

Chatham County Planning Department

P.O. Box 54

Pittsboro, NC 27312

Telephone: (919) 542-8204

Fax: (919) 542-2698

Type of Review

Sketch

Preliminary

Final

(Phase 2)

MAJOR SUBDIVISION APPLICATION

Name of Subdivision: The Retreat on Haw River (Phase 2) (f/k/a "Williams Pond" and Sanctuary at Haw River")

Subdivision Applicant:

Name: The Retreat on Haw River, LLC

Address: 201 Hidden Lake Drive
Youngsville, NC 27596

Phone: (W) (919) 847-5004 Fax: (919) 847-5090

E-Mail: c/o robinson@bradshawrobinson.com

Township: Baldwin Zoning: CU-RA 90

Flood Map #3710976300J Zone: X and A/E

Watershed: WS IV PA and RC

Subdivision Owner:

Name: Polk-Sullivan LLC and Chatham Partners LLC,

Address: P. O. Box 5689
Cary, NC 27511

Phone: (W) (919) 469-8674 Fax: (919) 469-4778

E-Mail: _____

* **APPLICANT IS ALSO AN OWNER**

P. I. N. #9763-54-7344.0000/9763-34-1085.000

Parcel #81311 and 81274

Existing Access Road: S.R. #1711

S.R. road name Bynum Ridge Road

Total Acreage: 375.85

Total # of Lots: 185

Min. Lot Size: 1.22 acres

Ph. IA Acreage _____

Ph. IA # of lots _____

Max. Lot Size: 8.72 acres

Ph. II Acreage 272.62 acres

Ph. II # of lots 63

Avg. Lot Size: 2.55 acres

Ph. III Acreage _____

Ph. III # of lots _____

Type of new road: Private/ Length +/- 10,000 L.F. Public/ Length _____

Road Surface:

paved

gravel

Water System:

individual wells

community wells

public system

name Chatham County

Sewer System:

septic systems


community system

public system

name _____

List other facilities: commercial, recreation, etc., and the approximate acreage or square footage: _____

THE RETREAT ON HAW RIVER, LLC
(f/k/a The Sanctuary at Haw River, LLC)

BY:  Date 9-3-08
Signature of Applicant

THE RETREAT ON HAW RIVER, LLC
(f/k/a The Sanctuary at Haw River, LLC)

BY:  Date 9-3-08
Signature of Owner

For Office Use Only:

Notes: _____

Approved by County Commissioners: Sketch

Preliminary

Fi

Road Surface:

paved
 gravel

Water System:

individual wells
 community wells
 public system
name Chatham County

Sewer System:

septic systems
 community system
 public system
name _____

List other facilities: commercial, recreation, etc., and the approximate acreage or square footage:

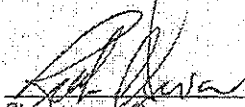
THE RETREAT ON HAW RIVER, LLC
(f/k/a The Sanctuary at Haw River, LLC)

BY: _____ Date _____
Signature of Applicant

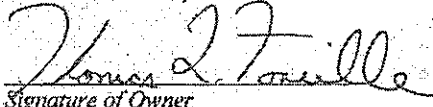
THE RETREAT ON HAW RIVER, LLC
(f/k/a The Sanctuary at Haw River, LLC)

BY: _____ Date _____
Signature of Owner

POLK-SULLIVAN, LLC

By: 
Signature of Owner

CHATHAM PARTNERS, LLC

By: 
Signature of Owner

Date
September 9, 2008

For Office Use Only:

Notes: _____

Approved by County Commissioners: _____

Sketch _____
Preliminary _____
Final _____

**CHATHAM COUNTY
MAJOR SUBDIVISION
REVIEW CHECKLIST**

Subdivision Name: The Retreat on Haw River (Phase 2)

Review For: Sketch Prelim Final

Attach all supporting documentation regarding these approvals. If approvals are still pending, attach applications for approval.

SKETCH DESIGN REVIEW	APPROVAL DATE
<input type="checkbox"/> 25 Copies of Plat with topo along with one (1) 8-1/2 x 11 copy	-----
<input type="checkbox"/> Application w/Complete Adjacent Owner Addresses	-----
<input type="checkbox"/> Soil Scientist Report and soil map	-----
<input type="checkbox"/> Confirmation from Chatham County Historical Association/Jane Pyle/542-3603	-----
<input checked="" type="checkbox"/> 1 electronic copy of all items above (see Digital Document Requirements)	-----
PRELIMINARY PLAT REVIEW	APPROVAL DATE
<input checked="" type="checkbox"/> 25 Copies of Plat along with one (1) 8-1/2 x 11 copy
<input checked="" type="checkbox"/> Application w/ Complete Adjacent Owner Addresses
<input checked="" type="checkbox"/> Detailed Soils Map and Letter of explanation or D.E.M. approval {see Requirements for soil scientist report}	___/___/___
<input type="checkbox"/> NCDOT Approval (if public roads) N/A (private roads)	___/___/___
<input checked="" type="checkbox"/> DOT Comm. Driveway Permit	06 / 02 / 2008
<input checked="" type="checkbox"/> Erosion Control Plan Approval (if new roads or one acre disturbed)	06 / 26 / 2008
<input checked="" type="checkbox"/> U.S. Army Corps of Engineers Permit (if appl) 404 (2/1/05); 401 (11/19/2004)	___/___/___
<input checked="" type="checkbox"/> Road Name Request Form (ATTACHED)	___/___/___
<input checked="" type="checkbox"/> County Public Water Approval (if applicable)	08 / 22 / 2008
<input checked="" type="checkbox"/> State Public Water Approval (if applicable)	08 / 28 / 2008
<input checked="" type="checkbox"/> Chatham Co. Schools' Road Comments (if new roads)	7 / 30 / 2008
<input type="checkbox"/> Stormwater Management Plan Approval (if appl) N/A	___/___/___
<input type="checkbox"/> Economic & Environmental Impact Study (if appl) N/A	___/___/___
<input type="checkbox"/> Water / Sewer Impact Statement (if appl) N/A	___/___/___
<input checked="" type="checkbox"/> 1 electronic copy of all items above (see Digital Document Requirements)	___/___/___
FINAL PLAT REVIEW	APPROVAL DATE
<input type="checkbox"/> 25 Copies of Plat	-----
<input type="checkbox"/> Application
<input type="checkbox"/> 1 electronic copy of all items above (see Digital Document Requirements)	___/___/___
<input type="checkbox"/> Chatham County Environmental Health Division septic improvement permits or NCDWQ septic permits for each lot.	___/___/___
<input type="checkbox"/> Road Completion Certificate or Financial Guarantee	___/___/___
<input type="checkbox"/> Utilities Completion Cert. or Financial Guarantee	___/___/___

Comment _____

Date Complete Application Rec'd: _____ / _____ / _____ By: _____

ADJOINING PROPERTY OWNERS

1. Teddy L. Williams
4210 Trotter Ridge Road
Durham, NC 27707
Parcel No. 3028
2. Danny Young Jones
119 Amber Lane
Pittsboro, NC 27312
Parcel No. 3026
3. Ted Williams Trustee
4210 Trotter Ridge Road
Durham, NC 27707
Parcel No. 2048
4. J. Lowell Williams
P. O. Box 156
Bynum, NC 27228
Parcel No. 2049
5. Turnberry Development Group, LLC
205 Park York Lane
Cary, NC 27519
Parcel No. 3025
6. State of North Carolina
c/o UNC Property Office, CB #1060
103 Airport Drive, Suite 128
Chapel Hill, NC 27599-1060
Parcel No. 74679
7. Larry Crum
P. O. Box 235
Bynum, NC 27228
Parcel No. 1980
8. James L. Deans
Katherine Gales Deans
P. O. Box 97
Bynum, NC 27228
Parcel Nos. 2080 and 86603

9. Tami Morris Gales
P. O. Box 132
Bynum, NC 27228
Parcel No. 2079
10. Joseph K. Suttles
1650 Mitchell Chapel Road
Pittsboro, NC 27312
Parcel No. 2078
11. Joseph K. Suttles Life Estate
1650 Mitchell Chapel Road
Pittsboro, NC 27312
Parcel No. 2077
12. Diane L. Minge
Dale R. Minge
30 Sunny Ridge Lane
Pittsboro, NC 27312
Parcel No. 2064
13. Ronald H. Perry
1087 Bynum Road
Pittsboro, NC 27312
Parcel No. 2063
14. Gregory T. Wolf
Susanne H. Wolf
602 Laurel Hill Road
Chapel Hill, NC 27514
Parcel No. 2065
15. Philip B. Manire
200 Britton Drive
Chapel Hill, NC 27516
Parcel No. 67847
16. Robert W. Robinson
P. O. Box 325
Bynum, NC 27228
Parcel No. 2059
17. George M. Benscoter, Jr.
114 Bynum Ridge Road
Pittsboro, NC 27312
Parcel No. 79376



Soil & Environmental Consultants, PA

11010 Raven Ridge Road • Raleigh, North Carolina 27614 • Phone: (919) 846-5900 • Fax: (919) 846-9467
www.SandEC.com

March 9, 2004
Project #6748.S0

Mr. Robbie Swain
PO Box 5689
Cary, NC 27512

Re: Soil/Site Evaluation on Williams Tract, 645- Acre Site on Bynum Ridge Road and the Haw River – Chatham County, NC

Dear Mr. Swain:

Soil & Environmental Consultants, PA (S&EC) performed a detailed soil and site evaluation on the above referenced tract. This was performed at your request as part of the preliminary planning process in order to determine areas of soil that have potential for subsurface wastewater disposal. Fieldwork was performed in February and March, 2004.

S&EC traversed the property and observed landforms (slope, drainage patterns, past use, etc.) as well as soil conditions (depth, texture, structure, seasonal wetness, restrictive horizons, etc.) through the use of hand auger borings. The site was evaluated during moist soil conditions. From these observations, an evaluation of the site was developed, relative to subsurface disposal of wastewater. Soil boundaries were flagged in the field and were located by S&EC using a GPS unit. The soil/site evaluation criteria used is that contained in 15 A NCAC 18A .1900 "Laws and Rules for Sewage Treatment and Disposal Systems".

FINDINGS

This site is located in the Piedmont region of Chatham County. The upland soils on this tract are similar to the Georgeville and Lignum soil series. The Georgeville soil series has a loam surface material over a clay subsoil. These soils are at least 24 inches deep to prohibitive soil characteristics and are generally useable for subsurface septic systems. The Lignum soils have an expansive clay subsoil and soil wetness before 24 inches and are generally unsuitable for conventional subsurface septic systems.

