



**Planning and Development  
Department**

## **Cabarrus County Government**

Cabarrus County Planning and Zoning Commission Meeting  
April 9, 2019 @ 6:30 P.M.  
Board of Commissioners Meeting Room  
Cabarrus County Governmental Center

### Agenda

1. Roll Call
2. Approval of February 12, 2019, Planning and Zoning Commission Meeting Minutes
3. Old Business – Board of Adjustment Function:
  - A. CUSE2019-00002 – Request to amend Conditional Use Permit for Extraction of Earth Materials. The applicant is Vulcan Construction Materials. The property is located at 15580 Old Beatty Ford Road (PIN#: 6603-57-8665, 6603-59-9632, and 6604-50-4443).
4. Directors Report
5. Legal Update
6. Adjourn



## Cabarrus County Government – Planning and Development

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Mr. Chris Pinto, Chair, called the meeting to order at 6:35 p.m. Members present, in addition to the Chair, were Mr. Jeffrey Corley, Mr. Adam Dagenhart, Mr. James Litaker, Mr. Andrew Nance, Mr. Charles Paxton, Mr. Brent Rockett and Mr. Jerry Wood. Attending from the Planning and Zoning Division were, Ms. Susie Morris, Planning and Zoning Manager, Mr. Josh Jurius, Planner, Ms. Arlena Roberts, Clerk to the Board and Mr. Richard Koch, County Attorney.

### Roll Call

### Approval of February 12, 2019 Meeting Minutes

Mr. Adam Dagenhart **MOTIONED, SECONDED** by Dr. James Litaker, to **APPROVE** the February 12, 2019, meeting minutes. The Vote was unanimous.

The Chair said anyone wishing to speak on any of the Board of Adjustment cases need to complete a blue card and must be sworn in.

The Chair administered the oath.

The Chair read the suggested rules of procedures for the Board of Adjustment cases.

1. The Cabarrus County planning staff person(s) shall first present the staff report and answer questions from the Commission. There will be no time limit on this presentation.
2. The Applicant may make a presentation to the Board (optional) and will then answer questions from the Commission. There will be a 15 minute time limit on the presentation if the Applicant chooses to make a formal presentation. There will be no time limit on questions from the Board following the presentation.
3. When the Board is ready to proceed, the proponents (those speaking generally in favor of the case) will have a total of 15 minutes to speak and/or present documents in support of their position. The 15-minute time limit does not include questions directed to the proponents by the Commission.
4. After the proponents finish, the opponents (those speaking generally against the case) will have a total of 15 minutes to speak and/or present documents in support of their position. The 15-minute time limit does not include questions directed to the opponents by the Commission.



5. Each side will then have 3 minutes for rebuttal, with the proponents going first. Again, questions directed to the speaker will not count against the time limit. This will conclude the public hearing portion of the meeting and the Commission will proceed to deliberation.
6. Each side is strongly encouraged to use a spokesperson to present the positions commonly held by each. Each side is also strongly encouraged to organize their speakers and presentations to ensure that all persons wanting to speak will have time to do so.
7. If a speaker has questions of a person on the other side, such questions shall be addressed to the Commission members to be redirected to the person to be asked. There will be no direct questioning of one speaker by another except through the Commission.
8. Public demonstrations of support for a speaker's comments should be limited to clapping. Any other type of audible support shall be out of order and subject the offender to being removed from the building. Anyone speaking out of order shall likewise be subject to removal.
9. These rules are designed to have a full and fair hearing that is orderly and expeditious and avoid unnecessarily repetitious presentations.

Mr. Adam Dagenhart, **MOTIONED, SECONDED** by Mr. James Litaker to **APPROVE** the Rules of Procedures. The vote was unanimous.

#### **Old Business –Board of Adjustment Function:**

The Chair introduced Petition CUSE2019-00002-Request to amend Conditional Use Permit for Extraction of Earth Materials. The Applicant is Vulcan Construction Materials. The property is located at 15580 Old Beatty Ford Road (PIN#: 6603-57-8665, 6603-59-9632 and 6604-50-4443)

The Chair asked if there were any Board members that have any conflict of interest or any information related to the case that needs to be discussed.

The Chair said he lives out that way and he gets his gravel there.

There being no further comments the Chair called on Mr. Josh Jurius to present the staff report.

Mr. Josh Jurius, Planner, addressed the Board presenting the staff report for CUSE2019-00002. He is going to hit some of the highlights and general facts of the case.

As the Chair read, there are three subject parcels and they are highlighted on the map on the big screen. These tracts make up approximately, 140 acres. The purpose of this request is to modify the landscape plan and the berm requirement that is at this point, along the eastern edge of the

mining site. It actually kind of wraps around the eastern site and then around the southern property line as well.

A conditional use permit, for extraction of earth products, was issued for this same group of parcels in 2004. That site plan is the one they are looking to amend at this point and that does show a berm pretty much along the entire eastern property line, as well as, the highlighted southern portion on the screen.

The subject parcels are currently vacant and wooded. The northern parcel, as you can see, is a farm field used for agriculture at this point. These parcels are already included in the State Mining Permit that they have with the State through NCDENR. This was already approved as a future expansion, they are just coming back to amend, exactly, how they expand.

The existing zoning around the site as shown is GI (General Industrial) to the immediate west, which is where the existing quarry currently sits. Everything around it, except for this small little tail, down here to the direct south of the existing quarry, is actually zoned OI (Office Industrial)

We have had some previous cases, where that future employment, from the Future Eastern Area Land Use Plan. A lot of those properties got blanket rezoned, as we have talked about previously in other cases. A lot of the properties around the quarry are actually zoned OI. The current zoning of the property is actually GI/SU (General Industrial/Special Use) and that is a result of a rezoning that happened in 2003, prior to the current conditional use permit. They actually approved that and essentially rezoned the site to only allow extraction of earth materials and that is currently the only use that is allowed at that site.

He showed an aerial of the site which showed the subject properties. He said there is an intermittent stream that runs along this property line, between it and what is called the Vaughn tract. The southern parcel, the northeast property line, that stream also continues through the site, technically through the quarry. They have provided the correct waterbody buffer requirements to meet our ordinance along that stream. He said if done as proposed, the standards will be met by the applicant.

On July 17, 2003, is when they were awarded the rezoning from AO to GI/SU to allow the quarry use in that district and then also as a follow up to that, the quarry use is subject to a conditional use permit, also within that same district. The conditional use permit was awarded on March 18, 2004. We have had about 12 to 14 years that all of this has already been standing and approved.

The history listed two specific conditions that came through as part the rezoning. But then also carried through to the conditional district in the overall development as a whole and those two conditions were:

There shall be no storage of blasting agents on site.

The applicant shall construct earthen berms prior to rock excavation.

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This meaning, these three particular parcels, and also, this is where the earth and berm requirement comes from.

The approved site plan from the approved conditional use permit, does indicate that at the time, there were two options; a 100 foot natural vegetative buffer or at that time, the ordinance allowed you to cut that buffer in half, so long as you constructed a berm. Because the berm requirement came through with the rezoning, that is how we ended up with a berm requirement as it sits today.

Mr. Jurius said for clarification, the 2004 CUP plan that is in your packet, the state did and does require, to the best of his knowledge a 25 foot unexcavated buffer around the perimeter of the site as part of the State Mining Permit. That was also shown on the 2004 plan. It is not necessarily shown on our new plans. It is still a requirement to the best of my knowledge. But, because they are proposing such a big buffer to be left natural and undisturbed, that State buffer is included within that.

He said for the amendment process, the applicant does propose to leave a 100 foot or more in some areas, a natural buffer to be undisturbed around the entire site, particularly along the southern and also working up the eastern property lines. There are some areas on the northern parcel that would actually be supplemented, due to lack of existing vegetation along those borders. They will also be meeting the street yard, bufferyard requirement through plantings, and are actually planning to exceed that in depth. So, all of their buffers, as proposed, will be a minimum of 100 feet. He will let them dive into more detail or answer any questions later.

He said just from previous conversations with the applicant, throughout this whole process, the mining operation is kind of a unique use in all of itself, as we all know. As far as buffering goes, yes, there are some sound issues and noise issues and probably a little bit of vibration issues that are all handled not only through our ordinance, but state ordinances. But, as far as, actually having something to buffer, it all disappears below grade after the first wave is done.

He said that is something we have talked about and he felt was worthy to bring up to the Board's attention as well.

The Board will need to decide if the proposed plan would met the intent of the old plan and still provide that screen between it and adjacent properties as well.

He said there are some conditions of approval, condition number 5 is a carryover from the existing. The applicant did voluntarily apply that to themselves as a part of the application. That will simply be carried over and there are a couple of bonds that we require in the ordinance that we need some finalized paper work on before we release any further permits (see conditions of approval from the staff report below).

Should the Board of Adjustment grant approval of the Conditional Use Permit, Staff requests the following conditions become part of the approval and case record:

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1. Site plan review and approval is required subsequent to Board of Adjustment approval in order to ensure compliance with all applicable development requirements and conditions.
2. A granting order, stating restrictions and applicable conditions of approval, shall be recorded with the deed of the property.
3. The applicant shall procure any and all applicable federal, state, and local permits prior to commencement of the project.
4. Expansion of this project, as well as modifications, or changes to the approved site plan must receive Board of Adjustment approval in the form of an amendment to the Conditional Use Permit.
5. No Blasting Agents will be stored on the subject parcels.
6. Must provide a copy of the bond on file with the state for the project file.
7. The Planning and Zoning Commission shall require a performance guarantee, in a form approved by the County Attorney, to insure that the provisions of the rehabilitation plan are met. The amount of such guarantee shall cover the cost of rehabilitation. The applicant's engineer shall certify to the County the costs of rehabilitation on a per acre basis. If the rehabilitation costs exceed the amounts required by the State, then the difference shall be made up in a bond payable to Cabarrus County that must be posted before commencement of any earth product extraction operations.

The Chair asked if there were any questions for Mr. Jurius at this time. There being no questions the Chair called on the applicant to make their presentation.

Ms. Susanne Todd, Attorney, Johnston Allison and Hord, 1065 East Morehead Street, Charlotte, NC, addressed the Board. She is here on behalf of her client Vulcan Construction Materials who is the applicant in this matter.

We are asking to amend a portion of the landscape plan of the site plan of the 2004 Conditional Use Permit. With her tonight are representatives from Vulcan: Denise Hallett, Manager Community and Government Relations, Tony Johnson, Environmental Engineer, Jimmy Fleming, Vice President, Permitting and External Relations, and Jordan Littauer, District Operations Manager and Butch Newby, Gold Mine Quarry Plant Manager. We are also joined by Wes Webb, Engineer, Alley, Williams, Carmen and King.

She said just for clarity, she understands that Mr. Webb's firm does have a contract for consulting services with Cabarrus County. However, we do want to clarify that neither he nor his firm have done any County work in connection with this particular application. He has not reviewed it or done any other services related to this application on behalf of the County.

Ms. Todd said one of the adjacent owners to the Vulcan site is Susan Wolf. She is the owner of the Yesterways property, which is all the way to the south. Ms. Wolf attended our community meeting back a couple of months ago, however she was unable to join us tonight. But, she wanted to express her support and she provided a verified affidavit, which is behind Tab 8, that is for your consideration and you give it whatever weight you deem appropriate.

The binder also includes a copy of our application, current site plans, development notes and the landscape plan for your consideration during this public hearing. We have also, previously provided, a video flown by a drone to give you a good idea of what the site currently looks like. We have also provided you with cross-sections, which are also in the notebook, to kind of demonstrate and show you what we are proposing. We contend that this is a better buffer.

Although we are not anticipating any opposition, if there is, she requests a five minute rebuttal at the end of the hearing, to address any concerns raised by any opponents.

She said Denise Hallett grew up in this area and has been with Vulcan for over twenty five years and she is extremely knowledgeable about the Gold Hill Quarry that we are talking about. Ms. Todd asked Ms. Hallett to come forward and give the presentation.

Ms. Denise Hallett, Manager, Community and Government Relations for Vulcan, here in North Carolina. Her work address is 4401 North Patterson Avenue, Winston Salem, NC, 27105.

Her very first role with Vulcan was as a Sales Representative, at the Gold Hill Quarry and that was over 25 years ago. Vulcan owns and leases around 560 acres, and that is for the current and future quarry use at the Gold Hill site. About 150 of those acres, are under quarrying activity today. But, over time, the footprint will expand as the resources are uncovered to meet the market demand.

Vulcan conducts its operations in accordance with all safety, health, and mining regulations established by the local, state and federal entities and we are very proud of our operational programs that promotes a strict adherence to those regulations. Those are in place, not only to protect our employees and assets, but they are in place to ensure the protection and care of our neighbors.

She thought it might be interesting to do a little geological presentation upfront because this quarry does have a unique aspect to it. Ms. Todd is going to pass a around a couple of rocks that are mined from our quarry. This might take you back to Geology 101 just for a few minutes. She hopes the Board bears with her and finds it interesting.

This area, is geologically known as the Carolina Slate Belt. It consists mostly, of (felsic and mafic) volcanic rocks. They are termed meta-tuff and meta-argillites. They were deposited some five hundred million years ago, in layers, often times embedded with one another. Here at the Gold Hill Quarry it is one of those unique situations.



The meta-tuff deposit is one that makes a good construction aggregate (stone, rocks). It is used in typical projects for homes, schools, roads and the like, just like other crushed stone quarry's are in the state. But, the difference comes in this meta-argillite. In one of only two deposits, really, in the country, this rock, when heated to over 2000 degrees Fahrenheit, will basically pop like popcorn. But, it will still create a very strong, but light weight aggregate (Ms. Todd passed around the natural rock).

The specific gravity of the regular deposit there at Gold Hill is 2.65. But, when it is put under the heat pressure, called expansion or bloating, it can be less than one and can even float. You have the samples, one looks almost like a pumice and you can see all the voids in it and you can tell a little bit of difference in the weight.

Now, we are going to get to the prize of the Gold Hill Quarry deposit. This light weight material is produced by Stalite, which we convey the raw material to them on conveyors, over to their process, which is just to the north of us. It makes it a valuable aggregate and a high strength ready mix concrete and because of its strength and low specific gravity, high rise structures can be designed with less steel, and bridges can be designed with longer spans to allow for better navigable water ways.

While most quarries will supply local market with construction aggregate around 20 to 30 miles in radius, Stalite aggregate will be found in buildings, bridges, highways and horticultural applications around the world. One such project, was the offshore oil platform in Nova Scotia, Canada, back a number of years ago. It used Stalite in the construction of that platform in the harbor and then basically floated it out to sea.

Vulcan selectively mines this meta-argillite for Stalite at the Gold Hill Quarry. But, we also mine the meta-tuff for the local construction market. The Gold Hill Quarry is not only an asset for the local community, it is also one that, combined with Stalite, is a valued product worldwide.

Ms. Hallett said what we are seeking in our amended conditional use permit from 2003 and 2004, which approved the site for extraction of earth products. Instead of using the berms for screening, Vulcan proposes maintaining a minimum 100 foot wide undisturbed natural buffer to screen against adjacent properties. (It is shown on our site plan in the binder behind Tab 5 & 6).

She said it is not that they are opposed to berms. We have those in a lot of our quarries, but in this unique situation, because of the existing stand of natural vegetation and thick trees, as well as, the topography and flow of the land, it makes sense not to have the berms here. She will go into a little bit of why.

We also propose phasing the construction, and will ensure, that the buffers proposed are in place prior to rock excavation. That will be the controlled process of breaking that rock up once the overburden and topsoil is removed. It is important to note, that all other aspects as Mr. Jurius mentioned, of the 2004 conditional use permit, remain the same.

Since the time that the conditional use permit was approved, over 15 years ago, stands of trees and other natural vegetation, along much of the sites boundary lines have flourished and grown to significant heights. Compliance with the 2004 permit, would require us to remove a wide swath of those trees, those mature trees and natural vegetation, to accommodate a construction of a berm and the equipment necessary to perform the work. This resulting berm, would take years to achieve the level of screening that currently, already exists on most of the site, by leaving the buffer area in its natural state.

As was mentioned before by Mr. Jurius, it is important to note that a quarry operation is one that once the topsoil and the weathered rock has been removed from a particular site, the construction or excavation actually goes down, not up. Eventually, creating its own buffer from the adjacent property. In other words, there is no vertical construction or above ground extraction activities that can be seen from the adjacent properties.

She said there are some buffer photos under Tab #7. Up on the top left, there are two photos and those were taken from our existing quarry, at the point of eye level. You can see, that there is nothing that you can see, all of the activity is taking place below ground.

The only above ground structures that we do have are in the crushing, screening and stockpiling processes. Those are currently on our existing quarry site and are not being planned for the site in this application. Additionally, there are views of existing vegetation and trees along the eastern and southern portions.

She was kidding around with Ms. Todd, we have two pictures, this is going to be "Where is Lucas" in these pictures. She showed the pictures and said this one was taken from the perimeter of the Yesterways, on the southern end of the property. These are the stand of trees that you are looking at on the bottom left. You can barely see or make out what looks like a person standing way back there. So, from the bottom left picture, back in the woods is the 100 foot property line; clearing line. It would be from the property line; 100 foot back you can barely see Lucas but, it you gives you an idea of the existing standing trees and then also on the picture in the center on the right hand side of your exhibit you can see what looks to be a little yellow spot back there, that is Lucas with a safety vest on and that is at 140 feet from the creek line on the Vaughn side. You can also notice that it goes up hill. Lucas is standing basically at the edge of Phase II that is on your site map.

The time when screening is most needed, is at the beginning of the excavation; when we are just getting started. That is exactly when a newly planted berm would be least effective, because it does not have the mature trees on it already. Additionally, due to the sites topography, as she mentioned before, in some of these locations, a berm may never provide comparable screening against some of the neighboring properties. The existing vegetation provides a better buffer during the time a buffer is needed the most. The site actually sits higher than the adjacent properties making the use of a berm either ineffective or less effective than maintaining existing trees and understory vegetation.

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She said you can see those in more detail on the cross section views that are showing up there and is also in Tab #5. You can see what was originally planned and then what we are proposing and see the vegetation that we are planning to leave or the vegetation that we will be supplementing in those areas that do not already have it.

Vulcan has agreed in its site development notes to supplement natural buffers that do not provide the adequate screening; that is in Tab #6.

She said that is basically it, nothing has changed from the original conditional use permit. But, to be clear, she wants to go over what will still remain. The site is still going to be accessed via a private easement off of Old Beatty Ford Road. We have not had any complaints about sound levels and will continue to operate as required by the ordinance. There is no additional infrastructure or public facilities that will be burdened as a result of this proposed amendment. The surrounding land uses include agriculture and residential as it always has, along with other industrial uses such as Frame or Old Carolina Brick, Stalite, Carolina Perlite. Those use Norfolk Southern Railroad, which also runs around the eastern perimeter of the site.

It is important to remember that this quarry has existed here for well over 60 years, and Vulcan has operated it since 1988 and we have coexisted with the existing neighborhood and the properties for this time.

The provision of a buffer that provides the same or better buffering than the berms, continues to maintain the values of adjacent properties. Approval of the requested amendment preserves these mature trees and vegetation, as well as the natural habitats located there, while still meeting the spirit and the intent of both the current and prior buffer requirements.

She said your current ordinance does not allow for berms to be used as a screening device. You actually encourage natural vegetation and that is what we are really asking for you to consider in this amendment here. She concluded by asking for approval of their conditional use amendment and turned it back over to Ms. Todd.

Ms. Todd asked if the Board had any questions for Ms. Hallett.

Mr. Adam Dagenhart asked if it is a correct assumption that this required 25 foot buffer from the State is between the property line and the pit limit.

Ms. Hallett said that is correct. It would be measured from the property line in.

Mr. Dagenhart asked how much they are going to disturb to build this berm.

Ms. Hallett said how much would we disturb in the old?

Mr. Jeff Corley thinks what Mr. Dagenhart is getting at is that it is mention early in the packet

that it is a 25 foot berm and the presentation said 25 foot easement. In the staff report the word berm was used and he thinks that is what you are getting at.

Ms. Hallett thinks that was a typo in the staff report. It should have said 25 foot unexcavated buffer, not berm. She said that does not make sense and unexcavated berm, it is buffer, so you would go 25 feet undisturbed and then you would start whatever berm or erosion control measures you were putting in. She asked if that makes sense.

Mr. Charles Paxton said you spoke about the new proposed buffer, on the berm will be there be any sound variations or something like that. Do you have any concerns about that?

Ms. Hallett said we do not in this case, just because of the topography. The existing stand of trees are much higher than what a berm would even be. So, that is providing the sound barrier and that would be more than what a berm would be, because you would be cutting down those trees.

Mr. Dagenhart asked if they have done a tree survey.

Ms. Hallett does not think that they have done a specific tree survey. We have been out and inspected and identified what is still there and in our landscape plan we have listed the trees that we would supplement in some of those areas that are there. We would expect to have the Zoning Inspector, to come out and look at the site before we would actually get on and excavate in each one of those phases.

Mr. Dagenhart said you are expecting Staff to determine?

Ms. Hallett said isn't that the process, to determine that you are meeting the Ordinance? We are going to comply with the Ordinance, but it is her understanding that would be something that would be necessary.

Ms. Todd said for each phase we have made provisions. We had videos of the drone presentation and she does not know if everyone had an opportunity to see that, if you have not, we will be happy to play it. We showed the density of the buffers and we are confident that what is out there on the majority of the bufferyards, we have A through E that, that is satisfactory and provides either equivalent or even superior buffering to what would have been required of a berm.

Ms. Hallett said or even under the existing Ordinance.

Ms. Todd said, right or even under the existing Ordinance. However, we also understand that a fire is a perk, plants die, there could be an epidemic, a beetle or something were to kill some of what we are calling natural undisturbed buffer. If that were to occur prior to us entering into a particular phased area, we would then meet with Planning to see what we need to do to supplement it, to restore it back to the level that it currently exists. We have made that commitment in a site note or our site plan.

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Mr. Dagenhart said his concern is that a lot of the trees that are shown in the pictures and in the drones, are not evergreens.

Ms. Todd said that is correct.

Mr. Corley said a lot of those trees are not your trees either; that was his concern with the drone video. It is all well and good showing us an eye level view through a bunch of trees, but if you look carefully at where you are on the map, we are looking through a bunch of trees that are not yours to the trees that are yours and it is very tough to gauge where those line are. It looks like some these pictures you presented are even sort of the same. We are looking through trees that are not your trees.

Ms. Hallett showed a picture and said it is taken from the edge of the Vaughn tract, the edge, the property line. You can sort of see the creek that runs through here, that is property line and those are all the trees that you see heading back on our property.

She showed another picture and said it is actually taken from the hill on the Vaughn property. You are correct, you are going to see some of his trees as it goes downhill into the creek level and then it goes back uphill. There is a substantial stand of trees in that particular section on his property as well as ours, as you can see by here.

This is actually taken internally, from our property, looking out on the Swaringer tract, which is down on the southern end. You can see some low evergreen understory underneath here as well as the tall trees. The same occurs here, from the Swaringer tract looking back out, we are internal to our property. We are probably only about 75 feet back here and you can see the stand of trees and the low evergreens.

She said this one is taken from the Yesterways property. They just did some timbering and is why you are seeing some bare spots. It is important to note that we did this in February, so this is worst case scenario that you would see. Also, remember that the quarry goes down. She said this is your eye level view, where you would not see anything anyway.

Mr. Andrew Nance asked how long it typically takes them to get below natural grade, when you are quarrying something like this.

Ms. Hallett said the first thing that has to occur, obviously is, we have to put our erosion and sediment control measures in and we clear the property. We are going to work on this in very short segments. The first segment will be on the western side, closest to where we are. We may start that in about 60 days upon approval tonight and it will be on a short section of it. Some of that property is already cleared, so we are pretty much ready to go on that property and head down. The property that has not been touched at all may take three to four months to get all the trees off, once the erosion and sediment control measures have been put in, then you can start working on removing that over burden and that can take another 30 to 60 days. Again, we are



going in short segments, we do not expect to be all the way back to Phase I for five years and then a number of years beyond that to Phase II and indefinite amount to Phase III.

Mr. Dagenhart said his concern is you gave me five cross-sections of almost 5,000 feet of linear property line. He can look at an aerial, but history has shown that an aerial is not adequate or correct.

Ms. Hallett said we did have staff come out and walk the property with us, so they can be another testimony to what they saw out there. We tried to be as representative as we could on what was actually showing along the entire perimeter by those few pictures. The drone again, to fly on the eastern and southern portions. We do know that on the northern portions and along Glenmore, we are going to have to supplement in there anyway, so we did not really even take any pictures. We know that once we enter that phase we are going to have to supplement over there and you have some landscape plans that show what those plantings will be, that actually exceeds what the Ordinance is because we are going 100 feet in versus what the Ordinance requires.

Mr. Corley said the ultimate pit limits, which he guesses is the magenta, pinkish line; is that correct?

Ms. Hallett asked which one he is looking at. She said if you look on the aerial here, it is the yellow lines, Phase I and Phase II.

Mr. Dagenhart told Josh it is page 56 in the packet.

Mr. Corley said what typically will happen in between the buffer and that pit limit. Is there a perimeter road that gets put in, what happens inside that area?

Ms. Hallett said yes there are roads, as you go down, there are benches and roads to take you down into the various levels. If you imagine a wedding cake, with all the different layers and you turn it upside down, that is kind of how a quarry develops overtime, and those roads are below the surface level, eventually. There will be entrance and exit ramps out for those roads that will take the material over to the processing plant.

Mr. Corley said those roads are outside of the pit limits?

Ms. Hallett said most of those are inside the pit limit. You could have exterior roads going around the perimeter, as long as it does not interfere with the setbacks that we have proposed in the ordinance.

Ms. Todd asked Ms. Hallett if we are making any amendments to the pit limits, are we proposing any.

Ms. Hallett said no, all of that remains the same from 2004 that was already approved.

Ms. Todd asked if it will require State approval.

Ms. Hallett said it already has State approval.

Ms. Todd said to change the pit limits?

Ms. Hallett said yes, if we were going to do anything different or modify, that would require an amendment to the State Mining Permit. But, we are not making any plans to do that at this point.

Mr. Litaker said what is the life of the quarry?

Ms. Hallett said that is a really good question, pick a number. It really does depend on demand and the number of acres that you have. What we generally try to do for a community is obtain as much land as we can to continue being a supply for generations to come. A lot of our quarries will last 100 years or more. This one has been here since 1953, so you can do the math on where we are now and we are continuing to add property as we have done, back in 2004. It is a slow moving process and it does rely very heavily on demand and the economy.

Mr. Corley said on the Vaughn property, down here sort of in the corner, what are those existing structures.

Ms. Hallett said Mr. Vaughn has a house and some barns and some other miscellaneous buildings. He calls it a "compound" there, but he is getting ready actually to move, he is leaving.

Mr. Jerry Wood, Jr. asked if this expansion, the way it is being proposed, going to bring more jobs to our area.

Ms. Hallett said we are not anticipating that it is going to take away any jobs. Again, this is just a movement of our continued operation. We have about 20 employees at our Gold Hill and the assets that we have contribute millions of dollars back into Cabarrus County every year in the form of economic development and economic improvements, with taxes, utilities, wages and the like; very good jobs. Most of our employees that work at our Gold Hill Quarry have been there for 20 plus years; a great way to provide for your family.

Mr. Dagenhart said in cross-section 8a, he believes there is a Duke Power right of way within that 100 foot buffer.

Ms. Hallett said yes; we have to maintain that right of way; that is an easement that Duke Power has.

Mr. Dagenhart understands that, and he hates to use the work supplement, but how do you propose to mitigate that? It looks like in this area, that you have plenty of property there, to where we could actually still get a 100 foot of buffer outside of the Duke Power right-of-way.

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Ms. Hallett said that is so far in our future, we would put a plan together that would meet your ordinance most definitely. She asked Mr. Webb if he put any thought or design into mitigating around the Duke Power right-of-way when he put the landscape together.

Mr. Wes Webb, Alley, Williams, Carmen and King, 4635 Barrier Road, Concord, NC addressed the Board. He said there are a couple of things with the landscaping plan (he asked for it to be brought up on the screen).

Mr. Dagenhart said it is page 63 in the packet.

Mr. Webb said the majority of that area, coming through there, well not the majority. As you come up along the property, the street yard buffer right through there, is proposed. The Ordinance has a minimum 10 foot, we are proposing a 100 foot buffer against the road right through there, but we are pushing all the plantings up against the road, to focus the screening on and provide more screening, then spread out of the 100 yard buffer width.

He said within that buffer, (that is a transmission power line right of way) so we have some landscaping and we are not allowed to put tall landscape. We do show some understory trees in those areas. As far as doing additional buffering, he guess the question is, is there a specific area you have a concern?

The Chair as if there are power lines there now?

Mr. Webb said yes, sir.

The Chair said are they cleared out underneath it right now?

Mr. Webb said yes, sir.

The Chair said how tall are the plantings, just to give me and idea, are they overheads?

Mr. Webb said this is a three line tower, transmission.

The Chair said but they do not let them get above 20 feet or they have to bring out a chain saw crew.

Mr. Webb said correct. They will allow understory plantings but they will not allow mature large plantings.

The Chair said how do they clear it out, do they use like a mulching machine or something?

Mr. Webb said the majority of the area right now, is a farm field so, there is very little clearing. (He showed the area they have cleared in the past). He said the line comes across and comes down through here. It is a well cleared right-of-way. They have maintained it very well. His

guess is they come between spring and occasional truck mulching and remove anything that is in the area. In this aerial you can see where it crosses.

Mr. Dagenhart said go to page 64, it includes the pit limits and everything with an aerial and is easier to see.

The Chair asked if the right-of-way is in part of your 100 foot buffer.

Mr. Webb said yes sir, it is.

The Chairs said so, they could come in and cut down that buffer whenever they feel the need?

Mr. Webb said as they feel. We do have the plantings focused outside; we try to move them outside the right-of-way as much as possible. There is one area where we are up against the road. In the past, Vulcan buys a lot of power from Duke Energy. He does not think there is a particular issue of them coming in. They have access to the property, as far as the lines, so there should not be an issue with plantings as the line crosses. This area right through here would be smaller plantings and he does not think those would be an issue with Duke Energy, the same with this area right through here. They have access across properties to get to the lines. (He showed the towers). He said it is not an item they come through and routinely travel, but, they do keep the right-of-ways clear.

Ms. Hallett said that is called Phase III and that is very, very far into the future, if at all. It is not something we are concerned about at the moment.

Ms. Todd asked if there were any other questions for Ms. Hallett or Mr. Webb. We have our bufferyards proposed, A through E, and we explained them in detail within our conditional use permit and also on our site plan notes. But if there are any questions, she would be glad to have Mr. Webb come back up and answer those. He also prepared the cross-sections where you can see in some instances, because of the height of the site that providing a berm would be practically ineffective. If the Board has any questions about that we will be happy to answer those as well. We are proposing in Area D, a 140 foot undisturbed buffer, which exceeds what was required both by the current Ordinance as well as prior 2004 plan.

As we mentioned before, we did our best. It is hard to fly a drone through trees and we did the best we could to try to show, not to use adjacent property as a buffer, but, tried to show what is on our side. Our cross-sections also reflect, really just what is on our side, so you can get an idea there. We did what we could to demonstrate.

Our proposed Findings of Fact, are in our conditional use application, behind Tab D and she believes they start on Page 5. We are glad to answer any other questions you might have. We will be glad to replay the drone footage.

The Chair said he has not seen it, he could not get it to load on his stuff, everybody else may

have been able to do it, but he could not see it. He is curious.

Mr. Dagenhart said looking on Page 64, within your current pit operations, down the bottom left corner of the plan. He is trying to understand and to get a feel for what your pit will look like. He wants to see the current pit in that area. (Looked at diagram) He asked if that was representation of your road outside the pit limits and then that area below the magenta line is a berm; is that correct?

Ms. Hallett said below the magenta line, yes, that is the berm.

Ms. Todd asked if the Board wanted to see the drone video. Some members of the Board said yes.

Mr. Jurius said the applicant actually has three separate drone videos; is there a specific area the Board wants to focus on or just go from the top and let them roll?

The Chair said maybe some can explain it to us as we are flying.

Mr. Corley said do the other one, this one just goes up and spins around.

Ms. Hallett said that one just shows what happens to a pit.

Ms. Hallett showed the drone footage and described what was being shown. She said, this starts up in northern end, along the Vaughn tract. You can see the stand of trees that the drone is flying around to get down to it. You can really see a little bit of the creek that sits down below as it is flying around and the creek is the property line.

She thinks it is important to note the height of these trees, they are the same height of the trees on our property as well.

As the topography drops down, you can see the creek, and then you can see the rise, and the topography going up the hill. That would have been the area, where the trees would have had to be removed and a 10 foot berm and then you continue going uphill, it would not provide any screening at all and it is why the natural stand of trees that are already existing and have the height do a much better job than a berm would, in this case.

She said the creek runs the property line and that is what we are looking at right in there. You can see where the difference in the coloring is. Now, we are having to back around and come around this point and it will stop just for a second and we will pick it up down below those trees. She showed the creek.

Now, we are going to jump to the other side of this big swath of trees and we are going to come straight down. This is pretty much at the property line. He was able to get close and as you can see there are no trees in the way there. You can see the low evergreens that are existing along



that portion, as well as, the tall trees behind it.

We are easing down toward the southern corner of the property and he will work his way over along the Yesterways property to the south. She said this the Yesterways property, again I mentioned that they just did the clearing on that portion. So, some of these first trees that you see were some leftover on their property. She said the stand of trees actually thicken, as you head back into our property.

She said the other one was coming up over 170 feet and see what happens at 30 feet and then down to five feet and the Quarry actually disappears from site line. But, you have that view on your photos.

Ms. Todd said simply in conclusion again, our Findings of Fact are in our conditional use application, starting at Page 5 and we would simply like to conclude by asking that the binder that we presented, as well as, the contents behind Tabs 1 through 11, along with the videos, the Staff report and all of its exhibits and anything else that was submitted to the Board in the connection with this Public Hearing be introduced into evidence.

The Chair asked if there were any discussion among the Board.

Mr. Corley said his only concern is this street yard, in relation to the power line easement. He thinks the applicant has made a very generous attempt at doing all they can. He is curious if maybe, we should not potentially, ask the Applicant, if they would be willing to move that street yard, the street yard plantings on the other side of the power line easement, to basically create a continuous buffer along that entire boundary. He does not know if that gets into their territory too much there.

Ms. Todd said the client has indicated they are prepared to do that if Mr. Webb can assist with how that is done.

Mr. Webb said that should not be an issue. The reason the plants were pushed at road was basically, the closer the plantings are to the road the better the screening is, but in this issue it is relatively flat terrain, so sliding them so that we try to split the right-of-way should not be an issue.

The Chair said if it is on the other side than it cannot get cut down and would grow. It would be better off.

The Chair asked Mr. Corley if that is what he wanted to hear.

Mr. Corley said yes.

Mr. Dagenhart said his only concern is, we are talking 5,000 plus feet of a property line. It took 18 years to get to this point. They have been in operation since the 1950's, and 15 years since the

conditional use was approved for this property. It has taken 50 years to get to this point, it maybe another 50 years before they get to Phase II or III.

He is concerned where the vegetation is going to be, he would feel a lot more comfortable if a tree survey was performed. He does not think that there is any malicious intent, he is okay with what they are proposing, and he just feels like a tree survey will go a long way for confirmation of what is actually out there.

Like, Mr. Corley said earlier, it is hard to tell from the drone footage what the actual trees are, because we are looking from an adjacent property owner, through their vegetated area. It is really hard to tell, and then with the history we have had with buffers on large tracts, he thinks it would go a long way.

Mr. Corley thinks, especially in the lower 140 foot wide buffer, you have undisturbed stream buffers there anyway. His feeling at least in response to your question, in the pink section, he does not know if there is going to be much; they cannot even get in there.

Mr. Dagenhart said his concern is, what the ratio of hardwood, versus evergreens is. If it is hardwoods predominately, then four to five months of the year you are going to have no vegetation. He understands that it may be dense.

Ms. Todd said that is specifically, why we have made best efforts to create a worst case scenario for you. She said the stream buffer maximum per Mr. Webb's calculations was between 75 and 108, so all the way to 140, the additional 32 feet is sort of over and above. She asked if there is an area specifically that Mr. Dagenhart is concern about.

She said on A and B we are proposing just flat out level one buffer, we are going to ignore the vegetation on A and on B as well, and putting in level one buffer, C is undisturbed 100 feet, D is 140 and E as well.

Mr. Corley said in this situation it is do you want a small buffer and a big clearing for a berm or do you want the wider undisturbed. In his opinion, if we said no to this, we are back to the berm.

Mr. Dagenhart has no issue with what they are requesting. He would just like to see a tree survey provided as well.

Mr. Webb said if you look at the maps, the quarry will be developed in phases. Doing a tree survey today, will tell you what is out there today, but it will not guarantee it will be there in 10, 15 or 20 years, because of hurricanes, disease, natural occurrences.

In general, a buffer, over time should increase, trees get mature and the changes as you go from a young forest to a mature forest. This area here, we do have a wider buffer, these are down here at a hundred. This area here, it will be many years before they get up to that point. If you look at the video, this area does have a mixture of hardwoods and evergreens in place today. We do not

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provide documentation of this area, buffer C from the photos, it is a similar mixture, but the drones were not provided up there because Vulcan's intent is to work in this Phase I and Phase II for the next number of years.

Ms. Todd said could we have a condition that prior to beginning work on Phase 3 that Staff, or make it a requirement that a tree survey be required at that time so, that we would have an accurate idea of what is exactly out there at that time.

The Chair does not think that we can make conditions like that on the fly. We cannot do conditions right now, in the setting we are in. He said after there is an approval or denial, if there is an approval we will have the conditions that staff has provided with us and then that will go forward with that and then after that, we go from that.

He asked how long they have owned the land over there. He said looks some of it has just been cut eight or ten years ago.

Ms. Hallett said late 1990's early 2000.

The Chair said they probably treed it before you guys bought it; harvested it. So, all of those trees are probably only 15 years old. That is basically, a young forest that we are looking at right now.

Ms. Hallett said keep in mind that Phase I is going to take a number of years to achieve all the way back to that point. So, you have an additional buffer there that is just going to sit for a number of years and mature up for that time frame.

The Chair said they did not plant pine back or anything like that, they just took the hardwoods?

Ms. Hallett cannot answer for sure but, just basically is what is existing out there. Just understand that what a berm is going to do, you are going to cut down trees and for 10 foot you cannot see over it.

The Chair said I agree, he does not like that idea at all.

Ms. Hallett said we will do everything we can to make sure and ensure that it is going to meet what you guys are requiring.

The Chair said you guys inherited something where the guy was going to tree it and then he is going to sell it.

Mr. Andrew Nance thinks we are all in agreement that we do not want to see a berm there, we like what is existing. But, the issue that Mr. Dagenhart and Mr. Corley and I have is that a lot of it is not evergreen, what they are showing that is evergreen is mostly on adjacent properties from

what he is seeing from the drone footage. He thinks that is something the Board needs to take into consideration and possibly consider supplemental plantings.

The Chair thinks even if you planted pines there it would be forever before you see it up at the top. If you are down at the bottom you are not going to see it going up the hill. You are not going to see up rise.

He planted pines on his and it took probably 10 to 15 years before they got to be 25 footers. You have that elevation change and you are never going to block anything.

He said the way he has it written down is the current ordinance does not allow berms because they fail and he thinks this is a good alternative to the berm. What they are screening goes into the ground, so it is not like you are going to be seeing the thing. When you go by their facility, all the buildings, all the conveyors, everything, is logistically placed for Norfolk Southern, which just took over the railroad there. For trucks to get in and out of the scale house, they have maybe one equipment shed for the loaders and it is all close to the road. It is within 2,000 feet of the road, everything else is just pit, and there is nothing back there.

That is just his opinion, you do not see anything; you do not see anything from the road, you cannot really tell, just conveyors and sprinkled water, because the rock is smoking hot when it comes out.

To him, it would be more of a shock from the tree replacement. That is just him, you guys decide what you want to do. He does believe it provides more of a visual barrier for the neighbors and removing and replanting and everybody going what is going on over there. The topography again, the property is lower and adjacent in places along the creek. He thinks that is in favor of that.

Mr. Dagenhart does not think it is fair for the Applicant to ask Staff to determine if the existing vegetation needs to be supplemented. If it is in question, they need to provide a survey of the existing conditions of the trees, so that Staff can look at it, per our landscape ordinance.

Ms. Morris said a couple of things, just to remind you. I know you are deep in discussion, which is great. But we do have to have public hearing just to open it and close it. She does not think there is anybody here, but we do have to go through the formality at some point.

We did do a site visit, Vulcan asked us to come out and look at the site. I went, Mr. Jurius and Mr. Lowe, because he is the enforcement officer for this area. What you see in the pictures, is representative of what is there. It is what you would expect, younger trees and you can see through those trees in some places. When you get to the creek, imagine if you are standing here (showed on map) on Vulcan's site, it slopes down to the creek and then at the Vaughn property it comes back up. The way that the old site plan was done, she is not sure why it was done that way, because the topography, it makes no sense to put the buffer down at the creek. So, the buffers really need to be more on top of the hill, which is getting to Mr. Dagenhart's point. If

there was screening to be done, it needs to be done closer into Vulcan's site.

The drone footage that you saw, there are more hardwoods and you can see through some of the spots. When you get to the bottom part of that property, whoever, had Yesterways Farm, it is very intentional there, that there are the pine trees along that edge. She does not know if they requested that when Vulcan was going to be their neighbor, or if it was between them and the neighbor that was there before to establish where the property line was. But, there are evergreens there, but for the most part on the rest of the site, there really are no evergreens. She said getting closer down to the stream, it is more bare, but again, that stream buffer had to be maintained and that berm that is on the plan, is actually proposed down at the stream. So, it serves no purpose.

If the Board wanted to discuss where you think supplemental plantings should be, or specifically, determine what type of plantings would be there, she thinks they need to look at that edge of property before it slopes down to the creek.

She cannot really give a comparable because the Board has not really had anything else that looks like this. She said for reference, it is kind of like coming down Joyner Road and how you can see through those trees there; it is not that thin. They are proposing to maintain a 100 foot buffer, but that 100 foot buffer was called out on that original site plan as well. So, it was either maintain the 100 foot buffer in the natural state or do the reduction of the 50 feet. So, what that would have looked like, was 25 feet of the natural buffer, and then the 10 foot tall berm or what have you, and based on the Engineers calculations, they were going to need 95 feet, to actually accommodate how that berm would have to be built behind that 25 feet of natural trees and again, it was to be placed down at the creek.

She does not know if it would be helpful for the Board to have additional documentation, additional pictures; better pictures from up on top of the site versus down at the stream, which is where some of those pictures are representative of. You can always ask to get a team together and go do a site visit if that is what you would like to do, you have that option. We told them that you may be interested in that option if it came down to that. She said the pictures are representative and it is more hardwoods.

We had to kind of move stuff away, like jagger bushes and different things, as we were walking through the woods, but it was not so dense that you could not make your way through it.

Ms. Todd asked Mr. Webb to explain the evergreens and hardwood that you saw on the Yesterways tract.

Mr. Webb said the evergreens that you are seeing on the perimeter of Yesterways, are probably associated with the previous trees that were on the Yesterways Farm. They have just recently timbered those areas, so the areas between the two buffers are probably associated with natural revegetation, pine seeds falling in those areas. He said now that it is clear, the small under growth stuff can grow better than it would in a hardwood forest, in those areas.



One other item he wanted to mention, is due to the length of the property of the borders, a tree survey is going to be fairly expensive on this property. He said with that additional cost, it is probably going to be in Vulcan's best interest to go back and to leaving a 25 foot width berm and build it as originally proposed.

Ms. Todd asked Mr. Webb if the hardwoods would choke out the evergreens.

Mr. Webb said if we put evergreen shrubs in the middle of the forest, they would be choked out. He showed the first phase and said within the next couple of years there would be a 300 foot wide buffer to this area, initially, to begin with and then as they move closer. But, if they were to start today, the way the plans call for the construction of a berm and the shrubs down in this area, there is a good chance those shrubs are not going to make with the additional clearing. If we do not clear the whole thing, then you just have a swath of plants in here that need sun and so you have a good potential for plant growth. The maintenance for their type of operation, leaving it natural should work better than coming in and planting these areas in trees and the berm construction.

He said they can do the berm, it is done all over in quarries everywhere. Typically, it is the method of removing waste material; taking waste material off the top of the quarry and then placing it in those areas. They are more efficient now, the way they use materials, and so they can take some finds that would be put into berm construction and sell as construction products. They have onsite places to place material within some older pits that they are not excavating. That is not a huge item in this one, but it is a place that they can still put that material.

Mr. Corley asked if someone could describe the high wall barrier that he sees on a few places, describe what that looks like and what it is made out of maybe.

Ms. Hallett said it is crushed stone. We are required by the permit to maintain a rock wall barrier around the perimeter of the high wall for safety reasons. She said it can vary, but it is usually 7 or 8 feet.

Mr. Corley said there is a wall.

Ms. Hallett said a wall and a rock berm, if you will, on the edge.

Mr. Corley said the wall is made of what?

Ms. Hallett said solid rock, the pit wall.

Mr. Corley said it shows a proposed high wall barrier at the pit limits

Ms. Hallett said that would be made from the crushed stone.

Mr. Corley said it is not a constructed wall?

Ms. Hallett said no, natural.

Mr. Jordan Littauer, 16745 Old Beatty Ford Road, Gold Hill, NC, addressed the Board. He said the high wall is kind of confusing because it is actually more like a down wall. When we are blasting, let's just say you are on the surface of the area in question that we want to eventually strip of trees, when you go and blast an area out it actually takes that material and then you have this, so your edge is here rather than it used to be out here. (He show the high wall and said it is just solid rock)

On the edge of that high wall there is an up to 10 foot berm that we use for safety purposes only. It has to be half the height of the largest piece of equipment's axle height. So, it could be up to 10 feet.

Mr. Corley said does that wall remains?

Mr. Littauer said the wall continues to be brought back as you expand the pit.

Mr. Corley said once the mine operations are done, one day, way in the future that will remain there?

Mr. Littauer said yes, it will most likely fill with water. We would have a big pond with a bunch of kind of high walls that are really just down walls.

He said one thing that was brought up about the five year, until we might reach that limit. He showed the top bench that gets out that far, so for us to need to expand past that it is much longer, because we are way back into the pit with our bottom bench, which is 200 feet below the surface and we only move about 100 to 200 feet back at a time. Can you imagine that large of an area barrier or border that we are going to be messing with one day. You are talking 30 to 50 years before you actually need to move on to Phase II.

Mr. Dagenhart said conceivably when you get to that outer point, that vegetation could all be dead?

Mr. Littauer is hoping the vegetation will not be dead, it has been there for many years.

Mr. Dagenhart thinks that is way a tree survey is beneficial.

Mr. Littauer said yeah, but just looking at the options, a tree survey, it takes a while and it is very expensive. We need a spot for overburden and we actually feel that is by far the best option for both parties; to leave alone what has already succeeded there. It is alive for a reason.

Mr. Dagenhart does not think that anyone is saying that you need to disturb what is there, we just want to note what is there; document it.

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Mr. Paxton thinks a tree survey would be desirable, but in this case probably not practical. He knows the old term used “we are here from the government, we are here to help you”. He thinks in this situation, he would not be in favor of a tree survey.

The Chair opened the public hearing. There being no one speaking in favor or against the conditional use Mr. Brent Rockett **MOTIONED, SECONDED** by Mr. Adam Dagenhart to close the public hearing. The vote was unanimous

The Chair asked if there were any additional comments or questions.

The Chair is in agreement too, he does not know what a tree survey would do. We are looking up a wall that is 100 feet. They cannot put up a berm that we know does not do well and the landscape dies on top of it. That make no sense to put that in, which is what they are going to propose or what they will do. Then we will have no buffer going up the hill, that is what we are looking at.

Mr. Rockett said this proposed conditional use amendment request, while not perfect, he believes is a much better solution than what is approved at this time.

Mr. Dagenhart’s feeling is that the tree survey protects the Applicant and the County in the event that something goes wrong, i.e., as history has shown this Board recently.

Mr. Corley said the tree survey would answer what question? That it is meets the landscape ordinance?

