property Location:

Site : East side of Caratoke Hwy, approximately 200' south of the intersection with North River Rd.

Tax Map: 110 Lot: 38, 39

Proposed Use of the Property: Demolition landfill

Meeting Dates: 12/5/05 - Board of Commissioners' Public Hearing/Action

Having heard all the evidence and argument presented at the hearing, the Board finds that the application is complete, that the application complies with all of the applicable requirements of the Currituck County Unified Development Ordinance for the development proposed, and that therefore the application to make use of the above described property for the purpose indicated is hereby approved subject to all applicable provisions of the Unified Development Ordinance and the following conditions:

1. The applicant shall maintain the development strictly in accordance with the plan submitted to and approved by the Board of Commissioners, a copy of which is filed in the office of the Planning and Inspections Department.
Approximate Acreages:
Recycling Area 3.4 acres
Compost Area 2.0 acres
Hurricane Storage Area 8.5 acres
2. That the special use permit shall be valid until December 5, 2006 at which time the operation must be moved east of the power transmission lines as approved in the attached site plan;
3. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.
4. That the mulch sales storage area not exceed 6' in height, 100' in length and 60' in width;
5. That no demolition storage pile areas exceed 15' in height;

6. That the applicant maintain substantially high berms to effectively conceal all debris piles from public view from Caratoke Highway (US 158). The height of these berms shall be a minimum of 12 feet but may be higher depending on the height of debris piles;
7. That the berm height be uniform, complete, and continuous
8. That the applicant will be permitted one (1) permanent sign and one (1) temporary sign for the business.
9. That no transportation equipment (tractors or trailers with or without debris) be parked or stored outside the designated area as shown on the attached site plan.
10. That the following comments from the county's Fire Marshall be incorporated within this approval:
 1. No Smoking except in designated areas are allowed. Signage should indicate appropriate areas.
 2. Fire operations will require an all weather surface and 20' access width to all areas of the compound. Would recommend 2 ingress/egress points.
 3. Each fuel-fired vehicle shall be equipped with a 2-A:20-B:C or higher fire extinguisher.
 4. A fire hydrant must be within 400' of all portions of any structure.
 5. Plant growth must be maintained in order to prevent wind blown debris escaping the site.
11. That the hours of operation be set at 7:30 a.m. to 5 p.m. weekdays and 7:30 a.m. to 12 noon on Saturdays with no operations allowed on Sundays;
12. That all material must be kept on site at all times and that necessary steps are taken to keep material from blowing off the property; and,
13. Suggested Staff Findings of Fact:
 1.

<p><i>OWNER</i> HD(Racy)Newbern IV P. O. Box 277 Powells Pt, NC 27966 (252) 491-5744</p>	<p><i>APPLICANT</i> HD/Marlene Newbern PO Box 176 Aydlett, NC 27916 (252) 453-3032</p>
--	--
 2. The tract is located on the east side of Caratoke Hwy. approximately 200' south of the intersection with SR 1156 (North River Rd.) in Powells Point, Tax Map 110, parcels 38 & 39, Poplar Branch (ML) Township.
 3. The property is being utilized as a recycling center.
 4. The applicant received the original special use permit on May 1, 2000 and a renewals on April 16, 2001, June 17, 2002, and June 6, 2005 to temporarily store untreated demolition waste (treated & untreated wood products, cardboard, plastic, vinyl, wallboard, metal and shingles) on two (2) acres of land in an "Agriculture" zoning district which is permitted in an A district with a SUP.

5. The applicant currently recycles demolition waste using a tub grinder. Since the UDO does not specifically list this use in the Table of Permissible Uses, the staff determined this use had impacts similar to a demolition landfill which required a special use permit in an "A" zoning district.
6. According to county Zoning Maps, the nearest dwelling to the existing recycling area is approximately 300 feet west.
7. The mulch stockpile sales area will be located east of the power line right-of-way
8. No burning of waste will be permitted on the site unless a special use permit is granted for an incinerator. Further, all necessary state permits must be obtained prior to burning waste.
9. The site is surrounded by the following land uses:
 West (Front) Commercial (Antique Store)-zoned "GB"
 East (Rear) Farmland - zoned "A"
 North (Side) Farmland (agricultural operations) - zoned "A"
 South (Side) Farmland - zoned "A"
10. The 1990 Land Use Plan classifies this land as "Limited Transition".
11. The proposed site is located along a Minor Arterial in the County's Thoroughfare Plan.
12. According to the application, the storage area will not increase the county's ability to provide facilities in anyway.