The accompanying GPS/AutoCAD map indicates the areas with potential use for subsurface wastewater disposal. The CONV. units indicate areas of soils which are at least 24 to 36 inches deep to prohibitive soil characteristics and these areas have potential for a conventional septic system, a modified conventional (shallow placed lines with no fill required over the disposal area) or a low pressure pipe system (LPP) and/or ultra-shallow conventional (shallow placed lines with fill required over the disposal field) system. Unit "UN" on the attached map indicates areas of soils that are less than 24 inches to prohibitive soil characteristics and are generally unsuitable for the type of systems mentioned above. These areas may also have gullies, ruts, drainageways, steep slopes, and floodplains. However, they may be suitable for more expensive alternative septic systems, i.e. pretreatment drip or spray irrigation, etc. Such systems are expensive and, if requested, S&EC can provide additional information concerning these types of systems.

Charlotte Office:
236 LePhillip Court, Suite C
Concord, NC 28025
Phone: (704) 720-9405
Fax: (704) 720-9406

Greensboro Office:
3817-E Lawndale Drive
Greensboro, NC 27455
Phone: (336) 540-8234
Fax: (336) 540-8235

The site plan for each lot must ensure that adequate soil area for system and repair is unaffected by site elements (house placement, driveway, wells, patios, decks, etc.) on that or adjacent lots. The area ultimately designated by the health department on the site plan for the septic system and repair must remain undisturbed (no mechanical clearing, excavation, heavy traffic or other significant site disturbing activities) until authorized by the health department. A lot with initially adequate useable soil area may be rendered unusable as a result of improper site planning and/or disturbance. A field layout of the proposed septic systems may be required as part of the individual lot development process.

Upon completion of a subdivision plan, S&EC recommends reviewing the plan before recording the subdivision lots. It is important to note that any preliminary certification that a subdivision plan meets does not represent approval or a permit for any site work, nor does it guarantee issuance of an improvement permit for any lot. Final site approval for issuance of improvements is based on regulations in force at the time of permitting and is dependent on satisfactory completion of individual site evaluations following application for an improvement permit detailing a specific use and siting.

GENERAL WASTEWATER CONSIDERATIONS

Once potentially useable areas are located through vertical borings, the next consideration is the horizontal extent of those areas. The size and configuration of the useable soil area dictate the utility of that area. The size of a subsurface disposal field is determined by: 1) the design flow from the source (120 gallons/bedroom/day in residences), and 2) the long term acceptance rate (LTAR) of the soil (based on the hydraulic conductivity of the soil, a function of the soil's texture, mineralogy, structure, porosity, etc.). The configuration must be such that an efficient layout of disposal lines (on contour) is possible. An additional consideration is the required setbacks for the system from various elements such as wells (100'), streams and ponds (50') or more (depending on watershed regulations), property lines (10'), top of embankment (15'), watershed buffers, etc. (see Attachment 1).

The utility of a potential useable soil area for a subsurface system is most accurately determined by an on-ground layout of the proposed system. The total area needed for system and repair areas will depend upon the system type, the layout of that system and the total design flow (factors mentioned above). A typical area needed for a four bedroom residence is approximately 12,000 to 16,000 ft² (could be more depending on site features) or 800 to 1,086 linear feet of conventional line (system and repair) or 1,920 linear feet of LPP line (system and repair). These estimates reference Laws and Rules for Sewage Treatment and Disposal Systems for North Carolina and use a LTAR of 0.3gpd/ft² for conventional septic systems (.1955), a LTAR of 0.3gpd/ft² for modified conventional (.1956) and 0.1gpd/ft² for LPP septic systems (.1957a). The health department will determine the ultimate LTAR after their lot evaluation. S&EC will be glad to assist in any system layout or sizing calculations if requested.

This report discusses the general location of potentially useable soils for on-site subsurface wastewater disposal and, of course, does not constitute or imply any approval or permit as needed by the client from the local health department. S&EC is a professional consulting firm that specializes in the delineation of soil areas for wastewater disposal, and the layout and design of wastewater treatment systems. As a professional consulting firm, S&EC is hired for its professional opinion in these matters. The rules governing wastewater treatment (interpreted and governed by local and state agencies) are evolving constantly, and in many cases, affected by the opinions of individuals employed by these governing agencies. Because of this, S&EC cannot guarantee that areas delineated and/or systems designed will be permitted by the governing

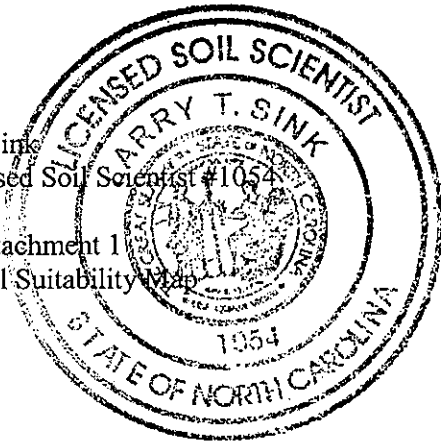
agencies. As always, S&EC recommends that anyone making financial commitments on a tract be fully aware of individual permit requirements on that tract prior to final action.

An individual septic system permit will be required for each lot prior to obtaining a building permit. This will involve a detailed evaluation by the local health department to determine, among other things, system size and layout, well, drive and house location. Only after developing this information can a final determination be made concerning specifics of system design and site utilization.

Soil & Environmental Consultants, PA is pleased to be of service in this matter and we look forward to assisting in any site analysis needs you may have in the future. Please feel free to call with any questions or comments.

Sincerely,

Larry T. Sink
NC Licensed Soil Scientist #1054
Encl: Attachment 1
Soil Suitability Map



Attachment 1

.1950 Location of Sanitary Sewage Systems

(c) (c) Every sanitary sewage treatment and disposal system shall be located at least the minimum horizontal distance from the following:

- | | |
|--|-------------------------------------|
| (1) any private water supply source including a well or spring | 100 feet |
| (2) any public water supply source | 100 feet |
| (3) streams classified as WS-I | 100 feet |
| (4) water classified as S.A. | 100 feet from mean high water mark |
| (5) Other coastal waters | 50 feet from mean high water mark |
| (6) any other stream, canal, marsh, or other surface waters | 50 feet |
| (7) any Class I or Class II reservoir | 100 feet from normal pool elevation |
| (8) any permanent storm water retention pond | 50 feet from flood pool elevation |
| (9) any other lake or pond | 50 feet from normal pool elevation |
| (10) any building foundation | 5 feet |
| (11) any basement | 15 feet |
| (12) any property line | 10 feet |
| (13) top of slope of embankments or cuts of 2 feet or more vertical height | 15 feet |
| (14) any water line | 10 feet |
| (15) drainage systems: | |
| (A) Interceptor drains, foundation drains and storm water diversions | |
| (i) upslope | 10 feet |
| (ii) sideslope | 15 feet |
| (iii) downslope | 25 feet |
| (B) Groundwater lowering ditched and devices | 25 feet |
| (16) any swimming pool | 15 feet |
| (17) any other nitrification field (except repair area) | 20 feet |
| (b) Ground absorption, sewage treatment and disposal systems may be located closer than 100 feet from a private well supply, except springs and uncased wells located downslope and used as a source of drinking water, repairs, space limitations and other site-planning considerations but shall be located the maximum feasible distance and, in no case, less than 50 feet. | |
| (c) (c) Nitrification fields and repair areas shall not be located under paved areas or areas subject to vehicular traffic. If effluent is to be conveyed under areas subject to vehicular traffic, ductile iron or its equivalent pipe shall be used. However, pipe specified in Rule .1955 (e) may be used if a minimum of 30 inches of compacted cover is provided over the pipe. | |

Note: Systems over 3000 GPD or an individual nitrification fields with a capacity of 1500 GPD or more have more restrictive setback requirements, see .1950 (a) (17) (d) for specifics.



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT
SECRETARY

June 2, 2008

Chatham County

County Driveway Permit File Number 19-774

Subject: Commercial Driveway Permit Application with Entrance onto SR 1711

Chatham Partners, LLC
c/o Robert D. Swain
1000 Saint Albans Drive, Suite 400
Raleigh, NC 27609

Dear Mr. Swain:

Personnel assigned to this office have conducted a review of the permit Application and approval is granted subject to the following stipulations:

1. The entrance onto SR 1711 is to be constructed in accordance with the attached detail sheet.
2. The entrance onto SR 1711 shall be paved 50 feet as measured from the new edge of pavement along the centerline of the entrance.
3. The entrance onto SR 1711 shall require radii on each side of the driveway as shown on the attached drawing.
4. No parking or outdoor advertising (signs) shall be allowed inside the right of way of SR 1711.
5. Any areas inside the right of way disturbed during construction shall be seeded and mulched immediately upon completion of construction.
6. Upon completion of construction, final approval by the District Engineer is required prior to opening the access connection for public use (page 9 Driveway Manual).
7. The Owner/Developer & Engineer is advised that any changes to the approved site plan or construction of any structures which will add additional traffic to the site will require issuance of a new driveway permit and encroachment by NCDOT.

Attached to this correspondence please find an approved copy of TEB Form 65-04 (Driveway Permit Application - N. C. Department of Transportation). Upon completion of the driveway entrance construction please notify the Chatham County Maintenance Department (Phone 919-742-3431) so a final inspection of the entrance can be made.

Yours very truly,

R. E. Blakley, P.E.
District Engineer

JLP/jeb

Attachments

cc: Mr. Timothy Johnson, Division Engineer
Mr. B.F. Sloan, Chatham County Maintenance Engineer
Mr. Charlie Horne, Chatham County Manager
Mike Zaccardo, P.E., CE Group

P.O. BOX 1164, ASHEBORO, NORTH CAROLINA 27204
PHONE (336) 629-1423 FAX (336) 629-7228

APPLICATION IDENTIFICATION		N.C. DEPARTMENT OF TRANSPORTATION STREET AND DRIVEWAY ACCESS PERMIT APPLICATION
Driveway Permit No.	Date of Application March 18, 2008	
County: Chatham		
Development Name: The Retreat on Haw River, Phase 2		

LOCATION OF PROPERTY

Route/Road: SR 1711 Bynum Ridge Road

Exact Distance 2,550 Miles N S E W
 Feet

From the Intersection of Route No. SR 1713 and Route No. SR 1711 Toward SR 1700

Property Will Be Used For: Residential /Subdivision Commercial Educational Facilities TND Emergency Services Other
Property: is is not within any City Zoning Area.