Mr. Dagenhart said, yes. Looking at the drone footage and where the aerals are, we are more than 100 feet from the creek and he can see the creek and the other side through the vegetation. He is seeing more than 100 feet, he is seeing probably 140 feet, clear as day. He said that are not even the trees that are their property, it is someone else’s property. What assurance does he have that their trees are the same density or better; I do not. I have an aerial photo.

There being no further discussion Mr. Charles Paxton, **MOTIONED, SECONDED**, by Mr. James Litaker to **APPROVE** Conditional Use Permit CUSE2019-00002, with conditions recommended by staff. The vote was 6 to 2 with Mr. Andrew Nance and Mr. Adam Dagenhart opposed.

Ms. Morris said if you want to propose the other condition about moving the landscape out of the right of way, you will need to add that as well.

The Chair said we need to have another motion to add the movement of the street buffer as a condition.

Mr. Jeff Corley, **MOTIONED, SECONDED** by Mr. Brent Rockett to add an additional condition to relocate the street yard to behind the existing Duke Energy Easement.

The vote was unanimous.

**Directors Report:**

Ms. Susie Morris said it was brought to her attention that the Board received an email about NEOGOV. She said to ignore that. It is probably because you are considered auxiliary staff. It is a new HR software for hiring people and she is not sure why the Board received it. She will try to talk to them to make sure you do not receive those in the future.

The training information that she sent out is also on our meeting day. If any of you want to try to attend one of the other sessions, we can probably pay for you to go, but we could not put you in a hotel or anything like that. She does not know if they are close enough to do a day trip, she cannot remember where they were. But, if you are interested let her know. She will be renewing the subscription to the School of Government, so we will have that available.

She finally, has some applications for alternate members. She went through a stack of applications and called people. Out of those, she only got three calls back and they were people who had actually applied for the Board. She has two applications that she is going to propose to move forward. She said that process has changed a little bit with the Board of Commissioners, so she is not exactly sure how it is working. But hopefully, we can have some alternates so that we will have a full complement of the Board and will not end up with the type of situation that we ended up with tonight.

Because, if we had been down one more member, this case would not have passed. We want to try to staff all the members and provide a full complement of the Board, so that if people do not like it or do like it, nobody feels pressure to vote one way or the other based on the numbers.

**No Legal Update**

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There being no further discussion, Mr. Jerry Wood, Jr. **MOTIONED, SECONDED** by Mr. Andrew Nance to **ADJOURN**. The vote was unanimous. The meeting ended at 8:20 p.m.

**APPROVED BY:**



**SUBMITTED BY:**



Arlena B. Roberts

**ATTEST BY:**



Susie Morris, Planning and Zoning Manager

PLANNING STAFF REPORT  
CABARRUS COUNTY PLANNING AND ZONING COMMISSION

Staff Use Only:  
Approved: \_\_\_\_\_  
Denied: \_\_\_\_\_  
Tabled: \_\_\_\_\_

**Conditional Use Permit: CUSE2019-00002**

Applicant Information: Vulcan Construction Materials, LLC  
Mideast Division  
4401 North Patterson Avenue  
Winston Salem, NC 27105

Owner Information: PINs 6603-57-8665 & 6603-59-9632  
Vulcan Lands, Inc.  
1200 Urban Center Dr.  
FAS 1401-843  
Birmingham, AL 35242

PIN 6604-50-4443  
Carolina Stalite Company  
PO Box 1037  
Salisbury, NC 28145

PINs: 6603-57-8665, 6603-59-9632, 6604-50-4443

Area in Acres: ± 140.32 ac

Purpose of Request: The purpose of the request is to modify the landscape plan and berm requirement along the Eastern edge of the mining site. The applicant seeks to amend the original landscape/site plan to use 100 foot of existing natural vegetation, instead of a constructed berm, to meet the landscape buffering requirement.

A Conditional Use Permit (CUP) for the Extraction of Earth Products was granted in March of 2004. The CUP site plan included a 100 foot buffer and the construction of 10 foot tall earthen berms around parts of the perimeter of the site, specifically along the eastern and southern edge of the project.

Site Description: The subject parcels are currently vacant and wooded or used for agriculture. The subject parcels represent the next two phases of the quarry, as shown on the site plan that was submitted with the request. All three of these parcels will function as one quarry as the materials on site continue to be mined.



Vulcan materials operate immediately adjacent to Carolina Stalite Company, and is the sole provider of the raw material used to make the Stalite product. There is a stream that runs across and is immediately adjacent to the property which will be subject to the Waterbody Buffer zone requirements of Chapter 4 of the Cabarrus County Development Ordinance.

Current Land Uses:	Agriculture/Vacant
Adjacent Land Uses:	North – Industrial/Agricultural / Residential (Rowan County) East – Agricultural / Residential South – Agricultural / Vacant West – Quarry / Industrial
Existing Zoning:	GI-SU (General Industrial – Special Use)
Permitted Uses:	Per Rezoning Case C2003-01(R), the only permitted use on the property is Extraction of Earth Materials.
Surrounding Zoning:	North: Industrial (Rowan County) East: OI (Office/Institutional) South: OI (Office/Institutional) West: GI (General Industrial)
Signs Posted:	February 25, 2019
Newspaper Notification:	February 27, 2019
Newspaper Notification 2:	March 6, 2019
Notification Letters:	February 25, 2019

#### **Exhibits**

- A. Staff Report
- B. Conditional Use Permit Application Form
- C. Aerial, Zoning & Future Land Use Maps
- D. Property Survey & Site Plan
- E. Waterbody Buffer Calculations
- F. Operational and Reclamation Plans
- G. 2003 Rezoning Minutes
- H. 2003 Rezoning Plan
- I. 2004 CUP Minutes
- J. 2004 CUP Site Plan

- K. NCDENR Air Quality Permit
- L. NCDENR Mine Permit
- M. Notification letters
- N. Posted signs
- O. Photos/video of the vegetation along the Eastern property boundary

### Agency Review Comments

**Health Review: Approved**

*Cabarrus health alliance has no comment concerning the project. (per DAVID Troutman, CHA)*

**Stormwater Review: Approved**

*State Stormwater regulations covered in the existing mine permit (per James Moore, NCDENR)*

**Erosion Review: Approved**

*Soil and erosion regulations covered in the existing mine permit (per James Moore, NCDENR)*

**Sheriff Review: Approved**

*No Sherriff's Department related comments (per Ray Gilleland, Lieutenant Sherriff)*

**Soil-Water Conservation Review: Approved**

*The state soil map lists this area as very poor for a gravel source. I would hope that the Vulcan's geologists have already studied this to make sure that it is a good source for what they are planning to extract. In addition, we want to make sure that all stream buffers are maintained, as this is already an impaired/impacted stream.  
(per Tammi-Sue Remsburg, Resource Conservation Coordinator)*

**Fire Review: Approved**

*No Fire Code related concerns (per Matthew Hopkins, Assistant Fire Marshal)*

**NCDOT Review: Approved**

*No NCDOT related concerns (per Jeff Burleson, NCDOT)*

**EMS Review: Approved**

*No EMS related concerns (per Justin Brines, EMS Director)*

**Zoning Review: Conditional Approval**

*Applicant needs to provide bond information as laid out in Section 8-4, Sub-section 12 of the Development Ordinance. (per Josh Jurius, Cabarrus County Planning)*

### History / Other Information

1. The applicant has provided documentation compliant with Section 8-3 of the Cabarrus County Zoning Ordinance, petitioning for a Conditional Use Permit Amendment.
2. The applicant has submitted a complete application which includes the "Findings of Fact" sheet along with a site plan showing the location of development on the subject property.
3. The subject properties are approximately 140.32 acres total.
4. There is an intermittent stream located on the subject property and the applicant is proposing adequate buffering to meet the Water Body Buffer requirements of the Cabarrus County Development Ordinance.
5. The subject properties are located within the boundaries of the Eastern Area Plan and are designated as Future Employment.
6. The quarry immediately adjacent to the subject properties began its operations in 1953 as Young Stone Corporation. Vulcan Materials has been operating the mine since 1988.
7. The subject properties are adjacent to the existing Vulcan Quarry and owned by the applicant. They are also included in the State Mining Permit (Exhibit K).
8. On July 17, 2003, the subject properties were the subject of rezoning petition C2003-01(R), which changed the zoning on the subject properties from AO (Agriculture/Open Space) to GI - (SU) (General Industrial - Special Use) to provide the correct district for the use of 'Extraction of Earth Materials'. The rezoning had the following 2 conditions:
  - a. There shall be no storage of blasting agents on site.
  - b. The applicant shall construct earthen berms prior to rock excavation.
9. On March 18, 2004, the subject properties were the subject of Conditional Use Permit C-069, which granted the use of 'Extraction of Earth Materials' to be conducted on the subject properties by the current applicant, Vulcan Materials. No additional conditions were added to the Conditional Use Permit, but all the conditions from the rezoning carried over to the approved Conditional Use Permit Site Plan.
10. The approved Site Plan from Permit C-069 shows that there were 2 options for the buffers, a 100 foot natural buffer or a 50 foot buffer that would contain a planted 10 foot tall berm along the South and Eastern property lines of the subject properties. The plan also shows a 25 foot unexcavated berm that was a requirement of the State for the mining permit.

11. The applicant is requesting to amend the CUP Site Plan by proposing to substitute the earthen berm requirement for a natural, undisturbed buffer which better reflects today's buffering standards in the Cabarrus County Development Ordinance.
12. The applicant contends that leaving a natural, mature buffer consisting of trees and vegetation better meets the intent of the Ordinance than removing existing stands of trees to construct a man-made planted berm (Page 4 of 14 of Exhibit B).
13. Applicant has previously stated that when a mine of this type develops, the mine goes farther and farther below ground, not building on top of the ground. After the first level of topsoil/material has been removed, the operation will drop below grade level at the buffers, which leaves very little to be screened from view.
14. The Board of Adjustment must decide if the proposed landscape plan using the new buffering standard meets the intent of the original approval and is adequate to facilitate the creation of a visual screen between the proposed land use and the adjacent land use/districts and to help lessen the noise from the subject property. Items to consider:
  - a. Is the plan appropriate?
  - b. Does it provide screening and visual separation from the road and adjacent properties as required by the Ordinance?
  - c. Does the plan help lessen noise generated from the project?
  - d. Is the plan meeting the original intent of the approval?

#### **Conditions of Approval**

Should the Board of Adjustment grant approval of the Conditional Use Permit, Staff requests the following conditions become part of the approval and case record:

1. Site plan review and approval is required subsequent to Board of Adjustment approval in order to ensure compliance with all applicable development requirements and conditions. (Zoning)
2. A granting order, stating restrictions and applicable conditions of approval, shall be recorded with the deed of the property. (Zoning)
3. The applicant shall procure any and all applicable federal, state, and local permits prior to commencement of the project. (Zoning)
4. Expansion of this project, as well as modifications, or changes to the approved site plan must receive Board of Adjustment approval in the form of an amendment to the Conditional Use Permit. (Zoning)
5. No Blasting Agents will be stored on the subject parcels. (Zoning)

6. Must provide a copy of the bond on file with the state for the project file. (Zoning)
7. The Planning and Zoning Commission shall require a performance guarantee, in a form approved by the County Attorney, to insure that the provisions of the rehabilitation plan are met. The amount of such guarantee shall cover the cost of rehabilitation. The applicant's engineer shall certify to the County the costs of rehabilitation on a per acre basis. If the rehabilitation costs exceed the amounts required by the State, then the difference shall be made up in a bond payable to Cabarrus County, that must be posted before commencement of any earth product extraction operations.. (Zoning)

**VIA HAND DELIVERY**

March 28, 2019

Mr. Joshua Jurius  
Susie Morris  
Planning and Development Department  
Cabarrus County  
65 Church St. SE,  
Concord, NC 28025

Re: *Vulcan Construction Materials, LLC*  
*Revised Submission of Application to Amend Conditional Use Permit (C69)*

Dear Ms. Morris and Mr. Jurius:

On behalf of our client, Vulcan Construction Materials, LLC, we are pleased to submit the enclosed second set of revisions in response to Cabarrus County's requested changes in its Overall Comments for Revision 1, sealed on 2-26-2019.

We believe that we have submitted all information and supporting documents required for consideration of our Application. Should additional documentation be required, please let us know immediately so that we can supplement.

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact me directly at (704) 998-2306.

Sincerely,

JOHNSTON, ALLISON & HORD, P.A.



R. Susanne Todd

RST/dlg  
Enclosures



# APPLICATION FOR AMENDMENT TO CONDITIONAL USE PERMIT 69(C)



## Instructions

1. Schedule a pre-application meeting with Staff to discuss the procedures and requirements for a Conditional Use Permit request.

Date of Pre-Application Meeting: **Thursday January 3, 2019.**

Staff Facilitator(s): **Susie Morris; Josh Jurius**

2. Submit a complete application to the Planning Division. All applications must include the following:
  - ☐ Cabarrus County Land Records printout of all adjacent property owners. This includes properties located across the right-of-way and all on-site easement holders. The list must include owner name, address, and Parcel Identification Number.
  - ☐ A recent survey or legal description of the property.
  - ☐ 15 folded copies of the proposed site plan.
  - ☐ Any additional documents essential for the application to be considered complete.  
(Determined at pre-application meeting)
3. Submit cash, check, or money order made payable to Cabarrus County. Fees: Conditional Use Permit \$550.00 + \$5.00 per acre + 3% technology fee based on total application fee

The deadline for submittal is always the same day as the Planning and Zoning Commission Meeting which is the second Tuesday of the month. Applications must be submitted before 2:00 PM that day for consideration on the next available agenda.

***Incomplete applications will be returned to the applicant and will not be processed.***

## **Process Summary:**

1. Hold a pre-application meeting with Staff to discuss your Conditional Use Permit request and the Conditional Use Permit process.
2. Submit a complete application with the appropriate fees to the Cabarrus County Planning Division.

Staff and appropriate agents will review your complete application and site plan and comments will be forwarded to you. You will need to address the comments in writing, revise the site plan accordingly and resubmit a site plan showing that all comments are addressed and errors corrected.

3. Once advised that the site plan is correct and ready to be presented to the Board of Adjustment,

you will need to submit 18 folded copies of the plan.

4. When the copies of the plan are received, Staff will begin to prepare a staff report, schedule a public meeting date and notify adjacent property owners of the public meeting/public hearing date. A sign advertising the public hearing will also be placed on the property being considered for the Conditional Use Permit.

**Meeting Information:** Meetings are held the second Tuesday of each month at 7:00 PM in the Cabarrus County Governmental Center located in downtown Concord at 65 Church Street, SE.

**Conditional Use Permit:** Conditional Use Permits are considered by the Board of Adjustment during a quasi-judicial hearing. This means that anyone wishing to speak regarding the application must be sworn in. The vote requirement for the Conditional Use Permit to pass is a simple majority. Additional conditions may be added as part of the Conditional Use Permit approval process.

**Questions:** Any questions related to the Conditional Use Permit process may be directed to the Planning Division at 704-920-2141, between 8 AM and 5 PM, Monday through Friday.

*TO THE BOARD OF ADJUSTMENT:*  
*I HEREBY PETITION THE BOARD OF ADJUSTMENT TO GRANT THE ZONING  
ADMINISTRATOR THE AUTHORITY TO ISSUE A CONDITIONAL USE PERMIT FOR THE USE  
OF THE PROPERTY AS DESCRIBED BELOW.*

Applicant's Name

Vulcan Construction Materials, LLC  
(successor in interest to Vulcan  
Materials Company, L.P.).  
("Vulcan" or "Applicant")

Applicant's Address

Vulcan Construction Materials, LLC  
Mideast Division  
c/o Denise Hallett  
4401 North Patterson Avenue  
Winston Salem, NC 27105  
[hallettd@vmcmail.com](mailto:hallettd@vmcmail.com)  
336-744-2919 Direct  
704-560-5304 Cell

Applicant's Representative

R. Susanne Todd  
Johnston Allison & Hord, PA  
1065 East Morehead Street  
Charlotte, NC 28204  
[stodd@jahlaw.com](mailto:stodd@jahlaw.com)  
(704) 998-2306

Property Owners' Names

Carolina Stalite Company ("Stalite")  
Vulcan Lands, Inc. ("Vulcan Lands")

Property Owners' Addresses

P.O. Box 1037  
Salisbury, NC 28145 1583 (Stalite)  
1200 Urban Center Drive  
FAS 1401-843  
Birmingham, AL 35242 (Vulcan Lands)

### **Parcel Information**

Existing Use of Property	Agriculture CUP for Quarry Use
Proposed Use of Property	Extraction of Earth Products (Quarry)
Existing Zoning Property:	General Industrial–CU with a Conditional Use Permit
Property Location	16745 Old Beatty Ford Road Gold Hill, NC 28071
Property Acreage	+/- 140.32 Acres located within Cabarrus County (“Site”)
Parcel Numbers (PIN)*: The “Site”	Portion of Tax Parcel No. 6604-50-4443 in Cabarrus County and consisting of +/- 8.89 Acres. (Stalite)  Portion of Tax Parcel No. 6603-59-9632 in Cabarrus County and consisting of +/- 63.43 Acres (Vulcan Lands)  6603-57-8665 (+/- 68 Acres) (Vulcan Lands)

*\* The Site is adjacent to the Cabarrus/Rowan County line. Two of the parcels that comprise the Site are partially located in Rowan County. Upon information and belief, the precise location of the Cabarrus/Rowan County line is currently in dispute. This CUP application is intended to include and the requested entitlements intended to apply to the parcels or portions of parcels located within Cabarrus County. .*

### **Land Use of Adjacent Properties**

NORTH	Quarry/Industrial/Residential	SOUTH	Vacant/Agricultural
EAST	Farm/Residential	WEST	Quarry/Industrial

### **Applicant**

Vulcan Construction Materials, LLC (“Vulcan”) is an American company and the nation’s largest producer of construction aggregates (primarily crushed stone, sand and gravel) and a major producer of aggregates-based construction materials, including asphalt and ready-mixed concrete. Vulcan’s products are used in the construction of buildings and structures that positively impact our daily lives, including roads, bridges, sewer systems, schools, hospitals, airports, runways, commercial buildings, apartment buildings and homes.

Since first commencing operations in Cabarrus County over 30 years ago, Vulcan has demonstrated a history of compliance with local, state, and federal regulations, as well as a commitment to providing our neighbors with proper visual and sound protections. Invested in this community, Vulcan has a proven track record of meeting its obligations.

Applicant operates the Gold Hill mining facility (the “Gold Hill Quarry” or “Quarry”) located in Gold Hill, Cabarrus County, NC. The Gold Hill Quarry employs over 20 employees in the Cabarrus County community and contributes an average of \$17 Million in annual economic impact. For further information about Vulcan, a Facts Sheet is included as an exhibit to this Application,

The Gold Hill Quarry is unique due to an extraordinary deposit of Meta-Tuffs and Meta-Argillites (types of rocks created from volcanic ash or volcanic activity). The Meta-Argillite deposit is mined by Vulcan for use by local company Carolina Stalite to produce a one of a kind, high performance, light-weight construction material that is shipped worldwide. The Gold Hill Quarry also produces rock for use in asphalt and other construction to meet the needs of the Department of Transportation and other construction companies. A brief history of the Gold Hill Geology and its unique deposit is included as an exhibit to this Application.

#### **Applicant Prior Rezoning and Conditional Use Permit:**

The Gold Hill Quarry has been in operation since 1953, well before the enactment of County zoning regulations. In 2003, Vulcan sought to add reserve land to its existing facility and successfully rezoned three (3) adjacent properties (collectively, the “Property”) from AO (Agricultural Open Space) to GI-SU (General Industrial-Special Use). Applicant further secured the right to use the Property for “Extraction of Earth Products” (quarry) use via a Conditional Use Permit. (the Rezoning and Conditional Use Permit processes together, the “Entitlement Process”). A condition of the Entitlement Process and resulting Site Plan was the required construction of earthen berms along the Site’s eastern and northeastern boundary lines to buffer adjacent properties prior to rock excavation (the “Berm”). The earthen berms were to be 10 feet high with plantings on top. Other conditions gave Vulcan the option of providing either a 50 foot buffer with a 10 foot high berm, or a 100 foot buffer yard elsewhere on the Site. Site plans submitted during the Entitlement Process shows earthen berms along all non-quarry boundaries.

#### **Proposed Modification of Conditional Use Permit**

The intent of this Application and revisions to the existing Conditional Use Permit is to seek relief from the condition to construct the Berm along the Site’s eastern and northeastern boundary lines to buffer adjacent properties. Applicant proposes instead to provide minimum 100 foot vegetative buffer in its natural state and supplement as necessary to meet both current ordinance requirements and the existing CUP/rezoning standards. Since the existing CUP permit was approved 15 years ago, stands of trees and other natural vegetation along the Site’s boundary lines have flourished and grown to significant heights. Compliance with the 2004 CUP permit will require removal of wide swaths of mature trees and other natural vegetation along the boundaries between the Site and non-Quarry properties for both construction of the Berms and

the equipment necessary to perform the work. Approval of the requested amendment preserves these mature trees and vegetation, as well as the natural habitats located therein while still meeting both current and prior buffer requirements. Additionally, the proposed amendment brings Vulcan's existing permit current to today's standards and best practices. Although berms were an allowed screening option under the Ordinance in 2004; the construction of berms has fallen out of favor as a screening device in that they cause changes to topography that artificially alters the natural flow of storm water across property, leading to erosion, ponding, and related damages. The current Ordinance no longer allows the use of berms for screening.

Finally the proposed amendment provides for phasing of mining operations across the Site and requires buffer yards within a particular phase to be completed prior to commencement of mining operations within that phase.

### **Current Use:**

The Site remains largely undisturbed and continues to be used for agricultural purposes or simply remains vacant wooded land. In 2018, energy from routine blasting within the existing quarry impacted a portion of a quarry wall located on the Site's western-most boundary line. The Site was temporarily accessed to ensure the stability of the wall. Other than this one occurrence, no other mining operations have occurred on the Site. No further blasting has occurred in the vicinity of the wall.

Access to the Site is through an existing easement.

### **General Requirements**

The Zoning Ordinance imposes the following general requirements on the use requested by the applicant. Under each requirement, the applicant should explain, with reference to the attached plans (when applicable) how the proposed use satisfies these requirements.

1. **The Board must find that the uses(s) as proposed "are not detrimental to the public health, safety or general welfare." (Zoning Ordinance Section 8-3: "Conditional uses must maintain or enhance the public health, safety and general welfare if located where proposed and developed and operated according to the plan as submitted.")**

#### **A. Public Health and Safety**

Through the 2003/2004 Entitlement Process, the Cabarrus County Planning and Zoning Commission sitting as the Board of Adjustment previously concluded that "Extraction of Earth Products" ("Quarry") use was not detrimental to, and maintained the public health, safety and general welfare as proposed and developed and operated according to the plan as submitted. The proposed amendment to Vulcan's site plan, i.e. the use of undisturbed landscape buffers instead of berms is not detrimental to the public health, and safety. In fact, the proposed

amendment enhances the public health and safety by providing a wider buffer than is currently required by the Ordinance. Further the proposed amendment preserves both the existing stands of trees, and other natural vegetation, as well as the natural topo and drainage flow across the Property.

**B. General Welfare**

The Applicant respectfully objects to being asked how the use will maintain or enhance the general welfare, which is a legislative determination not appropriately made by a Board of Adjustment under powers granted to such boards under N.C. Gen. Stat. § 153A-345 and § 160A-388. Notwithstanding this objection, Applicant responds that the Quarry use continues to be conducted in accordance with all safety, health and mining regulations established by local, State and Federal regulations. Access and from the Site will continue to be from a paved road to Old Beatty Ford Road. Finally Quarry use both maintains and enhances the public's quality of life in that the aggregate materials produced on Site are used in the construction of the roads we depend on, the offices we work in, the stores we frequent, and the homes we return to. Even local wildlife receives shelter, the Gold Hill Quarry is certified by the NC Wildlife Federation under its wildlife and Industry (WAIT) program. In addition, the Site is certified with the Wildlife Habitat Council for its conservation projects around native songbirds, osprey and wood ducks.

As a result of these facts, the use will maintain or enhance the general welfare.

2. **The Board must find that the use(s) as proposed "are appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, etc." (Zoning Ordinance Section 8-3: Conditional Uses must "assure the adequacy of sewage disposal facilities; solid waste and water facilities; police, fire and rescue squad protection; schools; transportation systems; and other facilities.")**

The use as developed in accordance with the proposed amendment, requires no new, nor imposes any additional burden on, public services or infrastructure, including transportation facilities, water supplies, fire, rescue and police protection, disposal facilities, schools, waste water or sewage disposal facilities. Applicant is unaware of any other public facilities that the proposed amendment would cause to become inadequate.

3. **The Board must find that the use(s) as proposed "will not violate neighborhood character nor adversely affect surrounding land uses." (Zoning Ordinance Section 8-3: Conditional Uses must "maintain or enhance the value of contiguous property unless the use is a public necessity, in which case the use need not do so")**

**A. The Use Will Not Violate the Neighborhood Character or Adversely Affect surrounding land uses.**

The Site was rezoned from Agriculture Open Space to General Industrial in 2003. The Site abuts other quarry use that has legally existed in this area for the past 60 years. Surrounding land uses include agricultural and residential use along with other industrial uses such as Frame Brick, Carolina Stalite and Carolina Perlite (to the North in Rowan County) which utilize Norfolk Southern Rail. The NS rail corridor runs along Glenmore Road and serves other industrial uses in the area.

Quarry use is an allowed use in General Industrial zoning districts, subject to a



Conditional Use Permit. The N.C. Supreme Court held in *Woodhouse v. Board of Commissioners*, 299 N.C. 211, 261 S.E.2d 882 (1980), that "The inclusion of the particular use in the ordinance as one which is permitted under certain conditions is equivalent to a legislative finding that the prescribed use is one which is in harmony with the other uses permitted in the district" See also, *Mann Media v. Randolph County*, 356 N.C. 1, 565 S.E.2d 9 (2002). *Blair Investments, LLC v. Roanoke Rapids City Council*, 752 S.E.2d 524, 529 (N.C. Ct. App. 2013).

**B. The Use Will Maintain or Enhance the Value of Contiguous Property.**

Quarry use has existed in this area for well over 60 years. The Site abuts a pre-existing quarry use and together the Quarry use supports other contiguous extractive uses in the area. Quarry use has also co-existed with residential and agricultural uses in the area for decades. As such, Quarry use on the Site will maintain or enhance value of contiguous properties by allowing continued extraction of aggregate materials. The proposed amendment in no way impedes this relationship.

**C. Public Necessity**

The term Public Necessity is a broad term subject to a variety of meanings. The Site includes one of only two known deposits of slate of sufficient quality that it can be used to produce ultra-light, but high performance construction materials in great demand all over the world. Furthermore, the Site also provides stone for the North Carolina Department of Transportation for use in the public highway system, including asphalt roads, and concrete culverts and bridges. As such, Quarry use can be considered "public necessity".

**4. The Board must find that the use(s) as proposed "will comply with the general plans for the physical development of the County or Town, as embodied in the Zoning Ordinance or in the area development plans that have been adopted." (Zoning Ordinance Section 8-3: Conditional Uses must "comply with the general plans for the physical development of the County as embodied in these regulations or in the Land Use Plan adopted by the Cabarrus County Board of Commissioners.")**

The Eastern Area Land Plan as adopted by Cabarrus County in 2009 in conjunction with the Town of Mount Pleasant recommends employment uses along the Highway 52 corridor. Other surrounding uses are zoned for and/or used for industrial purposes. The Eastern Area Future Use Plan shows the area within which the Site is located as reserved for "future employment". As such Quarry use, as amended, is consistent with the adopted Land Plan for the area in which the Site is located.

**Specific Requirements**

The Zoning Ordinance also imposes SPECIFIC REQUIREMENTS on the use(s) requested by the applicant. The applicant should be prepared to demonstrate that, if the land is used in a manner consistent with the plans, specifications, and other information presented to the Board, the proposed use(s) will comply with specific requirements concerning the following:

Nature of use (type, number of units, and/or area): Extraction of Earth Products

Accessory uses (if any): N/A

Setback provisions:

Principal Use

Front: 75'                      Side yard Single: 30'                      Side yard Total:                      Rear: 30'

Accessory Use

Front: \_N/A\_                      Side yard Single: \_N/A\_                      Side yard Total: \_N/A\_                      Rear: \_N/A\_

Height provisions:                      Principal Use: Not To Exceed 60'                      Accessory Use: \_N/A\_

**Off street parking and loading provisions: (include calculations)**

Per Zoning

**Sign provisions: (include sketch drawing with dimensions)**

Per Zoning

**Provisions for screening landscaping and buffering: (show on site plan).**

As set forth in its proposed landscape Plan submitted with this Application, due to the location, topography and non-vertical development, Applicant proposes the following buffer yards:

Along Glenmore Road within the green hatched area shown on Applicant's landscape plan and identified as **Area "A"**, Applicant shall provide a 100 foot Street Yard Buffer as shown on the proposed Landscape Plan. In locations within Area A where existing vegetation does not meet the requirements of the proposed Street Yard Buffer, Applicant will supplement the existing vegetation as shown on the Landscape Plan. This proposed Street Yard Buffer exceeds the Street Yard Buffer requirements described in Chapter 9 of the Ordinance. The proposed 100 foot buffer width is larger than the minimum 10 foot yard with several additional tree plantings.

Along the Site's northeastern boundary within the green hatched area shown on Applicant's landscape plan and identified as **Area "B"**, Applicant shall provide a 100 foot Level One buffer yard. In locations within Area B where existing vegetation does not provide at least 100 feet of wooded screening, Applicant will supplement the existing vegetation as shown on the Landscape Plan to meet the equivalent of a Level One buffer yard.

Along the Site's northeastern boundary in the area shown in solid green on Applicant's landscape plan and identified as **Area "C"**, Applicant proposes providing a 100 foot wide undisturbed buffer yard as measured from the property line. The proposed buffer yard will be comprised of existing vegetation that includes substantial stands of mature trees that will meet or exceed the screening of a Level One buffer yard.

Along the Site's eastern boundary in the area shown in pink on Applicant's landscape plan and identified as **Area "D"**, Applicant proposes providing a 140 foot wide undisturbed buffer yard as

measured from the property line. The proposed buffer yard will include existing vegetation that includes substantial stands of mature trees to meet or exceed the screening of a Level One Buffer Yard. The existing buffer is a heavily wooded area with a mixture of large mature canopy trees and understory trees. The buffer includes a portion of long creek (approximately 10 feet), a waterbody buffer zone that varies in width between 65.5 feet and 107.9 feet, a 20 foot wide no build buffer setback that runs parallel to the waterbody buffer zone, and additional wooded area between the no build buffer setback and the edge of the 140 foot offset from the property line.

Along the Site's southeastern and southern boundaries in the area shown in solid green on the Applicant's landscape plan and identified as "Area "E", Applicant will provide a 100 foot wide undisturbed perimeter buffer yard as measured from the property line. The proposed buffer yard will be comprised of existing vegetation which includes substantial stands of mature trees to meet or exceed the screening of a Level One buffer yard.

Mining operations across the Site will be phased. Required buffer yards within a particular phased area will be completed prior to commencement of mining operations within that phase.

**Provisions for vehicular circulation and access to streets:**

No new street accesses to be provided. Existing paved access road to Old Beatty Ford Road in Rowan County will be utilized. No change in vehicular traffic will be generated by the proposed amendment hereto.

**Adequate and safe design for grades, paved curbs and gutters, drainage systems, and treatment or turf to handle storm waters, prevent erosion, subdue dust:**

Erosion/Sediment control for Mine Sites is exempted from the State sediment Control Act because it is addressed in the State Mine Permit which design standards exceed the requirements on construction sites. All control measures shall be constructed according to the approved state mining permit as it may be modified from time to time. No new pavement roads are to be constructed. Long term erosion and storm water control measures have been provided to protect all waterways and adjacent properties. Haul roads will be added and will have a compacted stone surface. A state air quality permit is in effect for the current operation and the same preventative measures provided in our state air permit for the control of fugitive emissions will be employed on the Site as developed.

**An adequate amount and safe location of play areas for children and other recreational uses according to the concentration of residential property:**

Not applicable.

**Compliance with applicable overlay zones: (see Chapter 4 of Zoning Ordinance)**

The Site Plan complies with the Waterbody Buffer Zone (WBZ) as shown on the Site Plan

**Compliance with the Flood Damage Prevention Ordinance: (see County Code Chapter 38)**

The FEMA FIRM map panel does not show any FEMA Flood Hazard areas on the Site.

No additional runoff is being generated to the receiving waters as a result of the proposed amendment. The pit acts as a large sediment control storm water detention basin with any water pumped from the pit controlled by our State NPDES Permit requirements.

**Other requirements may be requested by the applicant or specified by the Board for protection of the public health, safety, welfare, and convenience.**

No explosives or blasting agents will be stored on the Site.

#### **Predefined Standards**

**Each individual Conditional Use listed in the Zoning Ordinance may have specific standards imposed. Refer to Chapter 8, the Conditional Use section of the Zoning Ordinance for these requirements. Each standard should be addressed in the site plan submitted along with this application.**

*The Site Plan for this Conditional Use Amendment Application consists of the following documents that collective shall be referred to as the "Site Plan":*

- i. Site Plan (SHEETS 1-11)*
- ii. Rehabilitation/Reclamation Plan (SHEETS 7&8)*
- iii. Landscape Plan (SHEET 11 aka "L 1.1")*

Applicant complies with the Chapter 8 specific requirements and Performance Standards for Extraction of Earth Materials as shown on the Site Plan in the locations as follows:

- A. Extent of area to be excavated or mined.** *The pit limits are shown on the Site Plan and Rehabilitation (Reclamation) Plan. (See Sheets 4 through 8).*
- B. Locations, width and elevation of all easements and rights of-way within or adjacent to the extraction site.** *The location of a Duke Energy right of way for a power line and a NCDOT right of way for Glenmore Road are shown on the Site Plan. ( See page 4 of the Site Plan)*
- C. Location of all existing or proposed structures on Site.** *All existing structures are located on located on other Quarry parcels. There are no vertical structures proposed for the Site. (An aerial photo and aerial topographical map are included in the Site Plan).*
- D. Location of all areas on the Site subject to flood hazard or inundation as shown on flood maps or soils map.** *The Site does not have any areas within a mapped FEMA flood hazard area.*
- E. Location of all water courses on the Site, including direction of flow and normal fluctuation of flow.** *Long Creek is a perennial stream that flows generally in a southeasterly direction. The stream is typical of most streams located within the piedmont and has a defined channel and near vertical stream banks that meander and change over time due to erosion, tree debris, and sediment deposition. During large storms events, the stream may overflow the channel banks for a short time period, but the flow depth is normally shallow. The average depth will vary depending on the weather patterns and time of year. (The location of Long Creek is shown on the Sheets 4 through 7)*
- F. Existing topography at a contour interval of two (2) feet based on mean sea level datum.** *An aerial topography map with contours at a two foot interval is included with the Site Plan.*
- G. Proposed handling and storage areas for overburden, by-products and excavated materials.** *Permanent storage of processed materials or by-products of the crushing process is not currently proposed for this site but may be located within the ultimate pit limits. Storage of*

*spoil piles and other accumulations of by-products shall not be created to a height of more than forty (40) feet above the original contour and shall be so graded that the vertical slope shall not exceed the material's natural angle of repose.*

- H. Proposed fencing, screening and gates, parking, service and other areas.** *The location of proposed fencing screening, gates , parking, service and other related areas (if any) is shown on the Site Plan and Reclamation Plan. (See Sheets 4 through 8).*
- I. Any areas proposed for ponding.** *The plan for the reclamation of the pit is for the area to be turned into a lake. The area is shown on the reclamation plan. (See Sheets 7 and 8).*
- J. Access roads to the Site, as well as on-Site roads, with indication of surface treatment to limit dust. Sight distances on all roads used for access to the Site.**

*No new street accesses to be provided. Existing paved access road to Old Beatty Ford Road in Rowan County will be utilized. No change in vehicular traffic will be generated by the proposed amendment hereto. The Site will be accessed through internal mine haul roads. Access to the quarry is by a private easement from Old Beatty Ford Road in Rowan County. Water trucks will be utilized for dust control on all roads during the operation of the mine. Two stream crossings with a hardened surface are proposed for permanent use in the quarry. Temporary haul roads with an anticipated life of less than one year will be used until the pit excavation extends the road below the overburden level, where the road surface will be the underlying rock.*

*The current concept is to use two crossings for the quarry access to access Parcel 6603-59-9632. Due to changing regulations and requirements for mitigation, this concept may be revised once the Corp of Engineer permits for stream impacts are applied for. A construction plan with copies of the Corp of Engineer Permits and proposed surface will be provided to the Planning Department for zoning clearance permits prior to the construction of these crossings. The schedule for construction of the access roads across Long Creek to Parcel 6603-59-9632 has not been set. Expansion into this tract will occur after the pit expansion into Parcel 6603-57-8665 has occurred. Pit expansions and the rate at which expansion occurs are based on the market demand for the quarry products and the location of the minerals being mined.*

**K. An Operational Plan including the following information has been provided as a supplement to the CUP Amendment Application:**

- 1. The date operations begin and their expected duration**
- 2. Proposed hours and days of operations**
- 3. Estimated type and volume of extraction**
- 4. Description of method of operation, including the disposition of topsoil, overburden and by-products**
- 5. Description of equipment to be used in the extraction process**
- 6. Any phasing of the operation and the relationship among the various phases**

**L. A Rehabilitation Plan including the following information has been provided as a supplement to the CUP Amendment Application.**

- 1. Accomplishment and planned future use of the rehabilitated land**
- 2. A map showing the final topography, after rehabilitation, to the same scale as the site plan. It shall also depict any water areas and methods for preventing stagnation and pollution, landscaping and ground cover proposed to be installed and the amount and type of back fill, if any, to be employed**
- 3. A phasing and timing plan, related to the phasing and timing portion of the Operations Plan, showing the progression of the rehabilitation and the date to be completed**
- 4. The method of disposing of all equipment, structures, dikes and spoil piles associated with the operations**
- 5. The name, address and signature of land owners and applicants**
- 6. A written legal description of survey of the property, prepared by a North Carolina registered land surveyor or engineer.**

**The following performance standards related to operations associated with extraction are addressed in the *Development Notes included on Sheet 2 of the Site Plan.***

- a. Direct illumination resulting from the operation shall not fall upon any land not covered by the application.
- b. Equivalent sound levels at the boundaries of the extraction site shall not exceed the following standards:  
Between 7:00 am and 7:00 pm 60 DBA  
Between 7:00 pm and 7:00 am 55 DBA
- c. Vibration levels at the boundaries of the extraction site shall not exceed the following standards:  
Maximum Peak Particle Velocity:  
Steady state 1.0 inches/second  
Impact 2.0 inches/second
- d. The permanent roads, defined as those to be used in excess of one year, within the excavation site shall be surfaced with a dust free material such as soil cement, bituminous concrete or Portland cement concrete from the nearest public road to the yard area.
- e. Also, all permanent roads located within three hundred (300) feet of residentially zoned land shall be treated the same. Roads other than permanent roads shall be treated with dust inhibitors, as specified in the Operational Plan, to reduce and minimize dust generation from road surfaces from either wind or vehicular action. Properly operated water wagons shall be an acceptable method of dust inhibition.
- f. No extraction on the Site is proposed within three hundred (300) feet of a dwelling, school, church, hospital, commercial or industrial building, public building, or public land. In the event that Should extraction on the Site be expanded to within 300 feet of one or more of the



aforementioned uses, a security fence at least six (6) feet high shall be installed between the Site and the aforementioned use..

g. Spoil piles and other accumulations of by-products shall not be created to a height more than forty (40) feet above the original contour and shall be so graded that the vertical slope shall not exceed the material's natural angle of repose.

h. The operations plan and rehabilitation plan shall be coordinated so that the amount of disturbed land is kept to the absolute minimum consonant with good practices and so that rehabilitation proceeds simultaneous with extraction.

i. Based on adjacent uses to the Site, the facility is required to have a Level One buffer.

The Planning and Zoning Commission shall require a performance guarantee, in a form approved by the County Attorney, to insure that the provisions of the rehabilitation plan are met. The amount of such guarantee shall cover the cost of rehabilitation. Prior to the release of any zoning permit(s) for the Site, Applicant's engineer shall certify to the County the costs of rehabilitation on a per acre basis. If the rehabilitation costs exceed the amounts required by the State, then the difference shall be made up in a bond payable to Cabarrus County that must be posted before commencement of any earth product extraction operations.

**[SIGNATURE PAGES TO FOLLOW]**

**Certification**

I hereby confirm that the information contained herein and herewith is true and correct and that this application shall not be scheduled for official consideration until all of the required contents have been submitted to the Planning and Development Department.

Signature of Applicant Denise A. Hallett

Date 2.11.19

Signature of Owner (Vulcan) S. Martin Thomas

Date 2.11.19

Signature of Owner (Stalite) Judith H. Johnson

Date 2.11.19

AKS

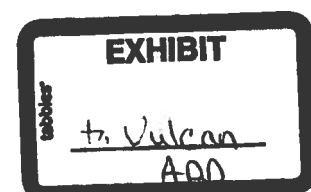
## Brief History of Gold Hill Quarry Geology

Vulcan owns and leases over 560 acres for current and future quarry operations. About 150 acres are under quarrying activity today but over time, the footprint will expand as the resources are uncovered to meet the market demand. The most common question we receive is if we find gold at our quarry. Gold WAS historically mined along the Gold Hill fault zone located just west of our quarry, but only trace amounts may exist in our rocks here at this quarry. However, that's not to say that the unique geology present at the Gold Hill Quarry is not as scarce or as prized as gold. To understand this, you have to first understand how the rocks were formed and that's where Stalite comes into play.

This area is geologically known as the Carolina Slate Belt and consists mostly of felsic and mafic volcanic rocks. Things like tuffs, argillites (or mudstones) and lava flows. They have been slightly metamorphosed through heat and pressure and make them what you see today, often referred to as meta-tuffs and meta-argillites. Only at certain limited locations has this pressure and temperature been sufficient to cause these meta-volcanics to become hard enough to produce a quality construction aggregate.

These meta tuffs and meta-argillites were deposited some 500 million years ago and over years, in layers, often interbedded with one another. Here at the GH Quarry is one of those unique situations- the meta tuff makes a great construction aggregate that is used in typical construction projects for homes, schools, roads, etc...much like that is produced in other quarries throughout the state. BUT the difference comes in the meta-argillite. In one of a very few locations on the east coast, that rock, when heated to over 2000 degrees basically 'pops' like popcorn creating a light weight aggregate.

The specific gravity of the rock at this quarry is around 2.65, but when it is put under the heat process (called expansion or bloating), it can be less than one (one being able to float in water!). Now we get to the prize of the Gold Hill Quarry deposit- this lightweight material produced by Stalite makes a valuable aggregate in high strength ready mix concrete. Because of its strength and low weight, high rise structures can be designed with less steel and bridges can be designed with longer spans to allow for better navigable waterways.





## Gold Hill Quarry FAST FACTS



**Location:** 16745 Old Beatty Ford Road, Gold Hill, North Carolina

**Operation Start Date:** 1953

**Acreage:** The overall tract includes approximately 560 acres

**Number of Employees:** 24

**Type of Stone Mined:** Meta-Argillite and Meta-Tuffs. These two rock types originated from volcanic activity. The quarry supplies a wide variety of crushed stone products for use in making concrete and asphalt, as well as for direct use in roads, bridges, and other public infrastructure projects not to mention commercial and residential construction.

**Community Involvement:** Through Vulcan Materials Foundation, financial assistance and support is provided to local charitable and community support agencies. Donations of stone are also made to assist local community organizations. Group tours of the quarry are available by calling in advance to schedule. The tour offers visitors a hands-on experience in natural resources, earth science, and ecology. Employees volunteer with many local organizations including the area Chambers of Commerce, United Way, and Historic Gold Hill Foundation.

**Adopt-A-School Partner:** Gray Stone Day School

**Environmental Stewardship:** Gold Hill Quarry is certified as a wildlife site by the Wildlife Habitat Council (first certified in 1992). The quarry is also certified as a North Carolina Wildlife Federation Wildlife and Industry Together (W.A.I.T.) site (certified in 2003).

**Awards:** NSSGA Showplace Award, NSSGA 2-Stars of Excellence, NSSGA Gold Excellence in Community Relations Award, NC Mining Stewardship Honorable Mention Award, Rowan County United Way Campaign Chairman's Award, Cabarrus Chamber's 2017 Environmental Excellence and Sustainability Award, Historic Gold Hill Mines Foundation Preservation Award, President's Award (Mideast Division award for overall operations excellence)

**Interesting Facts:** Gold Hill Quarry was featured on the History Channel's Modern Marvels: Rocks and a 2018 UNCTV film: Natural Foundations. Local Scout troops frequently use the Gold Hill Quarry for camping where they work on their orienteering, mining, and wildlife achievements. Our rock is used by our neighbor/customer – Carolina Stalite to make high quality lightweight aggregate. This material is shipped to construction projects around the world.



2/26/2019




**Vulcan Materials Company**, a member of the S&P 500 index, is the nation's foremost producer of construction aggregates, a major producer of asphalt mix and concrete. For additional information about Vulcan, go to [www.vulcanmaterials.com](http://www.vulcanmaterials.com).



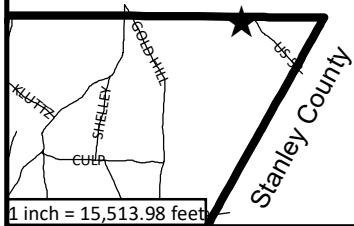
## Aerial Map



Applicant: Vulcan Materials  
Owner: Vulcan Materials and Stalite  
Case: CUSE2019-00002  
Address: 16745 Old Beatty Ford Rd  
Purpose: Modify Conditional Use Permit  
C-069, for Earth Extraction Activities  
to allow landscape buffer instead of  
constructing a berm  
PINs: 6603-59-9632, 6603-57-8665  
6604-50-4443

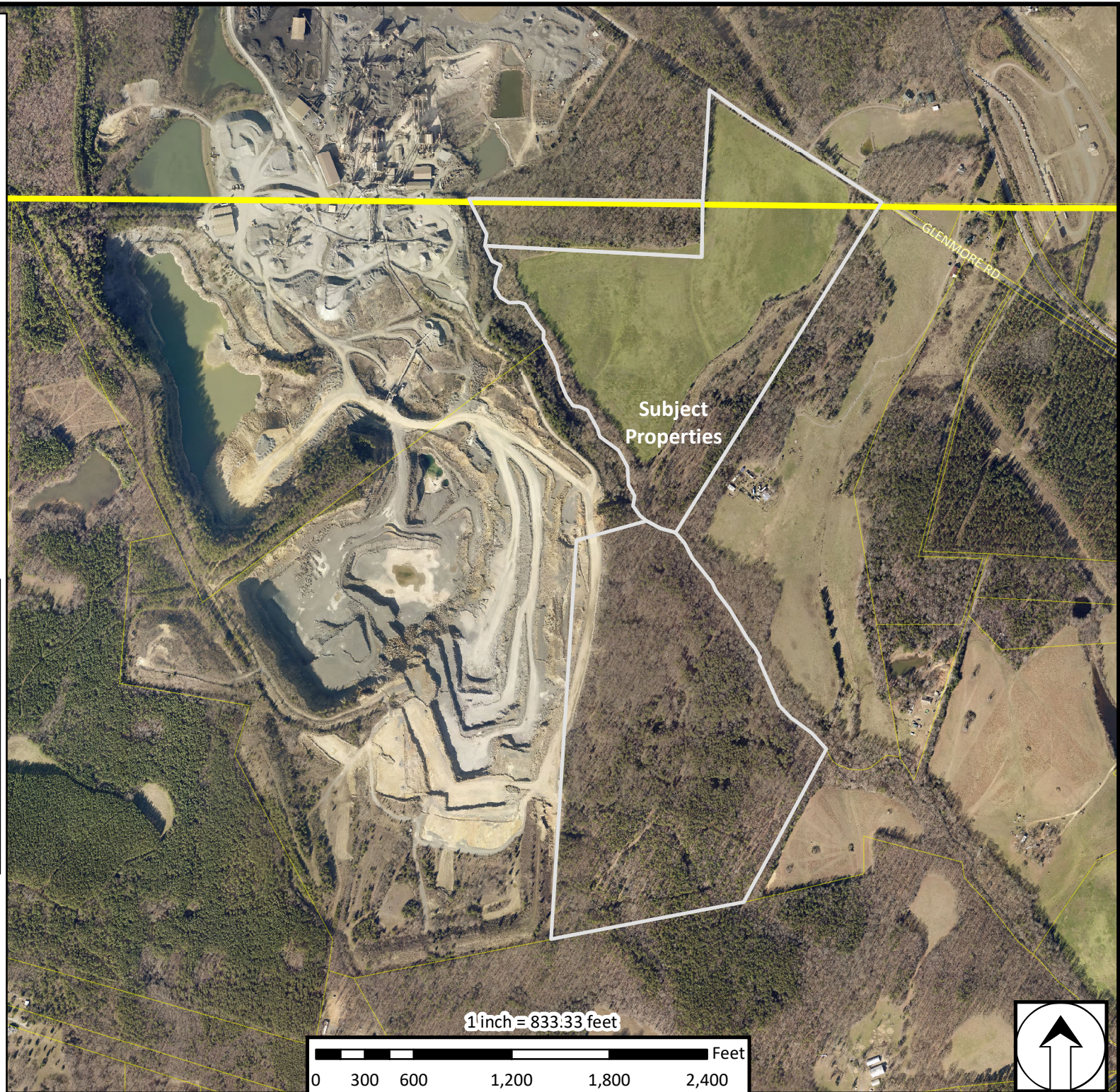
-  Cabarrus County
-  City Limits
-  Parcels

### Rowan County



Cabarrus County shall not be held liable for any errors in this data. This includes errors of omission, commission, errors concerning the content of the data, and relative and positional accuracy of the data. These data cannot be construed to be a legal document. Primary sources from which these data were compiled must be consulted for verification of information contained within the data.

