



MECKLENBURG COUNTY
Land Use & Environmental Services Agency

MEMORANDUM

To: Charlotte-Mecklenburg Planning Commission
From: Dylan J. Kirk, Mecklenburg County LUESA
Date: January 21, 2021
Subject: Initial Rezoning Petition Comments

Charlotte-Mecklenburg Planning Commission
600 East Fourth Street Charlotte, North Carolina 28202

Mecklenburg County has reviewed the City of Charlotte rezoning petition below to identify regulatory requirements of the petitioner; inform the petitioner, planning staff, and other affected parties of such regulatory requirements; and identify potential effects on, and impacts from, nearby properties.

<u>Petitioner Information:</u> Toomey Avenue, LLC 1200 East Morehead, Suite 280 Charlotte, NC 28204 704-281-4730 brittany.lins@alexanderricks.com	<u>Parcel GIS ID(s):</u> 11906424; 11906428; 11906429; 11906417; 11906420
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2020-194: Toomey Avenue, LLC

Air Quality Comments: Development of this site may require submission of an asbestos Notification of Demolition and Renovation to MCAQ due to possible demolition or relocation of an existing structure. A letter of notification and the required forms have been mailed directly to the petitioner by MCAQ.

Ground Water Services Comments: Groundwater & Wastewater Services records indicate contamination site(s) exist on or within 1,500 feet of the property included in the petition. An established Area of Regulated Groundwater Usage (ARGU) as defined by the Mecklenburg County Groundwater Well Regulations extends 1,500 feet around the contamination sites. In an ARGU where municipally supplied water is available water supply wells for potable water supply, irrigation or open loop geothermal systems may not be permitted or constructed on or within 1,000 feet of contamination sites. Wells may be permitted with special construction and sampling requirements between 1,000 and 1,500 feet of contamination sites.

A water supply well is registered as an inactive irrigation well on parcel 119-064-17. GWS records do not indicate that these water supply wells have been permanently abandoned.

GWS recommends that the petitioner identify any water supply wells within the project boundary and either protect the wells from damage by flagging and fencing during site development or permanently abandon the wells per the Mecklenburg County Groundwater Well Regulations prior to any demolition or grading activity occurring and conduct survey to locate the septic systems. A permit from GWS is required for permanent well abandonments. The abandonments must be completed by a North Carolina Certified Well Contractor.

Subsurface Investigation Permit (SIP) 50000600 was issued for Parcel 119-064-28. Four monitoring wells are registered to this SIP. Subsurface Investigation Permit (SIP) 70001186 was issued for Parcel 119-064-17. No monitoring wells are registered.

If any MWs are identified within the project boundary GWS recommends that the petitioner either protect the wells from damage by flagging and fencing during site development or permanently abandon the wells per the Mecklenburg County Groundwater Well Regulations prior to any demolition or grading activity occurring and conduct survey to locate the monitoring wells. A current SIP from GWS is required for permanent well abandonments. The abandonments must be completed by a North Carolina Certified Well Contractor.

Review of the North Carolina Department of Environmental Quality (NCDEQ) Division of Waste Management database shows that Parcel 119-064-28 is included in Brownfield Project Number 02002-98-060, Dynatech Brownfield and Parcel 119-064-20 is included in Brownfield Project Number 25001-21-060, Dynatech II Brownfield both with known soil and groundwater contamination. Parcels 119-064-24 and 119-064-28 are included in the "South Bv Groundwater Contamination Plume".

The Brownfield agreement for Brownfield Project Number 02002-98-060, Dynatech Brownfield, includes land use restrictions as noted in the following document:
<https://edocs.deq.nc.gov/WasteManagement/DocView.aspx?id=669091&dbid=0&repo=WasteManagement&searchid=d13234ad-3863-4189-a3a4-5a1ce4e5e666>

The pending Brownfield application for Brownfield Project Number 25001-21-060, Dynatech II Brownfield, can be reviewed in the following document:
<https://edocs.deq.nc.gov/WasteManagement/DocView.aspx?id=1522018&dbid=0&repo=WasteManagement&searchid=a0487a92-0a06-4dea-914c-6cc083ffb57b>

Any development on these parcels should comply with applicable NCDEQ requirements for management of this contamination site.

Please contact Carolyn Minnich at Carolyn.minnich@ncdenr.gov regarding Brownfield Project Number 02002-98-060, Dynatech Brownfield.

PEOPLE ● PRIDE ● PROGRESS ● PARTNERSHIP
2145 Suttle Avenue ● Charlotte, North Carolina 28208 ● Fax 980.335.2253
www.mecknc.gov

Please contact Aditi Chakravarty at aditi.chakravarty@ncdenr.gov regarding Brownfield Project Number 25001-21-060, Dynatech II Brownfield.

Storm Water Services Comments: No comments.

Solid Waste Comments: No petition comments.

Department Contacts:

Petitioners seeking to address individual comments and issues may follow up with the following Mecklenburg County staff:

Air Quality Comments: PJ McKenzie - (paul.mckenzie@mecklenburgcountync.gov)

Ground Water Services: Shawna Caldwell - (shawna.caldwell@mecklenburgcountync.gov)

Storm Water Services: Myrette Stephen - (myrette.stephen@mecklenburgcountync.gov)

Solid Waste Comments: Joe Hack - (joe.hack@mecklenburgcountync.gov)

Additionally, please CC Dylan Kirk, (dylan.kirk@mecklenburgcountync.gov) on all communications to individual departments.

MCAQ Scope of Review:

Mecklenburg County Air Quality (MCAQ) has reviewed the petitions with regard to air quality regulations for stationary sources and demolition and/or renovation of structures (e.g. National Emission Standards for Hazardous Air Pollutants for asbestos). Comments may also be made regarding incompatible land uses, sources of Toxic Air Pollutants, proximity to Risk Management Plan facilities, and proximity to known nuisance conditions or sensitive populations. MCAQ has conducted the review based on information submitted by the petitioner, review of aerial photographs (as available through the Mecklenburg County Polaris system), review of the "Air Pollution Facility Information Online" database available from the MCAQ website, and review of Mecklenburg County Health Department records. The review is cursory based on limited information provided within petition applications and site plans.