AGREEMENT

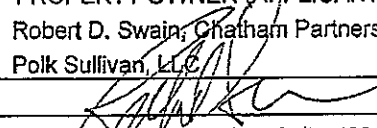
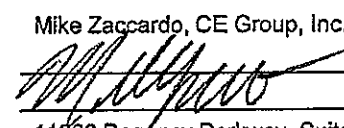
- I, the undersigned property owner, request access and permission to construct driveway(s) or street(s) on public right-of-way at the above location.
- I agree to construct and maintain driveway(s) or street entrance(s) in absolute conformance with the current "Policy on Street and Driveway Access to North Carolina Highways" as adopted by the North Carolina Department of Transportation.
- I agree that no signs or objects will be placed on or over the public right-of-way other than those approved by NCDOT.
- I agree that the driveway(s) or street(s) will be constructed as shown on the attached plans.
- I agree that that driveway(s) or street(s) as used in this agreement include any approach tapers, storage lanes or speed change lanes as deemed necessary.
- I agree that if any future improvements to the roadway become necessary, the portion of driveway(s) or street(s) located on public right-of-way will be considered the property of the North Carolina Department of Transportation, and I will not be entitled to reimbursement or have any claim for present expenditures for driveway or street construction.
- I agree that this permit becomes void if construction of driveway(s) or street(s) is not completed within the time specified by the "Policy on Street and Driveway Access to North Carolina Highways".
- I agree to pay a \$50 construction inspection fee. Make checks payable to NCDOT. This fee will be reimbursed if application is denied.
- I agree to construct and maintain the driveway(s) or street(s) in a safe manner so as not to interfere with or endanger the public travel.
- I agree to provide during construction proper signs, signal lights, flaggers and other warning devices for the protection of traffic in conformance with the current "Manual on Uniform Traffic Control Devices for Streets and Highways" and Amendments or Supplements thereto. Information as to the above rules and regulations may be obtained from the District Engineer.
- I agree to indemnify and save harmless the North Carolina Department of Transportation from all damages and claims for damage that may arise by reason of this construction.
- I agree that the North Carolina Department of Transportation will assume no responsibility for any damages that may be caused to such facilities, within the highway right-of-way limits, in carrying out its construction.
- I agree to provide a Performance and Indemnity Bond in the amount specified by the Division of Highways for any construction proposed on the State Highway system.
- The granting of this permit is subject to the regulatory powers of the NC Department of Transportation as provided by law and as set forth in the N.C. Policy on Driveways and shall not be construed as a contract access point.
- I AGREE TO NOTIFY THE DISTRICT ENGINEER WHEN THE PROPOSED WORK BEGINS AND WHEN IT IS COMPLETED.

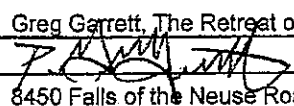
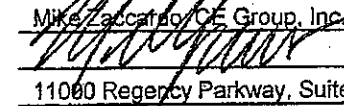
Received

APR 04 2008

**DIVISION 8 DISTRICT 1
DEPT. OF TRANSPORTATION**


SIGNATURES OF APPLICANT

PROPERTY OWNER (APPLICANT)		WITNESS	
COMPANY	Robert D. Swain, Chatham Partners, LLC & Polk Sullivan, LLC	NAME	Mike Zaccardo, CE Group, Inc.
SIGNATURE		SIGNATURE	
ADDRESS	1000 Saint Albans Drive, Suite 400 Raleigh, NC 27609 Phone No. 9194698674	ADDRESS	11000 Regency Parkway, Suite 410 Cary, NC 27518


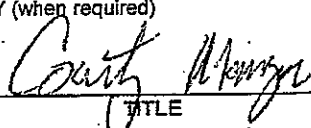
AUTHORIZED AGENT		WITNESS	
COMPANY	Greg Garrett, The Retreat on Haw River, LLC	NAME	Mike Zaccardo, CE Group, Inc.
SIGNATURE		SIGNATURE	
ADDRESS	8450 Falls of the Neuse Road, Suite 102 Raleigh, NC 27615 Phone No. 9198475004	ADDRESS	11000 Regency Parkway, Suite 410 Cary, NC 27518

APPROVALS


APPLICATION RECEIVED BY DISTRICT ENGINEER

 4/4/2008
SIGNATURE DATE

APPLICATION APPROVED BY LOCAL GOVERNMENTAL AUTHORITY (when required)

  4/1/08
SIGNATURE TITLE DATE

APPLICATION APPROVED BY DISTRICT ENGINEER

 6/2/2008
SIGNATURE DATE

INSPECTION BY NCDOT

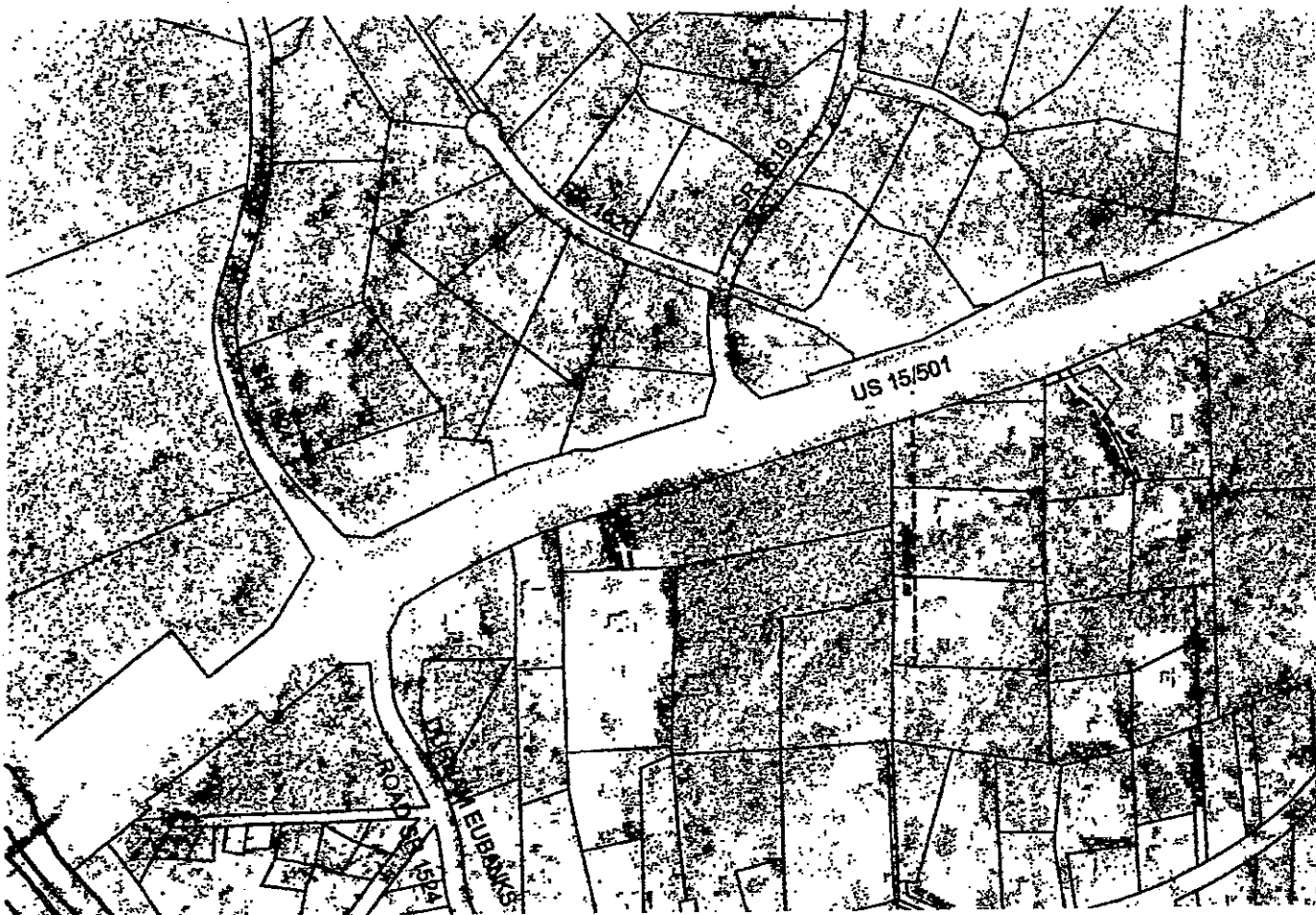
SIGNATURE TITLE DATE

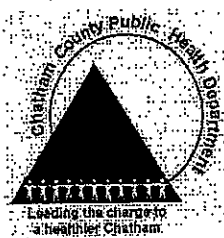
Received

APR 04 2008

DIVISION 8 DISTRICT 1
DEPT. OF TRANSPORTATION

The





CHATHAM COUNTY PUBLIC HEALTH DEPARTMENT
Division of Environmental Health
Soil Erosion and Sedimentation Control

6-26-08

LETTER OF APPROVAL

Chatham Partners, LLC & Polk Sullivan, LLC
1000 Saint Albans Drive, Suite 400
Raleigh, NC 27609
Attn: Robert D. Swain

RE: Project Name: The Retreat On Haw River
Project Number: 2008-009
Acres approved: 23.00
Total Acres: 272.62
Submitted By: CE Group, Inc.
Date Received: 6-16-08

Dear Sir or Madam:

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 two (2) years following the date of approval, if no land-disturbing activity has been undertaken.

Section 6 (I) of the Chatham County Sedimentation and Erosion Control Ordinance 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 Chatham County Sedimentation and Erosion Control Ordinance, this office may require revisions to the plan and implementation of the revisions to insure compliance with the Act.

Holly Coleman, M.S. R.S.
Public Health Director

80 East Street, PO Box 130, Pittsboro, NC 27312 Phone: 919-542-8208 Fax: 919-542-8288

Acceptance and approval of this plan is conditioned upon your compliance with Federal and State water quality laws, regulations, and rules. In addition, local city or county ordinances or rules may also apply to this land-disturbing activity. This approval does not supersede any other permit or approval.

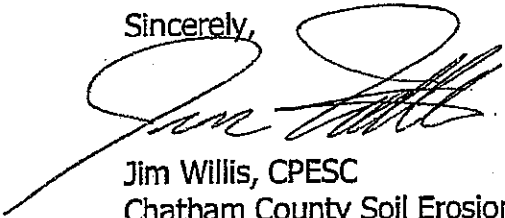
Please be aware that your project will be covered by the enclosed NPDES General Stormwater Permit NCGO1000 (Construction Activities). You should first become familiar with all of the requirements for compliance with the enclosed general permit.

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. Please notify us when you would like to schedule a preconstruction conference. Notification shall be given at least 7 days prior to initiation of activity.

****Please be advised that no construction activity associated with this site may commence until after a preconstruction meeting.**

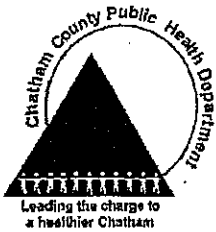
Your cooperation is appreciated.