Map Prepared by Cabarrus County Planning & Development - April 2019

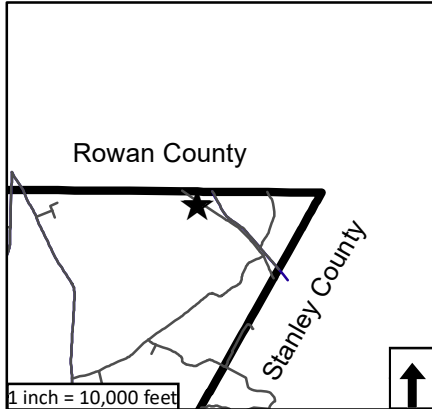




## Existing Zoning

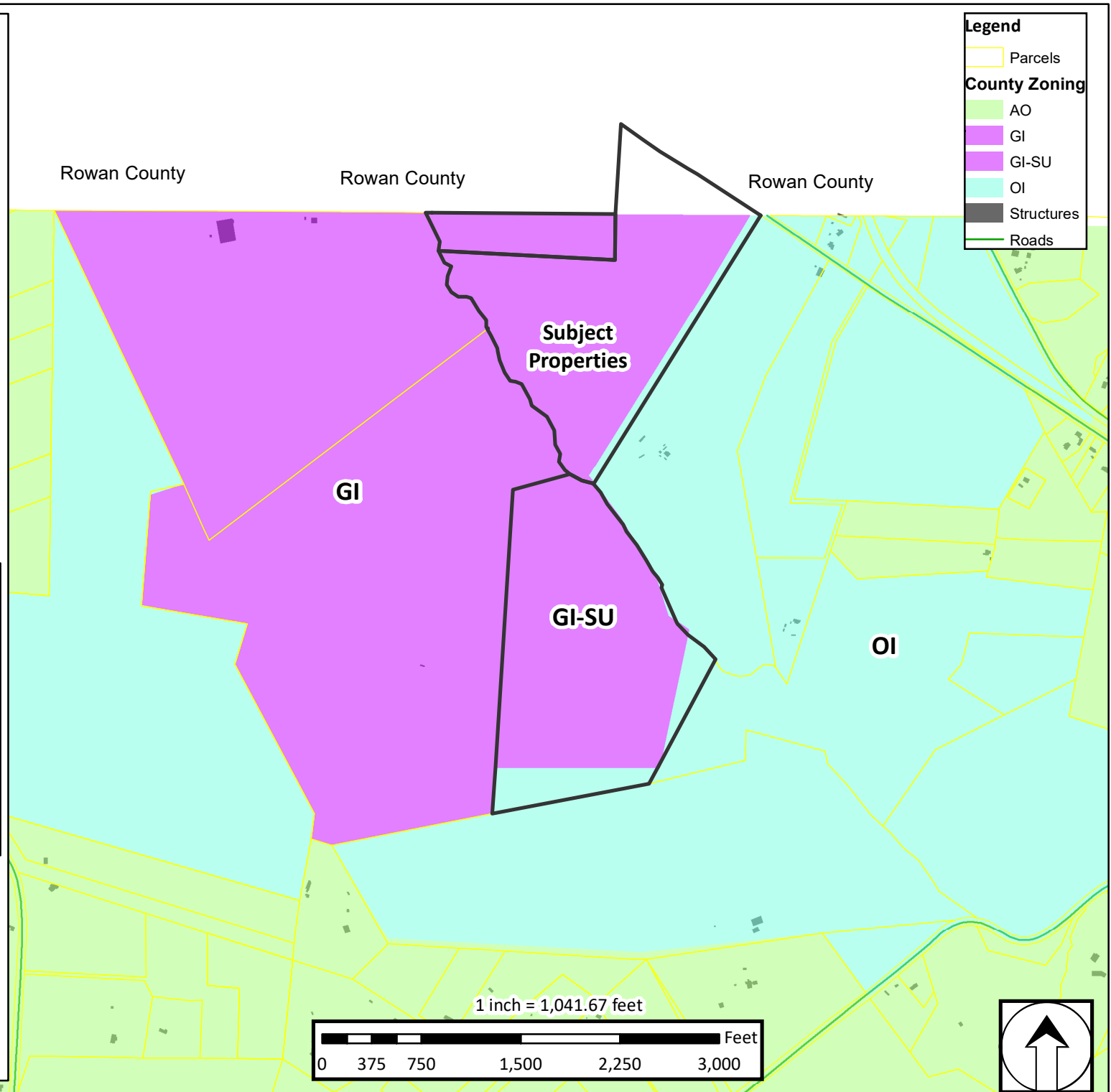


Applicant: Vulcan Materials  
 Owner: Vulcan Materials and Stalite  
 Case: CUSE2019-00002  
 Address: 16745 Old Beatty Ford Rd  
 Purpose: Modify Conditional Use Permit C-069, for Earth Extraction Activities to allow landscape buffer instead of constructing a berm  
 PINs: 6603-59-9632, 6603-57-8665  
 6604-50-4443



Cabarrus County shall not be held liable for any errors in this data. This includes errors of omission, commission, errors concerning the content of the data, and relative and positional accuracy of the data. These data cannot be construed to be a legal document. Primary sources from which these data were compiled must be consulted for verification of information contained within the data.

Map Prepared by Cabarrus County Planning & Development - April 2019

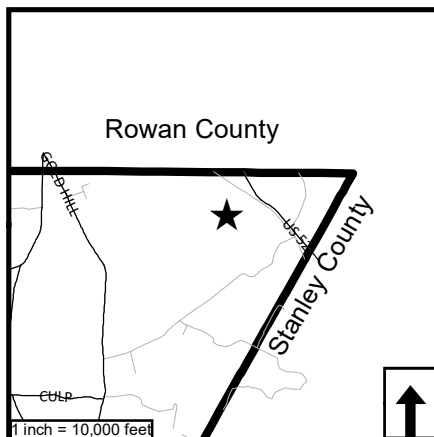




# Eastern Planning Area Future Land Use

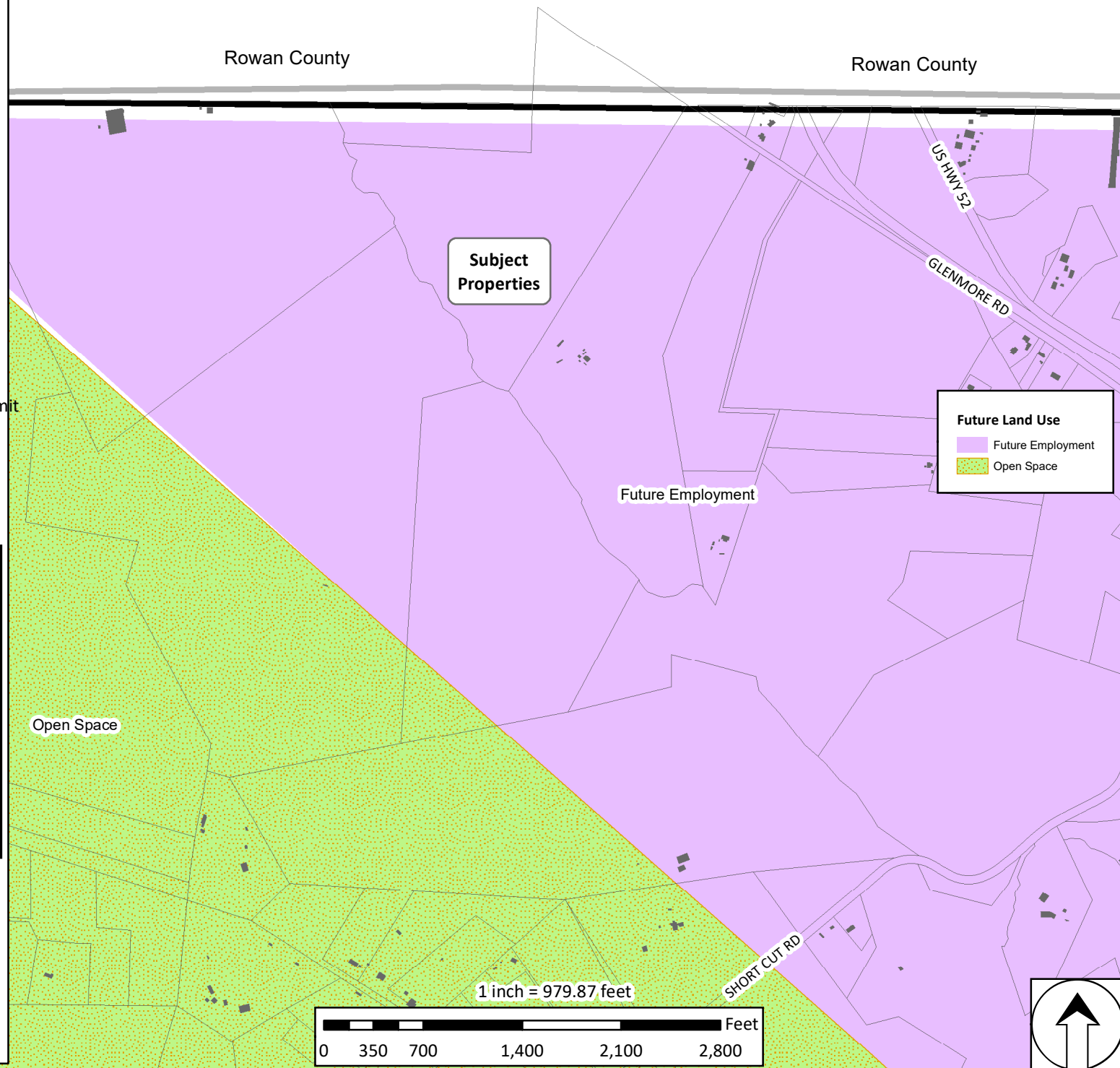


Applicant: Vulcan Materials  
Owner: Vulcan Materials and Stalite  
Case: CUSE2019-00002  
Address: 16745 Old Beatty Ford Rd  
Purpose: Modify Conditional Use Permit  
C-069, for Earth Extraction Activities  
to allow landscape buffer instead of  
constructing a berm  
PINs: 6603-59-9632, 6603-57-8665  
6604-50-4443

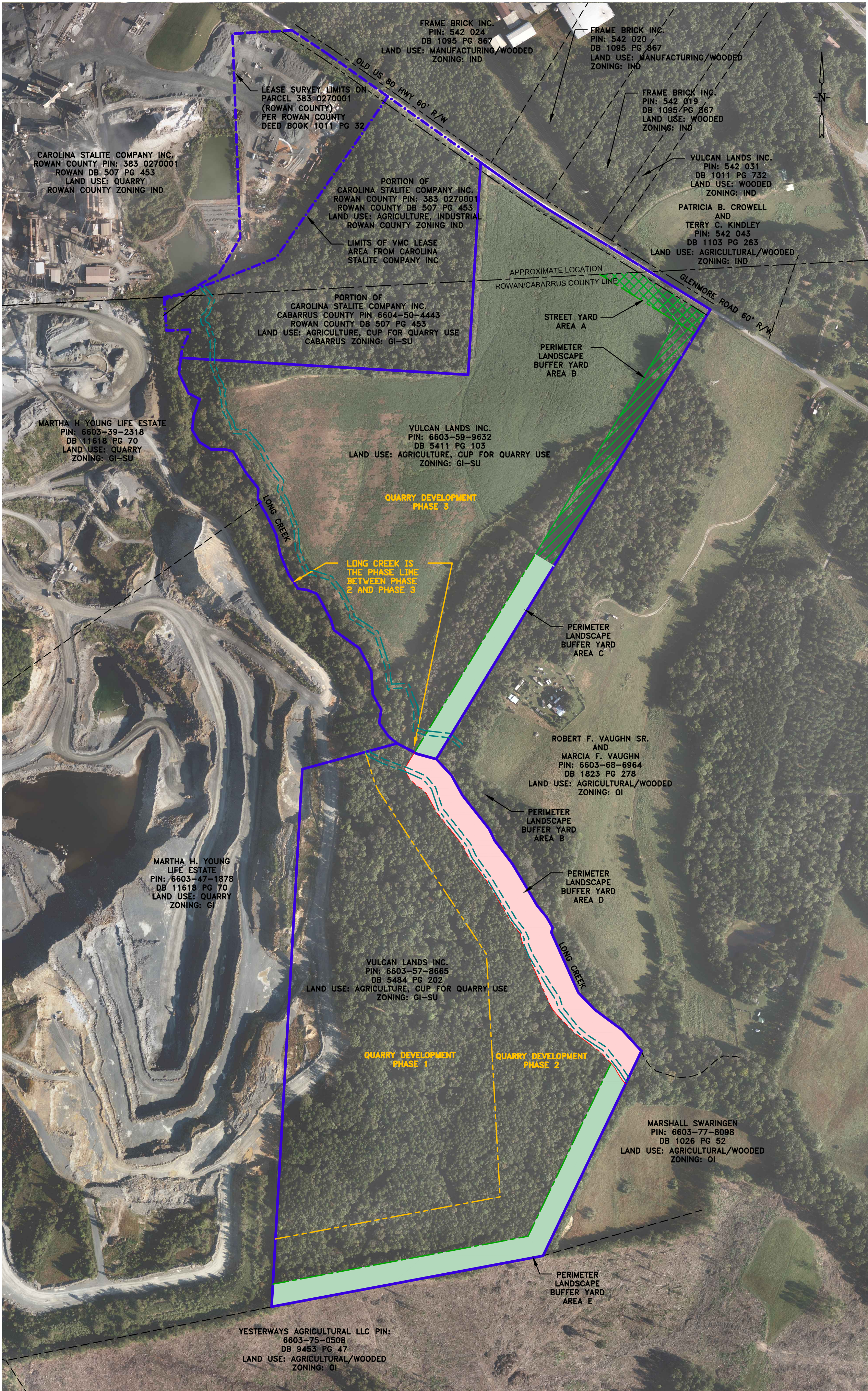


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Map Prepared by Cabarrus County Planning & Development - April 2019







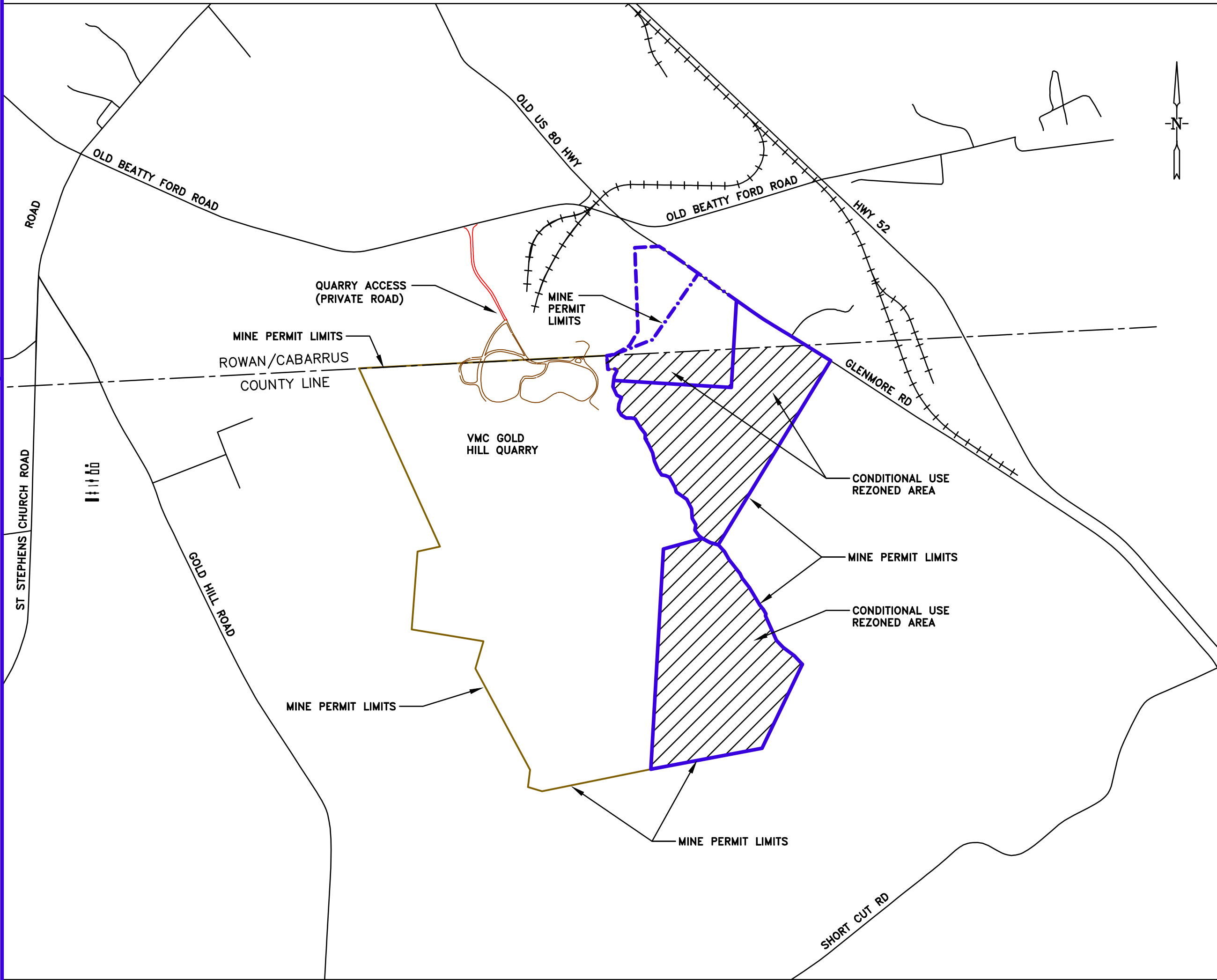
PHASE MAP  
SCALE : 1" = 300'

### MINE LEGEND

VULCAN LANDS PROPERTY LINE	
VMC LEASE AREA	
LEASE SURVEY LIMITS	
ADJACENT PROPERTY LINE	
QUARRY EXPANSION PHASE LINES	
ULTIMATE PIT LIMITS	
CABARRUS CO. UNDISTURBED WATERBODY BUFFER ZONE	
CABARRUS CO. (NO BUILD) BUFFER	
20' MINIMUM BUILDING SETBACK	
PROPOSED 140' UNDISTURBED PERIMETER LANDSCAPE BUFFER YARD	
PROPOSED 100' UNDISTURBED PERIMETER LANDSCAPE BUFFER YARD	
LANDSCAPED PERIMETER BUFFER YARD (LEVEL ONE)	
LANDSCAPED STREET YARD BUFFER	
CABARRUS CO. ZONING BUILDING SETBACK	

### SHEET LEGEND

SITE MAP	SHEET 1
SITE DEVELOPMENT NOTES	SHEET 2
PROPERTY SURVEYS	SHEET 3
SITE PLAN	SHEET 4
SITE PLAN	SHEET 5
SITE PLAN	SHEET 6
RECLAMATION PLAN	SHEET 7
RECLAMATION PLAN	SHEET 8
DETAILS	SHEET 9
DETAILS	SHEET 10
LANDSCAPING PLAN	SHEET L1.1 (SHEET 11)



LOCATION MAP  
SCALE : 1" = 1000'

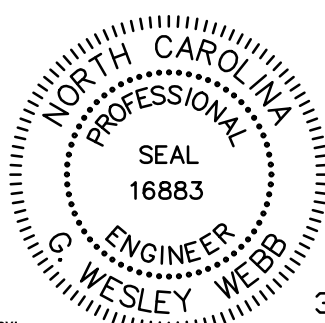
#### SITE DATA:

PROPERTY INFORMATION:	PIN: 6603-57-8665	PIN: 6603-59-9632	PIN: 6604-50-4443
PROPERTY ADDRESS:	15580 GLENMORE RD	15520 GLENMORE RD	15640 GLENMORE RD
DEED REFERENCE:	DEED BOOK 5484 PAGE 202	DEED BOOK 5411 PAGE 0103	DEED BOOK 507 PAGE 453 (ROWAN COUNTY)
TOTAL AREA:	67.292 ACRES (2,931,240 SF)	63.43 ACRES (2,763,011 SF)	100.44 ACRES TOTAL TRACT/35.195 ACRES (1,533.094 SF) WITHIN LEASE AREA.
OWNER:	VULCAN LANDS INC. 4401 NORTH PATTERSON AVENUE WINSTON-SALEM, NC 27105 336-767-4600	VULCAN LANDS INC. 4401 NORTH PATTERSON AVENUE WINSTON-SALEM, NC 27105 336-767-4600	CAROLINA STALITE COMPANY INC. PO BOX 1037 SALISBURY, NC 28145 704-697-1515

CURRENT ZONING: CABARRUS COUNTY GI-SU (GENERAL INDUSTRIAL-SPECIAL USE)  
CURRENT LAND USE: AGRICULTURE, CUP FOR QUARRY USE  
PROPOSED LAND USE: EXTRACTION OF EARTH PRODUCTS (QUARRY)  
FRONT SETBACK: 75 FEET  
REAR/SIDE SETBACK: 30 FEET  
APPLICANT: VULCAN MATERIALS COMPANY, LLC  
11020 DAVID TAYLOR DRIVE, SUITE 105  
CHARLOTTE, NC 28262  
704-547-7076

#### CIVIL ENGINEER:

G. WESLEY WEBB, PE  
ALLEY, WILLIAMS, CARMEN & KING, INC.  
120 SOUTH MAIN STREET  
KANNAPOLIS, NC 28081  
704-938-1515



DWG NO.: 11526 GOLD HILL QUARRY CABAR REZONING AMENDMENT R2.DWG

REVISION #1 2-26-19 REVISED SHEET LEGEND TEXT  
REVISION #2 3-28-19 ADDED YARD LABELS, REVISED AREA A HATCH



alley, williams, carmen, & king, inc.  
CONSULTING ENGINEERS  
FIRM LICENSE No. F-0203  
120 SOUTH MAIN STREET  
KANNAPOLIS, NC 28082  
P.O. BOX 1248  
704/938-1515

2019 CONDITIONAL USE AMENDMENT REQUEST  
GOLD HILL QUARRY  
VULCAN CONSTRUCTION MATERIALS LLC  
15580 GLENMORE RD, GOLD HILL, NC 28071

SITE MAP

SCALE	DATE: 2-11-19
PLAN: VARIES	DRAWN BY: RCC
PROFILE	CHECKED BY: GWV
HORIZ:	DWG No.:
VERT:	JOB NO. 11526
	SHEET NO. 1
	OF: 11



SITE DEVELOPMENT NOTES:

1. APPLICANT VULCAN CONSTRUCTION MATERIALS, LLC, AS SUCCESSOR IN INTEREST TO VULCAN MATERIALS COMPANY, LP ("VULCAN") REQUESTS APPROVAL OF THIS APPLICATION TO AMEND CONDITIONAL USE PERMIT. THE APPLICATION, SITE PLAN, LANDSCAPE PLAN AND OTHER MATERIALS SUBMITTED HEREWITH ARE COLLECTIVELY REFERRED TO AS THE "AMENDMENT". THE "SITE PLAN" CONSISTS OF SHEETS 1 THROUGH 11 AND INCLUDES THE LANDSCAPE PLAN (SHEET 11.).
2. THE PURPOSE OF THIS AMENDMENT IS TO MODIFY CONDITIONAL USE PERMIT 69(C) APPROVED ON MARCH 18, 2004 AS PART OF A REZONING AND CONDITIONAL USE PERMIT APPROVAL PROCESS TO ALLOW EXTRACTION OF EARTH PRODUCTS USE ("QUARRY") ON +/- 141 ACRES OF REAL PROPERTY LOCATED IN CABARRUS COUNTY, NORTH CAROLINA AND MORE SPECIFICALLY IDENTIFIED AS ALL OR PORTIONS OF CABARRUS COUNTY TAX PARCELS 6603-57-8665, 6603-59-9632 AND 6604-50-4443 (COLLECTIVELY, THE "SITE").
3. A CONDITION OF THE APPROVAL INCLUDED THE CONSTRUCTION OF SCREENING BERMS BETWEEN THE SITE ACTIVITIES AND ABUTTING NON-QUARRY PROPERTIES IDENTIFIED AS TAX PARCELS 6603-75-0508, 6603-77-8098, AND 6603-68-6964 ("ADJACENT PARCELS").
4. THE REQUESTED MODIFICATIONS ARE INTENDED TO UPDATE THE EXISTING PERMIT TO COMPLY WITH CURRENT PROVISIONS IN THE CABARRUS COUNTY DEVELOPMENT ORDINANCE ("ORDINANCE") BY ELIMINATING THE REQUIREMENT FOR CONSTRUCTION OF SCREENING BERMS AND TO PROVIDE FOR PHASING OF THE MINING OPERATIONS ACROSS THE SITE.
5. IN LIEU OF SCREENING BERMS, APPLICANT SHALL PROVIDE AND MAINTAIN BUFFER YARDS BETWEEN THE ADJACENT PARCELS AND THE RIGHT OF WAY FOR GLENMORE ROAD (OLD US 80 HWY 80 IN ROWAN COUNTY) AS DESCRIBED IN THESE NOTES AND AS GENERALLY DEPICTED ON THE SITE PLAN.

A. ALONG GLENMORE ROAD WITHIN THE HATCHED AREA LABELED AREA "A" AS GENERALLY DEPICTED ON THE SITE PLAN, APPLICANT SHALL PROVIDE AND MAINTAIN A 100 FOOT WIDE STREET YARD BUFFER. APPLICANT WILL SUPPLEMENT THE EXISTING VEGETATION AS SHOWN ON THE LANDSCAPE PLAN TO MEET OR EXCEED THE STREET YARD BUFFER REQUIREMENTS.

B. ALONG THE SITE'S NORTHEASTERN BOUNDARY WITHIN THE HATCHED AREA LABELED AREA "B" AS GENERALLY DEPICTED ON THE SITE PLAN, APPLICANT SHALL PROVIDE AND MAINTAIN A 100 FOOT WIDE PERIMETER LANDSCAPE BUFFER YARD. IN LOCATIONS WHERE EXISTING VEGETATION DOES NOT MEET OR EXCEED THE REQUIREMENTS OF A LEVEL ONE BUFFER YARD, APPLICANT WILL SUPPLEMENT THE EXISTING VEGETATION AS SHOWN ON THE LANDSCAPE PLAN (2 SHADE TREES OR 4 ORNAMENTALS AND 15 SHRUBS FOR EVERY 50 FEET OF BUFFER).

C. ALONG THE SITE'S NORTHEASTERN BOUNDARY IN THE SOLID GREEN AREA LABELED AREA "C" AS GENERALLY DEPICTED ON THE SITE PLAN, APPLICANT SHALL PROVIDE AND MAINTAIN A 100 FOOT WIDE UNDISTURBED PERIMETER BUFFER YARD AS MEASURED FROM THE PROPERTY LINE. THE BUFFER YARD WILL BE COMPRISED OF EXISTING VEGETATION SUBJECT TO 5(f) HEREIN. IN LOCATIONS WHERE EXISTING VEGETATION DOES NOT MEET OR EXCEED THE SCREENING OF A LEVEL ONE BUFFER YARD, APPLICANT WILL SUPPLEMENT THE EXISTING VEGETATION. THE EXISTING BUFFER IS A HEAVILY WOODED AREA WITH A MIXTURE OF LARGE MATURE CANOPY TREES AND UNDERSTORY TREES.

D. ALONG THE SITE'S EASTERN BOUNDARY IN THE PINK AREA LABELED AREA "D" AS GENERALLY DEPICTED ON THE SITE PLAN, APPLICANT WILL PROVIDE AND MAINTAIN A 140 FOOT WIDE UNDISTURBED PERIMETER BUFFER YARD AGAINST RESIDENTIAL USE AS MEASURED FROM THE PROPERTY LINE. THE BUFFER YARD WILL BE COMPRISED OF EXISTING VEGETATION SUBJECT TO 5(f) HEREIN. IN LOCATIONS WHERE EXISTING VEGETATION DOES NOT MEET OR EXCEED THE SCREENING OF A LEVEL ONE BUFFER YARD, APPLICANT WILL SUPPLEMENT THE EXISTING VEGETATION. THE EXISTING BUFFER IS A HEAVILY WOODED AREA WITH A MIXTURE OF LARGE MATURE CANOPY TREES AND UNDERSTORY TREES. THE BUFFER INCLUDES A PORTION OF LONG CREEK (APPROXIMATELY 10 FEET), A WATERBODY BUFFER ZONE THAT VARIES IN WIDTH BETWEEN 65.5 FEET AND 107.9 FEET, A 20 FOOT WIDE NO BUILD BUFFER SETBACK THAT RUNS PARALLEL TO THE WATERBODY BUFFER ZONE, AND ADDITIONAL WOODED AREA BETWEEN THE NO BUILD BUFFER SETBACK AND THE EDGE OF THE 140 FOOT OFFSET FROM THE PROPERTY LINE

E. ALONG THE SITE'S SOUTHEASTERN AND SOUTHERN BOUNDARIES IN THE SOLID GREEN AREA LABELED AREA "E" AS GENERALLY DEPICTED ON THE SITE PLAN, APPLICANT SHALL PROVIDE AND MAINTAIN A 100 FOOT WIDE UNDISTURBED PERIMETER BUFFER YARD AS MEASURED FROM THE PROPERTY LINE. THE PERIMETER LANDSCAPE BUFFER YARD WILL BE COMPRISED OF EXISTING VEGETATION SUBJECT TO 5(f) HEREIN. IN LOCATIONS WHERE EXISTING VEGETATION DOES NOT MEET OR EXCEED THE SCREENING OF A LEVEL ONE BUFFER YARD, APPLICANT WILL SUPPLEMENT THE EXISTING VEGETATION AS SHOWN ON THE LANDSCAPE PLAN. THE EXISTING BUFFER IS A HEAVILY WOODED AREA WITH A MIXTURE OF LARGE MATURE CANOPY TREES AND UNDERSTORY TREES.

F. IN LOCATIONS WHERE THE EXISTING VEGETATION DIES, OR OTHERWISE NO LONGER PROVIDES 100 FEET OF WOODED SCREENING AGAINST ADJACENT NON-QUARRY USE PARCELS, APPLICANT SHALL SUPPLEMENT THE REMAINING VEGETATION TO MEET OR EXCEED ORDINANCE REQUIREMENT EQUIVALENTS.

G. MINING OPERATIONS ON THE SITE SHALL BE PHASED AS SHOWN ON THE SITE PLAN. PERIMETER/LANDSCAPE BUFFER YARDS WITHIN A PARTICULAR PHASE IDENTIFIED ON THE SITE PLAN WILL BE COMPLETED PRIOR TO COMMENCEMENT OF ANY MINING USE WITHIN THE PHASED AREA.
6. PROPERTY LINES AND BEARINGS ARE BASED ON A SURVEY BY HELMS SURVEYING COMPANY.
7. EXISTING TOPOGRAPHY AND PLANIMETRICS ARE BASED ON AERIAL PHOTOGRAMMETRY PREPARED BY TUCK MAPPING SOLUTIONS INC.
8. ADJACENT PROPERTY LINES SHOWN ARE APPROXIMATE LOCATIONS FOR REFERENCE ONLY.
9. THIS PROPERTY IS LOCATED OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AND IS LABELED AS FLOOD ZONE "X" ACCORDING TO FEMA FIRM MAP NUMBER 37106602001, PANEL 6602, DATED 11/05/2008.
10. THERE ARE CURRENTLY NO EXISTING STRUCTURES LOCATED ON THIS SITE.
11. PARCEL 6603-57-8665 DOES NOT HAVE A PHYSICAL CONNECTION TO A PUBLIC ROAD. SITE ACCESS IS OBTAINED USING INTERNAL HAUL ROADS ACROSS PARCELS 6603-47-1878 VIA A PRIVATE EASEMENT FROM THE QUARRY TO OLD BEATTY FORD ROAD IN ROWAN COUNTY.
12. PARCEL 6603-59-9632 AND PARCEL 6604-50-4443 CAN CURRENTLY BE ACCESSED FROM AN EXISTING DRIVEWAY IN ROWAN COUNTY. ACCESS TO PARCEL 6603-59-9632 AND PARCEL 6604-50-4443 FOR QUARRY ACTIVITIES WILL UTILIZE PROPOSED INTERNAL STREAM CROSSINGS.
13. PERMANENT STORAGE OF PROCESSED MATERIALS OR BY-PRODUCTS OF THE CRUSHING PROCESS IS NOT CURRENTLY PROPOSED FOR THIS SITE BUT MAY BE LOCATED WITHIN THE ULTIMATE PIT LIMITS. STORAGE OF SPOIL PILES AND OTHER ACCUMULATIONS OF BY-PRODUCTS SHALL NOT BE CREATED TO A HEIGHT OF MORE THAN FORTY (40) FEET ABOVE THE ORIGINAL CONTOUR AND SHALL BE SO GRADED THAT THE VERTICAL SLOPE SHALL NOT EXCEED THE MATERIAL'S NATURAL ANGLE OF REPOSE.
14. THERE IS NO EXISTING OR PROPOSED SEWAGE DISPOSAL, SOLID WASTE, OR POTABLE WATER FACILITIES ON THE SITE.
15. THE MINE PERMIT LIMITS SHOWN ARE BASED ON AN AGGREGATE OF PROPERTY DEEDS AND BOUNDARY SURVEYS. A BOUNDARY SURVEY OF THE OVERALL MINE PERMIT LIMITS WAS NOT PERFORMED BY ALLEY, WILLIAMS, CARMEN & KING, INC.
16. THIS SITE HAS A NCDEQ MINING PERMIT (PERMIT #13-04) AND IS EXEMPT FROM THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973 AND ANY REQUIREMENTS FOR SEDIMENT AND EROSION CONTROL PLAN APPROVAL.
17. THE QUARRY HAS A NC DEQ NPDES INDUSTRIAL STORMWATER PERMIT (NCGO20000) FOR STORMWATER AND PIT DISCHARGES FROM THIS SITE. DEVELOPMENT OF THIS SITE IS NOT EXPECTED TO CREATE OR INCREASE ANY SIGNIFICANTLY DEGRADED AREAS THAT WILL FLOW AWAY FROM THE PIT. DUE TO THE PROPOSED RECLAMATION WITHOUT FUTURE IMPERVIOUS AREAS, DEVELOPMENT OF THIS SITE DOES NOT REQUIRE A PHASE II STORMWATER PERMIT.
18. APPLICANT PROPOSES THE USE OF EXISTING VEGETATION TO MEET THE LANDSCAPE AND PERIMETER BUFFER YARD REQUIREMENTS.
19. DIRECT ILLUMINATION RESULTING FROM THE OPERATION SHALL NOT FALL UPON ANY NON QUARRY LAND NOT COVERED BY THE APPLICATION.
20. EQUIVALENT SOUND LEVELS AT THE NON QUARRY USE BOUNDARIES OF THE EXTRACTION SITE SHALL NOT EXCEED THE FOLLOWING STANDARDS:

BETWEEN 7:00 AM AND 7:00 PM 60 DBA

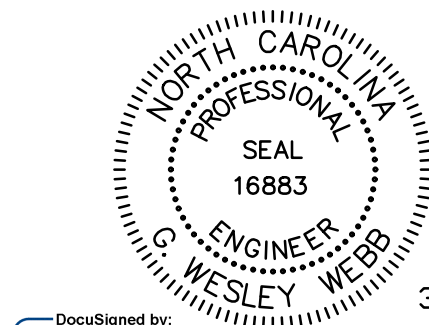
BETWEEN 7:00 PM AND 7:00 AM 55 DBA
21. VIBRATION LEVELS AT THE NON QUARRY USE BOUNDARIES OF THE EXTRACTION SITE SHALL NOT EXCEED THE FOLLOWING STANDARDS:

MAXIMUM PEAK PARTICLE VELOCITY:

STEADY STATE 1.0 INCHES/SECOND

IMPACT 2.0 INCHES/SECOND
22. THE PERMANENT ROADS, DEFINED AS THOSE TO BE USED IN EXCESS OF ONE YEAR, WITHIN THE EXCAVATION SITE SHALL BE SURFACED WITH A DUST FREE MATERIAL SUCH AS SOIL CEMENT, BITUMINOUS CONCRETE OR PORTLAND CEMENT CONCRETE FROM THE NEAREST PUBLIC ROAD TO THE YARD AREA. ALL PERMANENT ROADS LOCATED WITHIN THREE HUNDRED (300) FEET OF RESIDENTIALLY ZONED LAND SHALL BE TREATED THE SAME.
23. ROADS OTHER THAN PERMANENT ROADS SHALL BE TREATED WITH DUST INHIBITORS, AS SPECIFIED IN THE OPERATIONS PLAN, TO REDUCE AND MINIMIZE DUST GENERATION FROM ROAD SURFACES FROM EITHER WIND OR VEHICULAR ACTION. PROPERLY OPERATED WATER WAGONS AND SPRAYER IRRIGATION SHALL BE AN ACCEPTABLE METHOD OF DUST INHIBITION.
24. WHERE THE PROPOSED EXTRACTION SHALL TAKE PLACE WITHIN THREE HUNDRED (300) FEET OF A DWELLING, SCHOOL, CHURCH, HOSPITAL, COMMERCIAL OR INDUSTRIAL BUILDING, PUBLIC BUILDING, OR PUBLIC LAND (EXPRESSLY EXCLUDING PUBLIC RIGHTS OF WAY), A SECURITY FENCE AT LEAST SIX (6) FEET HIGH SHALL BE INSTALLED.
25. THE OPERATIONS PLAN AND REHABILITATION PLAN SHALL BE COORDINATED SO THAT THE AMOUNT OF DISTURBED LAND IS KEPT TO THE ABSOLUTE MINIMUM CONSONANT WITH GOOD PRACTICES AND SO THAT REHABILITATION PROCEEDS SIMULTANEOUS WITH EXTRACTION.

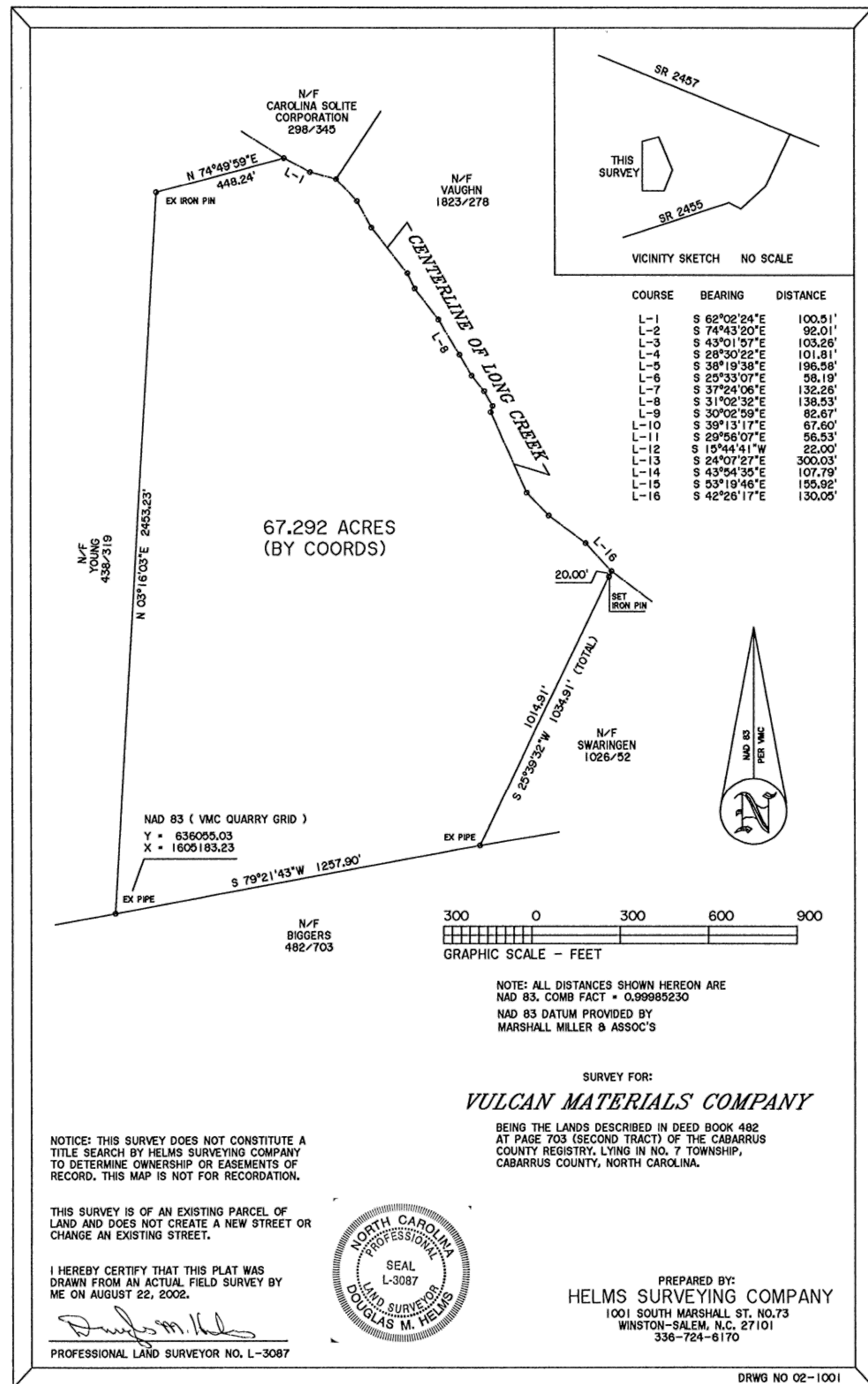
26. APPLICANT IS REQUIRED BY NCDEQ TO MAINTAIN A RECLAMATION BOND FOR THIS SITE AS A CONDITION OF ITS MINE PERMIT. PRIOR TO COMMENCEMENT OF ANY MINING OPERATIONS ON THE SITE AND THE RELEASE OF ANY ZONING PERMIT(S), APPLICANT'S ENGINEER SHALL CERTIFY TO THE COUNTY THE COSTS OF REHABILITATION ON A PER ACRE BASIS. IF THE REHABILITATION COSTS EXCEED THE AMOUNTS REQUIRED BY THE STATE, THEN APPLICANT SHALL POST A BOND PAYABLE TO CABARRUS COUNTY FOR THE DIFFERENCE.
27. PRIOR TO CONSTRUCTION OF THE PERMANENT STREAM CROSSING(S) AS GENERALLY DEPICTED ON THE SITE PLAN, APPLICANT SHALL PROVIDE COUNTY WITH COPY OF APPLICABLE CORP OF ENGINEER PERMIT(S) AND OBTAIN OTHER NECESSARY PERMIT APPROVALS.



