



MECKLENBURG COUNTY  
Land Use and Environmental Services Agency

February 19, 2008

Mr. Solomon Fortune  
Charlotte-Mecklenburg Planning Commission  
600 East Fourth Street  
Charlotte, North Carolina 28202

**Re: Rezoning Petition 2008-058**  
**Approximately 18.50 acres located on the north side of the**  
**intersection of Moores Chapel Road and Sam Wilson Road**

Dear Mr. Fortune:

Representatives of the Air Quality (MCAQ), Groundwater & Wastewater Services (MCGWS), Solid Waste (MCSW), Storm Water Services (MCSWS), and Water Quality (MCWQ) Programs of the Mecklenburg County Land Use and Environmental Services Agency (LUESA) have reviewed the above referenced rezoning petition. In order for the Mecklenburg County LUESA to support this rezoning, the following recommendations should be implemented and appear as notes or modifications on site plans:

**Air Quality**

Development of this site may require submission of an asbestos Notification of Demolition and Renovation to MCAQ due to possible demolition or renovation of an existing structure. A letter of notification and the required forms will be mailed directly to the petitioner by MCAQ.

**Groundwater & Wastewater Services**

Data from property records indicates that the home on parcel 053-083-07 uses oil heat. Based on this the property contains a fuel oil storage tank. The tank and its contents should be removed, following applicable NCDENR guidance, prior to any demolition or grading activity.

The age of home construction on parcels 053-083-07, 053-083-08, 053-083-09, and 053-083-10 (built between 1944 and 1961) indicates that the homes were served private wells and by individual on-site wastewater disposal systems (septic system) during some portion of their occupancy.

No demolition or grading activity should be conducted until existing wells are either properly abandoned or the wellhead cordoned off to protect it from damage. The

Mecklenburg County Groundwater & Wastewater Services (GWS) Program should be contacted at 704-336-5500 prior to undertaking any well related activity.

No regulation governs the abandonment of septic systems; however, GWS does recommend that septic tanks be pumped by a licensed waste hauler to removal any residual contents, and then crushed and backfilled. This recommendation is made because tanks that collapse pose a safety hazard and improperly abandoned septic tanks may not be able to support the weight of vehicular traffic, structural foundations, or people.

Groundwater & Wastewater Services request the following statements be added to the notes of the site plan:

All fuel oil storage tanks shall be removed and any related soil contamination remediated to NCDENR standards prior to any demolition or grading activity.

Any water supply wells located shall be abandoned per the Mecklenburg County Groundwater Well Regulations prior to any demolition or grading activity.

Existing septic tanks shall be located, pumped by a licensed waste hauler to removal residual contents, crushed and backfilled prior to any demolition or grading activity.

#### **Solid Waste**

Mecklenburg County Solid Waste requests the petitioner submit a Solid Waste Management Plan prior to initiating demolition and/or construction activities to include, at a minimum, the procedures that will be used to recycle all clean wood, metal, and concrete generated during demolition and construction activities. Additionally, the plan should specify that all land clearing and/or inert debris shall be taken to a properly permitted facility. The Plan shall also state that monthly reporting of all tonnage disposed and recycled will be made to the Mecklenburg County Solid Waste Program. The report shall include the identification and location of all facilities receiving disposed or recycled materials.

Mecklenburg County is committed to reduction of construction/demolition waste. Technical assistance is available at no charge to those companies willing to partner with the County in this effort.

#### **Storm Water**

No Comment.

#### **Water Quality**

In order for the Mecklenburg County Water Quality Program to support this rezoning, the following recommendations should be implemented and appear as notes on site plans.

#### **Applicable Ordinance:**

##### **Lake Wylie Watershed Overlay District:**

The subject property is located in the Lake Wylie Watershed Overlay, Protected Area, as specified in the City of Charlotte Zoning Ordinance. According to the project Site Plan, the property is to be developed a greater than 24% impervious area, which is the High

Density option of the zoning Overlay. The undisturbed perennial stream buffer and built-upon area requirements specified in the Zoning Ordinance shall apply to the property. The maximum allowable built-upon area under the High Density option of the zoning Overlay is 70%.

The High Density option of the zoning Overlay also requires that structural best management practices (BMPs) be employed to treat storm water from the site. Structural BMPs shall be designed for specific pollutant removal according to modeling techniques approved by the North Carolina Division of Water Quality. Specific requirements for these systems shall be in accordance with the design criteria and standards contained in the Land Development Standards Manual and other published standards of the City Engineering Department.

The proposed project will include a substantial amount of impervious area, which will directly affect surface water quality due to storm water runoff from the project. Storm water runoff becomes contaminated with pollutants associated with the impervious area usage, transporting these pollutants to surface waters. In addition, this impervious area acts to increase the volume and velocity of storm water entering surface waters, which affects stream channel stability and negatively impacts water quality and aquatic habitat. In order to mitigate the impacts of these pollutants and to protect water quality conditions, the proposed project should incorporate the criteria specified below.

**General Recommendations:**

***Storm Water Quality Treatment***

Any separate, defined drainage area within a project that will have greater than 24% built-upon area is to have water quality best management practices (BMPs) to treat storm water runoff from the entire built-upon area within the separate, defined drainage area. The BMPs are to be constructed to achieve 85% Total Suspended Solid (TSS) removal for the entire post-development runoff volume for the first 1-inch of rainfall. The BMPs must be designed and constructed in accordance with the N.C. Department of Environment and Natural Resources (NCDENR) Best Management Practices Manual, April 1999, Section 4.0.

The use of Low Impact Design (LID) such as bioretention systems in tree islands, grassed swales, vegetated buffers, level spreaders, and other innovative systems in a “treatment train” is optional and encouraged, where applicable. LID systems can be employed in whole or in part, to meet the 85% TSS treatment standard for storm water runoff. LID must be designed and constructed per the NCDENR Best Management Practices Manual, April 1999, Section 4.0.

***Storm Water Volume and Peak Controls***

Any separate, defined drainage area within a project that will have greater than 24% built-upon area is to have best management practices (BMPs) to control the entire runoff volume for the 1-year, 24-hour. The runoff volume drawdown time for the BMPs shall be a minimum of 24 hours, but not more than 120 hours.

For residential projects with greater than 24% BUA, the peak runoff rates should be controlled with BMPs to match the predevelopment runoff rates for the 10-year and 25-

year, 6-hr storms or perform a downstream analysis to determine whether peak control is needed, and if so, for what level of storm frequency.

For commercial projects with greater than 24% BUA, the peak runoff rates should be controlled with BMPs to match the predevelopment runoff rates for the 10-year and 25-year, 6-hr storms and perform a downstream analysis to determine whether peak control is needed, and if so, for what level of storm frequency, or if a downstream analysis is not performed, control the peak for the 10-yr and 25-yr, 6-hour storms.

For commercial projects with less than or equal to 24% BUA, but greater than one acre of disturbed area, control the peak to match the predevelopment runoff rates for the 2 and 10-yr, 6-hr storm.

Storm water runoff from the development shall be transported from the site by vegetated conveyances to the maximum extent practicable.

Please contact the staff members who conducted the reviews if you have any questions.

The reviews were conducted by, Leslie Rhodes

(Leslie.Rhodes@mecklenburgcountync.gov) with MCAQ, Jack Stutts

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Respectfully,

Heidi Pruess

Environmental Policy Administrator