Sincerely,



Jim Willis, CPESC
Chatham County Soil Erosion Control Officer

Enclosures: Certificate of Approval
NPDES Permit



Chatham County, North Carolina
Certificate of Sedimentation and Erosion Control Plan Approval and
Land-Disturbing Permit
For

The Retreat at Haw River

Project Name and Location

2008-009

Permit Number

The posting of this certificate certifies that an erosion and sedimentation control plan has been approved for this project by Chatham County, North Carolina in accordance with North Carolina General Statute 113A-57 (4) and 113A-54 (d)(4), the North Carolina Administrative Code, Title 15A, Chapter 4B.0007 (c) and as per applicable sections of the Chatham County Soil Erosion and Sedimentation Control Ordinance. This certificate must be posted at the primary entrance of the job site before construction begins and until establishment of permanent ground cover as required by North Carolina Administrative Code, Title 15A, Chapter 4B.0027 (b) and as per Chatham County's Erosion and Sediment Control Ordinance, Section 5 (d).

Responsible Person: Robert Swain Phone: 919-469-8674

This plan was approved with "modifications" Yes No and / or
"performance reservations" Yes No.

Reviewer: Jan [Signature]

Date: 6/26/08

THE ORDINANCE REQUIRES THAT A COPY OF
THE EROSION CONTROL PLAN
MUST BE KEPT AVAILABLE AT THE JOB SITE
AT ALL TIMES FOR INSPECTION

U.S. ARMY CORPS OF ENGINEERS
WILMINGTON DISTRICT

Action ID: 200421124

County: Chatham

GENERAL PERMIT (REGIONAL AND NATIONWIDE) VERIFICATION

Property Owner: Polk-Sullivan, LLC
Attn: Robert Swain
Mailing Address: Post Office Box 5689
Cary, North Carolina 27513

Telephone No.: (919) 469-8674

Authorized Agent: Soil & Environmental Consultants, Inc.

Attn: Mr. Sean Clark

Mailing Address: 11010 Raven Ridge Road
Raleigh, North Carolina 27614

Telephone No.: (919) 846-5900

Location of property (road name/number, town, etc.): The project (Williams Pond Residential Subdivision) is located southwest of Bynum Ridge Road, east of the Haw River, in Bynum, Chatham County, North Carolina.

Site Coordinates: 35.7669 °N 79.1215 °W USGS Quad: Farrington

Waterway: Pokeberry Creek

River Basin: Cape Fear

HUC: 03030002

Description of projects area and activity (see page 2 for a summary of authorized impacts): Activities associated with the proposed project include mechanized land clearing, excavation, the installation of culverts, and the placement of backfill and riprap stabilization, necessary for the construction of three road crossings. An additional road crossing will be constructed utilizing a open-bottom culvert that will avoid all impacts to waters of the U.S.

Applicable Law: Section 404 (Clean Water Act, 33 USC 1344)
 Section 10 (Rivers and Harbors Act, 33 USC 403)

Authorization: Nationwide or Regional General Permit Number(s): 39

Your work is authorized by the above referenced permit provided it is accomplished in strict accordance with the attached conditions and your submitted plans. Any violation of the attached conditions or deviation from your submitted plans may subject the permittee to a stop work order, a restoration order and/or appropriate legal action.

This verification will remain valid until the expiration date identified below unless the nationwide authorization is modified, suspended or revoked. If, prior to the expiration date identified below, the nationwide permit authorization is reissued and/or modified, this verification will remain valid until the expiration date identified below, provided it complies with all requirements of the modified nationwide permit. If the nationwide permit authorization expires or is suspended, revoked, or is modified, such that the activity would no longer comply with the terms and conditions of the nationwide permit, activities which have commenced (i.e., are under construction) or are under contract to commence in reliance upon the nationwide permit, will remain authorized provided the activity is completed within twelve months of the date of the nationwide permit's expiration, modification or revocation, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend or revoke the authorization.

Activities subject to Section 404 (as indicated above) may also require an individual Section 401 Water Quality Certification. You should contact the NC Division of Water Quality (telephone (919) 733-1786) to determine Section 401 requirements.

For activities occurring within the twenty coastal counties subject to regulation under the Coastal Area Management Act (CAMA), prior to beginning work you must contact the N.C. Division of Coastal Management.

This Department of the Army verification does not relieve the permittee of the responsibility to obtain any other required Federal, State or local approvals/permits.

If there are any questions regarding this verification, any of the conditions of the Permit, or the Corps of Engineers regulatory program, please contact Todd Tugwell at telephone (919) 876-8441, ext 26.

Corps Regulatory Official Todd Tugwell Date: 02/01/2005 Verification Expiration Date: 02/01/2007

Copy Furnished: NC Ecosystem Enhancement Program, 1652 Mail Service Center, Raleigh, NC 27699-1652

Determination of Jurisdiction:

- Based on preliminary information, there appear to be waters of the US including wetlands within the above described project area. This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process (Reference 33 CFR Part 331).
- There are Navigable Waters of the United States within the above described project area subject to the permit requirements of Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- There are waters of the US and/or wetlands within the above described project area subject to the permit requirements of Section 404 of the Clean Water Act (CWA)(33 USC § 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- The jurisdictional areas within the above described project area have been identified under a previous action. Please reference the jurisdictional determination issued on (Action ID:).

Basis of Jurisdictional Determination: The project site contains jurisdictional stream channels, and adjacent wetlands, which flow into Pokeberry Creek, a tributary to the Cape Fear River, a navigable waterway.

Corps Regulatory Official Walter Jones Date: 02/01/2005 Determination Expiration Date: 02/01/2010

Summary of Authorized Impacts and Required Mitigation

Action ID #	NWP / GP #	Open Water (ac)		Wetland (ac)		Unimportant Stream (lf)		Important Stream (lf)		
		Temporary	Permanent	Temporary	Permanent	Temporary	Permanent	Temporary	Permanent	
200421124	39						109		194	
Impact Totals		0	0	0	0	0	109	0	194	
Total Loss of Waters of the U.S. (ac)				0		Total Loss of Waters of the U.S. (lf)				303
Required Wetland Mitigation (ac)			0			Required Stream Mitigation (lf)			194	In-Lieu/EEP

Additional Remarks and/or Special Permit Conditions:

1. The Permittee shall cause to be recorded in the Register of Deeds for Chatham County restrictive covenants, the form of which was provided to the Corps by Robert Swain in a letter dated January 14, 2005, for the purpose of maintaining proposed conservation areas in their natural state in perpetuity. The permittee shall also cause to be recorded a plat, showing the subdivision plan for the property, the boundary of the conservation areas, and the boundary of jurisdictional waters of the United States. The restrictive covenants and plat, as approved by the Corps of Engineers, shall be recorded prior to the sale or conveyance of any lots, phases, or other property within the subdivision. The permittee shall enforce the terms of the restrictions set forth in the deed, and, prior to conveyance of the property, shall take no action on the property described in the deed inconsistent with the terms thereof.
2. The permittee shall make payment to the North Carolina Ecosystem Enhancement Program (NCEEP) in the amount determined by the NCEEP, sufficient to perform the restoration of 194 linear feet of warm water stream in the Cape Fear River Basin, Cataloging Unit 03030002. Construction within jurisdictional areas on the property shall begin only after the permittee has made full payment to the NCEEP and provided a copy of the payment documentation to the Corps, and the NCEEP has provided written confirmation to the Corps that it agrees to accept responsibility for the mitigation work required, in compliance with the MOU between the North Carolina Department of Environment and Natural Resources and the United States Army Corps of Engineers, Wilmington District, dated November 4, 1998.

**WILMINGTON DISTRICT
POST-CONSTRUCTION COMPLIANCE FORM**

Action ID Number: 200421124

County: Chatham

Permittee: Polk-Sullivan, LLC

Attn: Robert Swain

Date Permit Issued: 02/01/2005

Project Manager: Todd Tugwell

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

US Army Corps Of Engineers
Wilmington District
Raleigh Regulatory Field Office
6508 Falls Of The Neuse Road
Suite 120
Raleigh, North Carolina 27615

Please note that your permitted activity is subject to a compliance inspection by a U. S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification, or revocation.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and condition of the said permit, and required mitigation was completed in accordance with the permit conditions.

Signature of Permittee

Date

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Polk-Sullivan, LLC Attn: Robert Swain	File Number: 200421124	Date: 02/01/2005
Attached is:	See Section below	
<input type="checkbox"/> INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
<input type="checkbox"/> PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
<input type="checkbox"/> PERMIT DENIAL	C	
<input checked="" type="checkbox"/> APPROVED JURISDICTIONAL DETERMINATION	D	
<input type="checkbox"/> PRELIMINARY JURISDICTIONAL DETERMINATION	E	

SECTION I: The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://www.usace.army.mil/inet/functions/cw/cecwo/reg-on-Corps-regulations-at-33-CFR-Part-231>.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION

If you have questions regarding this decision and/or the appeal process you may contact:

Todd Tugwell
Raleigh Regulatory Field Office
US Army Corps of Engineers
6508 Falls of the Neuse Road, Suite 120
Raleigh, North Carolina 27615

If you only have questions regarding the appeal process you may also contact:

Mr. Michael Bell, Administrative Appeal Review Officer
CESAD-ET-CO-R
U.S. Army Corps of Engineers, South Atlantic Division
60 Forsyth Street, Room 9M15
Atlanta, Georgia 30303-8801

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Date:

Telephone number:

Signature of appellant or agent.

DIVISION ENGINEER:

Commander
U.S. Army Engineer Division, South Atlantic
60 Forsyth Street, Room 9M15
Atlanta, Georgia 30303-3490



Michael F. Easley, Governor
 William G. Ross Jr., Secretary
 North Carolina Department of Environment and Natural Resources
 Alan W. Klimmek, P.E. Director
 Division of Water Quality

November 19, 2004

DWQ EXP # 04-1672
 Chatham County
 Page 1 of 4

Polk-Sullivan, LLC
 Attn: Robert Swain
 PO Box 5689
 Cary, NC 27573

Subject Property: **Williams Pond Subdivision**
 Pokeberry Creek (03-06-04, 16-37, WS-IV, NSW), Haw River (03-06-04, 16, WS-IV, NSW CA), Williams Pond (03-06-04, 16-37-2, WS-IV, NSW)

Approval of 401 Water Quality Certification with Additional Conditions-Express Review Program

Dear Mr. Swain:

You have our approval, in accordance with the attached conditions and those listed below, to place fill within or otherwise impact 303 feet of streams for the purpose of a subdivision at the subject property, as described within your application dated October 22, 2004 and received by the N.C. Division of Water Quality (DWQ) on October 22, 2004 and all additional information submitted and received on October 28, 2004, November 8, 2004, November 16, 2004 and November 18, 2004. After reviewing your application, we have decided that the impacts are covered by General Water Quality Certification Number 3402 (GC3402). The Certification(s) allows you to use Nationwide Permit 39 when issued by the US Army Corps of Engineers (USACE). In addition, you should obtain or otherwise comply with any other required federal, state or local permits before you go ahead with your project including (but not limited to) Erosion and Sediment Control, Non-discharge, and Water Supply Watershed regulations. **Also, this approval to proceed with your proposed impacts or to conduct impacts to waters as depicted in your application shall expire upon expiration of the 404 or CAMA Permit.**

This approval is for the purpose and design that you described in your application. If you change your project, you must notify us and you may be required to send us a new application. If the property is sold, the new owner must be given a copy of this Certification and approval letter and is thereby responsible for complying with all conditions. If total fills for this project (now or in the future) exceed one acre of wetland or 150 linear feet of stream, compensatory mitigation may be required as described in 15A NCAC 2H .0506 (h). This approval requires you to follow the conditions listed in the attached certification and any additional conditions listed below.