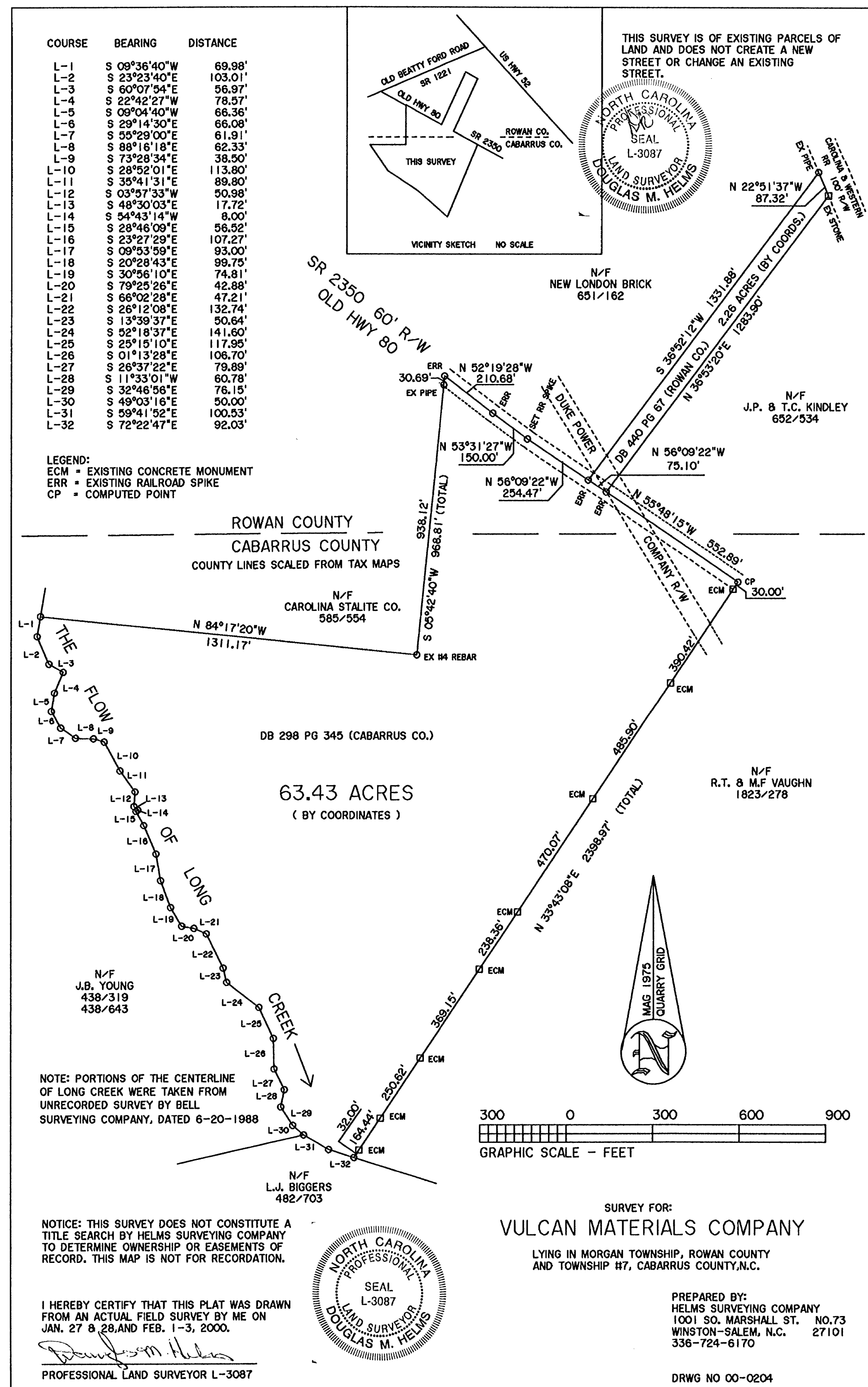
REVISION #1 2-26-19 REVISED NOTES  
REVISION #2 3-28-19 REVISED NOTES PER CABARRUS COUNTY REVIEW

	alley, williams, carmen, & king, inc. CONSULTING ENGINEERS		SCALE	DATE: 2-11-19
	FIRM LICENSE No. F-0203		PLAN: VARIES	DRAWN BY: RCC
	120 SOUTH MAIN STREET KANNAPOLIS, NC 28082		PROFILE	CHECKED BY: GWV
	P.O. BOX 1248 704/938-1515		HORIZ:	DWG No.:
2019 CONDITIONAL USE AMENDMENT REQUEST GOLD HILL QUARRY VULCAN CONSTRUCTION MATERIALS LLC 15580 GLENMORE RD, GOLD HILL, NC 28071		SITE DEVELOPMENT NOTES		JOB NO. 11526
				SHEET NO. 2
				OF: 11

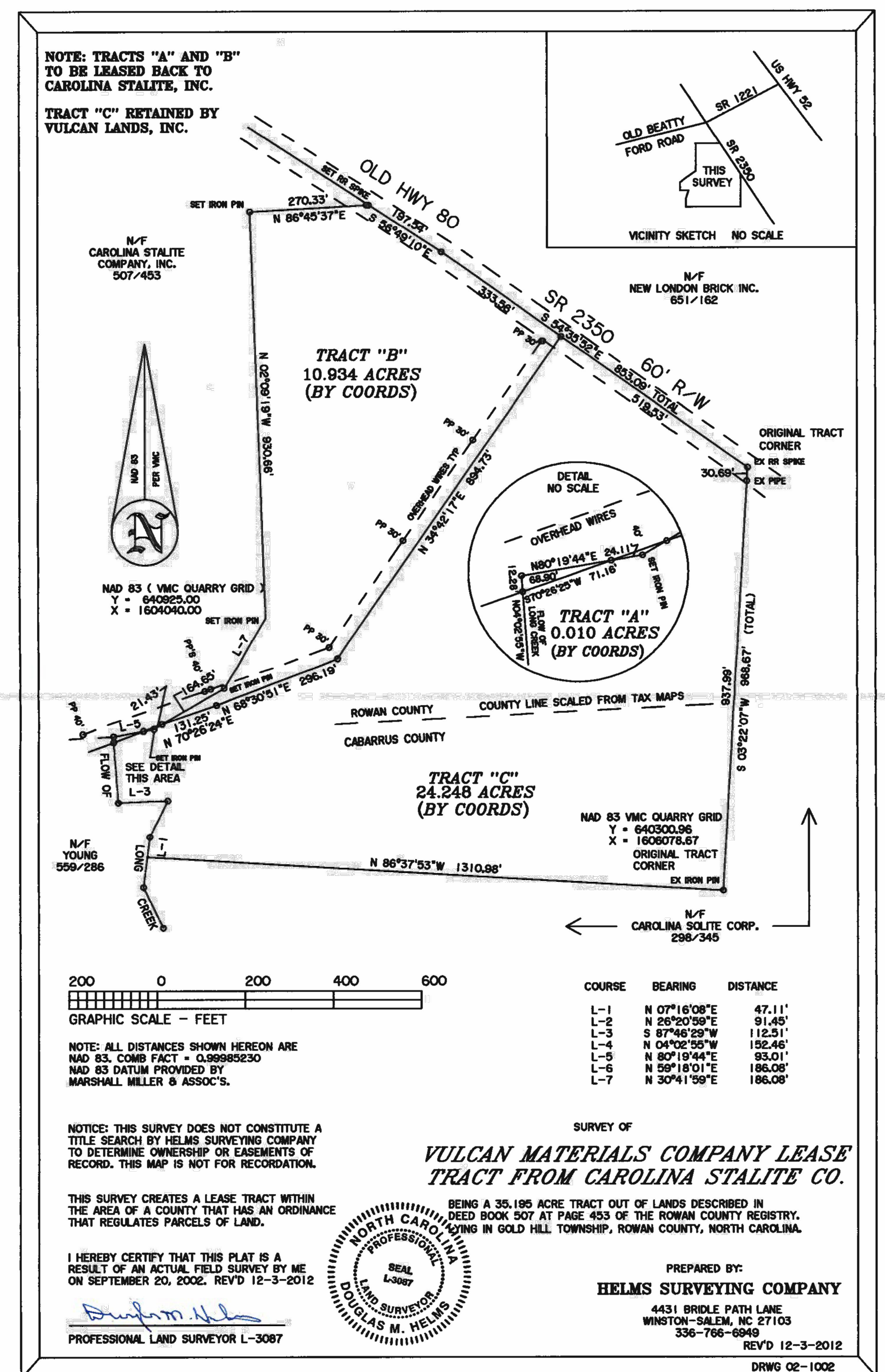




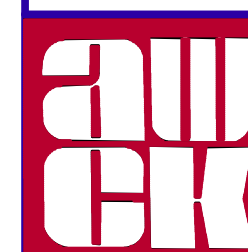
VULCAN LANDS INC.  
CABARRUS COUNTY PIN: 6603-57-8665  
CABARRUS COUNTY DB 5484 PG 202  
LAND USE: QUARRY  
CABARRUS COUNTY ZONING: GI-SU



VULCAN LANDS INC.  
CABARRUS COUNTY PIN: 6603-59-9632  
CABARRUS COUNTY DB 5411 PG 103  
LAND USE: QUARRY  
CABARRUS COUNTY ZONING: GI-SU  
ROWAN COUNTY PIN: NOT IDENTIFIED  
ROWAN COUNTY ZONING: IND



CAROLINA STALITE COMPANY INC.  
CABARRUS COUNTY PIN 6604504430000  
ROWAN COUNTY DB 507 PG 453  
LAND USE: QUARRY  
CABARRUS ZONING: GI-SU  
ROWAN COUNTY PIN: 383 0270001  
ROWAN COUNTY ZONING: IND



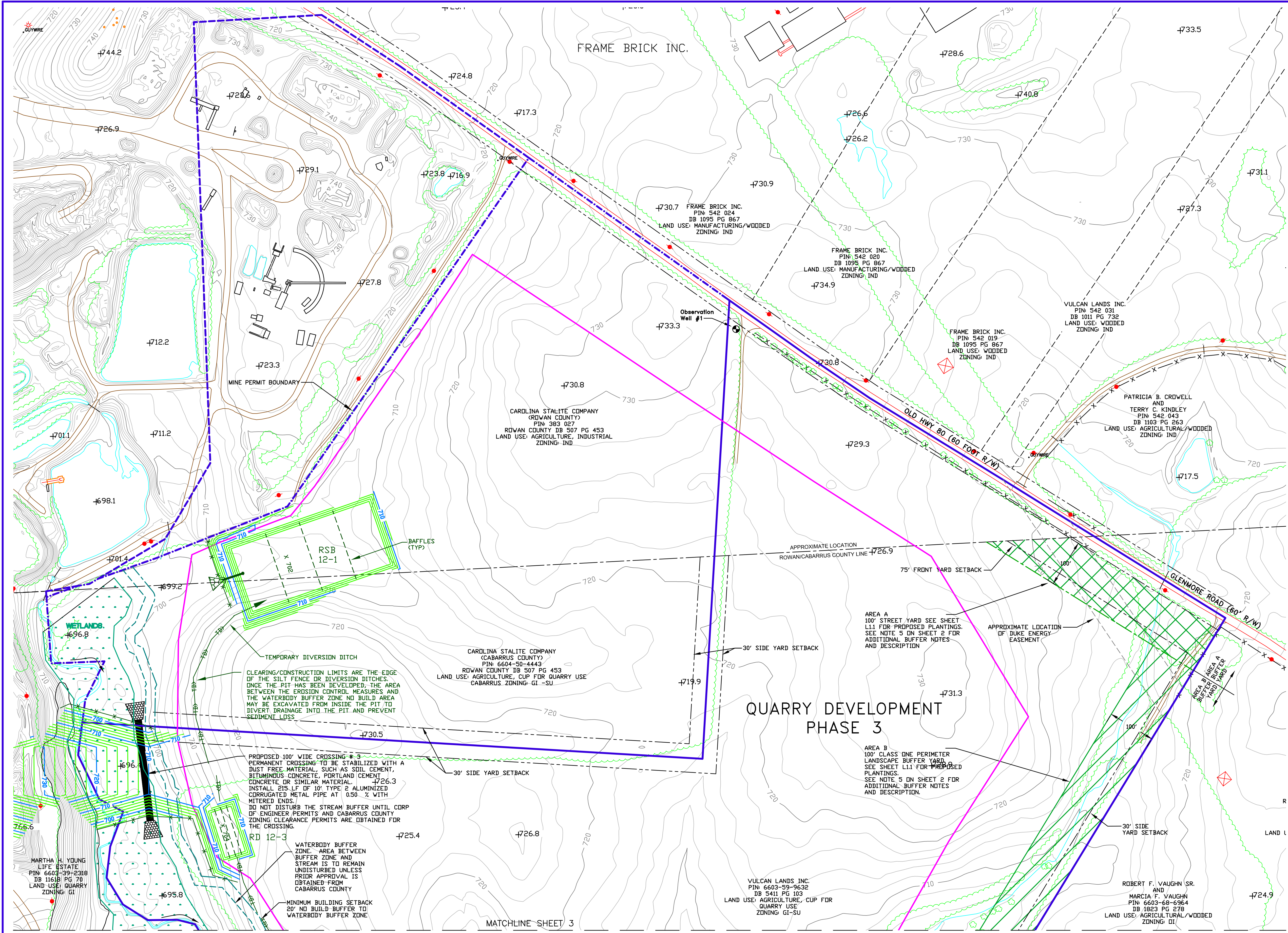
alley, williams, carmen, & king, inc.  
CONSULTING ENGINEERS  
FIRM LICENSE No. F-0203  
120 SOUTH MAIN STREET KANNAPOLIS, NC 28082  
P.O. BOX 1248 704/938-1515

2019 CONDITIONAL USE AMENDMENT REQUEST  
GOLD HILL QUARRY  
VULCAN CONSTRUCTION MATERIALS LLC  
15580 GLENMORE RD, GOLD HILL, NC 28071

PROPERTY SURVEYS

SCALE	DATE: 2-11-19
PLANE: VARIES	DRAWN BY: RCC
PROFILE	CHECKED BY: GWV
VERT.	DWG No.:
JOB NO.	11526
SHEET NO.	3
OF:	11





COMPILED BY:



DATE OF PHOTOGRAPHY :  
10/3/18

THIS MAP MEETS OR EXCEEDS NATIONAL MAP  
ACCURACY STANDARDS FOR 1"=200', WITH A  
5' CONTOUR INTERVAL, EXCLUDING AREAS MAPPED  
OUTSIDE OF EXISTING GROUND CONTROL OR IN  
DENSE TREE AREAS.

THE TOPOGRAPHIC MAP WAS ORIGINALLY ISSUED AND  
SEALED BY ROBERT H. TUCK, L-4122, ON 1-22-19.  
PORTIONS OF THIS MAP HAVE BEEN COMPILED OUTSIDE  
THE LIMITS OF CONTROL AND THEREFORE DO NOT  
MEET THE NATIONAL MAP ACCURACY STANDARDS

HORIZONTAL DATUM: NORTH CAROLINA, NAD83, USFT  
VERTICAL DATUM: NAVD83, GEOID 1999

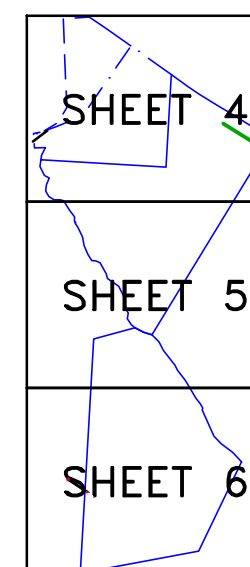
CONTOURS IN TREED AREAS ARE APPROXIMATE

COMBINED FACTOR:  
Grid to Ground = 0.9998459  
Ground to Grid = 1.0001541

#### MINE LEGEND

VULCAN LANDS PROPERTY LINE	
VMC LEASE AREA	
LEASE SURVEY LIMITS	
ADJACENT PROPERTY LINE	
QUARRY EXPANSION PHASE LINES	
ULTIMATE PIT LIMITS	
CABARRUS CO. UNDISTURBED WATERBODY BUFFER ZONE	
CABARRUS CO. (NO BUILD BUFFER) 20' MINIMUM BUILDING SETBACK	
PROPOSED 140' UNDISTURBED PERIMETER LANDSCAPE BUFFER YARD	
PROPOSED 100' UNDISTURBED PERIMETER LANDSCAPE BUFFER YARD	
LANDSCAPED PERIMETER BUFFER YARD (LEVEL ONE)	
LANDSCAPED STREET YARD BUFFER	
CABARRUS CO. ZONING BUILDING SETBACK	
HORIZONTAL CONTROL POINT	
VERTICAL CONTROL POINT	
INDEX CONTOUR	
INTERMEDIATE CONTOUR	
SPOT ELEVATION	
WATER	
PAVED ROAD	
DIRT ROAD	
BUILDING	
LOCATED OBJECT	
FENCE	
TREES	
PIPE	
POLE	
TOWER	

#### SITE PLAN SHEET LEGEND



#### PHASED CONSTRUCTION NOTES:

1. THE AREA SHOWN ON THIS SHEET IS LOCATED IN PHASE 3 OF THE QUARRY EXPANSION PLANS. BLASTING SHALL NOT OCCUR UNTIL THE PLANTED PERIMETER LANDSCAPE BUFFERS HAVE BEEN INSTALLED AND APPROVED BY CABARRUS COUNTY PLANNING DEPARTMENT.. SEE SHEET L1.1 FOR DETAILS CONCERNING THE LANDSCAPING PLAN.
2. THE DISTURBED AREAS WITHIN PHASES 1, 2 AND 3 SHALL BE GRADED TO DRAIN INTO THE PIT OR SEDIMENT BASINS AT ALL TIMES. DIVERSION CHANNELS SHALL BE CONSTRUCTED AS NEEDED TO DIVERT RUNOFF INTO THE PIT.

REVISION #1 2-26-19 REVISED BUFFER TEXT, CROSSING TEXT, ADDED BUFFER DIMENSIONS AND FLOW ARROWS  
REVISION #2 2-28-19 REVISED PIT LIMITS, REVISED AREA A HATCH

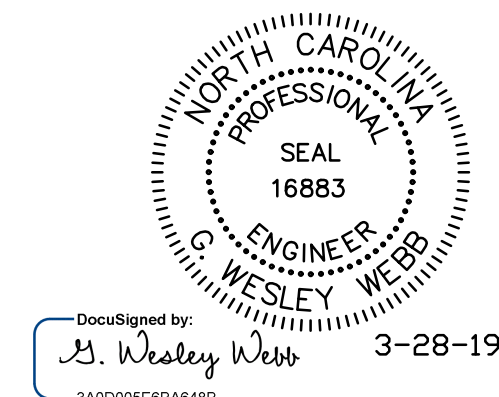
#### SITE PLAN SCALE : 1" = 100'

#### EROSION CONTROL STRUCTURE LEGEND

SEDIMENT BASIN	
RISER SEDIMENT BASIN	
TEMPORARY DIVERSION DITCH	
SILT FENCE	

NOTE: OTHER SYMBOLS MAY BE USED TO DELINEATE EROSION CONTROL MEASURES. REFER TO SITE NOTES.

DWG NO.: 11526 GOLD HILL QUARRY CABAR REZONING AMENDMENT R2.DWG



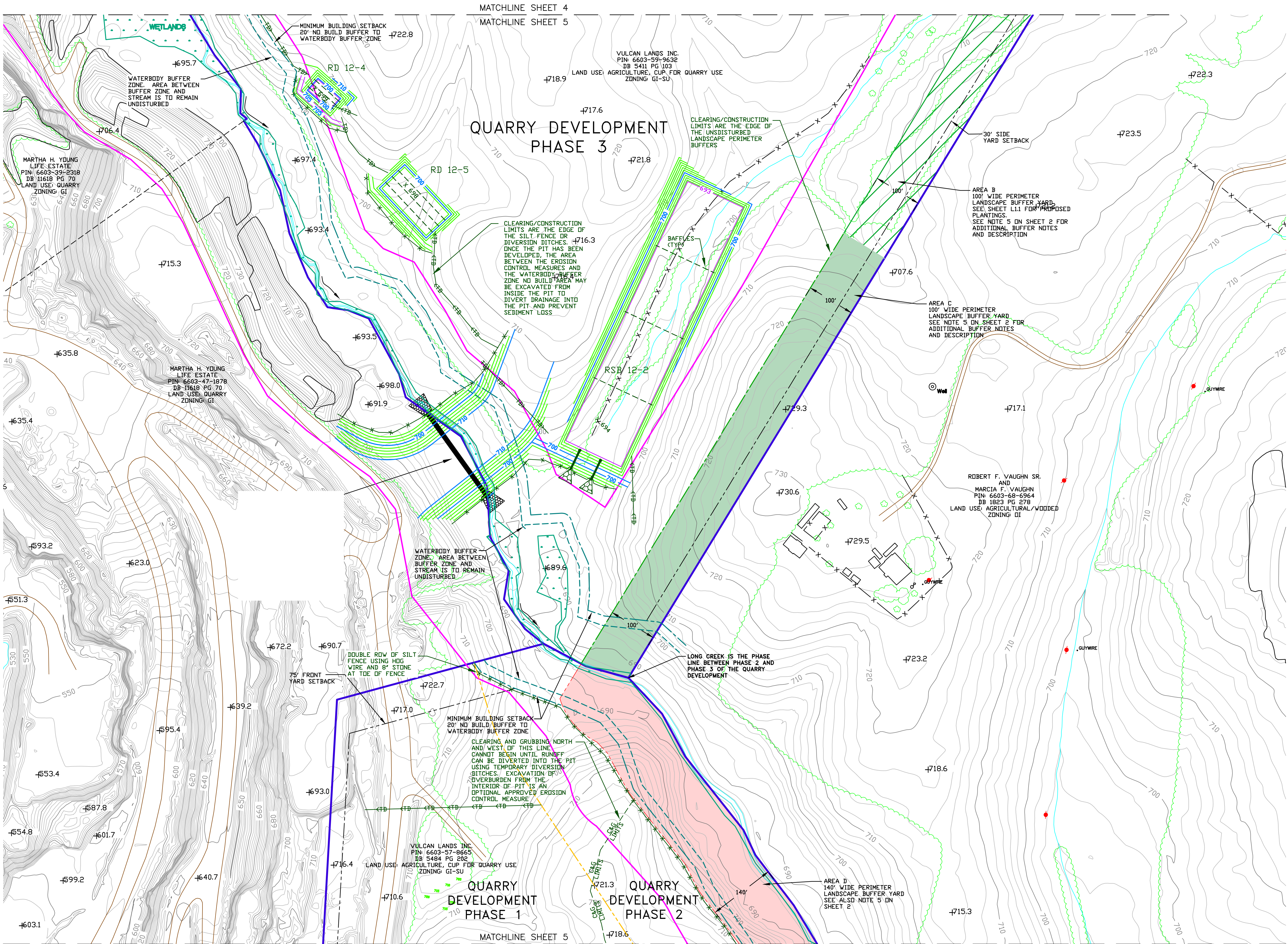
alley, williams, carmen, & king, inc.  
CONSULTING ENGINEERS  
FIRM LICENSE No. F-0203  
120 SOUTH MAIN STREET  
KANNAPOLIS, NC 28082  
P.O. BOX 1248  
704/938-1515

2019 CONDITIONAL USE AMENDMENT REQUEST  
GOLD HILL QUARRY  
VULCAN CONSTRUCTION MATERIALS LLC  
15580 GLENMORE RD, GOLD HILL, NC 28071

SITE PLAN

JOB NO. 11526  
SHEET NO. 4  
OF 11





PHASED CONSTRUCTION NOTES:

- THE AREA SHOWN ON THIS SHEET IS LOCATED IN PHASE 2 AND PHASE 3 OF THE QUARRY EXPANSION PLANS. BLASTING SHALL NOT OCCUR IN A PHASE UNTIL THE PERIMETER LANDSCAPE BUFFERS HAVE BEEN INSTALLED FOR THAT PHASE AND APPROVED BY CABARRUS COUNTY PLANNING DEPARTMENT. SEE SHEET L1.1 FOR DETAILS CONCERNING THE PROPOSED PLANTINGS.
- THE DISTURBED AREAS WITHIN PHASES 1, 2 AND 3 SHALL BE GRADED TO DRAIN INTO THE PIT OR SEDIMENT BASINS AT ALL TIMES. DIVERSION CHANNELS SHALL BE CONSTRUCTED AS NEEDED TO DIVERT RUNOFF INTO THE PIT.

REVISION #1 2-26-19 REVISED BUFFER TEXT, CROSSING TEXT, ADDED BUFFER DIMENSIONS AND FLOW ARROWS  
REVISION #2 3-28-19 REVISED PIT LIMITS

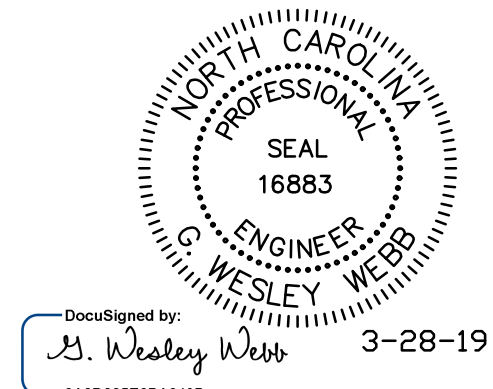
SITE PLAN  
SCALE : 1" = 100'

EROSION CONTROL STRUCTURE LEGEND

- SEDIMENT BASIN
- RISER SEDIMENT BASIN
- TEMPORARY DIVERSION DITCH
- SILT FENCE

NOTE: OTHER SYMBOLS MAY BE USED TO DELINEATE EROSION CONTROL MEASURES. REFER TO SITE NOTES.

DWG NO.: 11526 GOLD HILL QUARRY CABAR REZONING AMENDMENT R2.DWG



**alley, williams, carmen, & king, inc.**  
**CONSULTING ENGINEERS**  
FIRM LICENSE No. F-0203  
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P.O. BOX 1248 704/938-1515

2019 CONDITIONAL USE AMENDMENT REQUEST  
GOLD HILL QUARRY  
VULCAN CONSTRUCTION MATERIALS LLC  
15580 GLENMORE RD, GOLD HILL, NC 28071

COMPILED BY:



DATE OF PHOTOGRAPHY :  
10/3/18

THIS MAP MEETS OR EXCEEDS NATIONAL MAP ACCURACY STANDARDS FOR 1"=200', WITH A 5' CONTOUR INTERVAL, EXCLUDING AREAS MAPPED OUTSIDE OF EXISTING GROUND CONTROL OR IN DENSE TREE AREAS.

THE TOPOGRAPHIC MAP WAS ORIGINALLY ISSUED AND SEALED BY ROBERT H. TUCK, L-4122, ON 1-22-19.  
PORTIONS OF THIS MAP HAVE BEEN COMPILED OUTSIDE THE LIMITS OF CONTROL AND THEREFORE DO NOT MEET THE NATIONAL MAP ACCURACY STANDARDS

HORIZONTAL DATUM: NORTH CAROLINA, NAD83, USFT  
VERTICAL DATUM: NAVD88, GEOID 1999

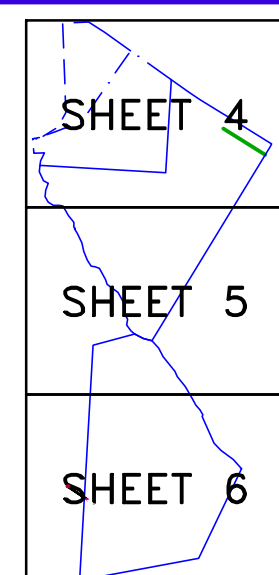
CONTOURS IN TREED AREAS ARE APPROXIMATE

COMBINED FACTOR:  
Grid to Ground = 0.9998459  
Ground to Grid = 1.0001541

MINE LEGEND

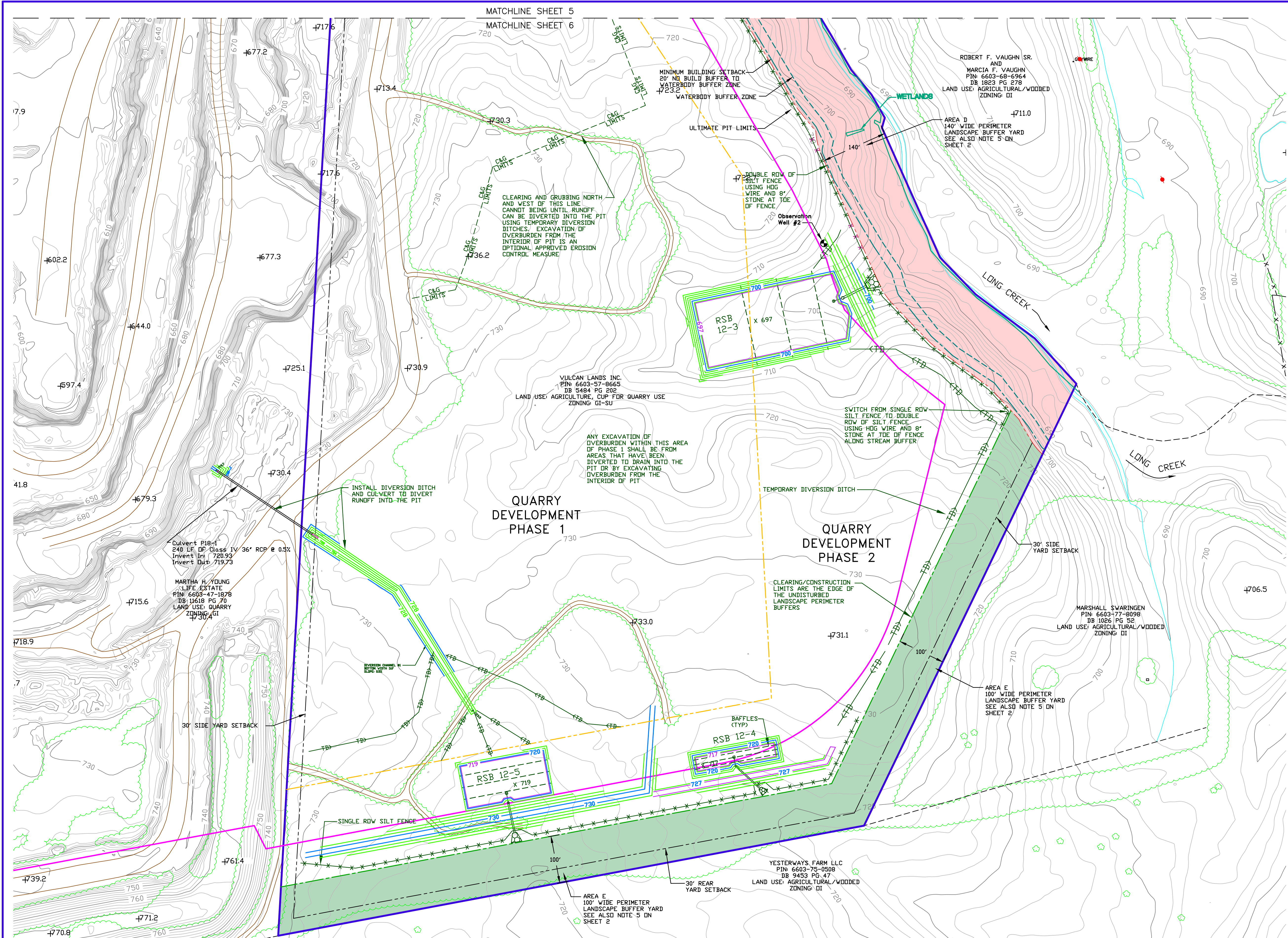
- VULCAN LANDS PROPERTY LINE
- VMC LEASE AREA
- LEASE SURVEY LIMITS
- ADJACENT PROPERTY LINE
- QUARRY EXPANSION PHASE LINES
- ULTIMATE PIT LIMITS
- CABARRUS CO. UNDISTURBED WATERBODY BUFFER ZONE
- CABARRUS CO. (NO BUILD BUFFER) 20' MINIMUM BUILDING SETBACK
- PROPOSED 140' UNDISTURBED PERIMETER LANDSCAPE BUFFER YARD
- PROPOSED 100' UNDISTURBED PERIMETER LANDSCAPE BUFFER YARD
- LANDSCAPED PERIMETER BUFFER YARD (LEVEL ONE)
- LANDSCAPED STREET YARD BUFFER
- CABARRUS CO. ZONING BUILDING SETBACK
- HORIZONTAL CONTROL POINT
- VERTICAL CONTROL POINT
- INDEX CONTOUR
- INTERMEDIATE CONTOUR
- SPOT ELEVATION
- WATER
- PAVED ROAD
- DIRT ROAD
- BUILDING
- LOCATED OBJECT
- FENCE
- TREES
- PIPE
- POLE
- TOWER

SITE PLAN  
SHEET LEGEND



SCALE	DATE
1" = 100'	2-11-19
PROFILE	DRAWN BY: RCC
CHECKED BY: GWV	
DWG No.:	
JOB NO.	11526
SHEET NO.	5
OF:	11





PHASED CONSTRUCTION NOTES:

1. THE AREA SHOWN ON THIS SHEET ARE LOCATED IN PHASES 1 AND 2 OF THE QUARRY EXPANSION PLANS. BLASTING SHALL NOT OCCUR UNTIL THE PLANTED PERIMETER LANDSCAPE BUFFERS HAVE BEEN INSTALLED AND APPROVED BY CABARRUS COUNTY PLANNING DEPARTMENT. SEE SHEET L1.1 FOR DETAILS CONCERNING THE LANDSCAPING PLAN.
2. THE DISTURBED AREAS WITHIN PHASES 1, 2 AND 3 SHALL BE GRADED TO DRAIN INTO THE PIT OR SEDIMENT BASINS AT ALL TIMES. DIVERSION CHANNELS SHALL BE CONSTRUCTED AS NEEDED TO DIVERT RUNOFF INTO THE PIT.

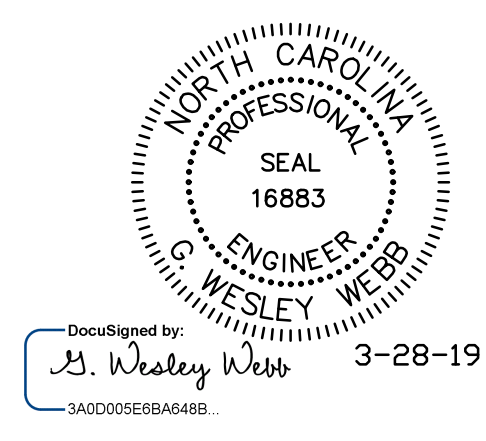
REVISION #1 2-26-19 REVISED BUFFER TEXT, CROSSING TEXT, AND ADDED BUFFER DIMENSIONS  
REVISION #2 3-28-19 REVISED PIT LIMITS

SITE PLAN  
SCALE : 1" = 100'

EROSION CONTROL STRUCTURE LEGEND

- SEDIMENT BASIN
- RISER SEDIMENT BASIN
- TEMPORARY DIVERSION DITCH
- SILT FENCE

NOTE: OTHER SYMBOLS MAY BE USED TO DELINEATE EROSION CONTROL MEASURES. REFER TO SITE NOTES.



**alley, williams, carmen, & king, inc.**  
**CONSULTING ENGINEERS**  
FIRM LICENSE No. F-0203  
120 SOUTH MAIN STREET KANNAPOLIS, NC 28082  
P.O. BOX 1248 704/938-1515

**2019 CONDITIONAL USE AMENDMENT REQUEST**  
**GOLD HILL QUARRY**  
**VULCAN CONSTRUCTION MATERIALS LLC**  
**15580 GLENMORE RD, GOLD HILL, NC 28071**

COMPILED BY:

DATE OF PHOTOGRAPHY : 10/3/18

THIS MAP MEETS OR EXCEEDS NATIONAL MAP ACCURACY STANDARDS FOR 1"=200', WITH A 5' CONTOUR INTERVAL, EXCLUDING AREAS MAPPED OUTSIDE OF EXISTING GROUND CONTROL OR IN DENSE TREE AREAS.

THE TOPOGRAPHIC MAP WAS ORIGINALLY ISSUED AND SEALED BY ROBERT H. TUCK, L-4122, ON 1-22-19.

PORTIONS OF THIS MAP HAVE BEEN COMPILED OUTSIDE THE LIMITS OF CONTROL AND THEREFORE DO NOT MEET THE NATIONAL MAP ACCURACY STANDARDS

HORIZONTAL DATUM: NORTH CAROLINA, NAD83, USFT  
VERTICAL DATUM: NAVD83, GEOID 1999

CONTOURS IN TREED AREAS ARE APPROXIMATE

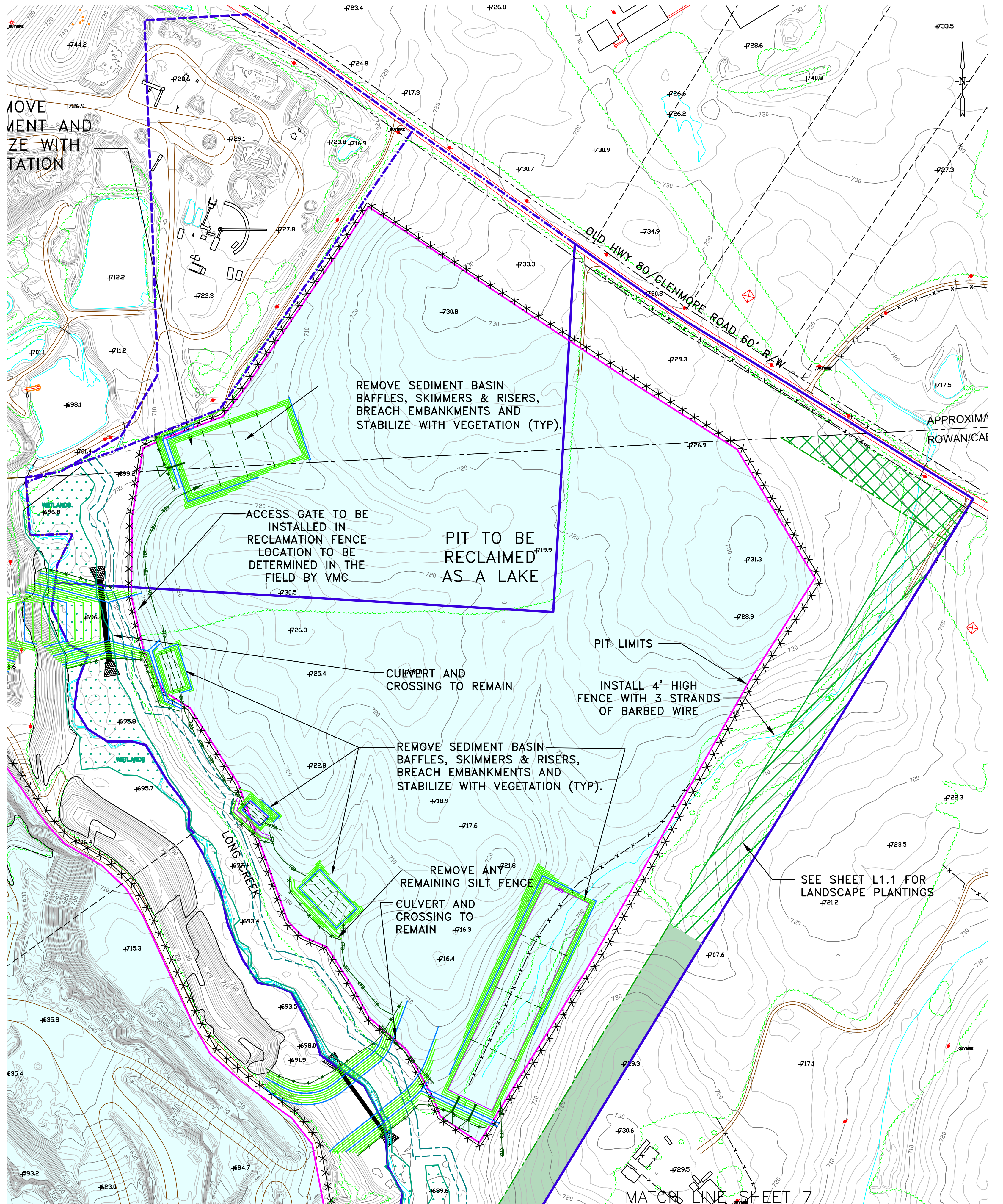
COMBINED FACTOR:  
Grid to Ground = 0.9998459  
Ground to Grid = 1.0001541

MINE LEGEND	
VULCAN LANDS PROPERTY LINE	
VMC LEASE AREA	
LEASE SURVEY LIMITS	
ADJACENT PROPERTY LINE	
QUARRY EXPANSION PHASE LINES	
ULTIMATE PIT LIMITS	
CABARRUS CO. UNDISTURBED WATERBODY BUFFER ZONE	
CABARRUS CO. (NO BUILD BUFFER) 20' MINIMUM BUILDING SETBACK	
PROPOSED 140' UNDISTURBED PERIMETER LANDSCAPE BUFFER YARD	
PROPOSED 100' UNDISTURBED PERIMETER LANDSCAPE BUFFER YARD	
LANDSCAPED PERIMETER BUFFER YARD (LEVEL ONE)	
LANDSCAPED STREET YARD BUFFER	
CABARRUS CO. ZONING BUILDING SETBACK	
HORIZONTAL CONTROL POINT	
VERTICAL CONTROL POINT	
INDEX CONTOUR	3500
INTERMEDIATE CONTOUR	751.6
SPOT ELEVATION	
WATER	
PAVED ROAD	
DIRT ROAD	
BUILDING	
LOCATED OBJECT	
FENCE	
TREES	
PIPE	
POLE	
TOWER	

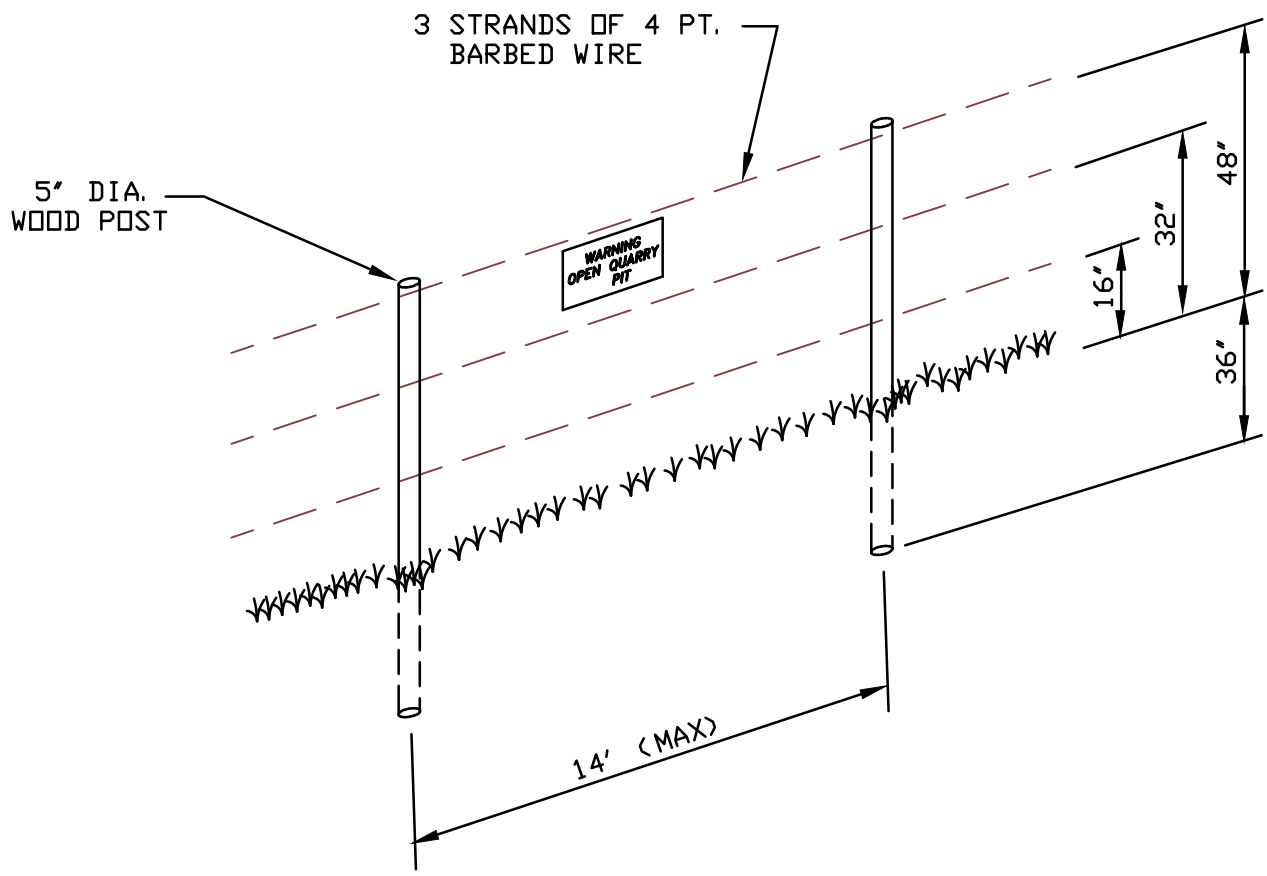
SITE PLAN SHEET LEGEND	
SHEET 4	
SHEET 5	
SHEET 6	

SCALE: 1" = 100'		DATE: 2-11-19	
PLANE: PROFILE		DRAWN BY: RCC	
HORIZ: VERT:		CHECKED BY: GWV	
JOB NO. 11526		SHEET NO. 6	
OF: 11		SITE PLAN	





RECLAMATION MAP  
SCALE : 1" = 150'



BARBED WIRE FENCE DETAIL

GOLD HILL QUARRY  
CABARRUS COUNTY  
REVEGETATION PLAN  
SPRING - FALL - WINTER SEED MIXES

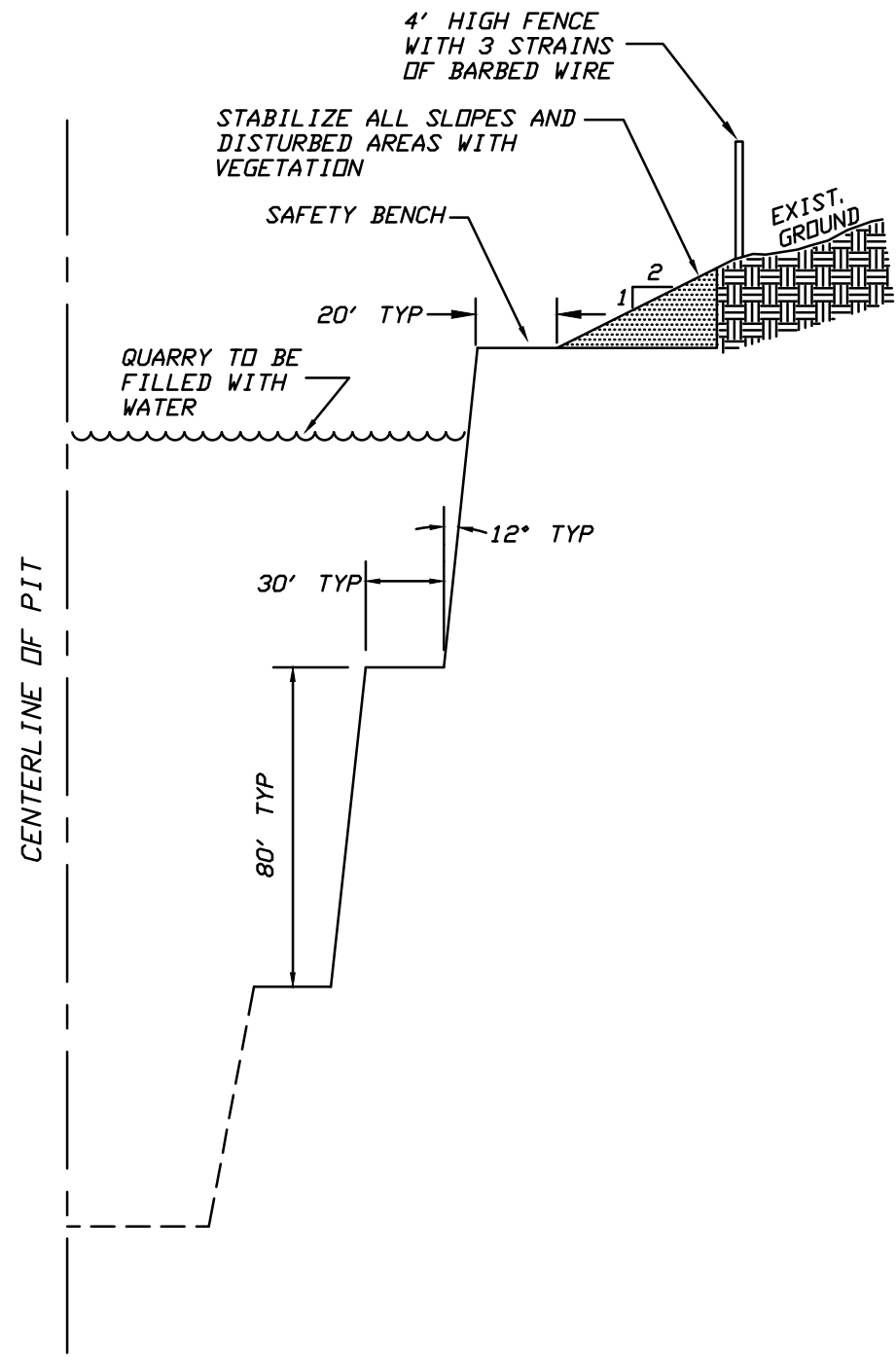
SPRING RATE MARCH - JUNE	
Rye Grain	15 - 20 lbs. per acre
Tall Fescue	40 - 80 lbs. per acre
Switchgrass	8 lbs. per acre
Va 70 Shrub Lespedeza	20 lbs. per acre
Sericea Lespedeza	15 - 20 lbs. per acre
Dr Red Clover	8 - 14 lbs. per acre
Hulled Common Bermuda Grass	4 lbs. per acre
Dr Weeping Love Grass	2 - 4 lbs. per acre

FALL RATE (MID) AUGUST - OCTOBER	
Rye Grain	40 lbs. per acre
Tall Fescue	80 lbs. per acre
Sericea Lespedeza (Unscarified)	40 lbs. per acre
Orchard Grass	30 lbs. per acre
White Clover	5 lbs. per acre

WINTER RATE NOVEMBER - FEBRUARY	
Rye Grain	40 lbs. per acre
Unhulled Bermuda Grass	10 lbs. per acre
Unscarified Sericea Lespedeza	30 lbs. per acre
Tall Fescue	80 lbs. per acre

FERTILIZER ALL SEASONS	
10 - 20 - 20	1500 lbs. per acre
Lime	4000 lbs. per acre
Mulch	70 bales per acre

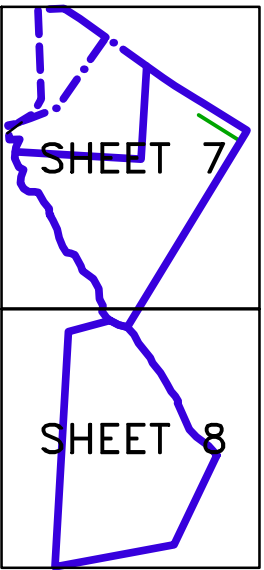
Mulch to be anchored by one of the following methods:  
1. Crimping with mulch anchoring tool; or  
2. Tack with asphalt emulsion - 400 gal. per acre or  
3. 1500 pounds/acre fiber mulch



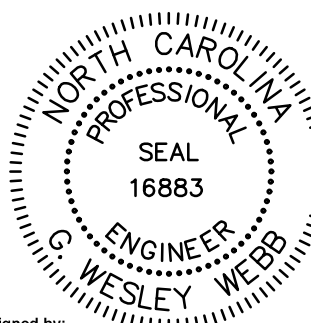
TYPICAL RECLAMATION  
PIT CROSS SECTION

MINE LEGEND

VULCAN LANDS PROPERTY LINE	
VMC LEASE AREA	
LEASE SURVEY LIMITS	
ADJACENT PROPERTY LINE	
QUARRY EXPANSION PHASE LINES	
ULTIMATE PIT LIMITS	
CABARRUS CO. UNDISTURBED WATERBODY BUFFER ZONE	
CABARRUS CO. (NO BUILD BUFFER) 20' MINIMUM BUILDING SETBACK	
PROPOSED 140' UNDISTURBED PERIMETER LANDSCAPE BUFFER YARD	
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SPOT ELEVATION	
WATER	
PAVED ROAD	
DIRT ROAD	
BUILDING	
LOCATED OBJECT	
FENCE	
TREES	
PIPE	
POLE	
TOWER	



