



MECKLENBURG COUNTY
Land Use & Environmental Services Agency

MEMORANDUM

To: Charlotte-Mecklenburg Planning Commission

From: LUESA, Mecklenburg County

Date: 12.21.23

Subject: Rezoning Petition Comments

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

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

<u>Petitioner Information:</u> Joseph Kass NHE, Inc. P.O. Box 5539 Greenville, SC, 29606 Home Phone: 864-214-4931 jkass@nhe-inc.com	<u>Parcel GIS ID(s):</u> 04704103, 04704102, 04704111
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2023-145: NHE, Inc. - West Sugar Creek Road Site Rezoning Request

Air Quality Comments: Demolition or renovation of existing structures may require proper notification and removal of asbestos. A letter of notification and the required forms have been mailed directly to the petitioner.

MCAQ recommends using Tier 4 construction equipment, the cleanest available. The recommendation was communicated directly to the petitioner.

Ground Water Services Comments: Summary: Contamination sites exist in the vicinity, so there may be restrictions for water supply wells. Monitoring wells, underground or above ground fuel oil storage tanks may exist on some of these properties.

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

Information from property records does not indicate the current use of oil heat, but since records indicate that structures were built in 1936 and 1948, the property may contain an underground or above ground fuel oil storage tank. Any existing tank and its contents should be removed, following applicable NCDEQ guidance, prior to any demolition or grading activity.

A water supply well is registered to PID 04704103. Any wells identified within the project boundary GWS recommends that the petitioner either protect the wells from damage by flagging and fencing during site development or permanently abandon the wells per the Mecklenburg County Groundwater Well Regulations prior to any demolition or grading activity occurring and conduct survey to locate the wells. A permit from GWS is required for permanent well abandonments. The abandonments must be completed by a North Carolina Certified Well Contractor.

Storm Water Services Comments: No Comments

Solid Waste Comments: No Comments

Department Contacts:

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

Air Quality Comments: Megan Green - (megan.green@mecklenburgcountync.gov)

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

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

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

Additionally, please CC Erin Stanforth, (erin.stanforth@mecklenburgcountync.gov) on all communications to individual departments.

MCAQ Scope of Review:

Mecklenburg County Air Quality (MCAQ) has reviewed the petitions with regard to air quality regulations for stationary sources and demolition and/or renovation of structures (e.g. National Emission Standards for Hazardous Air Pollutants for asbestos). Comments may also be made regarding incompatible land uses, sources of Toxic Air Pollutants, proximity to Risk Management Plan facilities, and proximity to known nuisance conditions or sensitive populations. MCAQ has conducted the review

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based on information submitted by the petitioner, review of aerial photographs (as available through the Mecklenburg County Polaris system), review of the “Air Pollution Facility Information Online” database available from the MCAQ website, and review of Mecklenburg County Health Department records. The review is cursory based on limited information provided within petition applications and site plans.