*The North Carolina
 Naturally*

401 Wetlands Certification Unit
 1650 Mail Service Center, Raleigh, North Carolina 27659-1650
 2821 Crabtree Boulevard, Suite 250, Raleigh, North Carolina 27604
 Phone: 919-733-1788 / FAX 919-733-6893 / Internet: <http://h2o.enr.state.nc.us/ncwetlands>

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NOV-19-2004 14:00 FROM:DWQ-WETLANDS 9197336893

The Additional Conditions of the Certification are:

1. Impacts Approved

The following impacts are hereby approved as long as all of the other specific and general conditions of this Certification (or Isolated Wetland Permit) are met. No other impacts are approved including incidental impacts:

	Amount Approved (Units)	Plan Location or Reference
Stream	194' perennial, 109' intermittent	Impact Maps 1, 2 & 4 (dated 10/26/04) and 3 (dated 11/10/04)

2. Compensatory Mitigation Using the Ecosystem Enhancement Program (EEP)

Mitigation must be provided for the proposed impacts as specified in the table below. We understand that you wish to make a payment to the Wetlands Restoration Fund administered by the NC Ecosystem Enhancement Program (EEP) to meet this mitigation requirement. This has been determined by the DWQ to be a suitable method to meet the mitigation requirement. Until the EEP receives and clears your check (made payable to: DENR - Ecosystem Enhancement Program Office), no impacts specified in this Authorization Certificate shall occur. The EEP should be contacted at (919) 733-5208 if you have any questions concerning payment into a restoration fund. You have one month from the date of this approval to make this payment. **For accounting purposes, this Authorization Certificate authorizes payment into the Wetlands Restoration Fund to meet the following compensatory mitigation requirement:**

	Compensatory Mitigation Required	River and Sub-basin Number
Stream	194 (feet)	03-06-04

3. Protective Fencing

The outside buffer, wetland or water boundary and along the construction corridor within these boundaries approved under this authorization shall be clearly marked with orange warning fencing (or similar high visibility material) for the areas that have been approved to infringe within the buffer, wetland or water prior to any land disturbing activities to ensure compliance with GC 3402.

4. Turbidity Standard

The turbidity standard of 50 NTUs (Nephelometric Turbidity Units) shall not be exceeded as described in 15 A NCAC 2B .0200. Appropriate sediment and erosion control practices must be used to meet this standard.

5. Deed Notifications

Deed notifications or similar mechanisms shall be placed on all retained jurisdictional wetlands, waters and protective buffers in order to assure compliance for future wetland, water and buffer impact. These mechanisms shall be put in place prior to impacting any wetlands, waters and/or buffers approved for impact under this Certification Approval and Authorization Certificate. A sample deed notification can be downloaded from the 401/Wetlands Unit web site at <http://h2o.enr.state.nc.us/nowetlands>. The text of the sample deed notification may be modified as appropriate to suit to this project.

6. Culvert Installation

Culverts required for this project shall be installed in such a manner that the original stream profiles are not altered. Existing stream dimensions (including the cross section dimensions, pattern, and longitudinal profile) must be maintained above and below locations of each culvert. Culverts shall be designed and installed to allow for aquatic life movement as well as to prevent head cutting of the streams. If any of the existing pipes are or become perched, the appropriate stream grade shall be re-established or, if the pipes installed in a perched manner, the pipes shall be removed and re-installed correctly.

Culvert(s) shall not be installed in such a manner that will cause aggradation or erosion of the stream up or down stream of the culvert(s). Existing stream dimensions (including the cross section dimensions, pattern and longitudinal profile) shall be maintained above and below locations of each culvert. Therefore, you must provide plans with adequate details that indicate that the current stability of the stream will be maintained or enhanced. You must receive written approval from this Office for the above plans before the culvert(s) is installed. Culvert(s) must be installed according to approved plans.

7. No Stream Impacts (Open Bottom & Bottomless Arch Culverts)

Your application states that an Open Bottom Arch Culvert will be used to cross the stream at crossing #3 and that no impacts will occur to either wetlands or streams. This letter does not approve any impacts to streams or wetlands at crossing #3. The proposed project must comply with all applicable water quality standards as listed in 15A NCAC 02B .0200. The placement of the culverts shall not be conducted in a manner that may result in aggradation, degradation or

Folk-Sullivan, LLC

Page 4 of 5

11/19/04

significant changes in hydrology of the stream bed and bank, adjacent to or upstream and downstream of the structure. The openings must be provided to maintain the natural hydrology of the system as well as prevent constriction of the floodway that may result in aggradation, degradation or significant changes in hydrology of streams.

8. Erosion & Sediment Control Practices

Erosion and sediment control practices must be in full compliance with all specifications governing the proper design, installation and operation and maintenance of such Best Management Practices in order to protect surface waters standards:

- a. The erosion and sediment control measures for the project must be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Sediment and Erosion Control Planning and Design Manual*.
- b. The design, installation, operation, and maintenance of the sediment and erosion control measures must be such that they equal, or exceed, the requirements specified in the most recent version of the *North Carolina Sediment and Erosion Control Manual*. The devices shall be maintained on all construction sites, borrow sites, and waste pile (spoil) projects, including contractor-owned or leased borrow pits associated with the project.

9. No Waste, Spoil, Solids, or Fill of Any Kind

No waste, spoil, solids, or fill of any kind shall occur in wetlands, waters, or riparian areas beyond the footprint of the impacts depicted in the Pre-Construction Notification. All construction activities, including the design, installation, operation, and maintenance of sediment and erosion control Best Management Practices, shall be performed so that no violations of state water quality standards, statutes, or rules occur.

10. No Sediment & Erosion Control Measures w/n Wetlands or Waters

Sediment and erosion control measures shall not be placed in wetlands or waters to the maximum extent practicable. If placement of sediment and erosion control devices in wetlands and waters is unavoidable, they shall be removed and the natural grade restored within six months of the date that the Division of Land Resources has released the project.

11. Notification of Construction

The applicant and/or authorized agent shall contact the DWQ Express Review Program in writing at the letterhead address within 10 days of the commencement of construction.

Polk-Sullivan, LLC
Page 5 of 5
11/19/04

12. Certificate of Completion

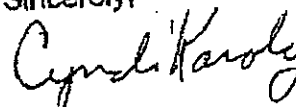
Upon completion of all work approved within the 401 Water Quality Certification or applicable Buffer Rules, and any subsequent modifications, the applicant is required to return the attached certificate of completion to the 401/Wetlands Unit, North Carolina Division of Water Quality, 1650 Mail Service Center, Raleigh, NC, 27699-1650.

Violations of any condition herein set forth may result in revocation of this Certification and may result in criminal and/or civil penalties. The authorization to proceed with your proposed impacts or to conduct impacts to waters as depicted in your application and as authorized by this Certification, shall expire upon expiration of the 404 or CAMA Permit.

If you do not accept any of the conditions of this Certification (associated with the approved wetland or stream impacts), you may ask for an adjudicatory hearing. You must act within 60 days of the date that you receive this letter. To ask for a hearing, send a written petition, which conforms to Chapter 150B of the North Carolina General Statutes to the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, N.C. 27699-6714. This certification and its conditions are final and binding unless you ask for a hearing.

This letter completes the review of the Division of Water Quality under Section 401 of the Clean Water Act. If you have any questions, please telephone Cyndi Karoly at 919-733-9721 or Deborah Edwards at 919-733-9502 in the Central Office in Raleigh.

Sincerely,


for Alan W. Klimek, P.E.

AWK/dae

Enclosures: GC 3402
Certificate of Completion

cc: Sean Clark-S&EC
USACE Raleigh Regulatory Field Office
Mike Horan -DWQ Raleigh Regional Office
DLR Raleigh Regional Office
File Copy
Central Files

Filename: 041672WilliamsPond(Chatham)EXP+401



North Carolina Department of Environment and Natural Resources
Division of Water Quality

Michael F. Easley, Governor

William G. Ross, Jr., Secretary
Alan W. Klimek, P.E., Director

North Carolina Division of Water Quality
401 Water Quality Certification
Summary of Permitted Impacts and Mitigation Requirements

In accordance with 15A NCAC 2H.0500, Polk-Sullivan, LLC has permission as outlined below to impact 303 linear feet of streams for the purpose(s) of constructing the proposed subdivision in Chatham County. All activities associated with these authorized impacts must be conducted with the conditions listed in the attached Permit transmittal letter. **THIS PERMIT IS NOT VALID WITHOUT THE ATTACHMENTS.**

COMPENSATORY MITIGATION REQUIREMENTS, ECOSYSTEM ENHANCEMENT PROGRAM

LOCATION:
COUNTY
BASIN/ SUB BASIN

Williams Pond Subdivision
Chatham
03-06-04

As required by 15A NCAC 2H.0500, and the conditions of this Permit, you are required to compensate for the above impacts through the restoration, creation, enhancement or preservation of wetlands and surface waters as outlined below prior to conducting any activities that impact or degrade the waters of the state.

Note: Acreage requirements proposed to be mitigated through the Ecosystem Enhancement Program must be rounded to one-quarter acre increments and linear foot requirements must be rounded up to the nearest foot according to 15 2R.0503(b).

Impacts:

- 0 Acres of Class WL wetlands
- 0 Acres of riparian wetland
- 0 Acres of non- riparian wetlands

- 0 Acres of Class SWL wetlands
- 0 Linear feet of stream buffers
- 303 Linear feet of Stream

Mitigation:

- 0 Acres of Class WL wetlands
- 0 Acres of riparian wetland
- 0 Acres of non- riparian wetlands

401 Wetlands Certification Unit
1650 Mail Service Center, Raleigh, North Carolina 27604-1650
2321 Crabtree Boulevard, Suite 250, Raleigh, North Carolina 27604
Phone: 919-733-1785 / FAX 919-733-6863 / Internet: <http://n2o.ent.state.nc.us/n2owetlands>

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One
North Carolina
Naturally

Polk-Sullivan, LLC
Page 2 of 2
11/19/04

0 Acres of Class SWL wetlands
0 Linear feet of stream buffers
194 Linear feet of Perennial Stream

In correspondence dated October 26, 2004, the EEP indicated that up to 194 linear feet of mitigation will be conducted by EEP if necessary.