RECLAMATION  
PLAN  
SHEET LEGEND



REVISION #1 2-26-19 ADDED PLANTED LANDSCAPE BUFFER TEXT  
REVISION #2 3-28-19 REVISED PIT LIMITS

DWG NO.: 11526 GOLD HILL QUARRY CABAR REZONING AMENDMENT R2.DWG

**awck** alley, williams, carmen, & king, inc.  
CONSULTING ENGINEERS  
FIRM LICENSE No. F-0203  
120 SOUTH MAIN STREET KANNAPOLIS, NC 28082  
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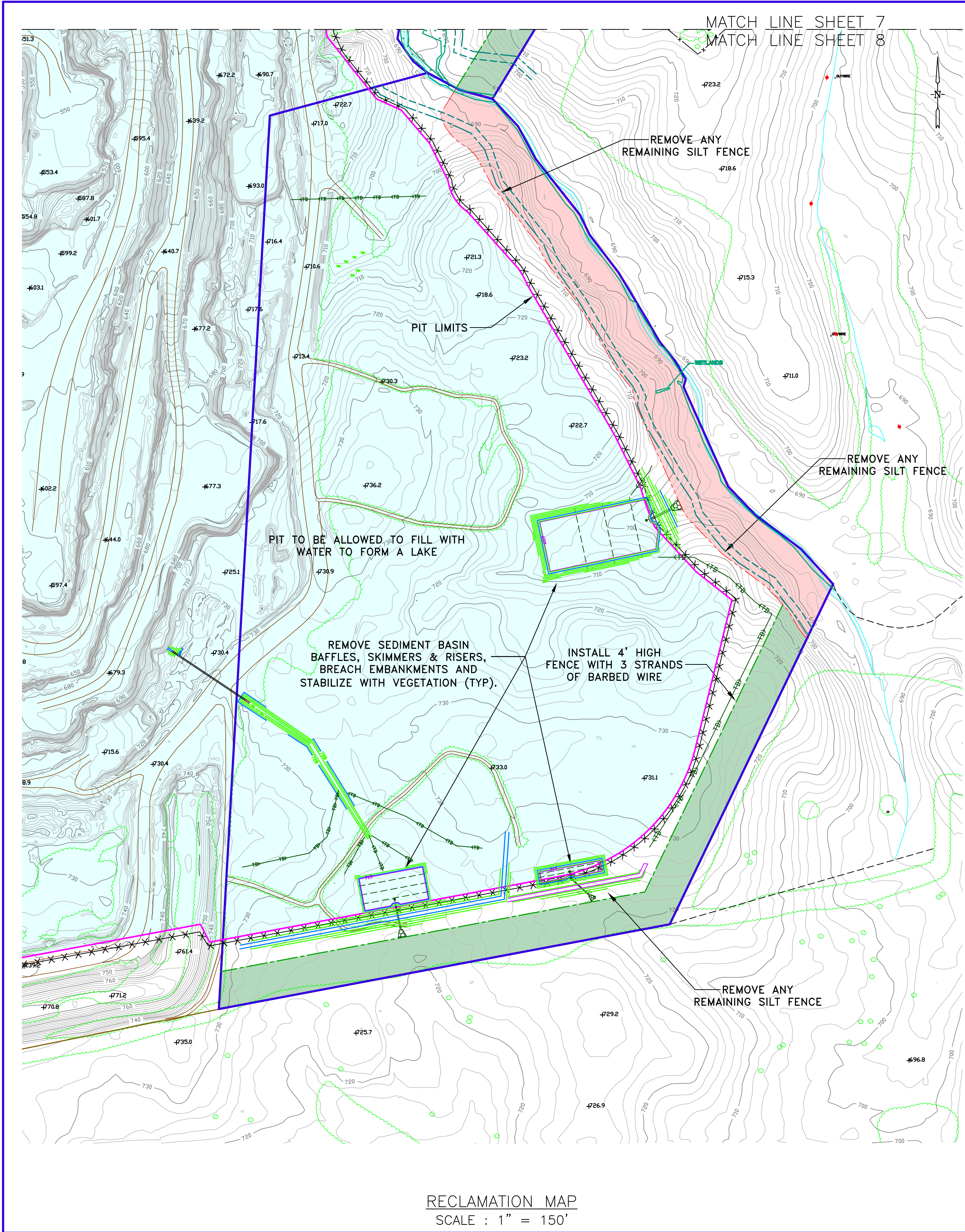
SCALE	DATE
VARIES	2-11-19
PROFILE	DRAWN BY: RCC
HORIZ.	CHECKED BY: GWV
VERT.	DWG No.:

2019 CONDITIONAL USE AMENDMENT REQUEST  
GOLD HILL QUARRY  
VULCAN CONSTRUCTION MATERIALS LLC  
15580 GLENMORE RD, GOLD HILL, NC 28071

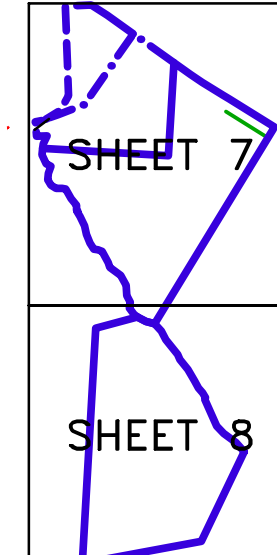
RECLAMATION  
PLAN

JOB NO.	11526
SHEET NO.	7
OF	11

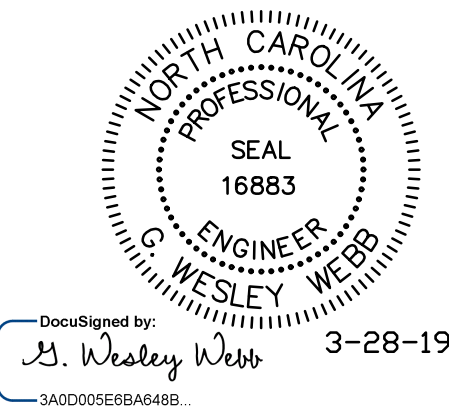




MINE LEGEND	
VULCAN LANDS PROPERTY LINE	
VMC LEASE AREA	
LEASE SURVEY LIMITS	
ADJACENT PROPERTY LINE	
QUARRY EXPANSION PHASE LINES	
ULTIMATE PIT LIMITS	
CABARRUS CO. UNDISTURBED WATERBODY BUFFER ZONE	
CABARRUS CO. (NO BUILD BUFFER) 20' MINIMUM BUILDING SETBACK	
PROPOSED 140' UNDISTURBED PERIMETER LANDSCAPE BUFFER YARD	
PROPOSED 100' UNDISTURBED PERIMETER LANDSCAPE BUFFER YARD	
LANDSCAPED PERIMETER BUFFER YARD (LEVEL ONE)	
LANDSCAPED STREET YARD BUFFER	
CABARRUS CO. ZONING BUILDING SETBACK	
HORIZONTAL CONTROL POINT	
VERTICAL CONTROL POINT	
INDEX CONTOUR	
INTERMEDIATE CONTOUR	
SPOT ELEVATION	
WATER	
PAVED ROAD	
DIRT ROAD	
BUILDING	
LOCATED OBJECT	
FENCE	
TREES	
PIPE	
POLE	
TOWER	



RECLAMATION  
PLAN  
SHEET LEGEND



REVISION #1 2-26-19 ADDED LANDSCAPE VERIFICATION TABLE  
REVISION #2 3-28-19 REMOVED LANDSCAPE VERIFICATION TABLE, REVISED PIT LIMITS

DWG NO.: 11526 GOLD HILL BIGGERS REZONING AMENDMENT R2.DWG

alley, williams, carmen, & king, inc.  
CONSULTING ENGINEERS  
FIRM LICENSE No. F-0203  
120 SOUTH MAIN STREET  
KANNAPOLIS, NC 28082

P.O. BOX 1248  
704/938-1515

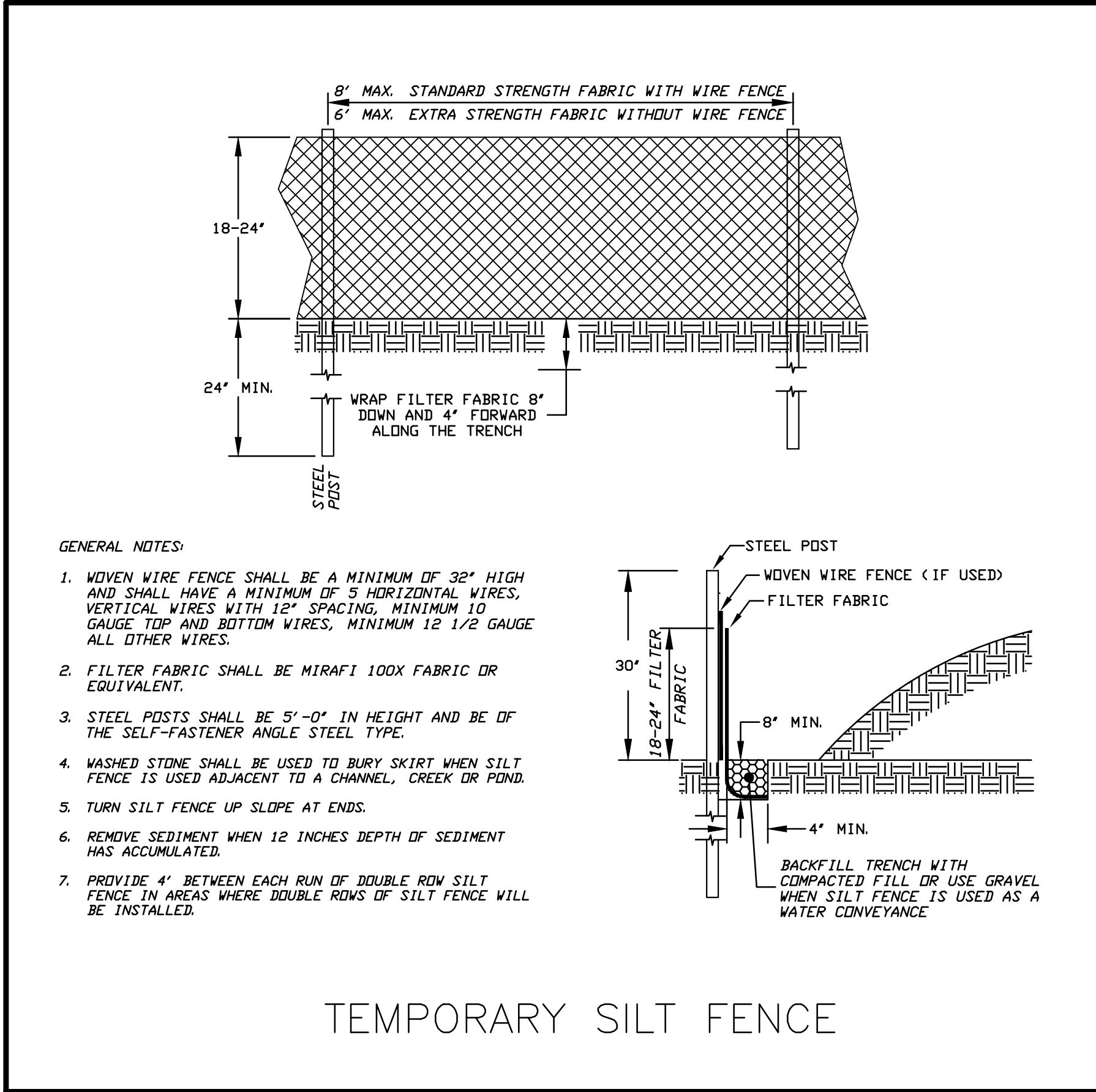
2019 CONDITIONAL USE AMENDMENT REQUEST  
GOLD HILL QUARRY  
VULCAN CONSTRUCTION MATERIALS LLC  
15580 GLENMORE RD, GOLD HILL, NC 28071

RECLAMATION  
PLAN

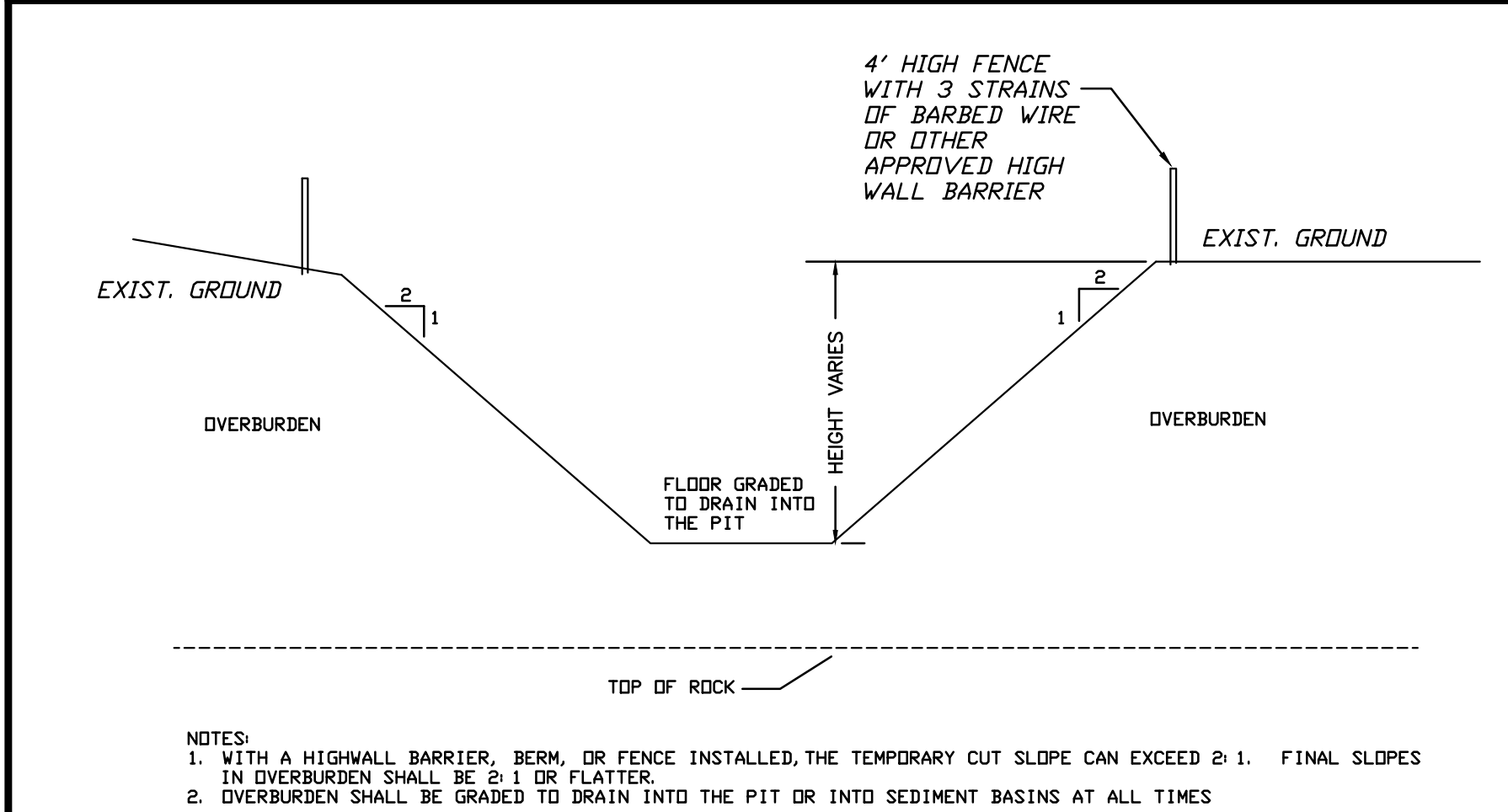
SCALE	DATE: 2-11-19
PLANE VARIES	DRAWN BY: RCC
PROFILE	CHECKED BY: GWV
HORIZ.	DWG No.:
VERT.	

JOB NO.	11526
SHEET NO.	8
OF:	11

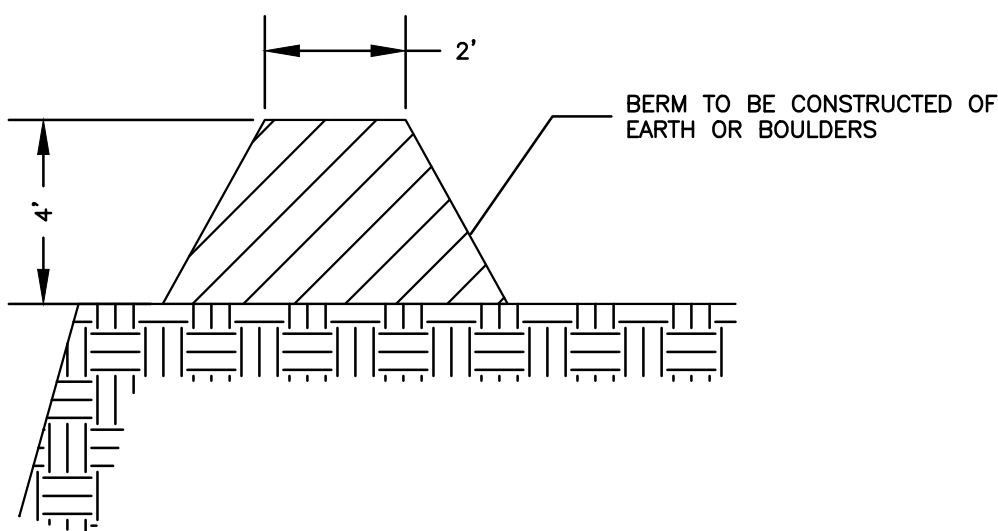




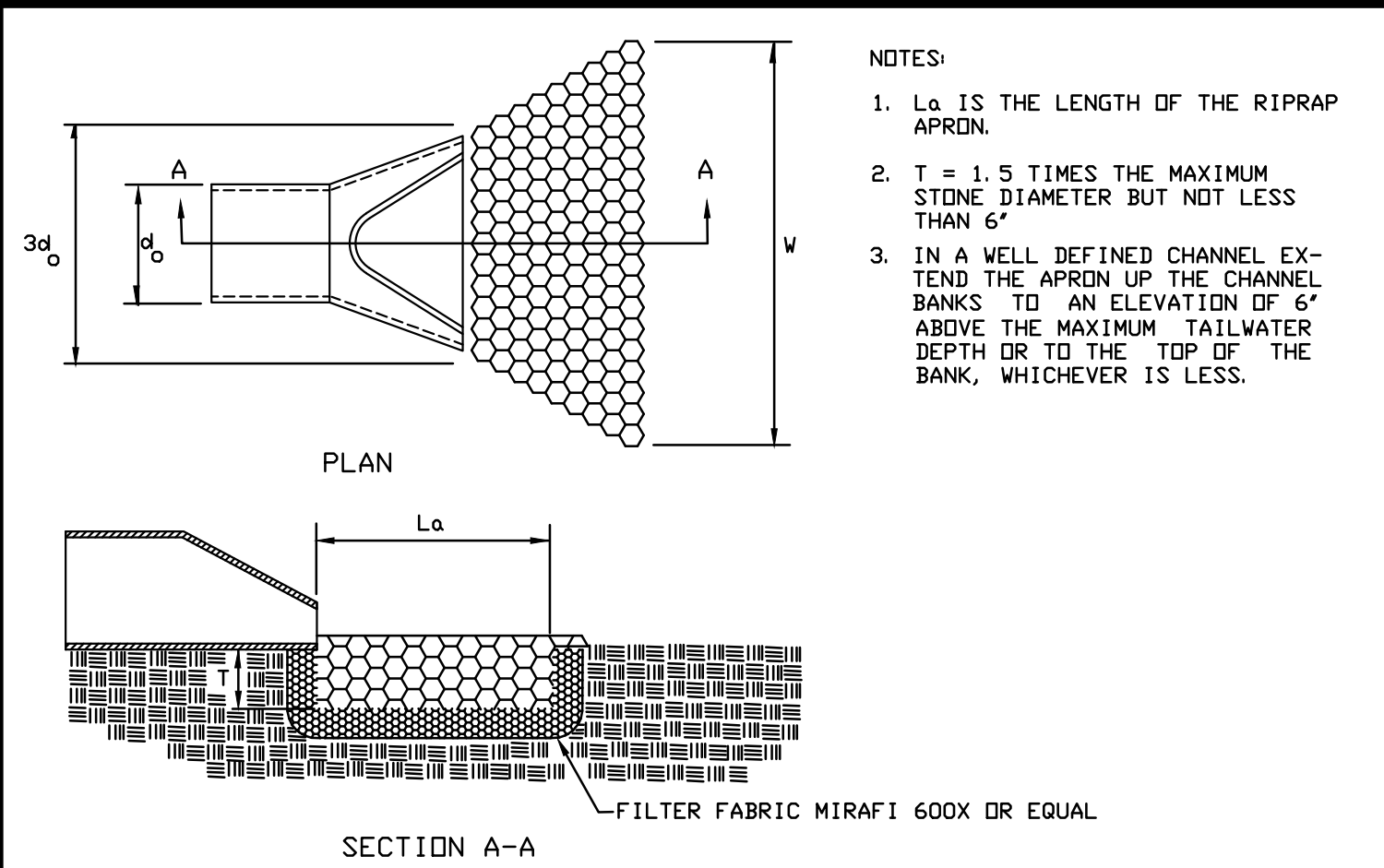
### TEMPORARY SILT FENCE



### OVERBURDEN EXCAVATION AREA TYPICAL SECTION



### TEMPORARY HIGHWALL BERM



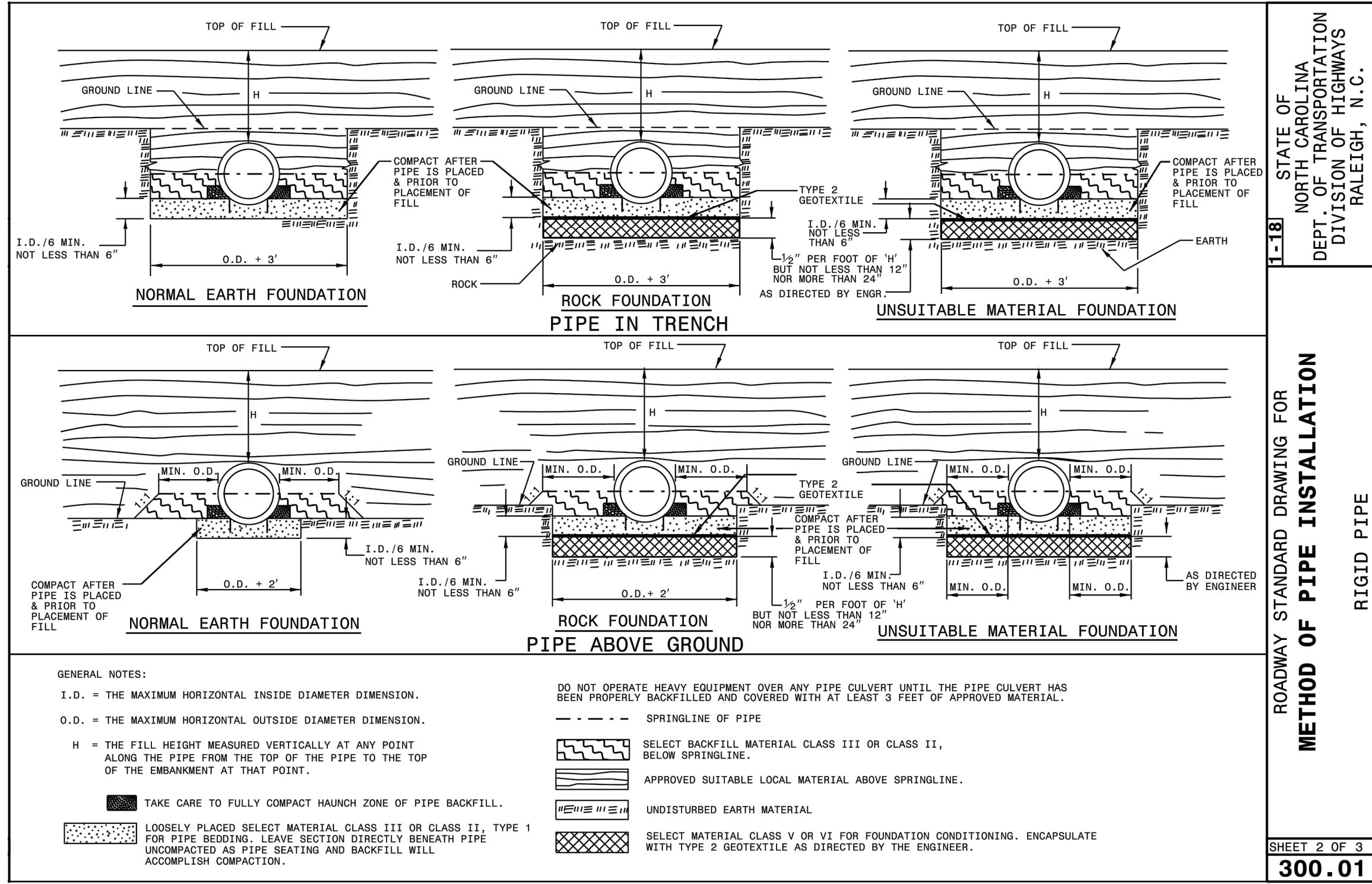
### OUTLET PROTECTION

#### CONSTRUCTION SPECIFICATIONS

- ENSURE THAT THE SUBGRADE FOR THE FILTER AND RIPRAP FOLLOWS THE REQUIRED LINES AND GRADES SHOWN IN THE PLAN. COMPACT ANY FILL REQUIRED IN THE SUBGRADE TO THE DENSITY OF THE SURROUNDING UNDISTURBED MATERIAL. LOW AREAS IN THE SUBGRADE ON UNDISTURBED SOIL MAY ALSO BE FILLED BY INCREASING THE RIPRAP THICKNESS.
- THE RIPRAP AND GRAVEL FILTER MUST CONFORM TO THE SPECIFIED GRADING LIMITS SHOWN ON THE PLANS.
- FILTER FABRIC MUST MEET DESIGN REQUIREMENTS AND BE PROPERLY PROTECTED FROM PUNCHING OR TEARING DURING INSTALLATION. REPAIR ANY DAMAGE BY REMOVING THE RIPRAP AND PLACING ANOTHER PIECE OF FILTER CLOTH OVER THE DAMAGED AREA. ALL CONNECTING JOINTS SHOULD OVERLAP A MINIMUM OF 1 FT. IF THE DAMAGE IS EXTENSIVE, REPLACE THE ENTIRE FILTER CLOTH.
- RIPPRAP MAY BE PLACED BY EQUIPMENT, BUT TAKE CARE TO AVOID DAMAGING THE FILTER.
- THE MINIMUM THICKNESS OF THE RIPRAP SHOULD BE 1.5 TIMES THE MAXIMUM STONE DIAMETER.
- RIPPRAP MAY BE FIELD STONE OR ROUGH QUARRY STONE. IT SHOULD BE HARD, ANGULAR, HIGHLY WEATHER-RESISTANT AND WELL GRADED.
- CONSTRUCT THE APRON ON ZERO GRADE WITH NO OVERFALL AT THE END. MAKE THE TOP OF THE RIPRAP AT THE DOWNSTREAM END LEVEL WITH THE RECEIVING AREA OR SLIGHTLY BELOW IT.
- ENSURE THAT THE APRON IS PROPERLY ALIGNED WITH THE RECEIVING STREAM AND PREFERABLY STRAIGHT THROUGHOUT ITS LENGTH. IF A CURVE IS NEEDED TO FIT SITE CONDITIONS, PLACE IT IN THE UPPER SECTION OF THE APRON.
- IMMEDIATELY AFTER CONSTRUCTION, STABILIZE ALL DISTURBED AREAS WITH VEGETATION.

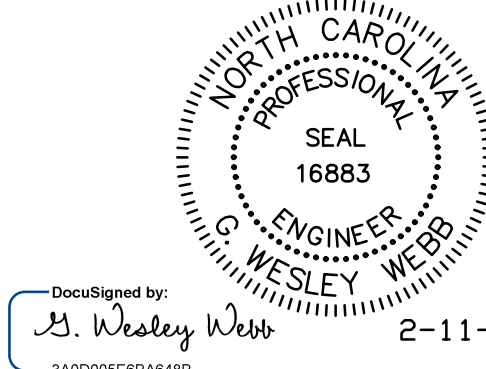
MAINTENANCE  
INSPECT RIPRAP OUTLET STRUCTURES AFTER HEAVY RAINS TO SEE IF ANY EROSION AROUND OR BELOW THE RIPRAP HAS TAKEN PLACE OR IF STONES HAVE BEEN DISLODGED. IMMEDIATELY MAKE ALL NEEDED REPAIRS TO PREVENT FURTHER DAMAGE.

Location	Pipe Size	Length	Width	Use
RSB 12-03	48"	26'	30'	27" OF CLASS II RIPRAP
RSB 12-04	30"	14'	17'	18" OF CLASS I RIPRAP
RSB 12-05	36"	20'	23'	18" OF CLASS I RIPRAP



#### SITE NOTES:

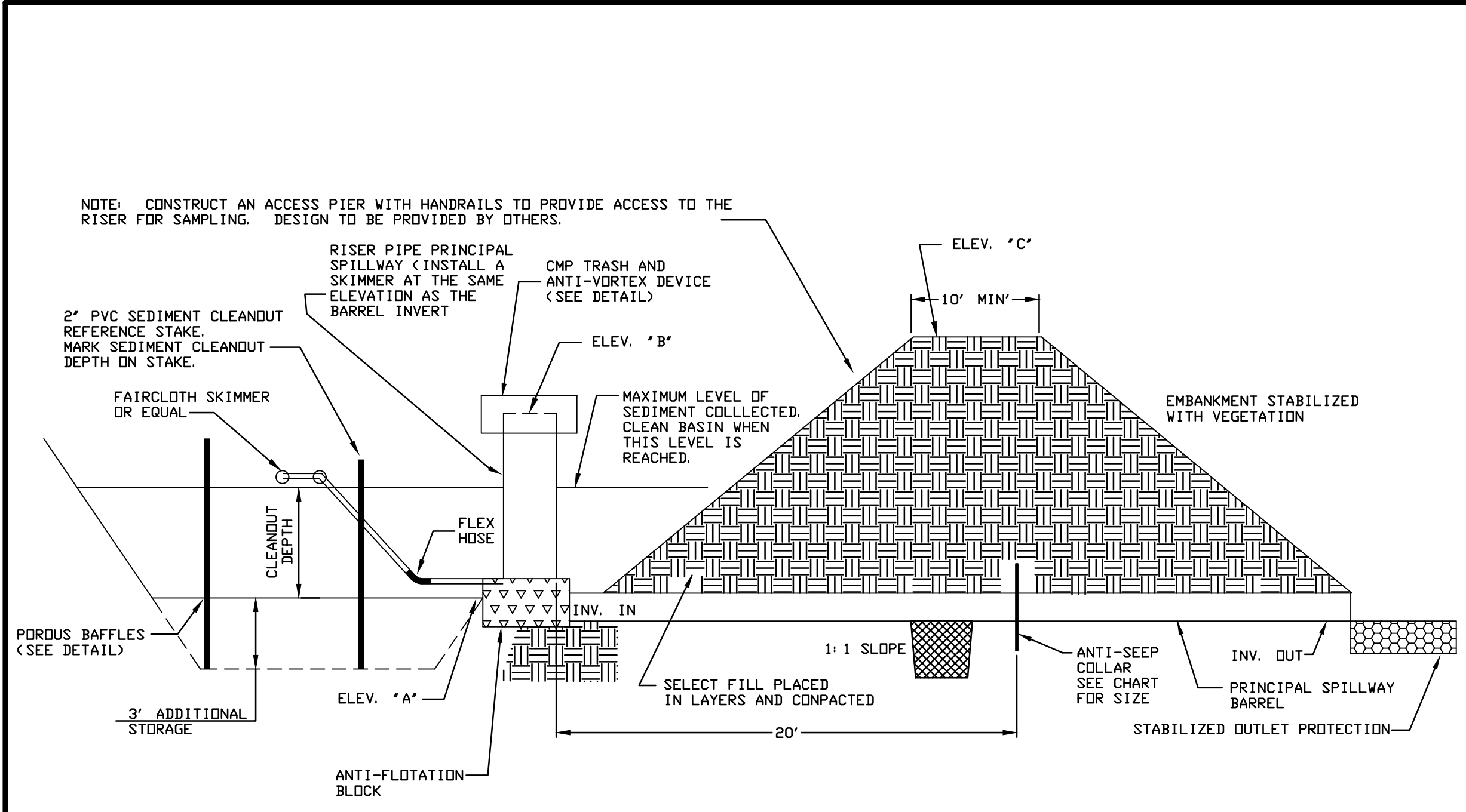
- THE LOCATION OF STREAMS AND WETLANDS WERE BASED ON DRAWINGS PREPARED FOR THE PROJECT BY CONCORD ENGINEERING AND SURVEYING INC WITH A SEAL DATE OF 2-18-04.
- THE DESIGN OF THE CULVERTS SIZE AND TYPE FOR THE PERMANENT STREAM CROSSINGS WERE DESIGNED BY CONCORD ENGINEERING AND SURVEYING INC AND SHOWN ON THE ORIGINAL CONDITIONAL USE SITE PLAN DATED 2-18-14.
- PRIOR TO SITE OPERATIONS, THE SITE WILL BE EVALUATED FOR THE LOCATIONS OF STREAMS AND WETLANDS BASED ON THE CORP OF ENGINEER DEFINITIONS THAT ARE EFFECTIVE AT THE TIME THE EVALUATION OCCURS. PERMITS WILL BE OBTAINED FOR ANY IMPACTS WITHIN THE PROJECT AREA PRIOR TO SITE DISTURBANCE NEAR A STREAM OR WETLAND.
- THIS PLAN DOES NOT PURPORT TO SHOW ALL EXISTING UTILITIES, LINES, APPURTENANCES, ETC., AND THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES, PIPES, VALVES, ETC., AS SHOWN ARE IN A APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR THE ENGINEER. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES, LINES, PIPES, ETC., BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT RESULT FROM THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES, PIPES AND VALVES. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY CONFLICTS WITH EXISTING OR PROPOSED FACILITIES TO DETERMINE IF AN ITEM WILL NEED TO BE RELOCATED.
- THE ENGINEER HAS MADE NO EXAMINATION TO DETERMINE WHETHER ANY HAZARDOUS OR TOXIC MATERIALS ARE PRESENT OR CONTAINED IN, UNDER OR ON THE SUBJECT PROPERTY OR ITS WATERS, OR IF ANY HAZARDOUS OR TOXIC MATERIALS HAVE CONTAMINATED THIS OR OTHER PROPERTIES OR ITS WATERS IN ANY WAY WHATSOEVER, NO SUBSURFACE EXAMINATION OF ANY TYPE HAS BEEN MADE BY THE ENGINEER, AND ACCORDINGLY, NO OPINION IS RENDERED AS TO ANY VIOLATION OF ANY ENVIRONMENTAL LAWS OR REGULATIONS, EITHER FEDERAL, STATE, OR LOCAL RELATED TO THE INFORMATION SHOWN ON THIS PLAN AND THE ENGINEER IS IN NO WAY LIABLE FOR ANY VIOLATION OF SUCH ENVIRONMENTAL LAWS SHOULD SUCH EXIST.
- TO ENSURE PROPER LOCATION OF EXISTING UTILITIES, THE CONTRACTOR SHALL CONTACT NORTH CAROLINA 811 (1-800-632-4949), AT LEAST 48-HOURS PRIOR TO THE START OF ANY SITE EXCAVATION.
- THE CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY, THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND THE CONTRACTOR SHALL DEFEND, INDEMNIFY THE OWNER, HIS AGENTS, THE OWNERS REPRESENTATIVES AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FROM LIABILITY ARISING FROM THE SOLE NEGLIGENCE ON THE OWNER'S REPRESENTATIVE OR THE ENGINEER.
- THE CONTRACTOR SHALL VERIFY ALL SITE ELEVATIONS, CONDITIONS AND SOIL CONDITIONS PRIOR TO CONSTRUCTION ANY SIGNIFICANT VARIATIONS SHALL BE REPORTED TO THE ENGINEER IMMEDIATELY.



Designed by:  
M. Wesley Webb  
2-11-19

DWG NO.: 11526 GOLD HILL QUARRY REZONING AMENDMENT DETAILS.DWG





THE BASIN MAY ALSO BE DEWATERED BY PERFORATING THE RISER WITH 1/2-INCH HOLES WITH A SPACING OF APPROXIMATELY 3 INCHES IN EACH OUTSIDE VALLEY.

TRASH GUARD - INSTALL A TRASH GUARD ON THE TOP OF THE RISER TO PREVENT TRASH AND OTHER DEBRIS FROM CLOGGING THE CONDUIT.

#### CONSTRUCTION SPECIFICATIONS

- SITE PREPARATIONS - CLEAR, GRUB, AND STRIP TOPSOIL FROM AREAS UNDER THE EMBANKMENT TO REMOVE TREES, VEGETATION, ROOTS, AND OTHER OBJECTIONABLE MATERIAL TO FACILITATE SEDIMENT CLEANOUT AND RESTORATION. CLEAR THE POOL AREA OF ALL BRUSH, TREES, AND OTHER OBJECTIONABLE MATERIALS. STOCKPILE ALL TOPSOIL OR SOIL CONTAINING ORGANIC MATTER FOR USE ON THE OUTER SHELL OF THE EMBANKMENT TO FACILITATE VEGETATIVE ESTABLISHMENT.
- CUT-OFF TRENCH - EXCAVATE A CUT-OFF TRENCH ALONG THE CENTERLINE OF THE EARTH FILL EMBANKMENT. CUT THE TRENCH TO STABLE SOIL MATERIAL, BUT IN NO CASE MAKE IT LESS THAN 2 FT DEEP. THE CUT-OFF TRENCH MUST EXTEND INTO BOTH ABUTMENTS TO AT LEAST THE ELEVATION OF THE RISER CREST. MAKE THE MINIMUM BOTTOM WIDTH WIDE ENOUGH TO PERMIT OPERATION OF EXCAVATION AND COMPACTION EQUIPMENT BUT IN NO CASE LESS THAN 2 FT. MAKE SIDE SLOPES OF THE TRENCH NO STEEPER THAN 1:1. COMPACTION REQUIREMENTS ARE THE SAME AS THOSE FOR THE EMBANKMENT. KEEP THE TRENCH DRY DURING BACKFILLING AND COMPACTION OPERATIONS.
- EMBANKMENT - THE EMBANKMENT SHOULD BE CLEAN MINERAL SOIL, FREE OF ROOTS, WOODY VEGETATION, ROCKS, AND OTHER OBJECTIONABLE MATERIAL. SCARIFY AREAS ON WHICH FILL IS TO BE PLACED BEFORE PLACING FILL. THE FILL MATERIAL MUST CONTAIN SUFFICIENT MOISTURE SO IT CAN BE FORMED BY HAND INTO A BALL WITHOUT CRUMBLING. IF WATER CAN BE SQUEEZED OUT OF THE BALL, IT IS TOO WET FOR PROPER COMPACTION. PLACE FILL MATERIAL IN 6 TO 8-INCH CONTINUOUS LAYERS OVER THE ENTIRE LENGTH OF THE FILL AREA AND THEN COMPACT IT. COMPACTION MAY BE OBTAINED BY ROUTING THE CONSTRUCTION HAULING EQUIPMENT OVER THE FILL SO THAT THE ENTIRE SURFACE OF EACH LAYER IS TRAVERSED BY AT LEAST ONE WHEEL OR TREAD TRACK OF THE HEAVY EQUIPMENT, OR A COMPACTOR MAY BE USED. CONSTRUCT THE EMBANKMENT TO AN ELEVATION 10% HIGHER THAN THE DESIGN HEIGHT TO ALLOW FOR SETTLING.
- CONDUIT SPILLWAYS - SECURELY ATTACH THE RISER TO THE BARREL OR BARREL STUB TO MAKE A WATERTIGHT STRUCTURAL CONNECTION. SECURE ALL CONNECTIONS BETWEEN BARREL SECTIONS BY APPROVED WATERTIGHT ASSEMBLIES. PLACE THE BARREL AND RISER ON A FIRM, SMOOTH FOUNDATION OF IMPERVIOUS SOIL. DO NOT USE PERVIOUS MATERIAL SUCH AS SAND, GRAVEL, OR CRUSHED STONE AS BACKFILL AROUND THE PIPE OR ANTI-SEEP COLLARS. PLACE THE FILL MATERIAL AROUND THE PIPE SPILLWAY IN 4-INCH LAYERS AND COMPACT IT UNDER AND AROUND THE PIPE TO AT LEAST THE SAME DENSITY AS THE ADJACENT EMBANKMENT. CARE MUST BE TAKEN NOT TO RAISE THE PIPE FROM FIRM CONTACT WITH ITS FOUNDATION WHEN COMPACTING UNDER THE PIPE HAUNCHES. PLACE A MINIMUM DEPTH OF 2 FT OF HAND-COMPACTED BACKFILL OVER THE PIPE SPILLWAY BEFORE CROSSING IT WITH CONSTRUCTION EQUIPMENT. ANCHOR THE RISER IN PLACE BY CONCRETE OR OTHER SATISFACTORY MEANS TO PREVENT FLUTATION. IN NO CASE SHOULD THE PIPE CONDUIT BE INSTALLED BY CUTTING A TRENCH THROUGH THE DAM AFTER THE EMBANKMENT IS COMPLETE.
- SKIMMER - SHAPE THE BASIN TO THE SPECIFIED DIMENSIONS. PREVENT THE SKIMMING DEVICE FROM SETTLING INTO THE MUD BY EXCAVATING A SHALLOW PIT UNDER THE SKIMMER OR PROVIDING A LOW SUPPORT UNDER THE SKIMMER OF STONE OR TIMBER. SKIMMER HORIZONTAL MOVEMENT IS TO BE LIMITED BY METAL STAKES OR 2x4's. INSTALL SKIMMER PER MANUFACTURER'S RECOMMENDATIONS. ASSEMBLE THE SKIMMER FOLLOWING THE MANUFACTURER'S INSTRUCTIONS, OR AS DESIGNED. 6. LAY THE ASSEMBLED SKIMMER ON THE BOTTOM OF THE BASIN WITH THE FLEXIBLE JOINT AT THE INLET OF THE BARREL PIPE. ATTACH THE FLEXIBLE JOINT TO THE BARREL PIPE AND POSITION THE SKIMMER OVER THE EXCAVATED PIT OR SUPPORT. BE SURE TO ATTACH A ROPE TO THE SKIMMER AND ANCHOR IT TO THE SIDE OF THE BASIN. THIS WILL BE USED TO PULL THE SKIMMER TO THE SIDE FOR MAINTENANCE.

#### MAINTENANCE

INSPECT SKIMMER SEDIMENT BASINS AT LEAST WEEKLY AND AFTER EACH SIGNIFICANT (ONE-HALF INCH OR GREATER) RAINFALL EVENT AND REPAIR IMMEDIATELY.

REMOVE SEDIMENT AND RESTORE THE BASIN TO ITS ORIGINAL DIMENSIONS WHEN SEDIMENT ACCUMULATES TO ONE-HALF THE HEIGHT OF THE FIRST BAFFLE. PULL THE SKIMMER TO ONE SIDE SO THAT THE SEDIMENT UNDERNEATH IT CAN BE EXCAVATED. EXCAVATE THE SEDIMENT FROM THE ENTIRE BASIN, NOT JUST AROUND THE SKIMMER OR THE FIRST CELL. MAKE SURE VEGETATION GROWING IN THE BOTTOM OF THE BASIN DOES NOT HOLD DOWN THE SKIMMER.

CHECK THE EMBANKMENT, SPILLWAYS, AND OUTLET FOR EROSION DAMAGE, AND INSPECT THE EMBANKMENT FOR PIPING AND SETTLEMENT. MAKE ALL NECESSARY REPAIRS IMMEDIATELY. REMOVE ALL TRASH AND OTHER DEBRIS FROM THE RISER AND POOL AREA.

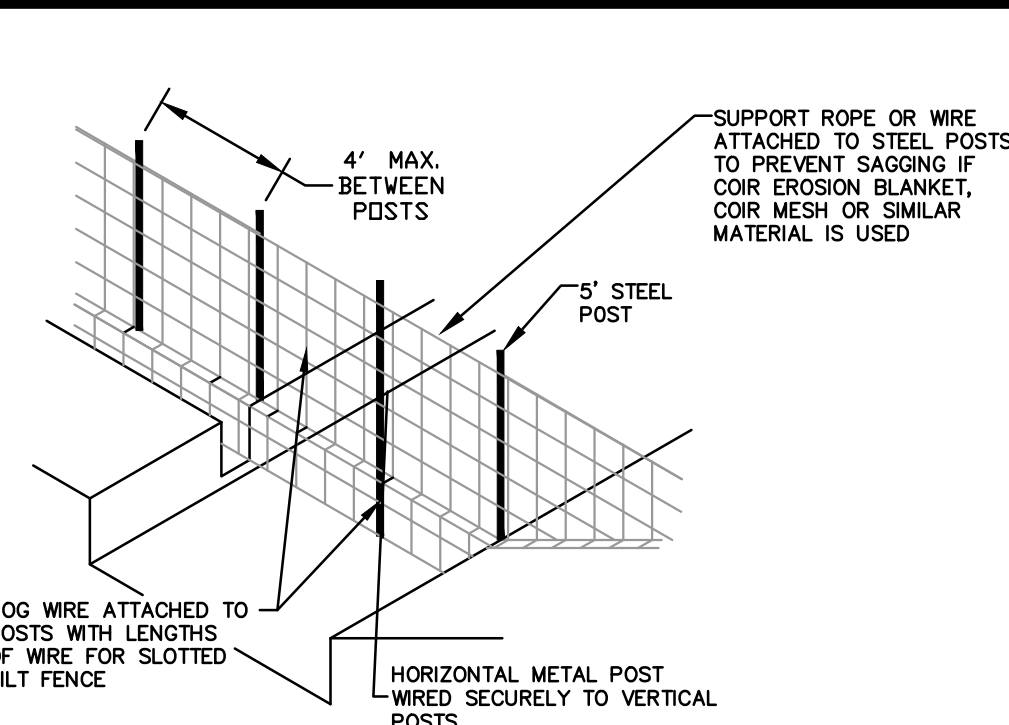
IF THE SKIMMER IS CLOGGED WITH TRASH AND THERE IS WATER IN THE BASIN, USUALLY JERKING ON THE ROPE WILL MAKE THE SKIMMER GO UP AND DOWN AND DISLodge THE DEBRIS AND RESTORE FLOW. IF THIS DOES NOT WORK, PULL THE SKIMMER OVER TO THE SIDE OF THE BASIN AND REMOVE THE DEBRIS. ALSO CHECK THE ORIFICE INSIDE THE SKIMMER TO SEE IF IT IS CLOGGED; IF SO REMOVE THE DEBRIS. IF THE SKIMMER ARM IS CLOGGED, THE ORIFICE CAN BE REMOVED AND THE OBSTRUCTION CLEARED WITH A PLUMBER'S SNAKE OR BY FLUSHING WITH WATER. BE SURE AND REPLACE THE ORIFICE BEFORE REPOSITIONING THE SKIMMER.

