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NORTH CAROLINA  
Environmental Quality

June 11, 2019

DWR # 2005-0732 v48  
Chatham County

Mr. Lee Bowman, Senior Project Manager  
NNP Briar Chapel LLC  
4020 Westchase Blvd., Suite 150  
Raleigh, North Carolina 27607

**Subject: APPROVAL OF STORMWATER MANAGEMENT PLAN**  
Briar Chapel –Phase 14

Dear Mr. Bowman:

The Division of Water Resources (Division) recently reviewed the proposed stormwater management plan (SMP) for the subject project as required by Individual 401 Water Quality Certification issued by the Division on February 3, 2017. Submittal of the SMP satisfies the stormwater condition no. 3 of the 401 certification for this phase of the project and is subject to the requirements below.

The Division approves the SMP for Briar Chapel – Phase 14 consisting of 2 wet ponds (BMP#45 and #46) including all associated stormwater conveyances, inlet and outlet structures, and grading and drainage patterns depicted on plan sheets dated May 9, 2019, which are incorporated by reference and are enforceable by the Division. The following conditions also apply [15A NCAC 02H .0506(b)(5)]:

- a) The maximum allowable drainage area for the approved wet pond #45 shall be 362,057 square feet and the maximum allowable built-upon area within that drainage area shall be 179,051 square feet. The maximum allowable drainage area for the approved wet pond #46 shall be 267,862 and the maximum allowable built-upon area within that drainage area shall be 134,723 square feet. Any changes to these allowable maximum areas shall require the applicant to submit and receive approval from the Division prior to any construction or modification of the current site.
- b) The footprint of all stormwater management device(s) as well as an additional 10-foot wide area on all sides of the device(s) shall be located in either public rights-of-way, dedicated common areas or recorded easement areas. The final plats for the project showing such rights-of-way, common areas and easement areas, shall be in accordance with the approved plans.



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- c) The approved SMP shall be constructed and operational before any permanent building or other structure is occupied at the site.
- d) The SMP may not be modified without prior written authorization from the Division.
- e) Maintenance activities for stormwater management device(s) shall be performed in accordance with the notarized O&M agreements signed by Mr. Lee Bowman of NNP Briar Chapel LLC on April 26, 2019. The O&M agreement shall transfer with the sale of the land or transfer of ownership/responsibility for the approved diffuse flow plan. The Division shall be notified promptly of every transfer.
- f) The applicant and/or authorized agent shall provide a completed Certificate of Completion form to the Division within thirty (30) days of project completion or as soon as possible if the project has already been completed. This form is made available online at <https://edocs.deq.nc.gov/Forms/Certificate-of-Completion>.
- g) Additional SMP(s) for future phases must receive written authorization from the Division before any land disturbance, construction, or expansion of the new phase(s) may occur.

Please contact Chonticha McDaniel at (919) 707-3634 or [chonticha.mcdaniel@ncdenr.gov](mailto:chonticha.mcdaniel@ncdenr.gov) if you have any questions or concerns regarding this matter.

Sincerely,



*for*  
Karen Higgins, Supervisor  
401 & Buffer Permitting Branch

cc: Gareth Avant, PE – McKim & Creed, Inc. (via email)  
DWR, Raleigh Regional Office  
DWR 401 & Buffer Permitting Branch File