One of the options you have available to satisfy the compensatory mitigation requirement is through the payment of a fee to the Wetlands Restoration Fund per NCAC 2R.0503. If you choose this option, please sign this form and mail it to the Ecosystem Enhancement Program at the address below. An invoice for the appropriate amount of payment will be sent to you upon receipt of this form. PLEASE NOTE, THE ABOVE IMPACTS ARE NOT AUTHORIZED UNTIL YOU RECEIVE NOTIFICATION THAT YOUR PAYMENT HAS BEEN PROCESSED BY THE ECOSYSTEM ENHANCEMENT PROGRAM.

Signature

Date

ECOSYSTEM ENHANCEMENT PROGRAM
1619 Mail Service Center
RALEIGH, N.C. 27669-1619
(919) 733-5208

Filename: 041672WilliamsPond(Chatham)EXP+401

SUBDIVISION: The Sanctuary at Haw River

DIRECTIONS: Bynum Ridge Road SR 1711, ± 0.7 miles east of the Bynum Road intersection (SR 1713)

DEVELOPER: The Sanctuary at Haw River, LLC **PHONE NUMBER:** 919-847-5004

Major Development: X **Minor Development:** _____
Development with acreage of 10 acreage of 10 acres or more: _____

Proposed road names	OK to submit	DUPLICATED Do not Submit
<u>River Refuge Lane</u>	_____	_____
<u>Chapel Creek Lane</u>	_____	_____
<u>Drake's Meadow Drive</u>	_____	_____
<u>Heron's Ridge Lane</u>	_____	_____
<u>Swift Creek Place</u>	_____	_____
<u>Sanctuary Ridge Road</u>	_____	_____
<u>Headwater Trail</u>	_____	_____

DATE SUBMITTED TO EOC: June 16, 2006

SUBMITTED BY: CE Group, Inc.

EOC OFFICER: _____

DATE ROADS APPROVED: _____

DATE FINAL PLAT RECEIVED: _____

DATE GIVEN TO 911: _____

DATE CONTACT MADE WITH NUMBERS: _____

SURROUNDING COUNTY CONTACTED: _____

PERSON SPOKEN WITH: _____

COMMENTS: _____

revised 4/19/02



SUBDIVISION: The Sanctuary at Haw River

DIRECTIONS: Bynum Ridge Road SR 1711, ± 0.7 miles east of the Bynum Road intersection (SR 1713)

DEVELOPER: The Sanctuary at Haw River, LLC **PHONE NUMBER:** 919-847-5004

Major Development: X **Minor Development:** _____
Development with acreage of 10 acres or more: _____

Proposed road names	OK to submit	DUPLICATED Do not Submit
<u>Birch Bark Lane</u>	_____	_____
<u>Frontier Woods Trail</u>	_____	_____
<u>Saddle Creek Lane</u>	_____	_____
<u>Live Oak Lane</u>	_____	_____
<u>Haw Bluffs Drive</u>	_____	_____
<u>Mill Pond Place</u>	_____	_____
<u>Indian Point Lane</u>	_____	_____

DATE SUBMITTED TO EOC: June 16, 2006

SUBMITTED BY: CE Group, Inc.

EOC OFFICER: _____

DATE ROADS APPROVED: _____

DATE FINAL PLAT RECEIVED: _____

DATE GIVEN TO 911: _____

DATE CONTACT MADE WITH NUMBERS: _____

SURROUNDING COUNTY CONTACTED: _____

PERSON SPOKEN WITH: _____

COMMENTS: _____

revised 4/19/02



SUBDIVISION: The Sanctuary at Haw River

DIRECTIONS: Bynum Ridge Road SR 1711, ± 0.7 miles east of the Bynum Road intersection (SR 1713)

DEVELOPER: The Sanctuary at Haw River, LLC **PHONE NUMBER:** 919-847-5004

Major Development: X **Minor Development:** _____
Development with acreage of 10 acreage of 10 acres or more: _____

Proposed road names	OK to submit	DUPLICATED Do not Submit
Bear Island Trail	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

DATE SUBMITTED TO EOC: June 16, 2006

SUBMITTED BY: CE Group, Inc.

EOC OFFICER: _____

DATE ROADS APPROVED: _____

DATE FINAL PLAT RECEIVED: _____

DATE GIVEN TO 911: _____

DATE CONTACT MADE WITH NUMBERS: _____

SURROUNDING COUNTY CONTACTED: _____

PERSON SPOKEN WITH: _____

COMMENTS: _____

revised 4/19/02



North Carolina Department of Environment
And Natural Resources
Division of Environmental Health
Public Water Supply Section

**Application for Approval
of Engineering Plans and Specifications
For Water Supply Systems**

Instructions & Checklist: To apply for approval for plans and specifications, submit the following materials & information:

Project Name: The Retreat on Haw River Phase 2
(This is the name to appear on Public Water Supply records and tracking system)

Attached are three copies of each of the following items:

- This completed "Application for Approval...;"
- The plan drawings;
- The Engineering Report (ER) addressing each of the items listed in 15A NCAC 18C .0307(b), including the design basis of the project.[15A NCAC 18C .0307(b)(12)]

One of the following:

- The project will use the following system's previously approved standard specifications:

Name of System: Chatham County Water System

PWS Approval Number & Date: 03-19-126 dated 1/17/06

OR

- Attached are three copies of the specifications.

One of the following:

- The applicant is the Public Water System;

OR

- Attached is a letter from the Owner of the Public Water System agreeing to serve the project and stating that the system has adequate supply.

Note the following:

- Beginning January 1, 2007, attached is a check for the proper plan review fee amount, in accordance with NCGS 130A-328. See note 4 on page 4.

Date _____
(for DENR use only)

Serial No. _____
(for DENR use only)

To: Division of Environmental Health,
Department of Environment and Natural Resources

The Board of Commissioners
(name of board, or council, authorized official and title, or owner)

of Chatham County
(name of city, town, corporation, sanitary district, water company or other)

in the County of Chatham, State of North Carolina authorized by law to act for the said

Chatham County
(name of city, town, corporation, sanitary district, water company or other)

and to expend its funds for the water project described below, herewith submit for the counsel and advice of the Division of Environmental Health plans and specifications prepared by CE Group, Inc.
(engineer or firm)

(919) 367-8790 ext.103
(Phone Number of Engineer -- optional for faster contact)

mike@cegrouppinc.com
(Email Address of Engineer -- optional for faster contact)

of 11000 Regency Parkway Suite 410 Cary, NC 27518 for the installation or construction of
(address of engineer)

Construction of 7,739 lf of 8" Class 350 DIP, 1,772 lf 4" Class 350 DIP, 840 lf 2" Class 200 SDR 21 PVC, 9 fire hydrant assemblies, 5 air release manholes and appurtenances to serve 63 residential lots.
(description of project)

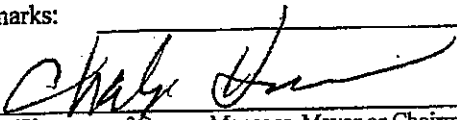
Bynum Ridge Road (SR 1711)
(location of project)

in Chatham County, and make application to the Division of Environmental Health for the approval of said plans and specifications as related to public health and protection of public water supplies and public water systems.

These plans have been approved and accepted by the applicant.

This application is made under and in full accord with the provision of NCGS 130A-317, and such other statutes as related to public water systems. The applicant agrees that no change or deviation from the engineering plans and specifications approved by the Division of Environmental Health will be made except as allowed by 15A NCAC 18C .0306 or with the written consent and approval of the Division of Environmental Health or its authorized representative. The applicant agrees that a professional engineer licensed to practice in the State of North Carolina shall submit a statement reflecting that adequate observations during and upon completion of construction, by the engineer or by a representative of the engineer's office who is under the engineer's supervision, indicates that construction was completed in accordance with approved plans and specifications.

Remarks:


(Signature of Owner, Manager, Mayor or Chairman)

Charlie Horne
(Type Name Signed Above)

(919) 542-8201
(Phone Number -- optional for faster contact)

PO Box 1550
(Street or Box Number)

Pittsboro, NC 27312
(City, State, Zip Code)

Charlie.horne@chathamnc.org
(Email Address -- optional for faster contact)

Status of Water System Management Plan (WSMP)

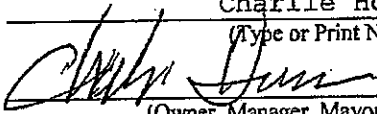
Check one of the following, and if applicable, provide the required information:

- The WSMP for the project, as defined in the attached engineering plans and specifications, is submitted with this application.
- The WSMP that includes this project, as defined in the attached engineering plans and specifications, was previously submitted.

Provide the following:

Water System Name: Chatham County Water System
Owner Name: Chatham County
PWS I.D. No.: 03-19-126
WSMP No.: 99-02125
WSMP Submittal Date: 12/9/99
County: Chatham

By my signature below, I certify that the previously submitted WSMP contains the information required by 15A NCAC 18C .0307(c) for the project defined in the attached engineering plans and specifications.

NAME: Charlie Horne
(Type or Print Name)
SIGNATURE:  DATE: 02/22/09
(Owner, Manager, Mayor or Chairman)

- The WSMP for the project, as defined in the attached engineering plans and specifications, has not been submitted.

Note: When the WSMP is submitted, the applicant must clearly identify the previously submitted project engineering plans and specifications for which the WSMP was prepared.

Status of Engineer's Report

Check one of the following, and if applicable, provide the required information.

- The Engineer's Report for the project, as defined in the attached engineering plans and specifications, is submitted with this application.
- The Engineer's Report that includes this project, as defined in the attached engineering plans and specifications, was previously submitted.

Provide the following:

Water System Name: _____
Owner Name: _____
PWS I.D. No.: _____
Engineer's Report No.: _____
Engineer's Report Title: _____
Engineer's Report Submittal Date: _____
County: _____

Note: If the previously submitted Engineer's Report covered multiple projects, then attach to this Application, a letter from the engineer stating that the previously submitted Engineer's Report contains the information required by 15A NCAC 18C .0307(b) for the project defined in the attached engineering plans and specifications.