FREEZING WEATHER CAN RESULT IN ICE FORMING IN THE BASIN. SOME SPECIAL PRECAUTIONS SHOULD BE TAKEN IN THE WINTER TO PREVENT THE SKIMMER FROM PLUGGING WITH ICE.



alley, williams, carmen, & king, inc.  
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FIRM LICENSE # F-0203  
120 SOUTH MAIN STREET  
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P.O. BOX 1248  
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2019 CONDITIONAL USE AMENDMENT REQUEST  
GOLD HILL QUARRY  
VULCAN CONSTRUCTION MATERIALS LLC  
15580 GLENMORE RD, GOLD HILL, NC 28071

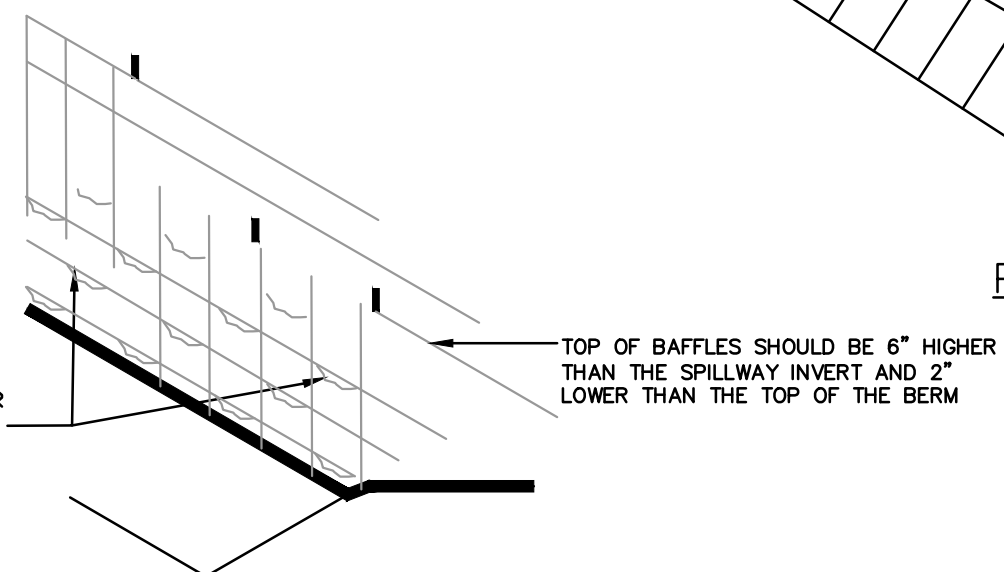


#### BAFFLE INSTALLATION - STEP 1

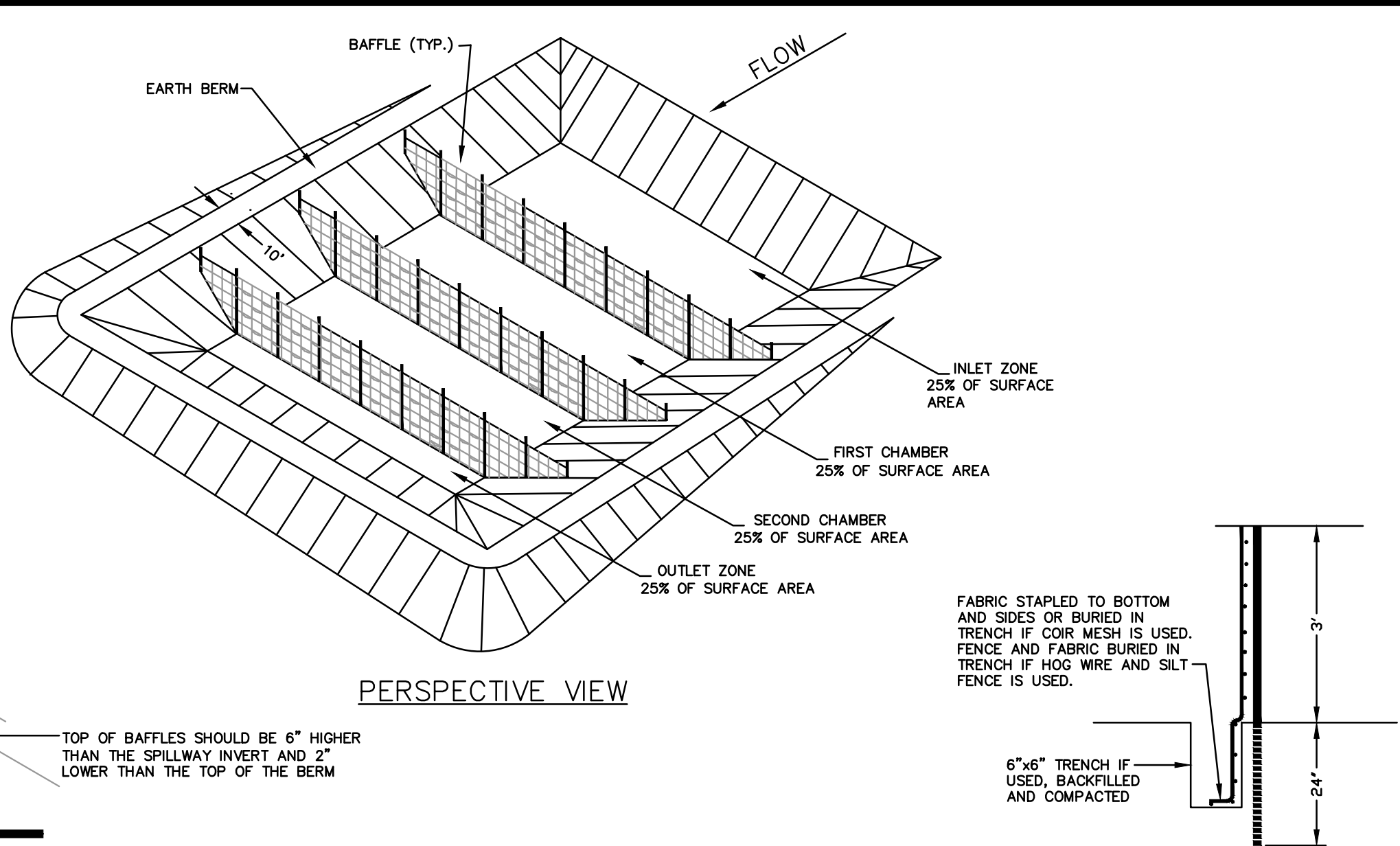
##### NOTES:

- DRIVE 5' STEEL POST AT LEAST 24" INTO SOLID GROUND.
- USE STAPLES 1" APART HORIZONTALLY AND VERTICALLY TO ATTACH THE FABRIC TO THE HOG WIRE.
- THE FLOOR OF THE BASIN IN THE OUTLET ZONE AND BERMS SHOULD BE SEEDS IMMEDIATELY AFTER THE BASIN IS CONSTRUCTED.

FASTEN CORR EROSION BLANKET, CORR MESH OR SILT FENCE TO THE SUPPORTS. IF SILT FENCE IS USED, CUT 8" SLOTS IN THE FENCE FABRIC WITH A KNIFE ALONG THE BOTTOM WIRE IN EVERY OTHER SQUARE OF THE HOG WIRE VERTICALLY AND HORIZONTALLY

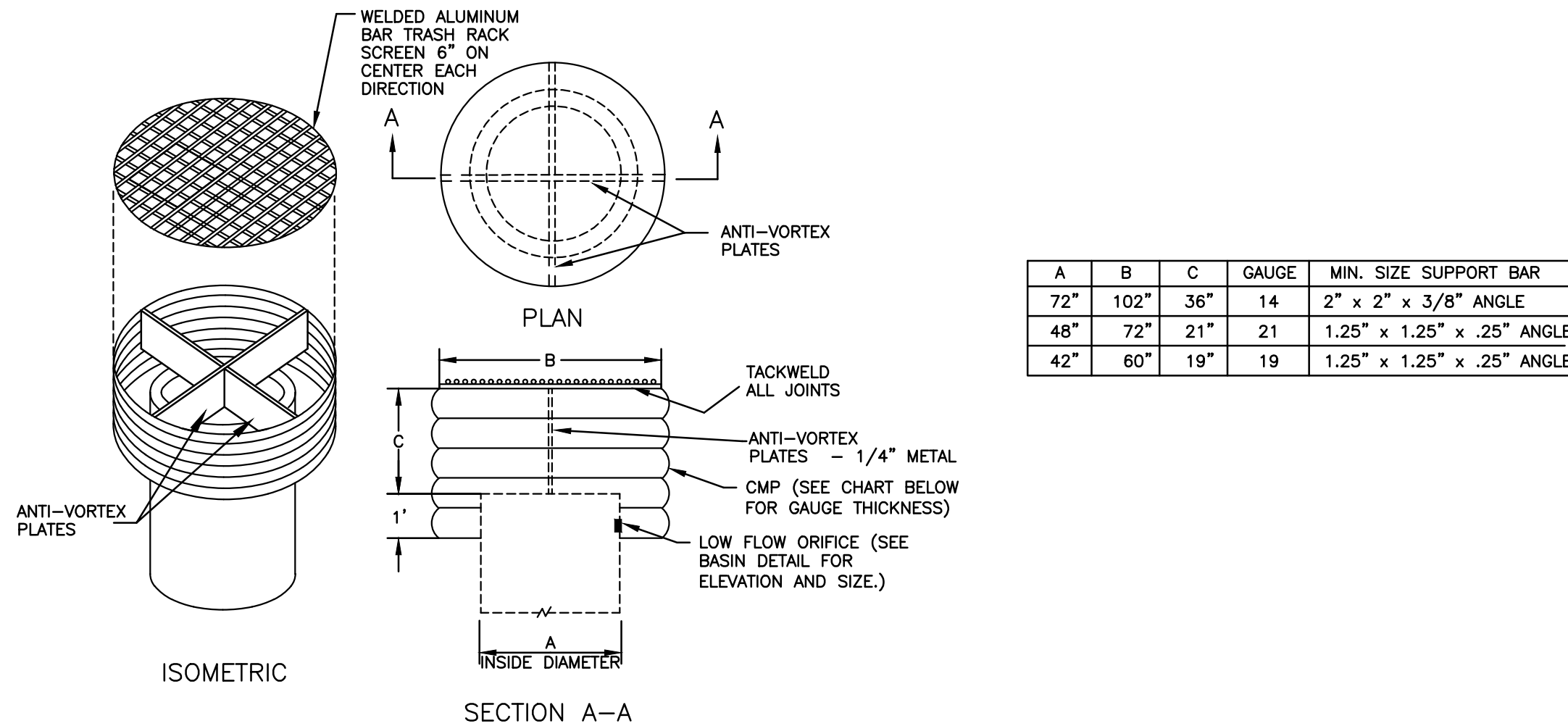


#### BAFFLE INSTALLATION - STEP 2



#### PERSPECTIVE VIEW

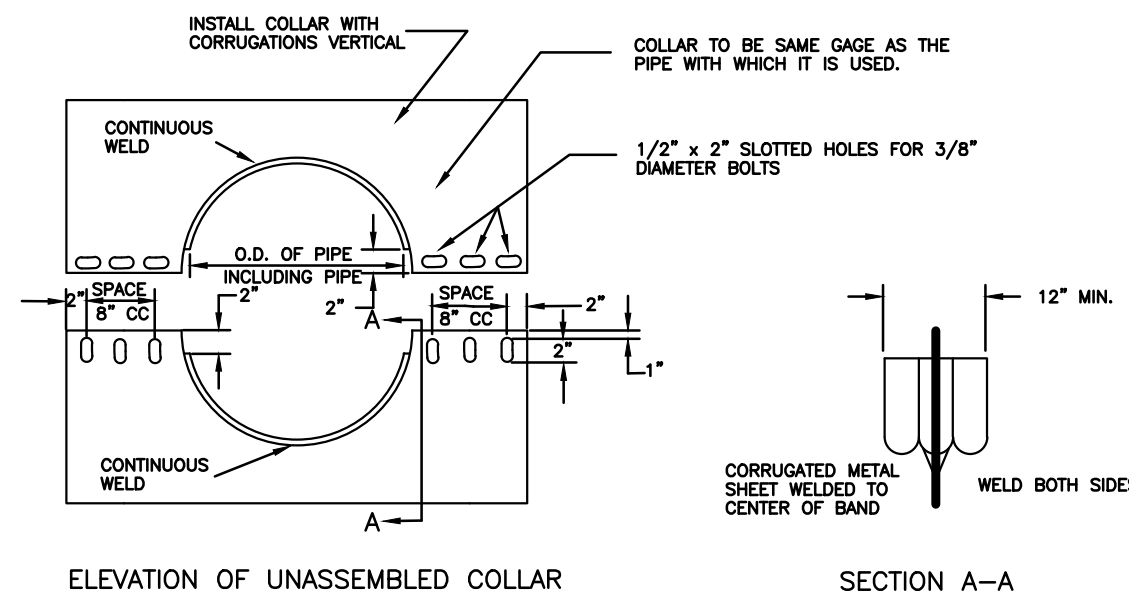
### POROUS BAFFLES



##### NOTES:

- COORDINATE THE SIZE OF THE SAMPLING GATE WITH THE OWNER.
- PROVIDE AN ACCESS WALKWAY WITH HANDRAILS FROM THE TOP OF THE DAM TO THE TOP OF THE TRASH RACK
- MANUFACTURER TO DESIGN AND SUBMIT SHOP DRAWINGS FOR ALL COMPONENTS OF THE ANTI-VORTEX DEVICE.

#### ANTI - VORTEX DEVICE

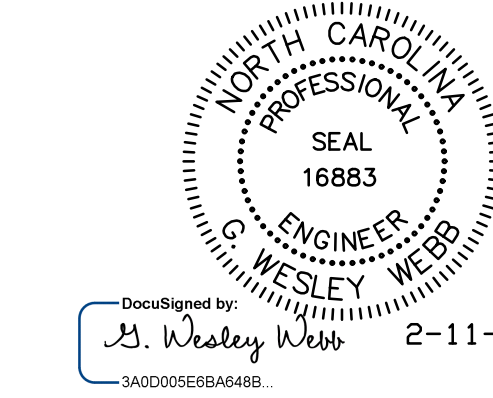


BASIN NO.	LENGTH	WIDTH
RSB 12-3	9.5 FEET	9.5 FEET
RSB 12-4	6.0 FEET	6.0 FEET
RSB 12-5	6.0 FEET	6.0 FEET

##### NOTES FOR COLLARS:

- ALL MATERIAL TO BE IN ACCORDANCE WITH CONSTRUCTION AND CONSTRUCTION MATERIAL SPECIFICATIONS.
- WHEN SPECIFIED ON THE PLANS, COATING OF COLLARS SHALL BE IN ACCORDANCE WITH CONSTRUCTION AND CONSTRUCTION MATERIAL SPECIFICATIONS.
- UNASSEMBLED COLLARS SHALL BE MARKED BY PAINTING OR TAGGING TO IDENTIFY MATCHED PAIRS.
- THE LAP BETWEEN THE TWO HALF SECTIONS AND BETWEEN THE PIPE AND THE CONNECTING BAND SHALL BE CAULKED WITH ASPHALT MASTIC AT TIME OF INSTALLATION.
- EACH COLLAR SHALL BE FURNISHED WITH TWO 1/2" DIAMETER RODS WITH STANDARD TANK LUGS FOR CONNECTING COLLARS TO PIPE.

#### DETAILS OF CORRUGATED METAL ANTI-SEEP COLLARS



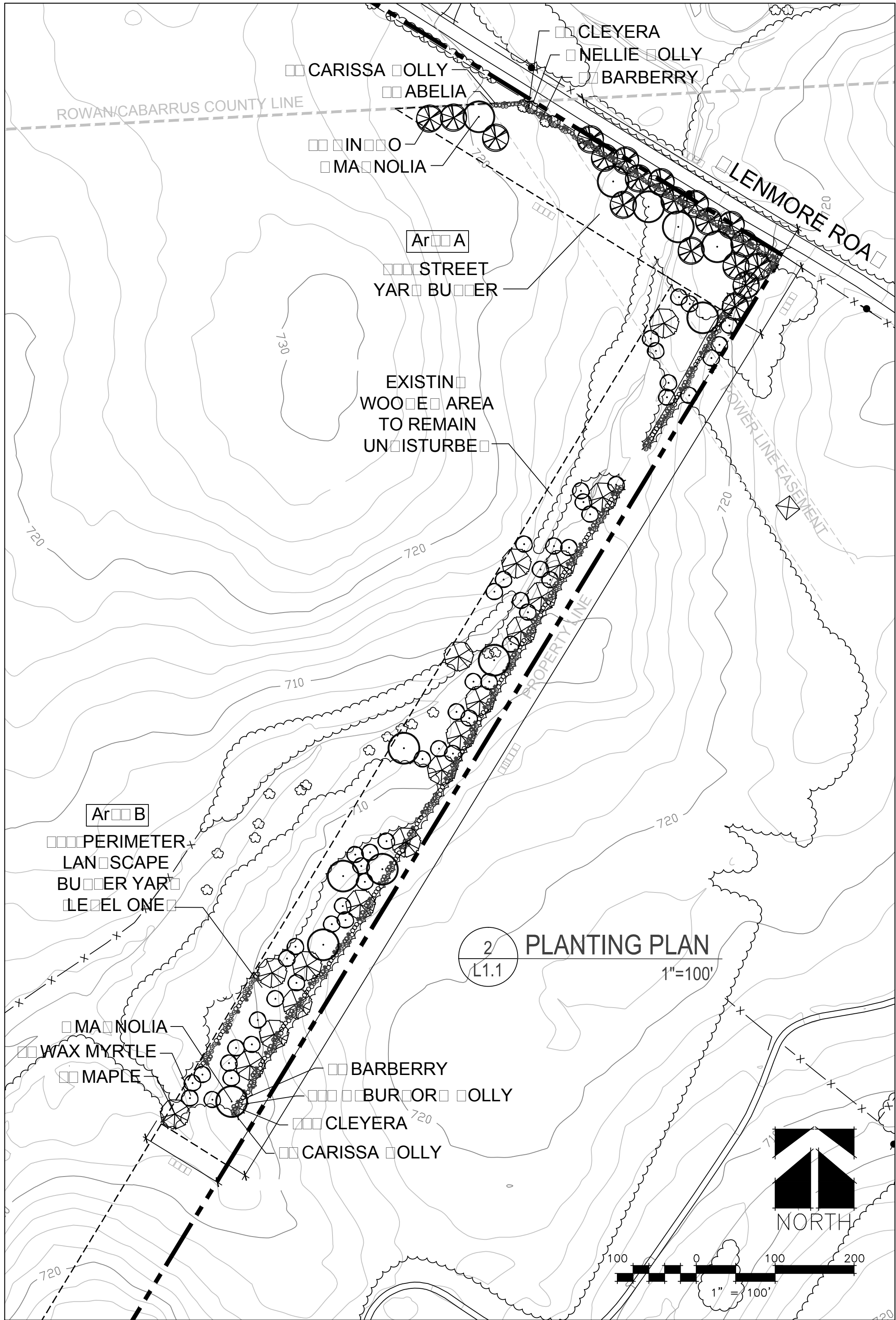
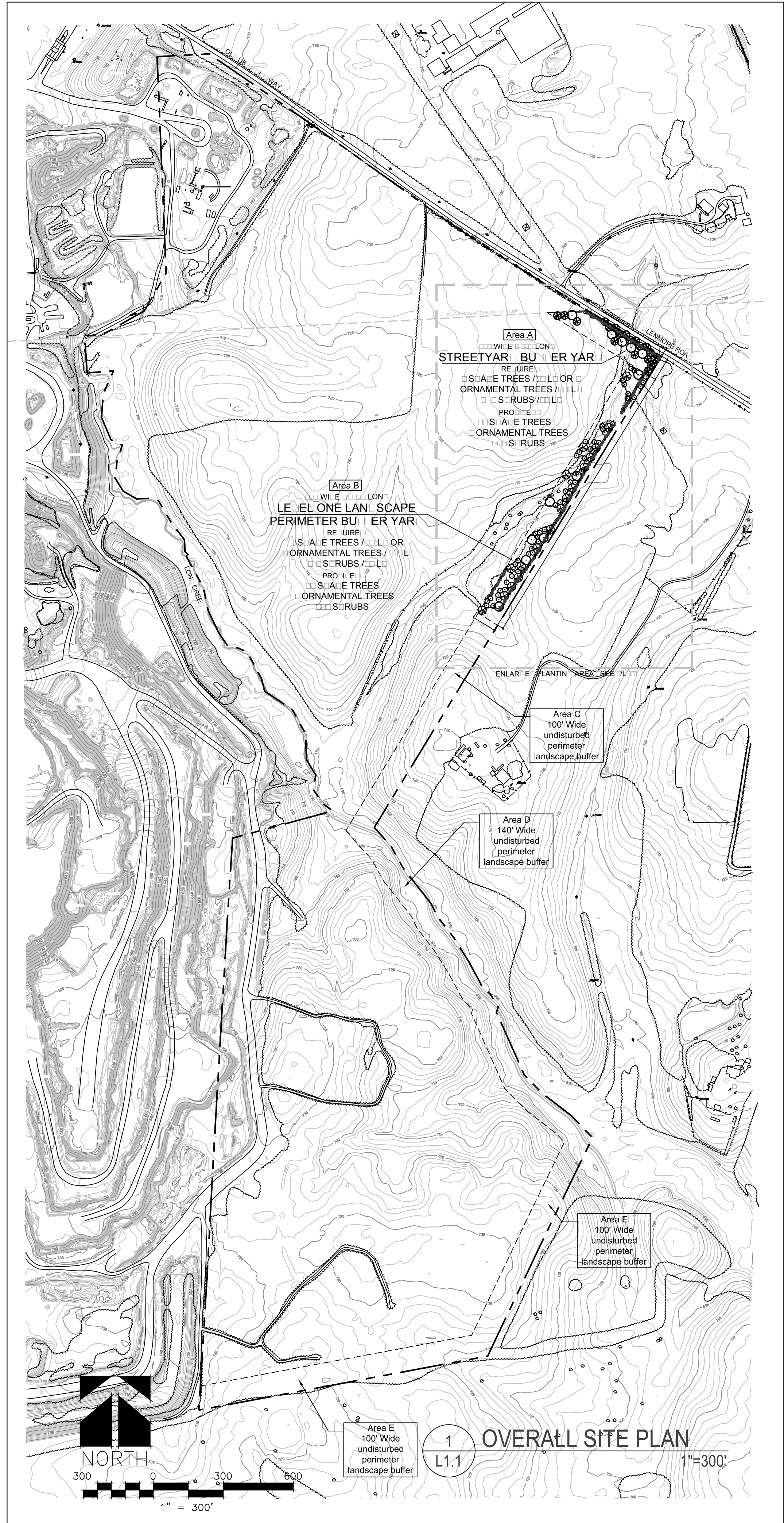
DWG NO.: 11526 GOLD HILL QUARRY REZONING AMENDMENT DETAILS.DWG

REVISION No.	DESCRIPTION	DATE	INITIAL	SCALE	DATE
			GWV	PLAN	2-11-19
				PROFILE	
				HORIZ.	
				VERT.	

### CONSTRUCTION DETAILS

JOB NO. 11526  
SHEET NO. 10  
OF: 11





type	no	size	common name	botanical name	size	remarks
TREES						
Deciduous	19	Canopy	GINKGO	GINKGO BIOLBA	2.5" CAL, 10'-12" TALL	
Evergreen	6	Understory	NELLIE STEVENS HOLLY	ILEX A. "NELLIE STEVENS"	1.5"-2" CAL, 6'-8" TALL	
Deciduous	17	Canopy	RED MAPLE	ACER RUBRUM	2.5" CAL, 10'-12" TALL	
Evergreen	13	Canopy	SOUTHERN MAGNOLIA	MAGNOLIA GRANDIFLORA	2.5" CAL, 10'-12" TALL	
Evergreen	50	Understory	WAX MYRTLE	MYRTUS CERIFERA	1.5"-2" CAL, 6'-8" TALL	
SHRUBS						
Evergreen	26	Medium Shrub	ABELIA	ABELIA GRANDAFLORA	24" SPREAD OR HT	
Evergreen	122	Large Shrub	BURFORD HOLLY	ILEX C. "BURFORDI"	30" SPREAD OR HT	
Evergreen	147	Small Shrub	CARISSA HOLLY	ILEX C. "CARISSA"	24" SPREAD OR HT	
Evergreen	172	Large Shrub	CLEYERA	CLEYERA JAPONICA	30" SPREAD OR HT	
Deciduous	76	Large Shrub	JAPANESE BARBERRY	BERBERIS THUNBERGII	24" SPREAD OR HT	
GRASS						
		Groundcover	TALL FESCUE	FESTUCA SP	7 LBS/1,000 S.F.	TALL FESCUE SEED MIX

7 L1.1

PLANT LIST

N.T.S.

- GRASS: TALL FESCUE SEED MIX, SCHEDULE: MARCH 1-NOVEMBER 1 (FESCUE/RYE MIX, NOVEMBER 1-MARCH 1) RATIO: 250 LBS PER ACRE  
LINE: GROUND LIME  
RATIO: 200 LBS PER ACRE  
FERTILIZER: 10-20-20  
RATIO: 100 LBS PER ACRE
- GRASS AREA PREPARATION: AREA SHALL BE AMENDED AND POWER TILLED TO 6" MINIMUM DEPTH. CULTIPACK OR ROLL SEED AREA.  
STRAW: 1 1/2 TONS PER ACRE  
TACK: 225 GAL PER ACRE
- MULCH: PINE BARK, FINE SHREDED CONSISTENCY, 3" DEPTH IN ALL PLANT BEDS.
- SOIL REQUIREMENTS: MIX TOP SOIL, AMENDMENTS AND FERTILIZER WITH EXISTING SOIL IN A CLEAN LEVEL AREA ON SITE. PREPARE A LARGE ENOUGH QUANTITY OF PREPARED BACKFILL MATERIAL TO BACKFILL ALL TREE, SHRUB & GROUNDCOVER PLANTING AREAS AND PITS AS SHOWN ON THE PLANTING DETAILS.
- PLANTING MIX: SHALL CONSIST OF 1 PART EXISTING SOIL, 1 PART IMPORTED TOP SOIL AND 1 PART PINE BARK SOIL. CONDITIONER, THOROUGHLY AND UNIFORM MIXED TOGETHER BLEND IN 2 PORTIONS OF 10-10-10 COMMERCIAL FERTILIZER PER CUBIC YARD.
- RED AREAS: SHALL BE RAISED 6" ABOVE GRADE WHEN COMPLETE.
- NOTCH EDGES: ALL RED AREAS SHALL HAVE A 4" NOTCH EDGE WHEN ADJACENT TO GRASSED AREAS.
- CONTINUOUS BEDS: ALL PLANTING BEDS SHALL BE CONTINUOUS UNDER SHRUBBERY.
- TREE BEDS: ALL TREES SHALL HAVE A 6'-0" MIN. DIAMETER MULCH BED AT THEIR BASE.
- WEED KILLER: APPLY PRE-EMERGENCE HERBICIDE TO ALL PLANTING BEDS, PER MANUFACTURER'S SPECIFICATIONS, PRIOR TO APPLICATION OF REQUIRED MULCH.

3 L1.1

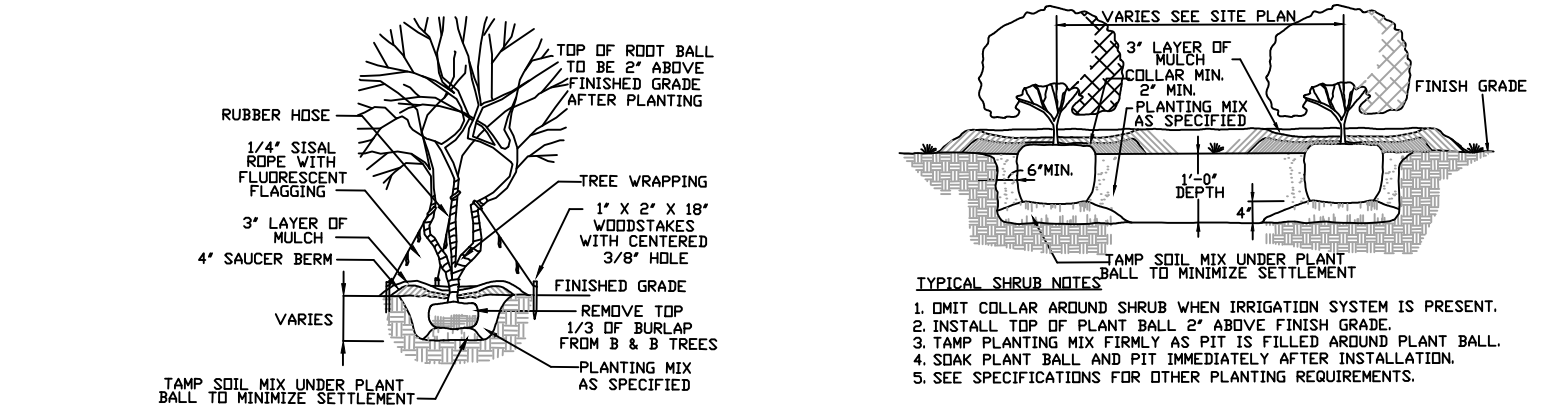
PLANTING REQUIREMENTS

N.T.S.

4 L1.1

CANOPY TREE PLANTING DETAIL

N.T.S.



5 L1.1

UNDERSTORY TREE PLANTING DETAIL

N.T.S.

6 L1.1

SHRUB PLANTING DETAIL

N.T.S.

Area A - Street Yard (Glenmore Road)

	Required Plantings per 30 feet	Length	Required # of Plantings	Provided
Canopy Trees	2	378	26	24*
Shrubs	10	378	126	126

\* Optional Ornamental Tree Substitution Proposed: 2 Ornamentals Trees to be provided in place of one required Canopy Tree

# of Shade Tree Substitutions: 2  
# of Ornamental Trees Required: 4  
# of Ornamental Trees Provided: 6

Area B - Level 1 Buffer Yard (Greater than 10 Acres)

	Required Plantings per 50 feet	Length	Required # of Plantings	Provided
Shade Trees	2	1250	50	25*
Shrubs	15	1250	375	417

\* Optional Ornamental Tree Substitution Proposed: 2 Ornamentals Trees to be provided in place of one required Shade Tree

# of Shade Tree Substitutions: 25  
# of Ornamental Trees Required: 50  
# of Ornamental Trees Provided: 50

Percentage of Large Maturing Trees			
Number of Trees Required	50		
Number of Large Maturing Trees Required	20		
Number of Large Maturing Trees Provided	25		
% of Large Maturing Trees Provided	50.0%	Minimum 40% Required	

Percentage of Evergreen Trees			
Number of Trees Provided	75		
Number of Trees Evergreen Required	19		
Number of Evergreen Trees Provided	58		
% of Large Maturing Trees Provided	77%	Minimum 25% Required	

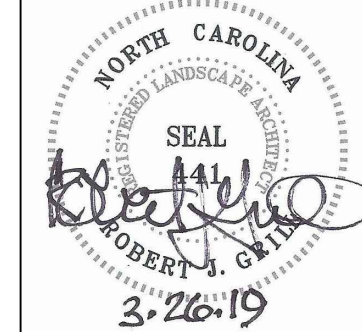
Percentage of Evergreen Shrubs			
Number of Shrubs Required	375		
Number of Evergreen Shrubs Required	282		
Number of Evergreen Shrubs Provided	417		
% of Evergreen Shrubs Provided	147.9%	Minimum 75% Required	

Disease and Blight Provision			
Number of tree varieties provided	3	Minimum of 2 species required	
Number of shrub varieties provided	4	Minimum of 2 species required	

7 L1.1

PLANT CALCULATIONS

N.T.S.

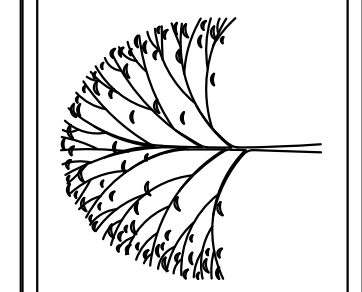


3361 312-9399

**SITE PLANS**

PLANNING LANDSCAPE ARCHITECTURE

4005 BLENVENUE DRIVE, GREENSBORO, NC 27409

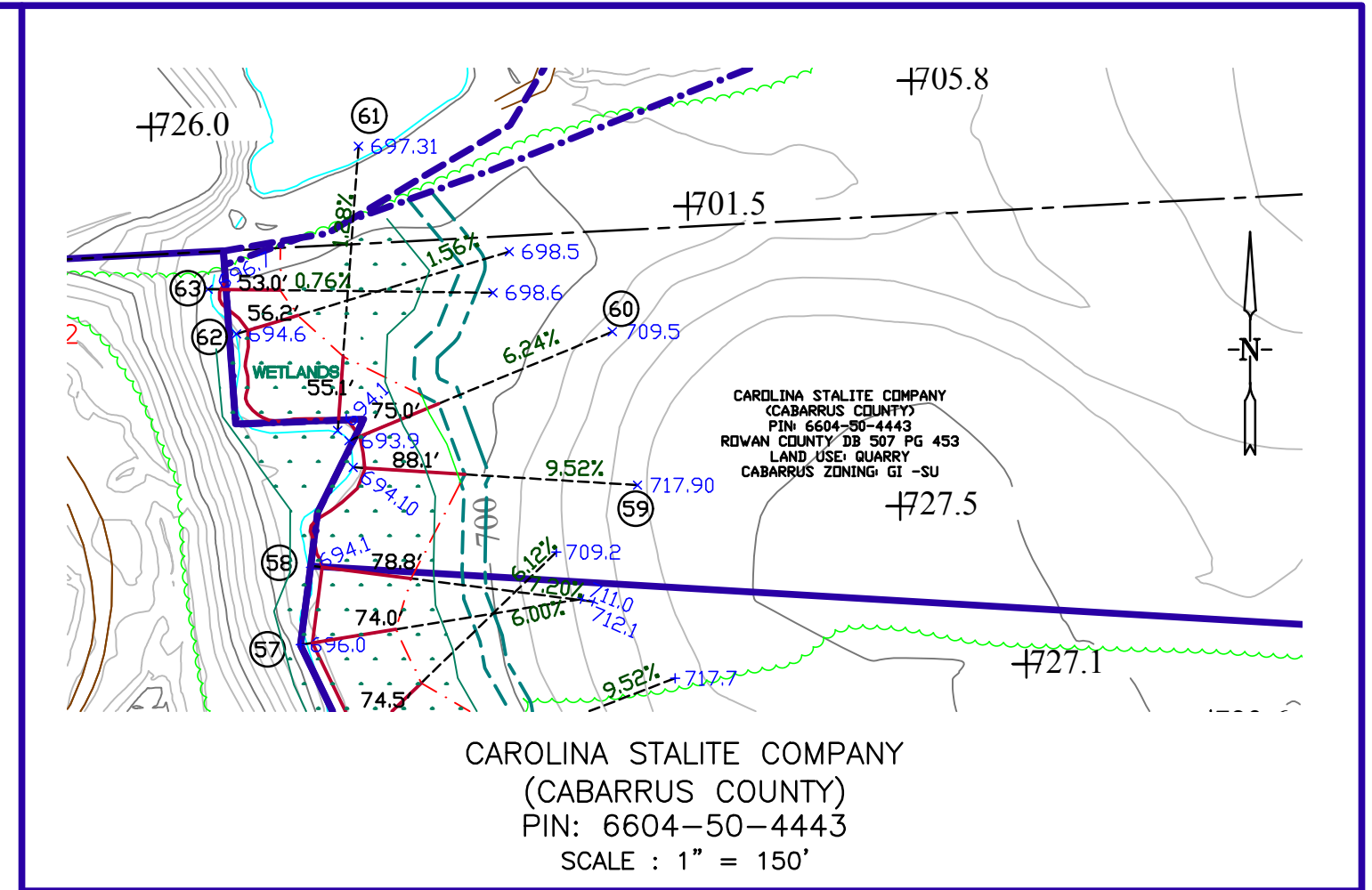
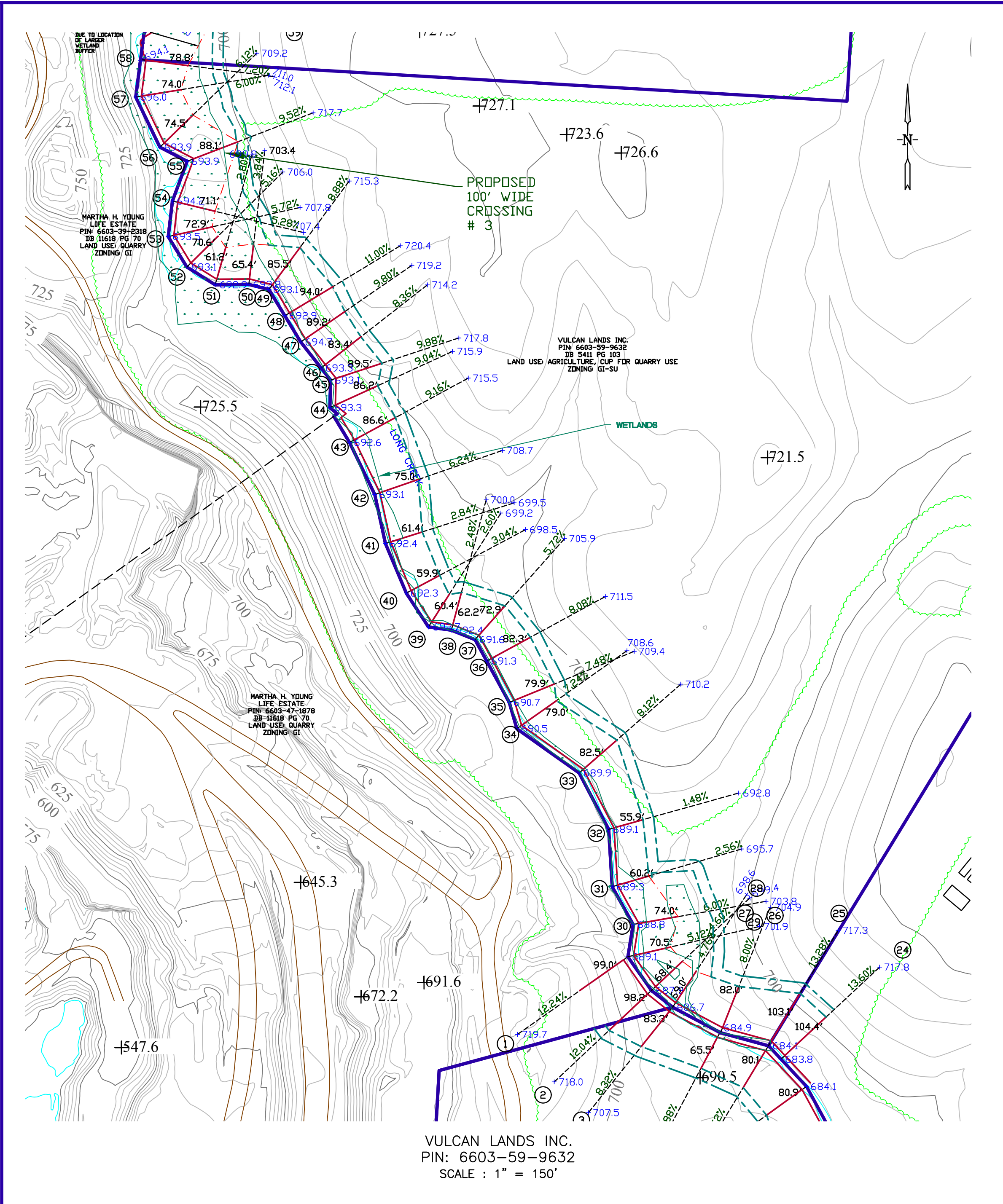
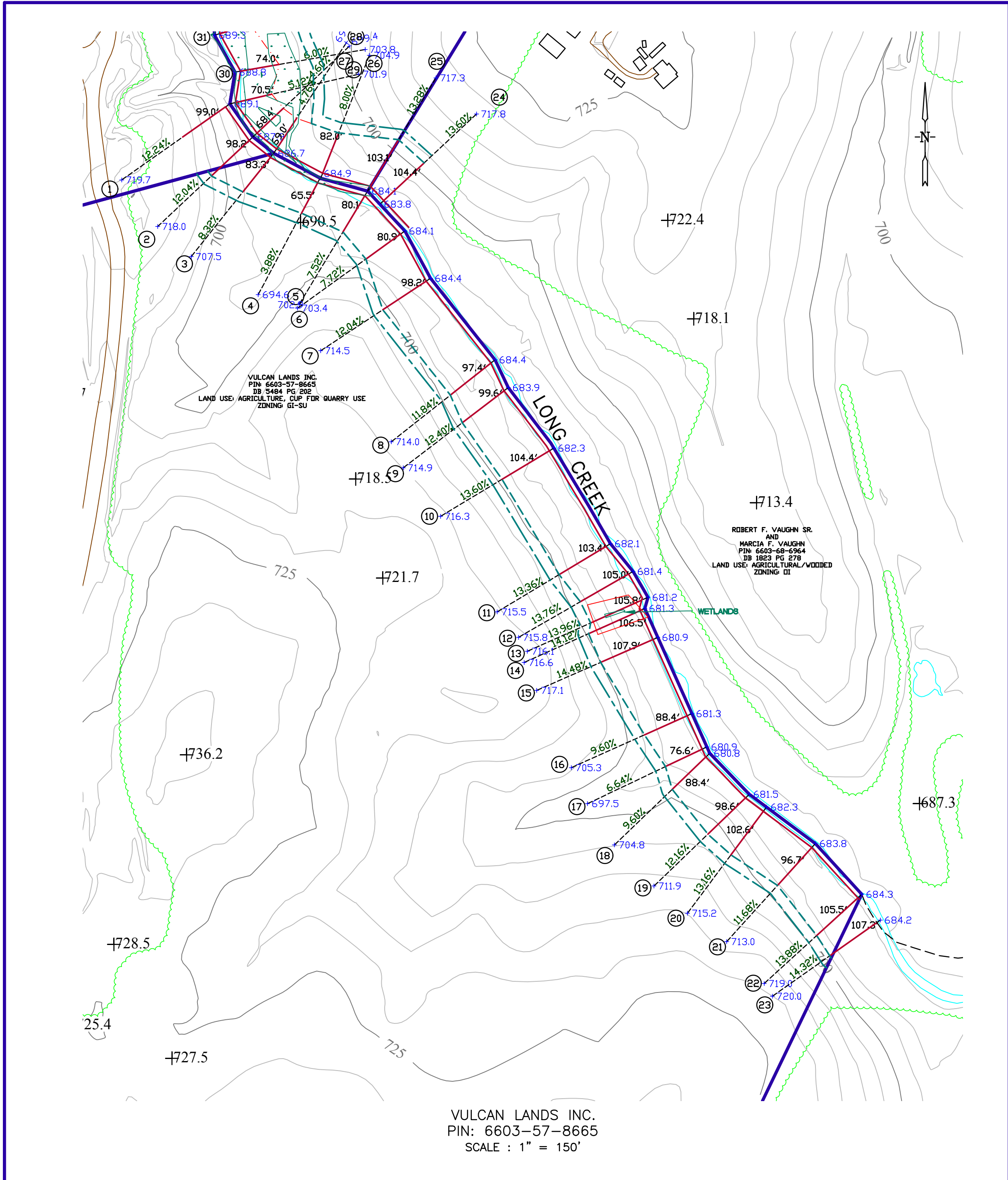


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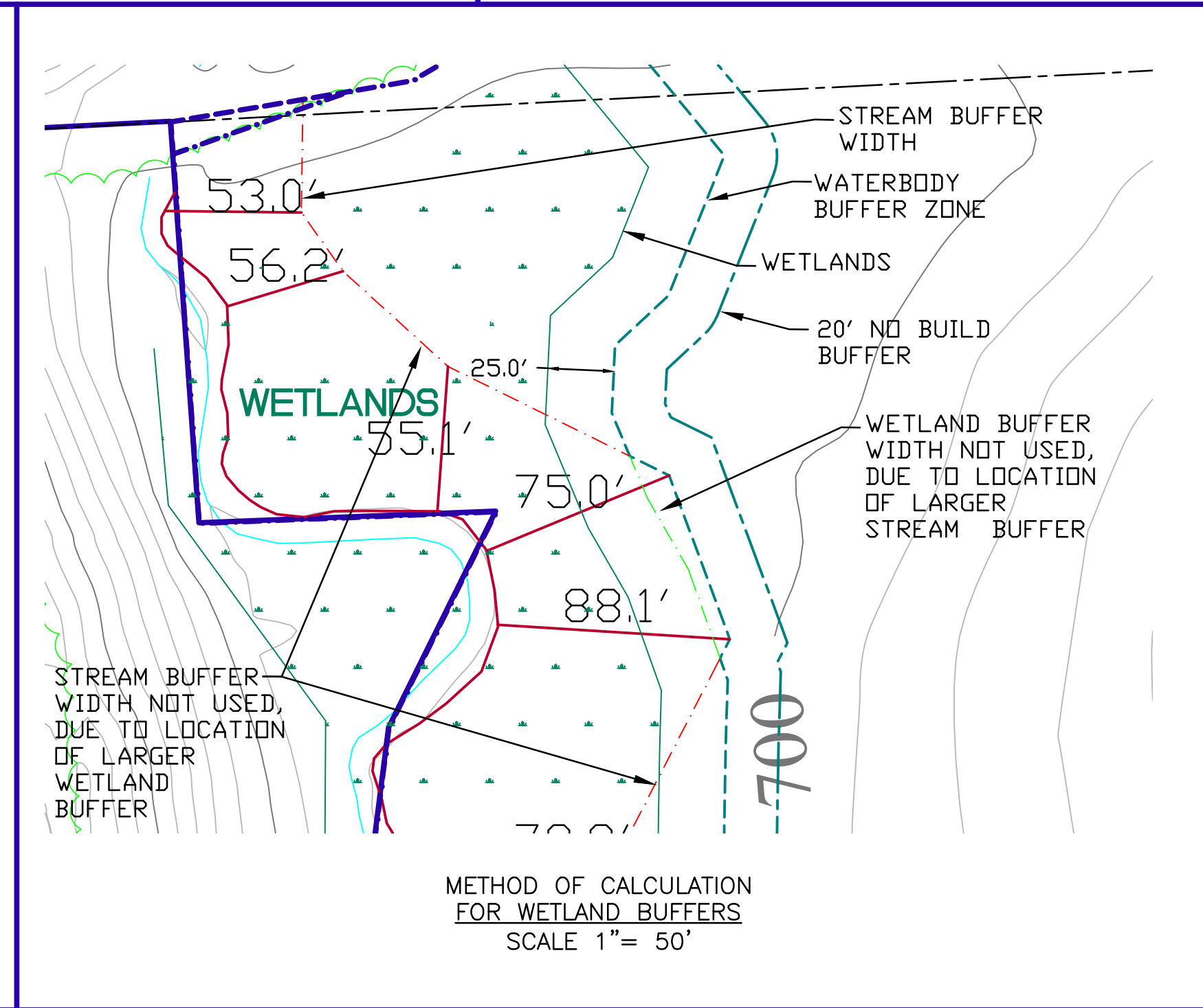
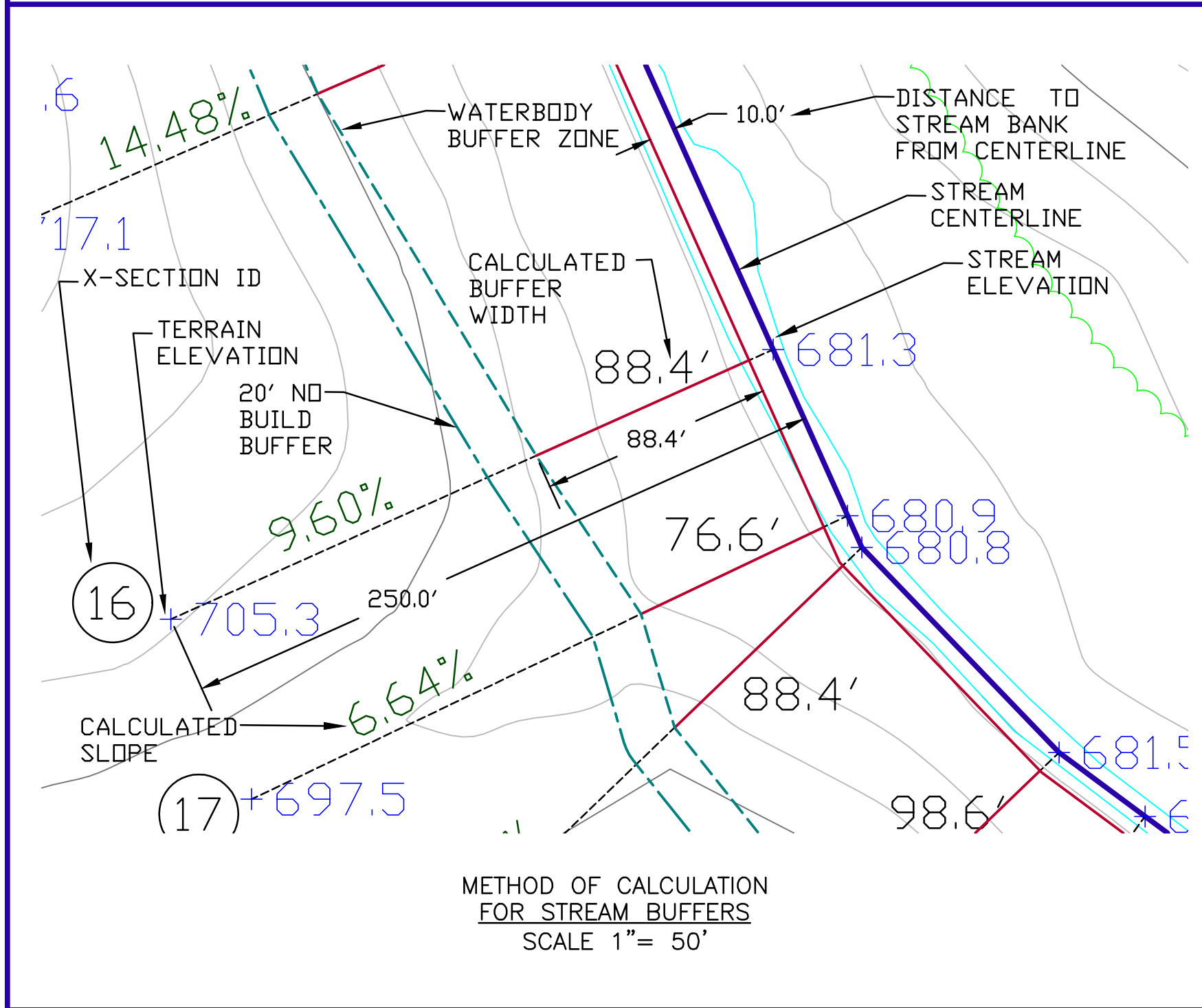
OL ILL NORT CAROLINA