IN WITNESS WHEREOF, the County has caused this permit to be issued in its name, and the property owners/applicants of the property above described, do hereby accept this Special Use Permit together with all its conditions, as binding on them and their successors in interest.

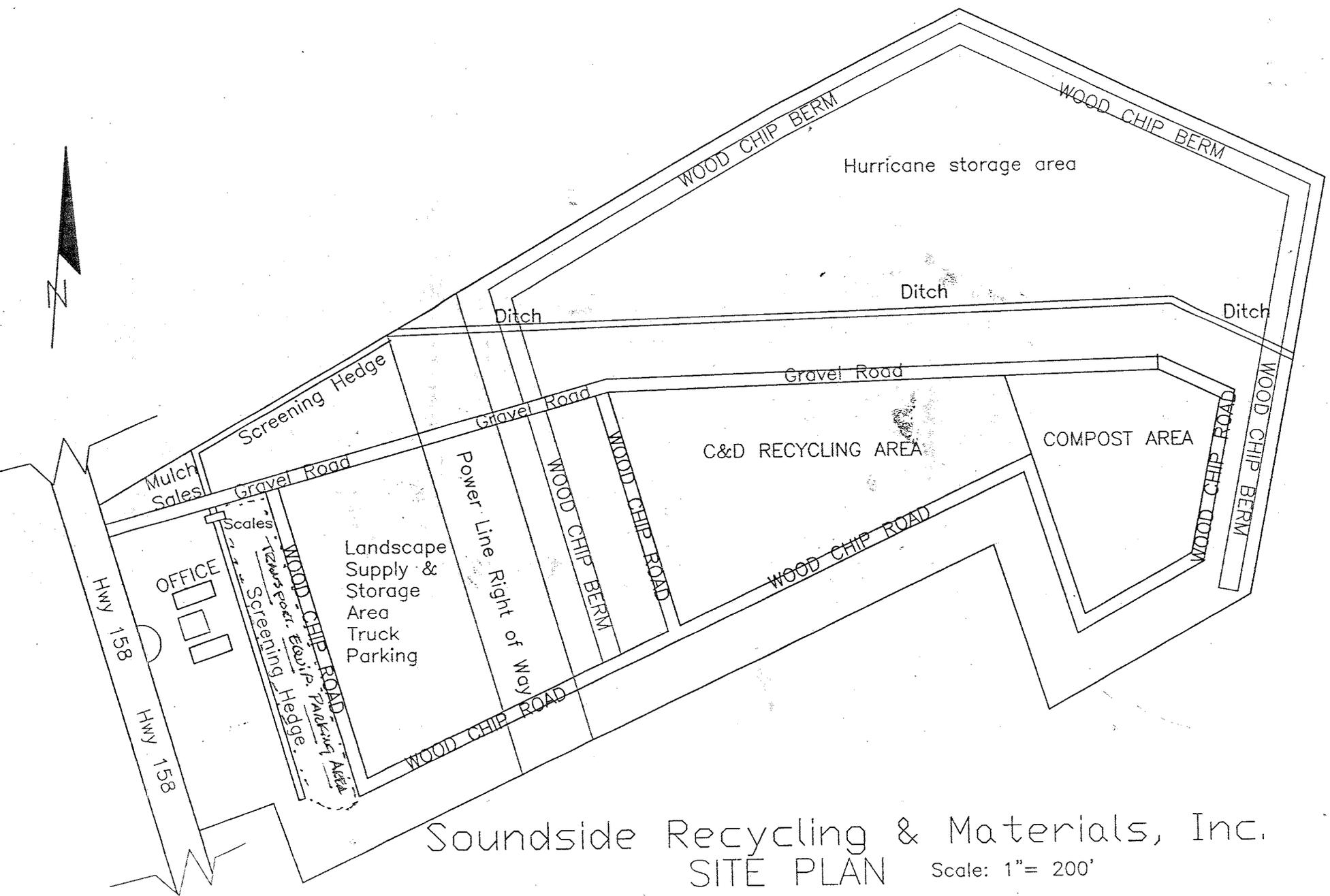
ATTEST:

Quen H. Keene (Seal)
 Clerk to the Board

G. Paul O'Neal
 Chairman
 Board of Commissioners

1-10-06
 Date

(NOT VALID UNTIL FULLY EXECUTED)



Soundside Recycling & Materials, Inc.
 SITE PLAN Scale: 1" = 200'



LOBO PRODUCTS

Better Products Through Recycling

August 25, 2006

Soundside Recycling and Material
7565 Caratoke Hwy
Jarvisburg, NC. 27947

Attn: Racy Newbern

Thanks for the opportunity to help with the marketing of your wood residues. We have received the samples from you and in turn have forwarded them to several potential markets. We feel confident that with the quality of these samples, there should not be too many obstacles in finding a market for them. We are now waiting on results of testing, pricing and volumes from these markets.