In accordance with NCGS 130A-328, there will be a fee charged for plan review by the NC DENR Public Water Supply Section. Any documents submitted for review on or after January 1, 2007 must be accompanied by a check payable to DENR-Public Water Supply Section before the review will begin.

** There is a \$25 fee for returned checks **

The charges for review of plans are shown below. Check one of the following.

Distribution System fees

- Construction of water lines, less than 5000 linear feet \$150
- Construction of water lines, 5000 linear feet or more \$200
- Other construction or alteration to a distribution system \$ 75

Ground Water System fees

- Construction of a new ground water system or adding a new well \$200
- Alteration to an existing ground water system \$100

Surface water system fees

- Construction of a new surface water treatment facility \$250
- Alteration to existing surface water treatment facility \$150

Other fees

- Water System Management Plan review \$ 75
- Miscellaneous changes or maintenance not covered above \$ 50

Notes:

1. The fee is not refundable if the plans are not approved
2. Revisions to plans to address PWS or other state agency's comments do not incur an additional fee.
3. If one set of plans has multiple related parts, such as a new well with construction of water lines, only one fee must be submitted for highest price item (the amounts are not cumulative).
4. Ten days after the receipt of plans and specifications for approval, if the appropriate plan review fee is not received, then all plan documents will be recycled. A new set of documents must then be submitted with the appropriate fee for approval.

These plans and specifications cited in the foregoing application, including any provisos in the approval letter, are approved insofar as the protection of public health is concerned as provided in the rules, standards and criteria adopted under the authority of NCGS 130A-315 and 130A-317. This approval does not address all applicable laws, rules, standards and criteria, and other approvals and licenses that may be required by the local, state or federal government.

This approval is given with the understanding that upon installation of such works, its operation shall be placed under the care of a competent person, and the operation shall be carried out according to best accepted practice and in accordance with the recommendations of the Division of Environmental Health.

The official copies of plans and specifications accompanying this application have been sealed and stamped with the serial number of this application _____ . Any erasures, additions or alterations of the proposed improvements except those permitted in 15A NCAC 18C .0306 will make this approval null and void.

This approval does not constitute a warranty of the design, construction or future operation of the water system.

Signed: _____
Public Water Supply Section
Division of Environmental Health

North Carolina Department of Environment
And Natural Resources
Division of Environmental Health
Public Water Supply Section

Application for Approval
of Engineering Plans and Specifications
For Water Supply Systems

Instructions & Checklist: To apply for approval for plans and specifications, submit the following materials & information:

Project Name: The Retreat on Haw River Phase 2
(This is the name to appear on Public Water Supply records and tracking system)

Attached are three copies of each of the following items:

- This completed "Application for Approval..."
- The plan drawings;
- The Engineering Report (ER) addressing each of the items listed in 15A NCAC 18C .0307(b), including the design basis of the project.[15A NCAC 18C .0307(b)(12)]

One of the following:

- The project will use the following system's previously approved standard specifications:

Name of System: Chatham County Water System

PWS Approval Number & Date: 03-19-126 dated 1/17/06

OR

- Attached are three copies of the specifications.

One of the following:

- The applicant is the Public Water System;

OR

- Attached is a letter from the Owner of the Public Water System agreeing to serve the project and stating that the system has adequate supply.

Note the following:

- Beginning January 1, 2007, attached is a check for the proper plan review fee amount, in accordance with NCGS 130A-328. See note 4 on page 4.

Date _____
(for DENR use only)

Serial No. _____
(for DENR use only)

To: Division of Environmental Health,
Department of Environment and Natural Resources

The Board of Commissioners
(name of board, or council, authorized official and title, or owner)

of Chatham County
(name of city, town, corporation, sanitary district, water company or other)

in the County of Chatham, State of North Carolina authorized by law to act for the said
Chatham County
(name of city, town, corporation, sanitary district, water company or other)

and to expend its funds for the water project described below, herewith submit for the counsel and advice of the Division of
Environmental Health plans and specifications prepared by CE Group, Inc.
(engineer or firm)

(919) 367-8790 ext.103 mike@cegroupinc.com
(Phone Number of Engineer - optional for faster contact) (Email Address of Engineer - optional for faster contact)

of 11000 Regency Parkway Suite 410 Cary, NC 27518 for the installation or construction of
(address of engineer)

Construction of 7,739 lf of 8" Class 350 DIP, 1,772 lf 4" Class 350 DIP, 840
lf 2" Class 200 SDR 21 PVC, 9 fire hydrant assemblies, 5 air release
manholes and appurtenances to serve 63 residential lots.
(description of project)

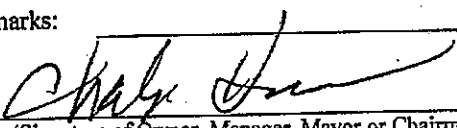
Bynum Ridge Road (SR 1711)
(location of project)

in Chatham County, and make application to the Division of Environmental Health for
the approval of said plans and specifications as related to public health and protection of public water supplies and public
water systems.

These plans have been approved and accepted by the applicant.

This application is made under and in full accord with the provision of NCGS 130A-317, and such other statutes as related to
public water systems. The applicant agrees that no change or deviation from the engineering plans and specifications
approved by the Division of Environmental Health will be made except as allowed by 15A NCAC 18C .0306 or with the
written consent and approval of the Division of Environmental Health or its authorized representative. The applicant agrees
that a professional engineer licensed to practice in the State of North Carolina shall submit a statement reflecting that
adequate observations during and upon completion of construction, by the engineer or by a representative of the engineer's
office who is under the engineer's supervision, indicates that construction was completed in accordance with approved plans
and specifications.

Remarks:


(Signature of Owner, Manager, Mayor or Chairman)

Charlie Horne
(Type Name Signed Above)

(919) 542-8201
(Phone Number - optional for faster contact)

PO Box 1550
(Street or Box Number)

Pittsboro, NC 27312
(City, State, Zip Code)

Charlie.horne@chathamnc.org
(Email Address - optional for faster contact)

Status of Water System Management Plan (WSMP)

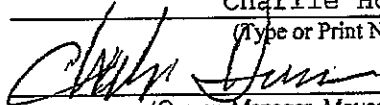
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Provide the following:

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PWS I.D. No.: 03-19-126
WSMP No.: 99-02125
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(Type or Print Name)
SIGNATURE:  DATE: 02/22/09
(Owner, Manager, Mayor or Chairman)

- The WSMP for the project, as defined in the attached engineering plans and specifications, has not been submitted.

Note: When the WSMP is submitted, the applicant must clearly identify the previously submitted project engineering plans and specifications for which the WSMP was prepared.

Status of Engineer's Report

Check one of the following, and if applicable, provide the required information.

- The Engineer's Report for the project, as defined in the attached engineering plans and specifications, is submitted with this application.
- The Engineer's Report that includes this project, as defined in the attached engineering plans and specifications, was previously submitted.

Provide the following:

Water System Name: _____
Owner Name: _____
PWS I.D. No.: _____
Engineer's Report No.: _____
Engineer's Report Title: _____
Engineer's Report Submittal Date: _____
County: _____

Note: If the previously submitted Engineer's Report covered multiple projects, then attach to this Application, a letter from the engineer stating that the previously submitted Engineer's Report contains the information required by 15A NCAC 18C .0307(b) for the project defined in the attached engineering plans and specifications.

In accordance with NCGS 130A-328, there will be a fee charged for plan review by the NC DENR Public Water Supply Section. Any documents submitted for review on or after January 1, 2007 must be accompanied by a check payable to *DENR-Public Water Supply Section* before the review will begin.

** There is a \$25 fee for returned checks **

The charges for review of plans are shown below. Check one of the following.

Distribution System fees

- | | | |
|-------------------------------------|---|-------|
| <input checked="" type="checkbox"/> | Construction of water lines, less than 5000 linear feet | \$150 |
| <input type="checkbox"/> | Construction of water lines, 5000 linear feet or more | \$200 |
| <input type="checkbox"/> | Other construction or alteration to a distribution system | \$ 75 |

Ground Water System fees

- | | | |
|--------------------------|--|-------|
| <input type="checkbox"/> | Construction of a new ground water system or adding a new well | \$200 |
| <input type="checkbox"/> | Alteration to an existing ground water system | \$100 |

Surface water system fees

- | | | |
|--------------------------|---|-------|
| <input type="checkbox"/> | Construction of a new surface water treatment facility | \$250 |
| <input type="checkbox"/> | Alteration to existing surface water treatment facility | \$150 |

Other fees

- | | | |
|--------------------------|--|-------|
| <input type="checkbox"/> | Water System Management Plan review | \$ 75 |
| <input type="checkbox"/> | Miscellaneous changes or maintenance not covered above | \$ 50 |

Notes:

1. The fee is not refundable if the plans are not approved
2. Revisions to plans to address PWS or other state agency's comments do not incur an additional fee.
3. If one set of plans has multiple related parts, such as a new well with construction of water lines, only one fee must be submitted for highest price item (the amounts are not cumulative).
4. Ten days after the receipt of plans and specifications for approval, if the appropriate plan review fee is not received, then all plan documents will be recycled. A new set of documents must then be submitted with the appropriate fee for approval.

These plans and specifications cited in the foregoing application, including any provisos in the approval letter, are approved insofar as the protection of public health is concerned as provided in the rules, standards and criteria adopted under the authority of NCGS 130A-315 and 130A-317. This approval does not address all applicable laws, rules, standards and criteria, and other approvals and licenses that may be required by the local, state or federal government.

This approval is given with the understanding that upon installation of such works, its operation shall be placed under the care of a competent person, and the operation shall be carried out according to best accepted practice and in accordance with the recommendations of the Division of Environmental Health.

The official copies of plans and specifications accompanying this application have been sealed and stamped with the serial number of this application _____. Any erasures, additions or alterations of the proposed improvements except those permitted in 15A NCAC 18C .0306 will make this approval null and void.

This approval does not constitute a warranty of the design, construction or future operation of the water system.

Signed: _____
Public Water Supply Section
Division of Environmental Health





Division of
Environmental Health

State of North Carolina
Michael F. Easley, Governor

Department of Environment and
Natural Resources
William G. Ross, Secretary

Public Water Supply Section
Jessica G. Miles, Section Chief

August 28, 2008

Charlie Horne
Chatham County Water System
Post Office Box 1550
Pittsboro, North Carolina 27312

Re: Engineering Plans and Specifications Approval
Water Main Extension by
Chatham County Water System
to serve The Retreat on Haw River, Phase 2
Chatham County
ID # 03-19-126

This is not an Authorization to Construct

Dear Mr. Horne:

Enclosed please find one copy of the "Application for Approval..." together with one copy of the referenced engineering plans and specifications bearing the Division of Environmental Health stamp of approval for the referenced project. These engineering plans and specifications are approved under Division of Environmental Health serial number 08-01377, dated August 26, 2008.