L





X-SECTION ID	TERRAIN SLOPE	CHANNEL SLOPE	AVERAGE SLOPE	FOUR X AVG. SLOPE	WBZ WIDTH
1	719.7	689.1	12.24%	49.0	98.0
2	718.0	687.9	12.04%	48.2	98.2
3	707.5	686.7	8.32%	33.3	83.3
4	694.6	684.9	3.88%	15.5	65.5
5	702.9	684.1	7.52%	30.1	80.1
6	703.4	684.1	7.72%	30.9	80.9
7	714.5	684.4	12.04%	48.2	98.2
8	714.0	684.4	11.84%	47.4	97.4
9	714.9	683.9	12.40%	49.6	99.6
10	716.3	682.3	13.60%	54.4	104.4
11	715.5	682.1	13.36%	53.4	103.4
12	715.8	681.4	13.78%	55.0	105.0
13	716.1	681.2	13.96%	55.8	105.8
14	716.6	681.3	14.12%	56.5	106.5
15	717.1	680.9	14.48%	57.9	107.9
16	705.3	681.3	9.60%	38.4	88.4
17	697.5	680.9	6.64%	26.6	76.6
18	704.8	680.8	9.60%	38.4	88.4
19	711.9	681.5	12.16%	48.6	98.6
20	715.2	682.3	13.16%	52.6	102.6
21	713.0	683.8	11.68%	46.7	96.7
22	719.0	684.3	13.88%	55.5	105.5
23	720.0	684.2	14.32%	57.3	107.3
24	717.8	683.8	13.60%	54.4	104.4
25	717.3	684.1	13.28%	53.1	103.1
26	704.9	684.9	8.00%	32.0	82.0
27	698.6	686.7	4.76%	19.0	69.0
28	699.4	687.9	4.60%	18.4	68.4
29	701.9	689.1	5.12%	20.5	70.5
30	699.8	690.8	6.00%	24.0	74.0
31	696.7	693.3	2.56%	10.2	60.2
32	692.8	689.1	1.48%	5.9	55.9
33	710.2	689.9	8.12%	32.5	82.5
34	708.6	690.5	7.24%	29.0	79.0
35	709.4	690.7	7.48%	29.9	79.9
36	711.5	691.3	8.08%	32.3	82.3
37	705.9	691.6	7.72%	22.9	72.9
38	700.0	692.4	3.04%	12.2	62.2
39	699.2	692.7	2.60%	10.4	60.4
40	698.5	692.3	2.48%	9.9	59.9
41	699.5	692.4	2.84%	11.4	61.4
42	708.7	693.1	6.24%	25.0	75.0
43	715.5	692.6	9.16%	36.6	86.6
44	715.9	693.3	9.04%	36.2	86.2
45	717.8	693.1	9.88%	39.5	89.5
46	714.2	693.3	8.36%	33.4	83.4
47	719.2	694.7	9.80%	39.2	89.2
48	720.4	692.9	11.00%	44.0	94.0
49	715.3	693.1	8.80%	35.5	85.5
50	703.4	693.8	3.84%	15.4	65.4
51	699.9	692.9	2.80%	11.2	61.2
52	706.0	693.1	5.16%	20.6	70.6
53	707.8	693.5	5.72%	22.9	72.9
54	707.4	694.2	5.28%	21.1	71.1
55	717.7	693.9	9.52%	38.1	88.1
56	709.2	693.9	6.12%	24.5	74.5
57	711.0	696.0	6.00%	24.0	74.0
58	712.1	694.1	7.20%	28.8	78.8
59	717.9	694.1	9.52%	38.1	88.1
60	709.5	693.9	6.24%	25.0	75.0
61	697.3	694.1	1.28%	5.1	55.1
62	698.5	696.6	1.56%	6.2	56.2
63	698.6	696.7	0.76%	3.0	53.0



### MINE LEGEND

VULCAN LANDS PROPERTY LINE  
VMC LEASE AREA  
LEASE SURVEY LIMITS  
ADJACENT PROPERTY LINE  
ULTIMATE PIT LIMITS  
CABARRUS CO. UNDISTURBED WATERBODY BUFFER ZONE  
CABARRUS CO. (NO BUILD BUFFER) 20' MINIMUM BUILDING SETBACK  
INDEX CONTOUR  
INTERMEDIATE CONTOUR  
SPOT ELEVATION

3500  
+ 751.6

Documented by: *A. Wesley Webb*  
2-11-19

2019 CONDITIONAL USE AMENDMENT REQUEST  
GOLD HILL QUARRY  
VULCAN CONSTRUCTION MATERIALS LLC  
15580 GLENMORE RD, GOLD HILL, NC 28071

alley, williams, carmen, & king, inc.  
CONSULTING ENGINEERS  
FIRM LICENSE No. F-0203  
120 SOUTH MAIN STREET  
KANNAHOLLS, NC 28082  
P.O. BOX 1248  
704/938-1515

WATERBODY BUFFER ZONE EXHIBIT

SCALE: VARIES  
PROFILE  
DATE: 2-11-19  
DRAWN BY: RCC  
CHECKED BY: GWV  
JOB NO.: 11526  
SHEET NO.: WBZ-1  
OF: 1



APPLICATION FOR AMENDMENT TO CONDITIONAL USE PERMIT  
EXTRACTION OF EARTH PRODUCTS

*Vulcan Construction Materials, LLC, successor in interest to Vulcan Construction Materials, L.P. ("Vulcan") addresses the specific requirements set forth in Chapter 8, Section 8-4 (12) for Extraction of Earth Products of the Cabarrus County Zoning Ordinances as follow. This document, including the Operational Plan and the Rehabilitation Plan are incorporated into Vulcan's Application to Amend Conditional Use Permit.*

Section 8-4 (12)(a)through(j) *These items are fully addressed on the Site Plan and/or Rehabilitation plan attached to the application.*

OPERATIONAL PLAN

I Date Operations Begin and their Expected Duration:

*Mining on the Site that is subject to this Application will be phased as shown on the Site Plan. Prior to beginning any mining activities in a particular phase, Applicant will install the required buffers for that phased area. Excavation does not take place all over the Site simultaneously but rather in a systematic migration around the Site. Vulcan anticipates initial operations will begin on the southeast portion of the property (parcel number 6603-57-8665) and move to other parcels over time based upon the market demands for construction aggregate products in the region.*

II. Proposed hours and days of operations.

*The existing extractive use operation contiguous to the Site may operate 24 hours 7 days a week without restriction as can the adjoining Carolina Stalite lightweight aggregate plant. Carolina Stalite uses high temperature kilns in the production of their finished product and with the exception of breakdowns or scheduled maintenance, those kilns operate 24 hours 7 days a week and rely solely on Vulcan for supply of feedstock to run their facility.*

*Vulcan proposes to limit extractive operations on the subject property between the hours of 6:00 a.m. to 8:00 p.m. Monday through Saturday and 7:00 a.m. to 6:00 p.m. on Sunday with the exception if we are required to supply materials needed for NCDOT construction or maintenance work that specifies alternative delivery times because of traffic control or other factors.*

*During its hours of operation, equivalent sound levels at the boundaries of the Site adjacent to non-quarry use shall not exceed the following standards:*

*Between 7 AM and 7 PM 60 DBA*

*Between 7 PM and 7 AM 55 DBA*

III. Estimated type and volume of extraction.

*Material being quarried is a construction aggregate. Volume depends on market demands driven by the consumer which is not controlled by Vulcan; however, we expect to produce in excess of 500,000 tons of material from the combined operations of which a portion or all will come from the Site during the estimated 50-year plus life of the combined facility.*

IV. Description of method of operation, including the disposition of topsoil, overburden and any by-products.

*By its very nature, mining (extraction) takes place in a natural progression with the initial installation of erosion/sediment control structures as specified in our state mining permit followed by the removal and stockpiling of the soil and soft rock (collectively known as "overburden") overlying the fresh, hard rock deposit. Once exposed, the rock is excavated in a series of lifts or benches. In broad terms, the depth of the excavation is limited by the aerial extent of the property contained in the mining permit boundary.*

V. Description of equipment to be used in the extraction process.

*Basic earth moving equipment consisting of off road haul trucks, hydraulic excavators and rock breakers, bulldozers, and pans will be used to remove and stockpile the topsoil/overburden and haul the rock to the processing plant located on the adjoining property located north and west of the Site.*

VI. Any phasing of the operations and the relationship among the various phases.

*Mining on the Site that is subject to this Application will be phased as shown on the Site Plan. Prior to beginning any mining activities in a particular phase, Applicant will install the required buffers for that phased area. Excavation does not take place all over the Site simultaneously but rather in a systematic migration around the Site. Vulcan anticipates initial operations will begin on the southeast portion of the property (parcel number 6603-57-8665) and move to other parcels over time based upon the market demands for construction aggregate products in the region.*



APPLICATION FOR AMENDMENT TO CONDITIONAL USE PERMIT  
EXTRACTION OF EARTH PRODUCTS

*Vulcan Construction Materials, LLC, successor in interest to Vulcan Construction Materials, L.P. ("Vulcan") addresses the specific requirements set forth in Chapter 8, Section 8-4 (12) for Extraction of Earth Products of the Cabarrus County Zoning Ordinances as follow. This document, including the Operational Plan and the Rehabilitation Plan are incorporated into Vulcan's Application to Amend Conditional Use Permit.*

*REHABILITATION (RECLAMATION) PLAN*

Statement of planned rehabilitation of the excavated land including detailed methods of accomplishment and planned future use of the rehabilitated land.

*See Reclamation Plan (sheets 7 and 8 of Site Plan) for details. Pit areas will become lakes and all remaining surface areas will be graded, seeded and a ground cover sufficient to prevent erosion will be established. The lake could be used for recreation or water supply for a variety of potential surrounding land uses ranging from residential to commercial.*

A map showing the final topography, after rehabilitation, to the same scale as the site plan. It shall also depict any water areas and methods of preventing stagnation and pollution, landscaping and ground cover proposed to be installed and the amount and type of any backfill, if any, to be employed.

*See Site Plan.*

A phasing and timing plan, related to the phasing and timing portion of the Operations Plan, showing the progression of the rehabilitation and the date to be completed.

*The Site should provide reserves for the operation of the Gold Hill Quarry in excess of 50 years. As specified in our State Mining Permit, reclamation will be conducted contemporaneously with mining to the extent feasible and will be completed within two years of completion of all mining related activities on each phase of the Site.*

The method of disposing of all equipment, structures, dikes and spoil piles associated with the operations.

*As per our State Mining Permit requirements, all equipment and structures will be removed from the Site and all spoil piles will be covered with topsoil, seeded, and a permanent ground cover established. Proposed reclamation plan once excavation and operations are terminated is to restore the pit area(s) to a lake.*

A written legal description or survey of the Site, prepared by a North Carolina registered land surveyor or engineer is included with the Site Plan.

[SIGNATURE PAGES TO FOLLOW]

**APPLICANT:**

VULCAN CONSTRUCTION MATERIALS LP  
4401 North Patterson Avenue  
Winston Salem NC 27105

BY: Denise A. Hallatt  
ITS: Community & Government Relations Manager

**PROPERTY OWNER:**

VULCAN LANDS, INC.  
1200 Urban Center Drive  
FAS 1401-843  
Birmingham, AL 35242

BY: A. Martin Thayer  
ITS: VICE PRESIDENT

**PROPERTY OWNER:**

CAROLINA STALITE COMPANY  
P.O. Box 1037  
Salisbury NC 28145

BY: Justin H. Johnson  
ITS: Managing Partner

gmg

The Vice Chair introduced the second item on the Agenda, Zoning Atlas Amendment, Petition C03-01(R) (SU):

**2. Applicant Vulcan Materials Company, LP**  
**Request: Zoning Atlas Amendment**

This was a request to the Cabarrus County Planning and Zoning Commission from Vulcan Materials Company, LP to have their property located adjacent to Glenmore Road at Rowan County line rezoned from AO – Agricultural and Open Space to GI(SU) – General Industrial (Special Use), to change the existing zoning to allow for the construction of a Quarry Operation.

The Vice Chair swore in Mr. Alex Rankin, Mr. Eddie Hatley, Mr. Tom Carroll, Ms. Jane Biggers, Mr. Marshall Ichard, Ms. Marsha Bonds, Mr. Robert Vaughn and Mr. Rodger Lentz.

Mr. Rodger Lentz, Planning Manager, addressed the Board presenting Petition C03-01(R) and staff report stating Vulcan Lands, Inc. facility is classified as an Extraction of Earth Products operation. Such facilities are only permitted in the General Industrial zoning district as a conditional use. At the request of Vulcan Lands, Inc., a two step process will be followed. First is the action before you in this application, a request for rezoning from AO to GI (SU). The purpose of this request is to permit the use 'Extraction of Earth Products'. The applicant has agreed to offer the following conditions as part of their request: (1) No storage of blasting agents on these properties; and (2) Construct earthen berms around the eastern and northeastern boundaries prior to rock excavation. During this first step, the Board is asked to consider if the proposed use is acceptable in the requested location given surrounding land use, existing conditions, and potential future conditions. At a later date, Vulcan Lands, Inc. will bring site plans, studies, etc. as required by Chapter 8 for the use Extraction of Earth Products, thereby finalizing the requirements for their conditional use permit. During this hearing the Board will examine submitted materials for their compliance with the requirements as stated in the zoning ordinance. Mr. Lentz said in conclusion, staff feels this request is consistent with their present quarry operation.

It is also consistent with the industrial zone areas to the north in Rowan County, with the adopted Eastern Area Plan and that the proposed buffer/berm provides mitigation for potential negative impacts to surrounding residential uses.

Planning staff recommends that Petition C03-01(R) be approved with the following condition: That prior to any development activity, Vulcan Lands, Inc., submit and obtain approval for their operation by finalizing their Conditional Use Permit as required under Chapter 8 of the Cabarrus County Zoning Ordinance.

Mr. Alex Rankin with Concord Engineering and Surveying, addressed the Board stating that they have been retained by Vulcan along with Mr. Jerry Newton of Cornerstone to help guide them through this rezoning process. When the property is rezoned they will be doing the technical design. He said the reason it is a two step process is because the quarry not only has to meet the guidelines of the county under the extraction of earth products; they also have to meet more stringent guidelines under the State mining laws. Mr. Rankin said when the property is rezoned they will prepare a plan for the State Mining Commission, get that approved and then come back to the County staff for them to review that and add any other conditions that they may want to add on top of that. He then introduced to the Board Mr. Tom Carroll who is the Manager of Business Development for Vulcan, who is here to speak about the company, the history of the Gold Hill Quarry and the specifics of the rezoning.

Mr. Tom Carroll addressed the Board stating he is the Manager of Business Development and he work out of their division headquarters in Winston-Salem, North Carolina. He then presented a presentation to the Board of some background on the company as well as some nature of their operations in a variety of locations and specifically here in Gold Hill. After conclusion of his presentation he said he would be happy to answer any questions that the Board may have. He said if he cannot he have a variety of his staff and other professionals and outside experts that are here tonight that can answer the Board's questions.

Mr. Moore asked Mr. Carroll on what basis does he state no impact to surrounding properties.

Mr. Carroll said they had a MAI appraisal done by an outside source.

The Vice Chair asked if they would be hiring new people.

Mr. Carroll said no, they do not see this as an increase in this particular business. He said they see this as an opportunity to continue their business into the future. This is more of an employment retention issue here in keeping an existing business that has a fairly stable work force that has been there for a long while. Mr. Carroll said staff has a letter from Phieffer College and some other folks that have expressed some support for this rezoning. He said there are also some folks here tonight to express some support.

The Vice Chair opened the Public Hearing on Petition C03-01(R).

Mr. Eddie Hatley, Gold Hill Fire Department, addressed the Board stating he is in favor of this rezoning petition.

Ms. Jane Biggers, Property Owner, addressed the Board stating she is in favor of this rezoning petition.

Mr. Marshall Ikener, Property Owner, addressed the Board stating he cannot see how this rezoning is not going to affect his property value. He said he cannot say that he is just diabolically opposed to this rezoning because he does not have enough information about it. He said no one tried to contact him or his neighbors. Mr. Ikener said he would like to ask the Board for some more time so he can set up an appointment to talk to somebody to see exactly what he is looking at. Then he can make a better-informed decision whether he is for it or against it.

Mr. Griffin asked Mr. Lentz, for a point of clarification, have they met all of their notification requirements.



Mr. Lentz said yes. He said they did not send that particular property owner notice because they were not an adjacent property owner.

Ms. Marsha Bonds, Property Owner, addressed the Board in opposition stating Vulcan has been very nice to them, but they cannot say that their blasting does not interfere with their homes. She said as long as Vulcan is operating their materials, they are still going to have the traffic, blasting and the extra noise.

Mr. Robert Vaughn, Property Owner, addressed the Board in opposition of this rezoning petition stating that the blasting is interfering with his home.

The Vice Chair asked Mr. Carroll have the Mining Commission ever cited Vulcan for any of these infractions?

Mr. Carroll said no, not that he is aware of.

The Vice Chair asked would there be a possibility during blasting that you would throw debris two miles.

Mr. Carroll said no because they video tape each one of their blasting operations. He said their seismograph records are kept on file for an indefinite period of time. If anyone makes a complaint it will be investigated. If they complain to the State, they will not only ask for the blast of the event that was monitored, but for records many times prior and many times after. Mr. Carroll said the records will show that each time that they have investigated those, they found Vulcan to be fully in compliance with their permit.

Mr. Starnes asked Mr. Carroll if he has ever had anyone in the neighborhood to approach him about damage to his or her homes due to the blasting.

Mr. Carroll said they have had some complaints in the past and they have been investigated by the State agency. He said the event that Mr. Vaughn is referencing the records will show that the State did not find any merit to that claim.

Mr. Starnes asked Mr. Carroll if Vulcan has reimbursed for any damages to his knowledge.

Mr. Carroll said no, not that he is aware of.

The Vice Chair asked if those claims are investigated by the State.

Mr. Carroll said they are either investigated by Vulcan and they have also employed and brought in outside structural engineers to investigate those. He said that is based on sound science. Mr. Carroll said the State Blasting Regulations are based on 30 years worth of US Bureau Mines Research.

Mr. Moore asked what about the allegation of unprotected deep pits.

Mr. Carroll said he checked with their operations manager for this area and it was confirmed that Vulcan does have barricades on all of their operations.

The Vice Chair closed the Public Hearing on Petition C03-01(R).

There being no further comments Mr. Starnes MOTIONED to approve Petition C03-01(R), seconded by Mr. Moose. The vote was unanimous.

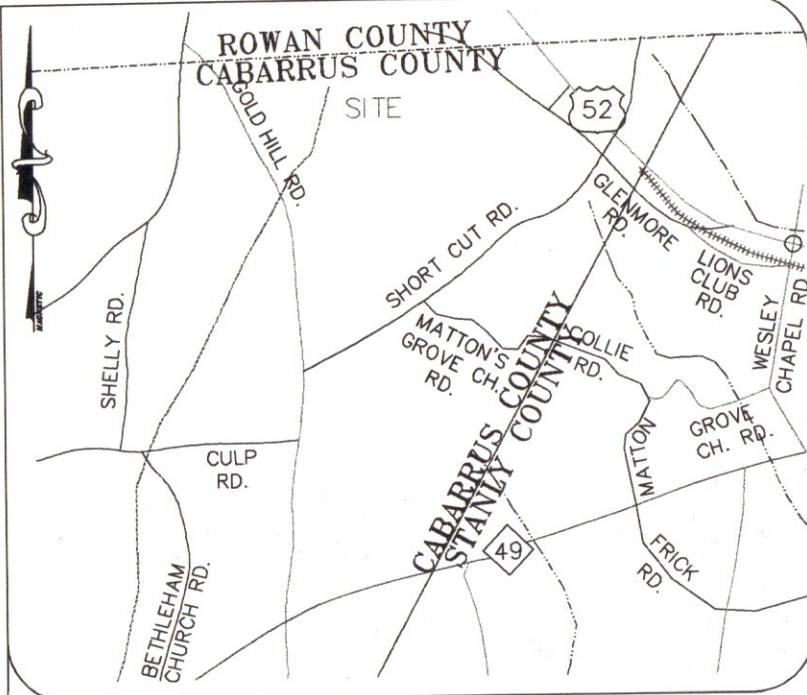
Petition C03-01(R) Approved

The Vice Chair introduced the third item on the Agenda, Zoning Atlas Amendment, Petition C03-02(R):

**3. Applicant: Bill J. Swan**  
**Request: Zoning Atlas Amendment**

This was a request to the Cabarrus County Planning and Zoning Commission from Bill J. Swan to have his property located adjacent to Jim Johnson Road rezoned from LDR – Low Density Residential to MDR – Medium Density Residential to develop a subdivision.

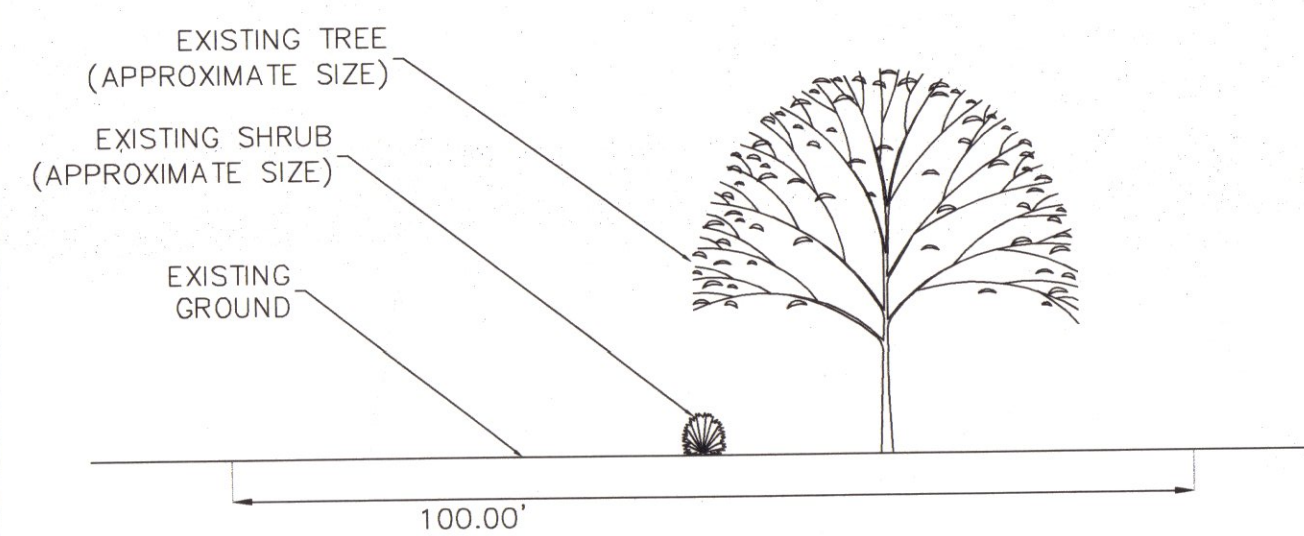




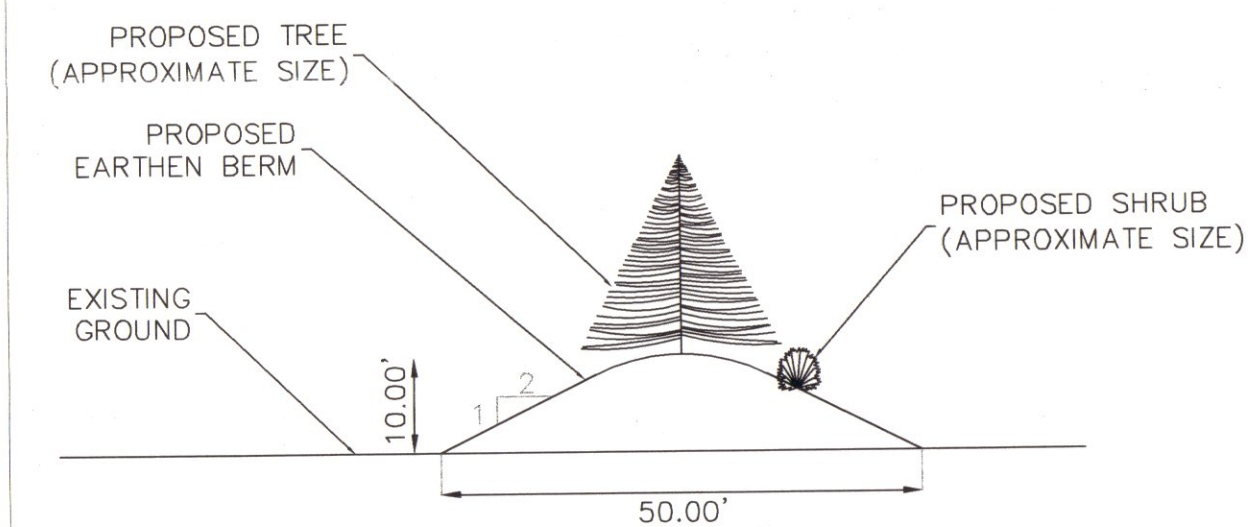
VICINITY MAP  
NOT TO SCALE

### LEGEND

- PROPERTY LINE
- EXISTING ROADWAY
- COUNTY LINE
- PROJECT BOUNDARY
- CREEK



LEVEL #1 BUFFERYARD - 100' IN WIDTH (UNDISTURBED)  
EXISTING VEGETATION MAY BE USED TO MEET REQUIREMENTS OF  
11 TREES AND 60 SHRUBS PER 100 LINEAR FEET. ADDITIONAL  
PLANTING MAY BE REQUIRED IF EXISTING PLANTING IS NOT SUFFICIENT,  
AS PER CHAPTER 9 OF CABARRUS COUNTY ZONING ORDINANCE.



LEVEL #1 BUFFERYARD - 50' IN WIDTH WITH 10' HIGH BERM (ALTERNATE)  
REQUIRED PLANTINGS SHALL BE REDUCED BY 1/2 AND THE WIDTH  
BY 1/2 WITH THE ADDITION OF AN EARTHEN BERM (6" MINIMUM),  
AS PER CHAPTER 9 OF CABARRUS COUNTY ZONING ORDINANCE.

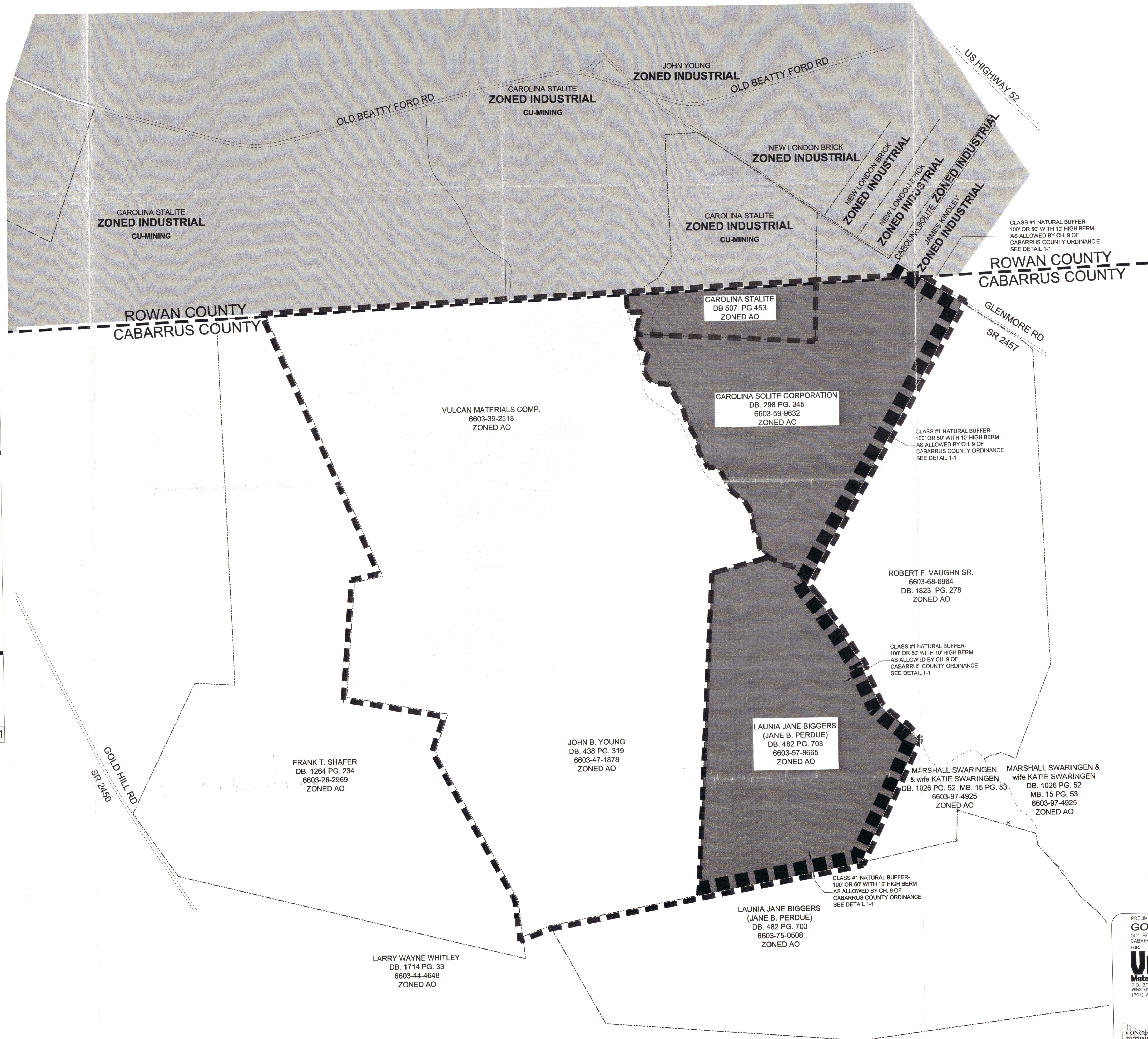
NOTE: THE PROPOSED BERMS AND REQUIRED PLANTING  
WILL BE COMPLETED PRIOR TO THE PROPERTY BEING  
ENTERED FOR MINING. UNTIL MINING BEGINS THE  
PROPERTIES WILL REMAIN UNDISTURBED AND ACT AS  
BUFFERS.

### BUFFERYARD DETAIL

DETAIL 1-1

### GENERAL NOTES

- BOUNDARY TOPOGRAPHIC AND LOCATION OF UTILITIES, TREES, ETC... WERE  
TAKEN FROM SURVEYS PROVIDED BY VULCAN MATERIALS COMPANY,  
GoldHill\_zone2002.dwg.
- PER FLOOD INSURANCE RATE MAP, PANEL 70 OF 180, MAP #37025C0060 D  
EFFECTIVE DATE: NOVEMBER 2, 1994, PROPERTY IS LOCATED IN ZONE X.
- CURRENT ZONING IS AO.
- SUBJECT PROPERTY IS CLASSIFIED AS ROLLING TERRAIN AS PER N.C.D.O.T.  
SUBDIVISION ROADS MANUAL.
- EXISTING NATURAL VEGETATION WITHIN UNDISTURBED BUFFER, BUT NOT  
LIMITED TO, IS TO BE PRESERVED.



PRELIMINARY PLAT  
NOT FOR RECORDATION,  
CONVEYANCES OR SALES.

PRELIMINARY SITE PLAN SHEET 1 OF 1  
**GOLD HILL QUARRY**  
OLD BEATTY FORD ROAD NO. 7 TOWNSHIP,  
CABARRUS COUNTY, NORTH CAROLINA  
FOR:  
**Vulcan**  
Materials Company  
P.O. BOX 4239  
WINSTON-SALEM, NC 27115  
(704) 862-3322

DATE: 07-30-02  
SCALE: 1" = 300'  
JOB NO.: 011107.001  
COMPUTED BY: JED  
DRAWN BY: JED  
CHECKED BY: FAR II

SCALE IN FEET  
0 300 600 900

CONCORD  
ENGINEERING &  
SURVEYING, INC.  
45 SPRING STREET SW  
CONCORD, NC 28025  
CONCORD (704) 786-5424  
CHARLOTTE (704) 332-9934  
FAX (704) 786-7454  
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Mr. Moore asked if the Board needs a motion to not excuse the absence or can the Board simply make the statement by the Board ending the motion.

Mr. Koch said no. He said you actually need a motion and a majority vote up or down on that issue.

Mr. Lancaster said he would like to second the not excused motion.

The vote was unanimous not to excuse Mr. Starnes.

The Chair introduced the second item on the Agenda Conditional Use Application 69 C:

**2. Applicant: Vulcan Construction Materials, LP**  
**Request: Conditional Use Application 69 C**

This was a request to the Cabarrus County Planning and Zoning Commission from Vulcan Construction Materials, LP. The applicant is requesting a conditional use application to expand their existing mining operation.

The Chair swore in Mr. Tom Carroll, Mr. Joseph Bridger, Mr. Alex Rankin, Mr. Roger Reeder, Mr. Denise Hallett, Mr. Rodney Hobbs, Mr. Guy Medlin, Mr. David Ford, Mr. Jay Lowe and Mr. Rodger Lentz.

Mr. Jay Lowe, Senior Zoning Inspector, addressed the Board presenting Conditional Use Application 69 C and staff report stating the applicant is asking permission to expand their existing mining operation. The applicant has explained that there is nothing new being added to the facility in the way of buildings, employees, trucks, etc. The company is simply "adding reserves" to the existing facility by adding more land.

Recently, Vulcan had the land in question rezoned to GI-CU. This is an appropriate zoning for the extraction of earth products. The previous rezoning required that a 25-foot unexcavated buffer be

provided on the exterior property lines that do not abut the adjacent Vulcan properties. Also, a 10-foot high berm with plantings must be installed to buffer the neighboring properties.

Finally, since the rezoning petition was approved, Vulcan's Gold Hill quarry site has been certified by the N.C. wildlife Federation under their Wildlife and Industry Together Program (W.A.I.T.).

As of March 10, 2004, Vulcan was in the final stages of modifying their current State Mining Permit. This could be completed by the time of the meeting.

Mr. Lowe said there are a few minor hold ups and the applicants can explain to the Board what they are. He said he received a letter from the East Gold Hill Fire Department commenting on how good of a neighbor Vulcan has been to them. He said he was also made aware of a report that says Vulcan was on Fortune Magazine most admired list, it talks about their accomplishments and it also speaks of them being in that wildlife conservation program.

Mr. Lowe said the applicant tonight also handed him another packet that talks about the geology of the site and how they go about the blasting of materials and what type of equipment they would have on site and so forth and it also speaks of property value in that area how it is not devaluating any of the property.

Mr. Tom Carroll of Vulcan Materials addressed the Board stating the material that Mr. Alex Rankin passed out to them is a summary of the information that was presented to the Board during the rezoning request. He said they appreciated the support that they received from the Board at that time. Mr. Carroll said since the time of that rezoning they have developed their specific site plans and that information was submitted to the State of North Carolina. He said there has been no request for a public hearing for the State Mine permit application. They essentially completed their review a few days ago. Mr. Carroll said in the information some things have changed since the last time he was before this body. He said as they indicated at the last meeting, this is a very unique geology, this is not very typical of most aggregate facilities in the United

States. It is probably less than 20 of those that had this particular product line that can be produced. Mr. Carroll said one thing they are particular proud of is the Cabarrus County quarry program. He said there are some conclusions in the summary that are consistent with the rezoning. The application is consistent with the eastern area land use plan. The property is suitable for industrial use as examined by this body previously. It is consistent with the conditional use rezoning, which was unanimously approved by this board. It is stated in the application there is no egress and ingress for the site they will be using the existing access road. There is no impact on property values. The project will maintain and enhance the public health and safety and present new demands on local public services fire, water etc. It complies with the general plans for the physical development of the county as embodied by the ordinances. Mr. Carroll said as Mr. Lowe indicated he is here to answer any questions the Board may have about the application.

Mr. Lancaster said one thing he likes about his proposal is that means Vulcan is going to be with Cabarrus County for an extended stay. He asked how long is the new facility going to allow them to operate.

Mr. Carroll said he hopes in excess of 50 years. He said they have been here about 50 and they are hoping that the operation be here an additional 50 years.

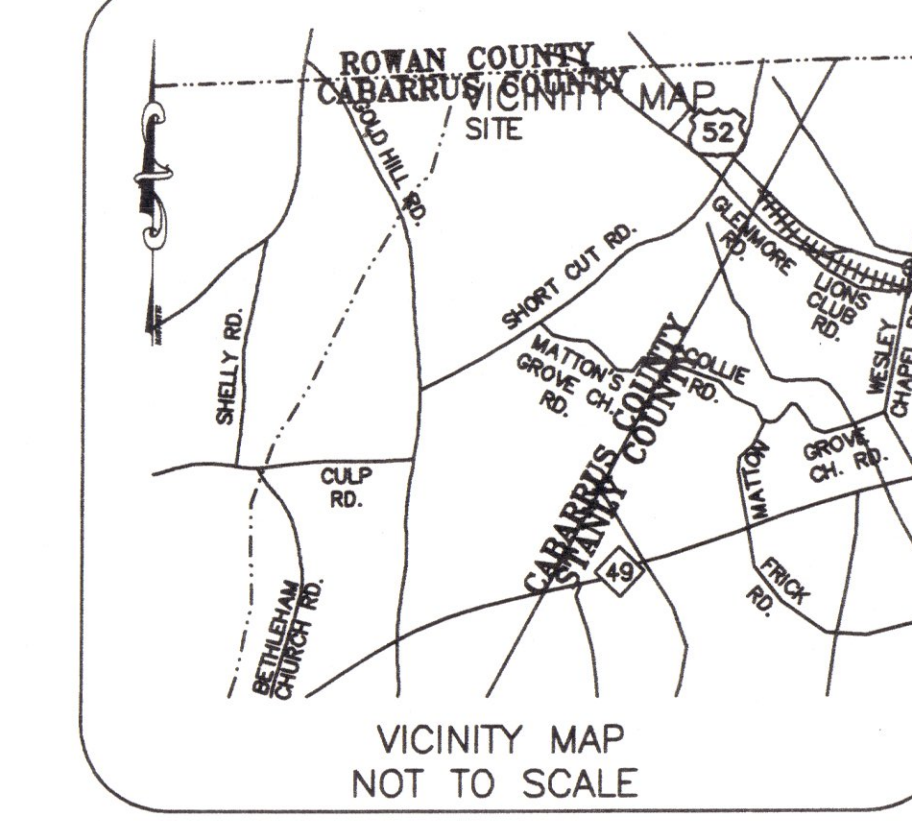
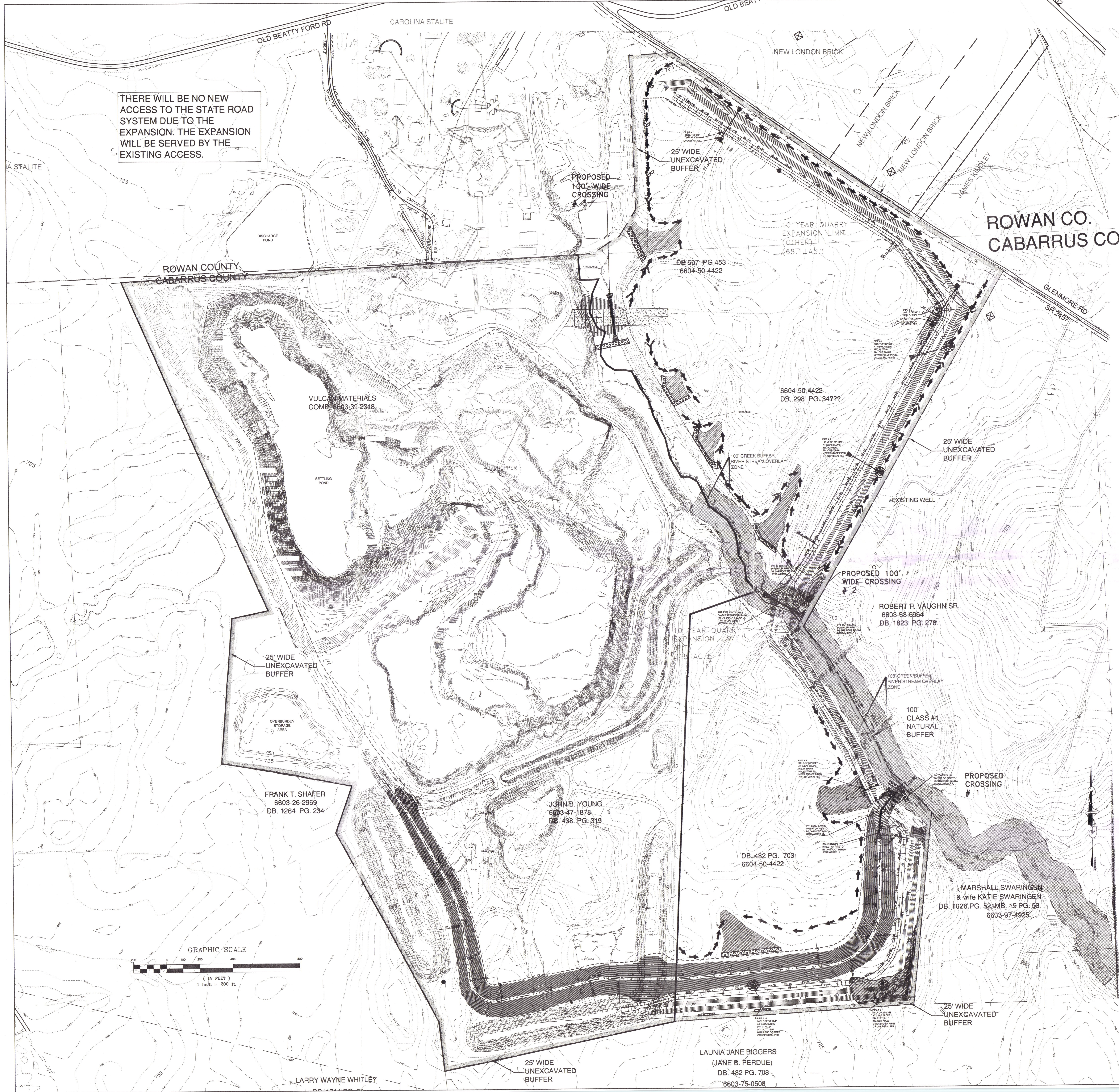
There being no further comments Mr. Moore MOTIONED to approve Conditional Use Application 69 C, seconded by Mr. Smith. The vote was unanimous.

Conditional Use Application 69 C Approved

The Chair introduced the third item on the Agenda, Conditional Use Application 70 C:

3. **Applicant: Rimer Volunteer Fire Department**  
**Request: Conditional Use Application 70 C**





CONCORD  
ENGINEERING &  
SURVEYING, INC.

ENGINEERS - SURVEYORS - PLANNERS  
NSPE PENC ACSP NSPS NCSS ASSE ASCE  
45 SPRING ST. SW P.O. BOX 288  
CONCORD, NC 28026-0288  
CONCORD (704) 786-5454  
CHARLOTTE (704) 532-9934  
FAX (704) 786-7454  
© CESI 2002

SEAL  
25700  
G. FULLER  
DO NOT  
2-19-04

THIS DOCUMENT ORIGINALLY ISSUED AND  
SEALED BY WANDA G. FULLER, NCEP#19220  
ON FEBRUARY 17, 2004. THIS DOCUMENT SHALL  
NOT BE CONSIDERED A CERTIFIED  
DOCUMENT

PROJECT NAME: CONDITIONAL USE PLAN

GOLD HILL QUARRY  
OLD BEATTY FORD ROAD,  
CABARRUS COUNTY, NORTH CAROLINA

Sheet Title:  
CONDITIONAL USE PLAN

Prepared For:  
Vulcan  
Materials  
Company  
WINSTON-SALEM, NC 27115  
(704) 786-3322

REVISION	DATE	INITIAL	DESCRIPTION
1	02-17-04	WGF	INITIAL SUBMITTAL FOR CONDITIONAL USE PERMIT

APPLICANT  
VULCAN CONSTRUCTION MATERIALS, LP  
P. O. BOX 4239  
WINSTON-SALEM, NORTH CAROLINA 27115  
(704)-892-3322

SCALE :  
HORIZONTAL : 1"=200'  
VERTICAL : N/A  
DRAWN BY : WGF  
COMPUTATIONS BY : WGF  
DESIGNED BY: CESI  
PROJECT MANAGER: WGF  
DRAWING FILE NAME:  
011107\_010CONDITIONAL  
USE 021704.DWG  
DATE: FEBRUARY 17, 2004  
JOB # 011107.010  
Sheet Title:  
CONDITIONAL  
USE PLAN  
SHEET 1 OF 2

NOTE: PROPERTY LINES ARE APPROXIMATE

COORDINATES ARE NORTH CAROLINA STATE PLANE  
NAD 83 (1986). VERTICAL DATUM IS NORTH  
AMERICAN VERTICAL DATUM OF 1988 (NAVD 88)

**LEGEND:**

APPROXIMATE LOCATION OF  
PROPOSED OBSERVATION WELL

PROPOSED SPOT ELEV.  
STORM DRAIN PIPE

RIP RAP

SILT DITCH-1

DENUDED/CONSTRUCTION LIMITS

ROCK CHECK DAM

SILT FENCE

3' HIGH ROCK DAM

769  
X 762.30

6.41 / C-3.5

6.30 / C3.5

6.83 / C3.5

6.62 / C3.5

NCDEM 6.63

**GENERAL NOTES**

1. BOUNDARY TOPOGRAPHIC AND LOCATION OF UTILITIES, TREES, ETC., WERE TAKEN FROM SURVEYS PROVIDED BY VULCAN MATERIALS COMPANY, G08HIL.dwg/0202.dwg.

2. THE ENGINEER HAS MADE NO EXAMINATION TO DETERMINE WHETHER ANY HAZARDOUS OR TOXIC MATERIALS ARE PRESENT OR CONTAINED IN, UNDER, OR ON THE SUBJECT PROPERTY OR ITS WATERS, OR IF ANY HAZARDOUS OR TOXIC MATERIALS HAVE CONTAMINATED THIS OR OTHER PROPERTIES OR ITS WATERS IN ANY WAY WHATSOEVER. NO SUBSURFACE EXAMINATION OF ANY TYPE HAS BEEN MADE BY THE ENGINEER AND ACCORDINGLY, NO OPINION IS EXPRESSED OR INFERRED ON ALL SUCH MATTERS. FURTHER, NO OPINION IS RENDERED AS TO ANY VIOLATION OF AN ENVIRONMENTAL LAW OR REGULATION, EITHER FEDERAL, STATE, OR LOCAL, RELATED TO THE INFORMATION SHOWN ON THIS PLAN AND THE ENGINEER IS IN NO WAY LIABLE FOR ANY VIOLATION OF SUCH ENVIRONMENTAL LAWS SHOULD THEY EXIST.