I will contact you with results.

Thanks,

A handwritten signature in cursive script that reads "Ben N Long".

Ben N Long
LOBO Products



North Carolina Department of Cultural Resources

State Historic Preservation Office

David L. S. Brook, Administrator

James B. Hunt Jr., Governor
Betty Ray McCain, Secretary

Division of Archives and History
Jeffrey J. Crow, Director

May 4, 2000

Horatio D. Newbern IV
Soundside Recycling & materials, Inc.
PO Box 176
Aydlett, NC 27916

Re: Construction and Demolition Treatment Facility, 7565 Carotoke Hwy., Currituck County,
ER 00-9604

Dear Mr. Newbern:

Thank you for your letter of April 5, 2000, concerning the above project.

We have conducted a review of the project and are aware of no properties of architectural, historic, or archaeological significance which would be affected by the project. Therefore, we have no comment on the project as currently proposed.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

Thank you for your cooperation and consideration. If you have questions concerning the above comment, please contact Renee Gledhill-Earley, environmental review coordinator, at 919/733-4763.

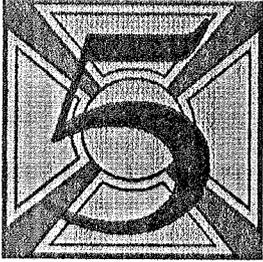
Sincerely,

David Brook
Deputy State Historic Preservation Officer

DB: scb

	Location	Mailing Address	Telephone/Fax
ADMINISTRATION	507 N. Blount St., Raleigh NC	4617 Mail Service Center, Raleigh NC 27699-4617	(919) 733-4763 • 733-8653
ARCHAEOLOGY	421 N. Blount St., Raleigh NC	4619 Mail Service Center, Raleigh NC 27699-4619	(919) 733-7342 • 715-2671
RESTORATION	515 N. Blount St., Raleigh NC	4613 Mail Service Center, Raleigh NC 27699-4613	(919) 733-6547 • 715-4801
SURVEY & PLANNING	515 N. Blount St., Raleigh NC	4618 Mail Service Center, Raleigh NC 27699-4618	(919) 733-6545 • 715-4801





Lower Currituck Volunteer Fire Department

PO Box 207
Grandy, NC 27939
Phone (252) 453-2761
Fax (252) 453-4579
Chief's Phone (252) 982-6240

To Whom It May Concern:

This is to verify that the Soundside Recycling (7565 Caratoke Hwy Jarvisburg, NC 27947) is located in our response district. Our department would respond to an incident at that location.

Thanks and any questions please contact me.

James Moseman
Fire Chief
Lower Currituck Vol. Fire Dept.
Chief@LCVFD.org

NORTH CAROLINA DEPARTMENT OF
ENVIRONMENT AND NATURAL RESOURCES

DIVISION OF PARKS AND RECREATION

April 28, 2000



JAMES B. HUNT JR.
GOVERNOR

WAYNE McDEVITT
SECRETARY

DR. PHILIP K. MCKNELLY
DIRECTOR

Mr. Horatio D. Newbern IV
Soundside Recycling & Materials, Inc.
P.O. Box 176
Aydlett, NC 27916

SUBJECT: Rare Species, High Quality Natural Communities, and
Significant Natural Heritage Areas at the Proposed
Construction and Demolition Treatment and Processing
Facility Site, 7565 Carotoke Hwy, Currituck County, North
Carolina

Dear Mr. Newbern:

The NC Natural Heritage Program (NCNHP) does not have a record of rare species, high quality natural communities, state park and recreation areas, or Significant Natural Heritage Areas (SNHAs) at or within a 1.0 mile radius of the proposed construction and demolition treatment and processing facility project site at 7565 Carotoke Highway, Currituck County, North Carolina.

I have enclosed a rare species list for Currituck County. If habitat for any of these species exists at the site, they may be present there. A review of the habitat should determine if there is a possibility of species there and if a further survey is needed.

Please do not hesitate to contact me at the address below or call me at (919) 715-8703 if you have any questions or need further information.

Sincerely,

Susan Reece Giles
Information Specialist
NC Natural Heritage Program