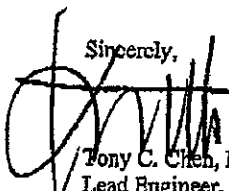
Engineering plans and specifications prepared by Michael V. Zacardo, P.E., call for the construction and installation of approximately 7,739 feet of 8-inch, 1,772 feet of 4-inch and 840 feet of 2-inch waterlines and appurtenances to serve 63 residential lots in the proposed Retreat on Haw River, Phase 2 Subdivision.

Please note that an "Authorization to Construct" requires both this approval of Engineering Plans and Specifications and submittal of a complete Water System Management Plan. No construction shall be undertaken, and no contract for construction, alteration, or installation shall be entered into until the Department issues an Authorization to Construct letter in accordance with 15A NCAC 18C.0305(a).

These plans and specifications cited in the foregoing application are approved insofar as the protection of public health is concerned as provided in the rules, standards and criteria adopted under the authority of Chapter 130A-317 of the General Statutes. This approval does not constitute a warranty of the design, construction or future operation of the water system.

One copy of each enclosed document is being forwarded to our Raleigh Regional Office. The third copy is being retained in our permanent files.

If Public Water Supply can be of further service, please call on us at (919) 733-2460.

Sincerely,

Tony C. Chen, P.E.
Lead Engineer, Plan Review
Technical Services Branch

TCC:vjt
Enclosures: Approval Documents
cc: Michael Douglas, P.E., Raleigh Regional Office
Chatham County Health Department
Michael V. Zacardo, P.E., CE Group, Inc.

1634 Mail Service Center, Raleigh, North Carolina 27699-1634
Telephone 919-733-2321 ▲ Fax 919-715-4374 ▲ Lab Form Fax 919-715-6637
<http://ncdrinkingwater.state.nc.us/>

One
North Carolina
Naturally



Division of Environmental Health
Terry L. Pierce, Director

State of North Carolina

Michael F. Easley, Governor

Public Water Supply Section

Jessica G. Miles, Section Chief

Department of Environment and
Natural Resources

William G. Rosa, Secretary

August 28, 2008

CHARLIE HORNE
PO BOX 1550,
PITTSBORO, NC 27312

Re: **Authorization to construct**
THE RETREAT ON HAW RIVER, PHASE 2)
CHATHAM CO WATER SYSTEM
CHATHAM County, NC0319126

Authorization to Construct (This is not a Final Approval)

Dear Applicant:

This letter is to confirm that a complete Engineer's Report and a Water System Management Plan have been received, and that engineering plans and specifications have been approved by the Department for **THE RETREAT ON HAW RIVER, PHASE 2)**, DEH Serial No. 08-01377.

The Authorization to Construct is valid for 24 months from the Issue Date (refer to next page). Authorization to Construct may be extended if the Rules Governing Public Water Supplies and site conditions have not changed (see Rule .0305). The Authorization to Construct and the engineering plans and specifications approval letter shall be posted at the primary entrance of the job site before and during construction.

Upon completion of the construction or modification, and prior to placing the new construction or modification into service, the applicant must submit an Engineer's Certification and Applicant Certification directly to VINCE TOMAINO, P.E. of this office.

- **Engineer Certification:** In accordance with Rule .0303 (a), the applicant shall submit a certification statement signed and sealed by a registered professional engineer stating that construction was completed in accordance with approved engineering plans and specifications, including any provisions stipulated in the Department's engineering plan and specification approval letter.
- **Applicant Certification:** In accordance with Rule .0303 (c), the applicant shall submit a signed certification statement indicating that the requirements for an Operation and Maintenance Plan and Emergency Management Plan have been satisfied in accordance with Rule .0307 (d) and (e) and that the system has a certified operator in accordance with Rule .1300. The "Applicant Certification" form is available at <http://www.deh.enr.state.nc.us/pws/> (click on Plan Review Forms, under Plan Review heading).

If this Authorization to Construct is for a new public water system, the owner must submit a completed application for an Operating Permit and the appropriate fee. For a copy of the application for an Operating Permit please call (919) 715-3214.

Once the certifications and permit application and fee, (if applicable), are received and determined adequate, the Department will issue a Final Approval letter to the applicant. In accordance with Rule .0309 (a), no portion of this project shall be placed into service until the Department has issued Final Approval.

If Public Water Supply Section can be of further assistance, please call (919) 733-2321.

Sincerely,

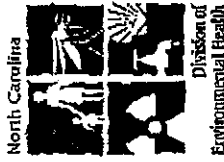
Tony C. Chen, P.E.
Technical Services Branch
Public Water Supply Section

TCC:VJT

cc: MICHAEL L. DOUGLAS, P.E., Regional Engineer
G E GROUP INC

1634 Mail Service Center, Raleigh, North Carolina 27699-1634
Telephone 919-733-2321 ▲ Fax 919-715-4374 ▲ Lab Form Fax 919-715-6637
<http://ncdrinkingwater.state.nc.us/>

One
North Carolina
Naturally



State of North Carolina
 Department of Environment and Natural Resources
 Division of Environmental Health

Public Water System Authorization to Construct



CHATHAM CO WATER SYSTEM
 NC0319126

Public Water System Name
 and PWSID No. (if available):

THE RETREAT ON HAW RIVER, PHASE 2)

Project Name:

08-01377

DEH Serial No.

8/27/2008

Issue Date:

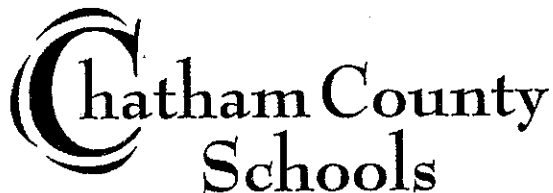
24 months after Issue Date

Expiration Date:

In accordance with NCAC 18C .0305, this Authorization to Construct must be posted for inspection at the primary entrance to the job site during construction.

Administration

Robert L. Logan
Superintendent
Tina S. Hester, Ed.D.
Chief Personnel Officer
Susan J. Little
Chief Finance Officer
Robin B. McCoy, Ph.D.
Assistant Superintendent
David F. Moody
Assistant Superintendent



Board of Education

Kathie Russell
Chair
Norman Clark
Vice-Chair
Holly Duncan
Deb McManus
Gerald Totten

July 30, 2008

Mr. Nicolas P. Robinson
Bradshaw & Robinson, LLP
Attorneys and Counselors at Law
Hall-London House
128 Hillsboro Street
Post Office Box 607
Pittsboro, North Carolina 27312

Dear Mr. Robinson:

In response to your inquiry regarding The Retreat on Haw River, a review of the school systems use of Bynum Ridge Road and the throughways between Old Graham Road indicates multiple buses using the roads in questions in the early AM and mid-afternoon. State law regarding school bus transportation requires .02 of a mile between stops and a safe roadway on which to operate.

Additional single family houses in that area will increase traffic and the need for school bus transportation. Roadways in and out of the development must provide adequate turning radius and visibility.

Since additional development will surely add to the rapid growth of student population in the Chatham County Schools, support for new school facilities is a must. The school system stands ready to discuss/plan for the successful incorporation of these new homes and students into Chatham County Schools.

Please feel free to contact my office for any needed assistance.

Sincerely,

A handwritten signature in black ink that reads 'Robert L. Logan'.

Robert L. Logan
Superintendent

BRADSHAW & ROBINSON, LLP

ATTORNEYS AND COUNSELORS AT LAW

HALL-LONDON HOUSE

128 HILLSBORO STREET

POST OFFICE BOX 607

PITTSBORO, NORTH CAROLINA 27312

PATRICK E. BRADSHAW
NICOLAS P. ROBINSON
ANDREW T. SLAWTER

(919) 542-2400

FAX 542-0496

robinson@bradshawrobinson.com

July 25, 2008

Mr. Robert Logan, Superintendent
Chatham County Schools
P. O. Box 128
Pittsboro, North Carolina 27312

VIA HAND DELIVERY

RE: The Retreat on Haw River - Phase Two

Dear Mr. Logan:

This firm represents the applicant in connection with an application for preliminary plat approval for a subdivision referred to as "The Retreat on Haw River, Phase Two." The sketch design for this project was approved some time ago. The developer is now requesting preliminary plat review. The Chatham County Subdivision Review Checklist for preliminary plat applications makes reference to comments, if any, from Chatham County school system regarding the proposed roads.

Enclosed is a copy of the proposed plat showing all of the roadways within The Retreat on Haw River and their connection to Bynum Ridge Road, as well as the road throughways between Old Graham Road and New 87. Please let us know if the school system has any comments regarding the roadways. If you need any further information, please let me know.

Very truly yours,



Nicolas P. Robinson

NPR:jbs

Enclosure

C: Scott Munday

THE RETREAT on HAW RIVER

A PLANNED RESIDENTIAL COMMUNITY

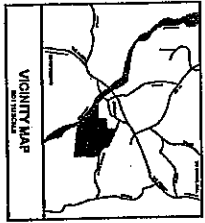
MASTER PLAN WITH ROAD NAMES

JUNE 25, 2007

SITE SUMMARY:

- TOTAL SITE = 648.55 AC.
- 481 RESIDENTIAL LOTS
- MIN. MAX. LOTS = 1.08 AC. TO 0.87 AC.
- AC. LOT = 0.27 AC. (0.42/1.08 AC.)
- 2,391 SQ. AC. HOUSING (0.80 AC.)
- 2,223.0 AC. ADJUTANTS & OPEN SPACE (0.94 AC.)
- 2,108.7 AC. ADJUTANT AREA
- 2,117.5 AC. STREAS, WETLANDS, & BUFFERS
- 2,823.5 AC. GENERAL OPEN SPACE
- 2,837 AC. WETLANDS (0.94 AC.)
- 2,827 AC. PRIVATE STREET R.O.W. (0.47 AC.)
- 2,272.0 AC. STREETS
- 2,272.0 AC. BYNUM ROAD R.O.W. (0.82 AC.)

- LEGEND:**
- COUNTY APPROVED BUFFERS
WETLANDS, OPEN SPACE, PRIVATE ROADWAY
 - WETLAND
 - PROPOSED ADJUTANTS & OPEN SPACE
 - PRIVATE STREET RIGHT-OF-WAY
 - POND, STREAM, RIVER
 - WALKING TRAILS (ORIENTAL LOCATION)
 - 100-YEAR FLOODPLAIN



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DATE: THE FLOODING REGION AND
 FLOODING REGION ARE NOT TO BE
 CONSIDERED AS A BASIS FOR
 ANY DESIGN OR CONSTRUCTION
 UNLESS SPECIFICALLY NOTED
 OTHERWISE.