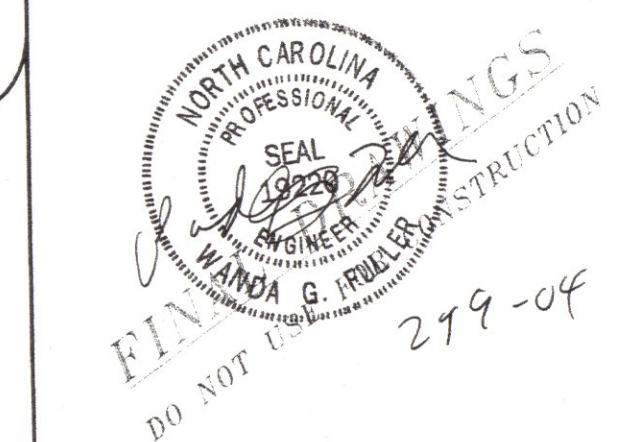
3. PER FLOOD INSURANCE RATE MAP, PANEL 70 OF 150, MAP #370250080 D EFFECTIVE DATE: NOVEMBER 4, 1994. PROPERTY IS LOCATED IN ZONE X.

4. CURRENT ZONING IS AO.

5. SUBJECT PROPERTY IS CLASSIFIED AS ROLLING TERRAIN AS PER N.C.D.O.T. SUBDIVISION ROADS MANUAL.

6. NATURAL VEGETATION WITHIN UNDISTURBED BUFFER, BUT NOT LIMITED TO, IS TO BE PRESERVED AS MUCH AS POSSIBLE.





THIS DOCUMENT ORIGINALLY ISSUED AND  
SEALED BY WANDA G. FULLER, NCPE#19220  
ON FEBRUARY 17, 2004. THIS MEDIUM SHALL  
NOT BE CONSIDERED A CERTIFIED  
DOCUMENT

CONDITIONAL USE - RECLAMATION PLAN

**GOLD HILL QUARRY**

OLD BEATTY FURD ROAD,  
CABARRUS COUNTY, NORTH CAROLINA

RECLAMATION PLAN

**Vulcan**  
Materials Company

PROJECT NAME:	
Sheet Title:	
Prepared For:	

[illegible]

No.									
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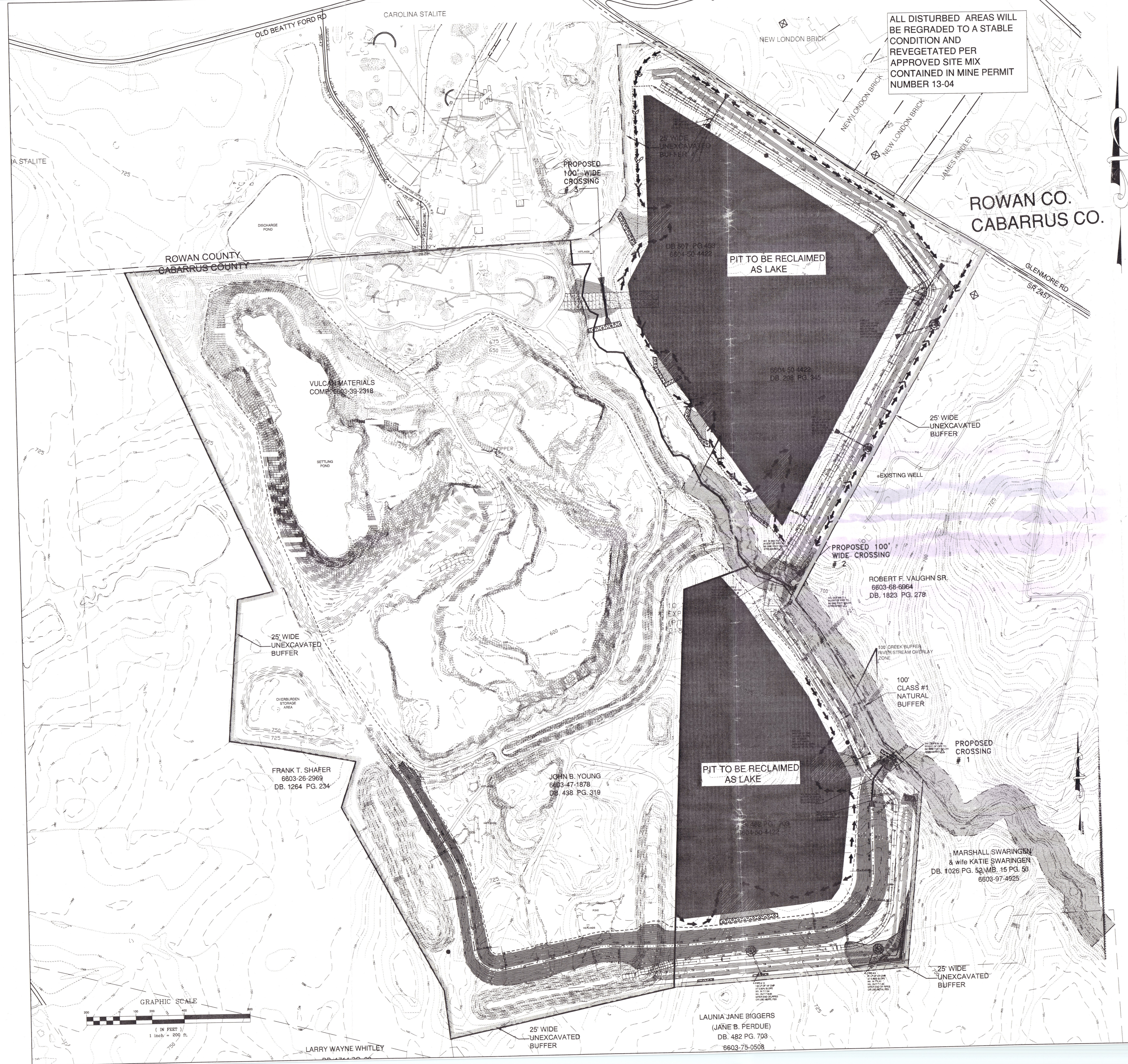
SCALE :  
 HORIZONTAL : 1"=  
 VERTICAL : N/A  
 DRAWN BY : WGF  
 COMPUTATIONS BY :

DESIGNED BY: CESI  
PROJECT MANAGER:  
DRAWING FILE NAME  
011107\_010CONDITION  
USE 021704.DWG  
DATE: FEBRUARY 17,

JOB # 011107

Sheet Title:  
CONDITIONAL  
USE-  
RECLAMATION  
PLAN

SHEET 2 OF





ROY COOPER  
*Governor*

MICHAEL S. REGAN  
*Secretary*

MICHAEL A. ABRACZINSKAS  
*Director*



NORTH CAROLINA  
*Environmental Quality*

October 18, 2018

Mr. Richard Roper  
VP Finance  
Vulcan Construction Materials, LLC - Gold Hill Quarry  
4401 N. Patterson Ave.  
Winston-Salem, NC 27105

Subject: Air Permit No. 10592R00  
Vulcan Construction Materials, LLC - Gold Hill Quarry  
Gold Hill, Cabarrus County, North Carolina  
Permit Class: Small  
Facility ID# 1300067

Dear Mr. Roper:

In accordance with your completed application received September 25, 2018, we are forwarding herewith Permit No. 10592R00 to Vulcan Construction Materials, LLC - Gold Hill Quarry, Gold Hill, Cabarrus County, North Carolina for the construction and operation of air emissions sources or air cleaning devices and appurtenances. Additionally, any emissions activities determined from your air permit application as meeting the exemption requirements contained in 15A NCAC 2Q .0102 have been listed for information purposes as an "ATTACHMENT" to the enclosed air permit. Please note the records retention requirements are contained in General Condition 2 of the General Conditions and Limitations.

If any parts, requirements, or limitations contained in this permit are unacceptable to you, you have the right to request a formal adjudicatory hearing within 30 days following receipt of this permit, identifying the specific issues to be contested. Such a request will stay the effectiveness of the entire permit. This hearing request must be in the form of a written petition, conforming to G.S. 150B-23 of the North Carolina General Statutes, and filed with the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, NC 27699-6714. The form for requesting a formal adjudicatory hearing may be obtained upon request from the Office of Administrative Hearings. Unless a request for a hearing is made pursuant to G.S. 150B-23, this air permit shall be final and binding.

You may request modification of your air permit through informal means pursuant to G.S. 150B-22. This request must be submitted in writing to the Director and must identify the specific provisions or issues for which the modification is sought. Please note that the permit will become final and binding regardless of a request for informal modification unless a request for a hearing is also made under G.S. 150B-23.



North Carolina Department of Environmental Quality | Division of Air Quality

Mooreville Regional Office | 610 East Center Avenue, Suite 301 | Mooreville, NC 28115

704 663 1699 T | 704 663 7579 F



**Unless exempted by a condition of this permit or the regulations, construction of new air pollution sources or air cleaning devices, or modifications to the sources or air cleaning devices described in this permit must be covered under a permit issued by the Division of Air Quality prior to construction. Failure to do so is a violation of G.S. 143-215.108 and may subject the Permittee to civil or criminal penalties as described in G.S. 143-215.114A and 143-215.114B.**

This permit shall be effective from October 18, 2018 until September 30, 2026, is nontransferable to future owners and operators, and shall be subject to the conditions and limitations as specified therein.

**Changes have been made to the permit stipulations. The Permittee is responsible for carefully reading the entire permit and evaluating the requirements of each permit stipulation. The Permittee shall comply with all terms, conditions, requirements, limitations and restrictions set forth in this permit. Noncompliance with any permit condition is grounds for enforcement action, for permit termination, revocation and reissuance, or modification, or for denial of a permit renewal application. Should you have any questions concerning this matter, please contact Carlotta Adams at 704-235-2228.**

Sincerely,



Bruce J. Ingle, Regional Supervisor  
Division of Air Quality, NC DEQ

CA  
Enclosures

c: Mooresville Regional Office

[https://ncconnect.sharepoint.com/sites/deq/daq\\_mro/Counties/CABARRUS/00067/R00\\_PERMIT.docx](https://ncconnect.sharepoint.com/sites/deq/daq_mro/Counties/CABARRUS/00067/R00_PERMIT.docx)

**A3-1 Equipment List for Vulcan Construction Materials-Gold Hill Quarry**

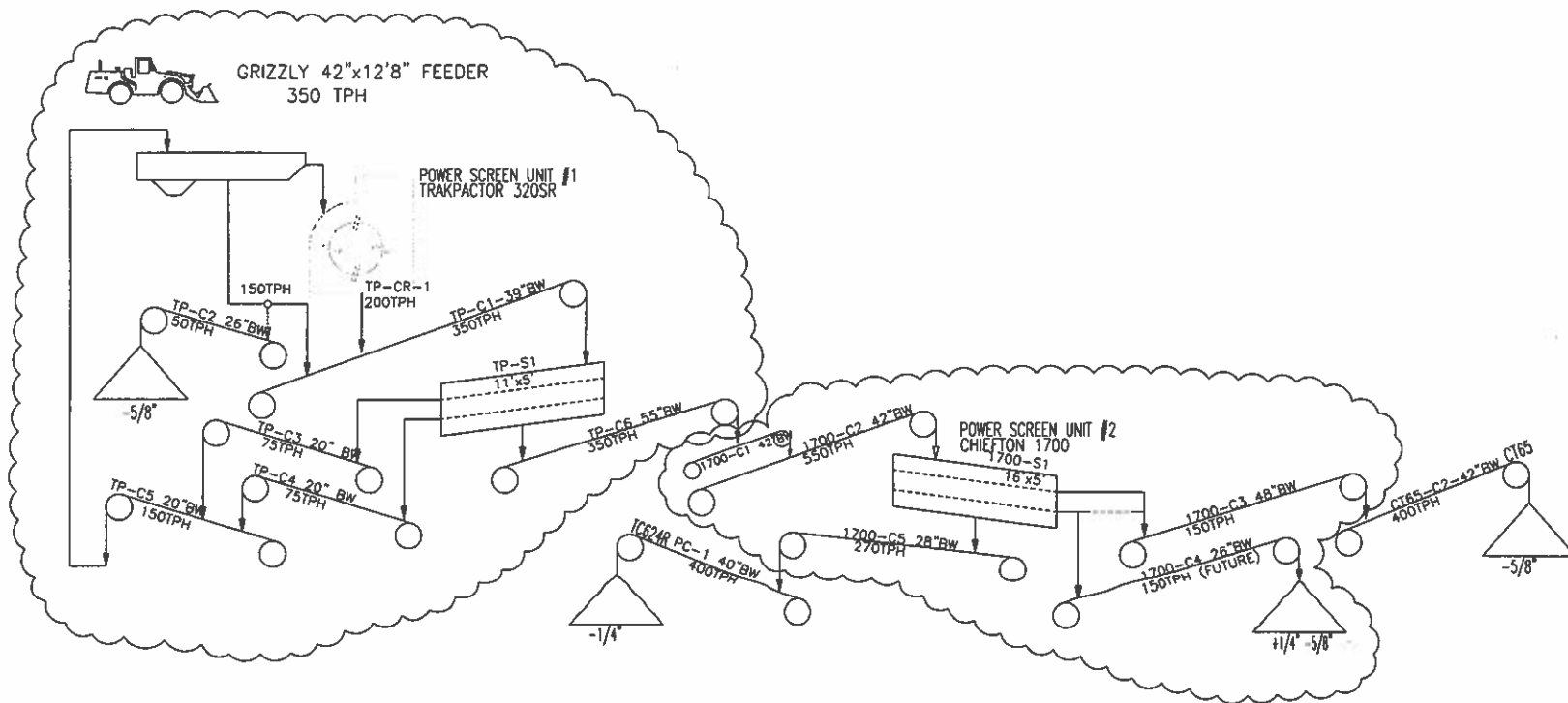
Equip.	Equipment	MFG	NSPS			
ID No.	Description	Date	Status (Yes, No, Yes/LFL)	Testing Date	Test Submitted	Comments
<b>CRUSHERS</b>						
CR1	C125B Jaw (700 tph)	1996	Yes/LFL	NA	NA	This is the only primary crusher at Gold Hill. A crusher reconstructed in 2017
CR2	5 1/2' Std (750 tph)	2017	Yes/LFL	N/A -LFL	NA - LFL	
CR3	HP 400 (640 tph)	1997	Yes	Apr-98	May-98	---
<b>SCREENS</b>						
F1	60" X 24' Grizzly	1971	No	NA		---
S1	6' x 16'-3 Deck	1994	Yes	Aug-95	Oct-95	---
S2	8' x 20'-3 Deck	1988	Yes/LFL	NA		---
S4	8' x 20'-3 Deck	2007	Yes/LFL	NA - Wet	NA - Wet	Wet Process
S5	6' x 16'-3 Deck	2007	Yes/LFL	NA - Wet	NA - Wet	Wet Process
<b>SAND SCREW</b>						
SS-1	44"X33' Double Sand Screw	1993	No	NA - Wet	NA - Wet	Wet proces
<b>CONVEYORS</b>						
C-1	48" Belt Width	1994	Yes	Aug-95	Oct-95	---
C-2	48" Belt Width	1994	Yes	Aug-95	Oct-95	---
C-3	42" Belt Width	1994	Yes	Aug-95	Oct-95	---
C-4	36" Belt Width	1994	Yes	Aug-95	Oct-95	---
C-5	36" Belt Width	2002	LFL	NA		---
C-6	42" Belt Width	1995	Yes	Aug-95	Oct-95	---
C-7	36" Belt Width	1995	Yes	Aug-95	Oct-95	---
C-8	36" Belt Width	1995	Yes	Aug-95	Oct-95	---
C-9	30" Belt Width	1994	Yes	Aug-95	Oct-95	---
C-10	30" Belt Width	1994	Yes	Aug-95	Oct-95	---
C-11	36" Belt Width	1995	Yes	Aug-95	Oct-95	---
C-12	36" Belt Width	1995	Yes	Aug-95	Oct-95	---
C-16	36" Belt Width	1994	Yes	Aug-95	Oct-95	Capacity increase to 700 TPH
C-17	36" Belt Width	1995	Yes	Aug-95	Oct-95	---
C-18	30" Belt Width	1994	Yes	NA - Wet	NA - Wet	Wet Process
C-19	30" Belt Width	Pre-2001	Yes	NA - Wet	NA - Wet	Wet Process. Manufacture date between 1994-2001.
C-20	30" Belt Width	1994	Yes	NA		Wet Process
C-21	30" Belt Width	1995	Yes	Aug-95	Oct-95	---
C-22	30" Belt Width	1995	Yes	Aug-95	Oct-95	Minor extension, capacity increase to 500 tph
C-23	36" Belt Width	1997	Yes	Sep-98	Sep-98	---
SC-1	30" Belt Width	1995	Yes	Aug-95	Oct-95	Realign then remove when new Stalite bins are build
SC-2	36" Belt Width	2001	Yes	Apr-05	Apr-05	
SC-3	30" Belt Width	Pre-2008	Yes	7/13/2016	7/19/2016	
SC-8	42" Belt Width	1989	Yes	Pending	Pending	
<b>BINS</b>						
SB-1	75 Tn	1994	Yes	Aug-95	Oct-95	---
SB-2	75 Tn	1994	Yes	Aug-95	Oct-95	---
<b>PORTABLE EQUIPMENT</b>						
<b>Portable Crushing Unit 1</b>						
PT-CR1	Powerscreen Premiertrak 600 Jaw Crusher (660 tph rated capacity)	2017	Yes	Nov-17	Nov-17	
PT-C1	47" Belt Width	2017	Yes	Nov-17	Nov-17	
PT-C2	30" Belt Width	2017	Yes	N/A Stockpile	N/A Stockpile	

CR1	C125B Jaw (700 tph)	1996	Yes/LFL	NA	NA	This is the only primary crusher at Gold Hill.
<b>Portable Crushing Unit 2</b>						
MT-CR1	Powerscreen 1300 Max Track (385 tph rated capacity)	2017	Yes	Nov-17	Nov-17	
MT-C1	51" Belt Width	2017	Yes	Nov-17	Nov-17	
MT-C2	39" Belt Width	2017	Yes	Nov-17	Nov-17	
<b>Portable Crushing Unit 3</b>						
TP-CR-1	Power Screen Trakpactor 320SR (350 tph rated capacity)	2017	Yes	Feb-18	Feb-18	
TP-S1	5' x 11'- 2 Deck	2017	Yes	Feb-18	Feb-18	
TP-C1	39" Belt Width	2017	Yes	Feb-18	Feb-18	
TP-C2	26" Belt Width	2017	Yes	N/A - Stockpile	N/A - Stockpile	
TP-C3	20" Belt Width	2017	Yes	Feb-18	Feb-18	
TP-C4	20" Belt Width	2017	Yes	Feb-18	Feb-18	
TP-C5	20" Belt Width	2017	Yes	Feb-18	Feb-18	
TP-C6	55" Belt Width	2017	Yes	Feb-18	Feb-18	
<b>Portable Crushing Unit 4</b>						
PT300-CR1	Powerscreen Premiertrak 300 (308 tph rated capacity)	2015	Yes	Pending	Pending	
PT300-C1	35" Belt Width	2015	Yes	Pending	Pending	
PT300-C2	26" Belt Width	2015	Yes	Pending	Pending	
<b>Portable Screening Unit 1</b>						
2100-S1	Powerscreen Warrior 2100 5' x 16'-2 Deck	2017	Yes	Nov-17	Nov-17	
2100-C1	51" Belt Width	2017	Yes	Nov-17	Nov-17	
2100-C2	55" Belt Width	2017	Yes	Nov-17	Nov-17	
2100-C3	51" Belt Width	2017	Yes	Nov-17	Nov-17	
2100-C4	35" Belt Width	2017	Yes	Nov-17	Nov-17	
<b>Portable Screening Unit 1A</b>						
2100-S1A	Powerscreen Warrior 2100 5' x 16'-2-Deck	2017	Yes	Aug-17	Aug-17	
2100-C1A	51" Belt Width	2017	Yes	Aug-17	Aug-17	
2100-C2A	51" Belt Width	2017	Yes	Aug-17	Aug-17	
2100-C3A	35" Belt Width	2017	Yes	Nov-17	Nov-17	
2100-C4A	35" Belt Width	2017	Yes	N/A Stockpile	N/A Stockpile	
2100-C5A	55" Belt Width	2017	Yes	N/A Stockpile	N/A Stockpile	
<b>Portable Screening Unit 2</b>						
1700-S1	Powerscreen Chiefton 1700 5' x 16'- 2 Deck	2017	Yes	Feb-18	Feb-18	
1700-C1	42" Belt Width	2017	Yes	Feb-18	Feb-18	
1700-C2	42" Belt Width	2017	Yes	Feb-18	Feb-18	
1700-C3	48" Belt Width	2017	Yes	Feb-18	Feb-18	
1700-C4	26" Belt Width	2017	Yes	N/A - Stockpile	N/A - Stockpile	
1700-C5	28" Belt Width	2017	Yes	Feb-18	Feb-18	
<b>Portable Conveyors</b>						
CT65-C1	42" Belt Width	2017	Yes	Nov-17	Nov-17	
CT65-C2	42" Belt Width	2017	Yes	Jan-18	Jan-18	
HF521-C1A	48" Belt Width	2017	Yes	Nov-17	Nov-17	
HF521-C1B	42" Belt Width	2017	Yes	Nov-17	Nov-17	
TC424-C1A	40" Belt Width	2017	Yes	Nov-17	Nov-17	
TC624-C1	40" Belt Width	2017	Yes	N/A Stockpile	N/A Stockpile	

Notes: 1. Shaded area indicates update.





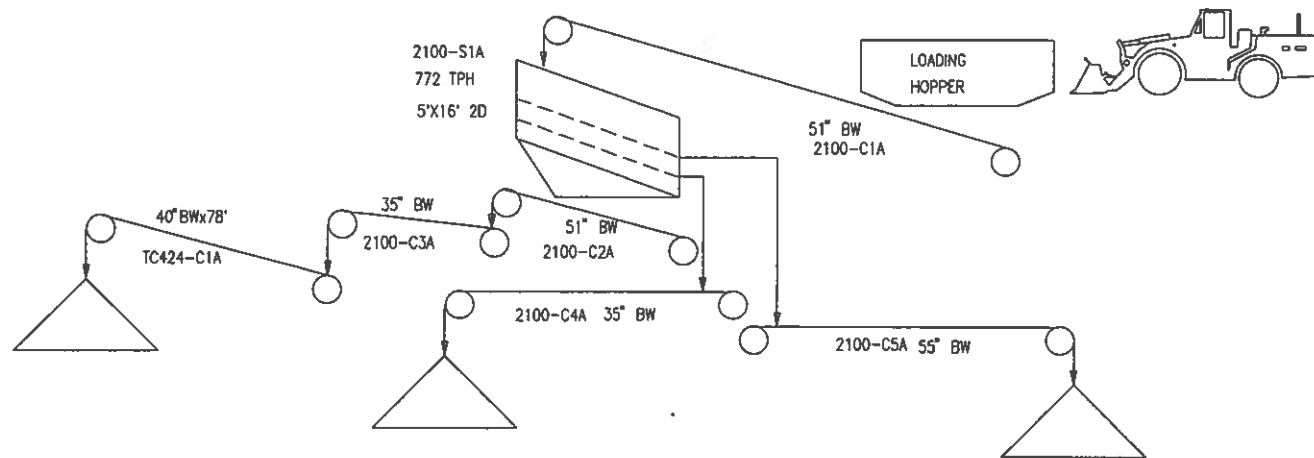


D		TOLERANCES-UNLESS NOTED		Vulcan		FLOW CHART FOR PORTABLE IMPACTOR PLANT		NORTH CAROLINA		PORTABLE	
A		REVISIONS		Materials Company		J. BURLEY		J. BURLEY		J. BURLEY	
B		DATE		BY		S-4-2004		S-4-2004		S-4-2004	
C		REVISION		BY		S-4-2004		S-4-2004		S-4-2004	
D		DATE		BY		S-4-2004		S-4-2004		S-4-2004	
E		REVISION		BY		S-4-2004		S-4-2004		S-4-2004	
F		DATE		BY		S-4-2004		S-4-2004		S-4-2004	
G		REVISION		BY		S-4-2004		S-4-2004		S-4-2004	
H		DATE		BY		S-4-2004		S-4-2004		S-4-2004	
I		REVISION		BY		S-4-2004		S-4-2004		S-4-2004	
J		DATE		BY		S-4-2004		S-4-2004		S-4-2004	
K		REVISION		BY		S-4-2004		S-4-2004		S-4-2004	
L		DATE		BY		S-4-2004		S-4-2004		S-4-2004	
M		REVISION		BY		S-4-2004		S-4-2004		S-4-2004	
N		DATE		BY		S-4-2004		S-4-2004		S-4-2004	
O		REVISION		BY		S-4-2004		S-4-2004		S-4-2004	
P		DATE		BY		S-4-2004		S-4-2004		S-4-2004	
Q		REVISION		BY		S-4-2004		S-4-2004		S-4-2004	
R		DATE		BY		S-4-2004		S-4-2004		S-4-2004	
S		REVISION		BY		S-4-2004		S-4-2004		S-4-2004	
T		DATE		BY		S-4-2004		S-4-2004		S-4-2004	
U		REVISION		BY		S-4-2004		S-4-2004		S-4-2004	
V		DATE		BY		S-4-2004		S-4-2004		S-4-2004	
W		REVISION		BY		S-4-2004		S-4-2004		S-4-2004	
X		DATE		BY		S-4-2004		S-4-2004		S-4-2004	
Y		REVISION		BY		S-4-2004		S-4-2004		S-4-2004	
Z		DATE		BY		S-4-2004		S-4-2004		S-4-2004	

NCPP-107-FLWAGG-0001 A

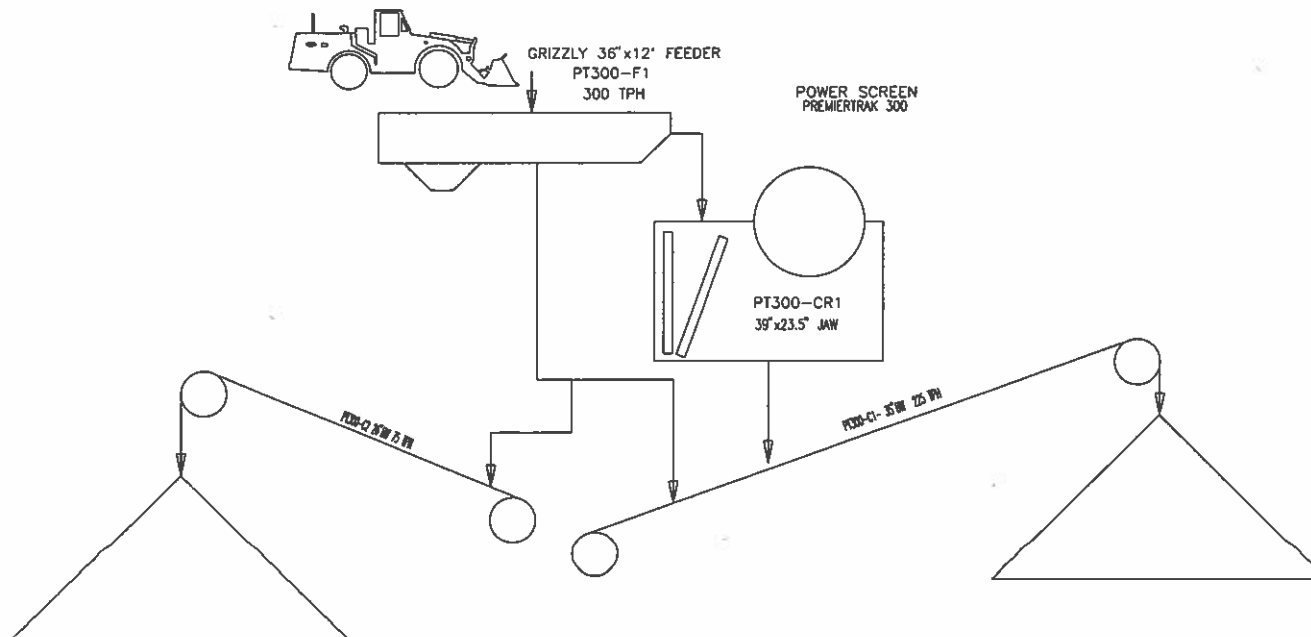






**POWERSCREEN WARRIOR 2100  
PORTABLE SCREENING PLANT**

B				TOLERANCES-UNLESS NOTED		PORTABLE PLANT		STATE NORTH CAROLINA		TYPE PORTABLE	
C				FINISHES: A 1/2" B 1/4" C 1/8" D 1/16" E 1/32" F 1/64" G 1/128" H 1/256" I 1/512" J 1/1024" K 1/2048" L 1/4096" M 1/8192" N 1/16384" O 1/32768" P 1/65536" Q 1/131072" R 1/262144" S 1/524288" T 1/1048576" U 1/2097152" V 1/4194304" W 1/8388608" X 1/16777216" Y 1/33554432" Z 1/67108864" AA 1/134217728" AB 1/268435456" AC 1/536870912" AD 1/1073741824" AE 1/2147483648" AF 1/4294967296" AG 1/8589934592" AH 1/17179869184" AI 1/34359738368" AJ 1/68719476736" AK 1/137438953472" AL 1/274877906944" AM 1/549755813888" AN 1/1099511627776" AO 1/2199023255552" AP 1/4398046511104" AQ 1/8796093022208" AR 1/17592186044416" AS 1/35184372088832" AT 1/70368744177664" AU 1/140737488355328" AV 1/281474976710656" AW 1/562949953421312" AX 1/1125899906842624" AY 1/2251799813685248" AZ 1/4503599627370496" BA 1/9007199254740992" BB 1/18014398509481984" BC 1/36028797018963968" BD 1/72057594037927936" BE 1/144115188075855872" BF 1/288230376151711744" BG 1/576460752303423488" BH 1/1152921504606846976" BI 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DATE		REVISION		BY				NCPP-000-FLWAGG-0004			



D		TOLERANCES—UNLESS NOTED			PORTABLE JAW CRUSHING PLANT		NORTH CAROLINA		PORTABLE		
C		Precision: ± 1/32"			2 1/2" DIA.		1/4"		1/4"		
B		Finish: ± 1/16"			1/2"		1/2"		1/2"		
A		Grind: ± 1/32"			1"		1"		1"		
DATE		DRAWN: RELEASE			BY		DATE		DATE		
REVISION		BY		DATE		DATE		DATE		DATE	

NCPP-000-FLWAGG-0005

NORTH CAROLINA ENVIRONMENTAL MANAGEMENT COMMISSION

DEPARTMENT OF ENVIRONMENTAL QUALITY

DIVISION OF AIR QUALITY

**AIR PERMIT NO. 10592R00**

Issue Date: October 18, 2018

Effective Date: October 18, 2018

Expiration Date: September 30, 2026

Replaces Permit: (new)

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To construct and operate air emission source(s) and/or air cleaning device(s), and for the discharge of the associated air contaminants into the atmosphere in accordance with the provisions of Article 21B of Chapter 143, General Statutes of North Carolina (NCGS) as amended, and other applicable Laws, Rules and Regulations,

Vulcan Construction Materials, LLC - Gold Hill Quarry  
16745 Old Beatty Ford Road  
Gold Hill, Cabarrus County, North Carolina  
Permit Class: Small  
Facility ID# 1300067

(the Permittee) is hereby authorized to construct and operate the air emissions sources and/or air cleaning devices and appurtenances described below:

Emission Source ID	Emission Source Description	Control System ID	Control System Description
<b>Non-metallic mineral processing plant utilizing water suppression with no other control devices, including:</b>			
ES-Convey (NSPS)	conveying operations	N/A	N/A
ES-Crush (NSPS)	crushing operations	N/A	N/A
ES-Screen (NSPS)	screening operations	N/A	N/A

in accordance with the completed application 1300067.18C received September 25, 2018 including any plans, specifications, previous applications, and other supporting data, all of which are filed with the Department of Environmental Quality, Division of Air Quality (DAQ) and are incorporated as part of this permit.

This permit is subject to the following specified conditions and limitations including any **TESTING, REPORTING, OR MONITORING REQUIREMENTS:**

**A. SPECIFIC CONDITIONS AND LIMITATIONS**

1. Any air emission sources or control devices authorized to construct and operate above must be operated and maintained in accordance with the provisions contained herein. The Permittee shall comply with applicable Environmental Management Commission

Regulations, including Title 15A North Carolina Administrative Code (NCAC), Subchapter 2D .0202, 2D .0510, 2D .0521, 2D .0524 (40 CFR 60, Subpart OOO), 2D .0535, 2D .0540, 2D .0605 and 2D .1806.

2. PERMIT RENEWAL AND EMISSION INVENTORY REQUIREMENT - The Permittee, at least 90 days prior to the expiration date of this permit, shall request permit renewal by letter in accordance with 15A NCAC 2Q .0304(d) and (f). Pursuant to 15A NCAC 2Q .0203(i), no permit application fee is required for renewal of an existing air permit (without a modification request). The renewal request (with AA application form) should be submitted to the Regional Supervisor, DAQ. Also, at least 90 days prior to the expiration date of this permit, the Permittee shall submit the air pollution emission inventory report (with Certification Sheet) in accordance with 15A NCAC 2D .0202, pursuant to N.C. General Statute 143 215.65. The report shall be submitted to the Regional Supervisor, DAQ and shall document air pollutants emitted for the 2025 calendar year.
3. PARTICULATE CONTROL REQUIREMENT - As required by 15A NCAC 2D .0510 "Particulates from Sand, Gravel, or Crushed Stone Operations," the following requirements apply:
  - a. The Permittee of a sand, gravel, recycled asphalt pavement (RAP), or crushed stone operation shall not cause, allow, or permit any material to be produced, handled, transported, or stockpiled without taking measures to reduce to a minimum any particulate matter from becoming airborne to prevent exceeding the ambient air quality standards beyond the property line for particulate matter, both PM<sub>10</sub> and total suspended particulates.
  - b. Fugitive dust emissions from sand, gravel, RAP, or crushed stone operations shall be controlled by 15A NCAC 2D .0540 "Particulates from Fugitive Dust Emission Sources."
  - c. The Permittee of any sand, gravel, RAP, or crushed stone operation shall control process-generated emissions:
    - i. From crushers with wet suppression (excluding RAP crushers); and
    - ii. From conveyors, screens, and transfer pointssuch that the applicable opacity standards in 15A NCAC 2D .0521 "Control of Visible Emissions," or 15A NCAC 2D .0524 "New Source Performance standards" are not exceeded.
4. VISIBLE EMISSIONS CONTROL REQUIREMENT - As required by 15A NCAC 2D .0521 "Control of Visible Emissions," visible emissions from the emission sources, manufactured after July 1, 1971, shall not be more than 20 percent opacity when averaged over a six-minute period, except that six-minute periods averaging not more than 87 percent opacity may occur not more than once in any hour nor more than four times in any 24-hour period. However, sources which must comply with a visible emissions standard in 15A NCAC 2D .0524 "New Source Performance Standards" or .1110 "National Emission Standards for Hazardous Air Pollutants" shall meet that standard instead of the 2D .0521 visible emissions standard.



5. **VISIBLE EMISSIONS CONTROL REQUIREMENT** - As required by 15A NCAC 2D .0521 "Control of Visible Emissions," visible emissions from the emission sources, manufactured as of July 1, 1971, shall not be more than 40 percent opacity when averaged over a six-minute period, except that six-minute periods averaging not more than 90 percent opacity may occur not more than once in any hour nor more than four times in any 24-hour period. However, sources which must comply with a visible emissions standard in 15A NCAC 2D .0524 "New Source Performance Standards" or .1110 "National Emission Standards for Hazardous Air Pollutants" shall meet that standard instead of the 2D .0521 visible emissions standard.
6. **15A NCAC 2D .0524 "NEW SOURCE PERFORMANCE STANDARDS"** - For the nonmetallic mineral processing equipment (wet material processing operations, as defined in 60.671, are not subject to this Subpart) including the emission sources, the Permittee shall comply with all applicable provisions, including the notification, testing, reporting, recordkeeping, and monitoring requirements contained in Environmental Management Commission Standard 15A NCAC 2D .0524 "New Source Performance Standards" (NSPS) as promulgated in 40 CFR 60, Subpart OOO, including Subpart A "General Provisions."
- a. **NSPS Reporting Requirements** - In addition to any other notification requirements to the Environmental Protection Agency (EPA), the Permittee is required to **NOTIFY** the Regional Supervisor, DAQ, in **WRITING**, of the following:
- i. The actual date of initial start-up of an affected facility, postmarked within 15 days after such date;
- b. **NSPS Emissions Limitations** - As required by 15A NCAC 2D .0524 [40 CFR 60.672], the following permit limits shall not be exceeded:
- i. For affected facilities that commenced construction, modification, or reconstruction after August 31, 1983 but before April 22, 2008 (wet material processing operations, as defined in 60.671, and Like-For-Like-Replacement, as allowed in 60.670(d), are not subject to this Subpart):

Affected Facility	Pollutant	Emission Limit
Crushers	Visible Emissions	15% opacity
Fugitive emissions from conveyor belts, screening operations, and other affected facilities	Visible Emissions	10% opacity

- ii. For affected facilities that commenced construction, modification, or reconstruction on or after April 22, 2008 (wet material processing operations, as defined in 60.671, and Like-For-Like-Replacement, as allowed in 60.670(d), are not subject to this Subpart):

Affected Facility	Pollutant	Emission Limit
Crushers	Visible Emissions	12% opacity
Fugitive emissions from conveyor belts, screening operations, and other affected facilities	Visible Emissions	7% opacity

- c. NSPS Monitoring Requirements - As required by 15A NCAC 2D .0524 [40 CFR 60.674], the following monitoring shall be conducted:
- i. For any affected facility that commenced construction, modification, or reconstruction on or after April 22, 2008 that uses wet suppression to control emissions (Like-For-Like-Replacement, as allowed in 60.670(d), is not subject to this Subpart), the Permittee shall:
    - A. Perform monthly periodic inspections to check that water is flowing to discharge spray nozzles in the wet suppression systems.
    - B. Initiate corrective action within 24 hours and complete corrective action as expeditiously as practical if the Permittee finds that water is not flowing properly during an inspection of the water spray nozzles.
- d. NSPS Recordkeeping Requirements - As required by 15A NCAC 2D .0524 [40 CFR 60.675], the following recordkeeping requirements shall be conducted:
- i. Each inspection of the water spray nozzles, including the date of each inspection and any corrective actions taken, shall be recorded in a logbook (in written or electronic form).
  - ii. Each quarterly Method 22, including the date, results of the observation, and any corrective actions taken, shall be recorded in a logbook (in written or electronic form).
  - iii. The logbooks (in written or electronic form) shall be maintained on-site and made available to DAQ personnel upon request.
- e. NSPS Performance Testing - As required by 15A NCAC 2D .0524, the following performance tests shall be conducted:

Affected Facility	Pollutant	Test Method
Crushers	Visible Emissions	Method 9
Fugitive emissions from conveyor belts, screening operations, and other affected facilities	Visible Emissions	Method 9

- i. All performance tests shall be conducted in accordance with EPA Reference Methods, contained in 40 CFR 60, Appendix A;
- ii. The EPA Administrator retains the exclusive right to approve equivalent and alternative test methods, continuous monitoring procedures, and reporting requirements;
- iii. Within 60 days after achieving the maximum production rate at which the affected facility(s) will be operated, but not later than 180 days after the initial start-up of the affected facility(s), the Permittee shall conduct the required performance test(s) and submit two copies of a written report of the test(s) to the Regional Supervisor, DAQ;
- iv. The Permittee shall be responsible for ensuring, within the limits of practicality, that the equipment or process being tested is operated at or near its maximum normal production rate or at a lesser rate if specified by the Director or his delegate;
- v. All associated testing costs are the responsibility of the Permittee;
- vi. The Permittee shall arrange for air emission testing protocols to be provided to the DAQ prior to testing. Testing protocols are not required to be pre-approved by the DAQ prior to testing. The DAQ shall review testing protocols for pre-approval prior to testing if requested by the Permittee at least 45 days before conducting the test; and
- vii. To afford the Regional Supervisor, DAQ, the opportunity to have an observer present, the Permittee shall PROVIDE the Regional Office, in WRITING, at least 7 days notice of any required performance test(s) that involve only Method 9. All other tests require a 30 day notice.
- viii. When determining compliance with the visible emissions limit from fugitive emissions from crushers, conveyor belts, screening operations, and other affected facilities (as described in 60.672(b) or 60.672(e)(1)), the duration of the Method 9 test must be 30 minutes (five 6-minute averages). Compliance with the fugitive visible emissions limits must be based on the average of the five 6-minute averages.
- ix. For any affected facility that commenced construction, modification, or reconstruction on or after April 22, 2008 that does not use wet suppression to

control emissions, the Permittee shall repeat the performance tests within five (5) years of the previous test.

A. If an affected facility relies on water carryover from upstream wet suppression to control fugitive emissions, then that affected facility is exempt from the 5-year repeat testing requirement provided that the Permittee conducts periodic inspections of the upstream wet suppression that is responsible for controlling fugitive emissions from the affected facility and designates which upstream wet suppression systems will be periodically inspected at the time of the initial performance test.

f. Like-For-Like-Replacement - As provided in 40 CFR 60.670(d), when an existing facility is replaced by a piece of equipment of equal or smaller size, as defined in 40 CFR 60.671, having the same function as the existing facility, and there is no increase in the amount of emissions, the new facility is exempt from the provisions of 40 CFR 60.672, 60.674, and 60.675 except as provided for in 60.670(d)(3). The Permittee shall comply with the reporting requirements of 40 CFR 60.676(a). Equipment covered under 40 CFR 60.670 shall comply the requirements of 15A NCAC 2D .0521.

7. NOTIFICATION REQUIREMENT - As required by 15A NCAC 2D .0535, the Permittee of a source of excess emissions that last for more than four hours and that results from a malfunction, a breakdown of process or control equipment or any other abnormal conditions, shall:

- a. Notify the Director or his designee of any such occurrence by 9:00 a.m. Eastern time of the Division's next business day of becoming aware of the occurrence and describe:
  - i. the name and location of the facility,
  - ii. the nature and cause of the malfunction or breakdown,
  - iii. the time when the malfunction or breakdown is first observed,
  - iv. the expected duration, and
  - v. an estimated rate of emissions.
- b. Notify the Director or his designee immediately when the corrective measures have been accomplished.

This reporting requirement does not allow the operation of the facility in excess of Environmental Management Commission Regulations.

8. FUGITIVE DUST CONTROL REQUIREMENT - As required by 15A NCAC 2D .0540 "Particulates from Fugitive Dust Emission Sources," the Permittee shall not cause or allow fugitive dust emissions to cause or contribute to substantive complaints or excess visible emissions beyond the property boundary. If substantive complaints are received or excessive



fugitive dust emissions from the facility are observed beyond the property boundaries for six minutes in any one hour (using Reference Method 22 in 40 CFR, Appendix A), the owner or operator may be required to submit a fugitive dust plan as described in 2D .0540(f).

"Fugitive dust emissions" means particulate matter that does not pass through a process stack or vent and that is generated within plant property boundaries from activities such as: unloading and loading areas, process areas stockpiles, stock pile working, plant parking lots, and plant roads (including access roads and haul roads).

9. QUARRY EQUIPMENT REPORTING - As required by 15A NCAC 2D .0605, the Permittee shall maintain on-site an equipment list and a plant (or flow) diagram of all equipment covered under this permit.

- a. The equipment list shall include the following information for each piece of equipment:
  - i. A description of equipment including applicability of New Source Performance Standards, and:
    - A. Width of belt conveyors,
    - B. Dimensions and configuration (e.g., triple deck ) of screens, and
    - C. Rated capacity (tons or tons/hr) of all nonmetallic mineral processing equipment.
  - ii. A unique ID number.
  - iii. The date the equipment was manufactured.
  - iv. The dates any required performance testing was conducted and submitted to the Regional Supervisor, DAQ.
- b. The equipment list and plant (or flow) diagram shall bear the date when the current list and diagrams were revised.
- c. The Permittee shall provide documentation to the Regional Supervisor, DAQ, for any required performance testing within seven days of a written request.
- d. Notwithstanding General Conditions and Limitations titled "Equipment Relocation" and "Reporting Requirement," the Permittee may install new and relocate existing nonmetallic mineral processing equipment. The Permittee shall provide written notification to the Regional Supervisor, DAQ, including a revised equipment list and plant (or flow) diagram, each time nonmetallic mineral processing equipment is installed or relocated at a facility. This notification shall be submitted at least 15 days before the equipment is installed or relocated at the facility unless otherwise approved by the Director. Nonmetallic mineral processing equipment includes all crushers, screens, conveyors and loadout bins.

10. CONTROL AND PROHIBITION OF ODOROUS EMISSIONS - As required by 15A NCAC 2D .1806 "Control and Prohibition of Odorous Emissions" the Permittee shall not

operate the facility without implementing management practices or installing and operating odor control equipment sufficient to prevent odorous emissions from the facility from causing or contributing to objectionable odors beyond the facility's boundary.

## **B. GENERAL CONDITIONS AND LIMITATIONS**

1. In accordance with G.S. 143-215.108(c)(1), TWO COPIES OF ALL DOCUMENTS, REPORTS, TEST DATA, MONITORING DATA, NOTIFICATIONS, REQUESTS FOR RENEWAL, AND ANY OTHER INFORMATION REQUIRED BY THIS PERMIT shall be submitted to the:

Regional Supervisor  
North Carolina Division of Air Quality  
Mooresville Regional Office  
610 East Center Avenue, Suite 301  
Mooresville, NC 28115  
704-663-1699

For identification purposes, each submittal should include the facility name as listed on the permit, the facility identification number, and the permit number.

2. RECORDS RETENTION REQUIREMENT - In accordance with 15A NCAC 2D .0605, any records required by the conditions of this permit shall be kept on site and made available to DAQ personnel for inspection upon request. These records shall be maintained in a form suitable and readily available for expeditious inspection and review. These records must be kept on site for a minimum of 2 years, unless another time period is otherwise specified.
3. ANNUAL FEE PAYMENT - Pursuant to 15A NCAC 2Q .0203(a), the Permittee shall pay the annual permit fee within 30 days of being billed by the DAQ. Failure to pay the fee in a timely manner will cause the DAQ to initiate action to revoke the permit.
4. EQUIPMENT RELOCATION - In accordance with 15A NCAC 2Q .0301, a new air permit shall be obtained by the Permittee prior to establishing, building, erecting, using, or operating the emission sources or air cleaning equipment at a site or location not specified in this permit.
5. REPORTING REQUIREMENT - In accordance with 15A NCAC 2Q .0309, any of the following that would result in previously unpermitted, new, or increased emissions must be reported to the Regional Supervisor, DAQ:
  - a. changes in the information submitted in the application regarding facility emissions;
  - b. changes that modify equipment or processes of existing permitted facilities; or
  - c. changes in the quantity or quality of materials processed.

If appropriate, modifications to the permit may then be made by the DAQ to reflect any necessary changes in the permit conditions. In no case are any new or increased emissions allowed that will cause a violation of the emission limitations specified herein.

6. In accordance with 15A NCAC 2Q .0309, this permit is subject to revocation or modification by the DAQ upon a determination that information contained in the application or presented in the support thereof is incorrect, conditions under which this permit was granted have changed, or violations of conditions contained in this permit have occurred. In accordance with G.S. 143-215.108(c)(1), the facility shall be properly operated and maintained at all times in a manner that will effect an overall reduction in air pollution. Unless otherwise specified by this permit, no emission source may be operated without the concurrent operation of its associated air cleaning device(s) and appurtenances.
7. In accordance with G.S. 143-215.108(c)(1), this permit is nontransferable by the Permittee. Future owners and operators must obtain a new air permit from the DAQ.
8. In accordance with G.S. 143-215.108(c)(1), this issuance of this permit in no way absolves the Permittee of liability for any potential civil penalties which may be assessed for violations of State law which have occurred prior to the effective date of this permit.
9. In accordance with G.S. 143-215.108(c)(1), this permit does not relieve the Permittee of the responsibility of complying with all applicable requirements of any Federal, State, or Local water quality or land quality control authority.
10. In accordance with 15A NCAC 2D .0605, reports on the operation and maintenance of the facility shall be submitted by the Permittee to the Regional Supervisor, DAQ at such intervals and in such form and detail as may be required by the DAQ. Information required in such reports may include, but is not limited to, process weight rates, firing rates, hours of operation, and preventive maintenance schedules.
11. A violation of any term or condition of this permit shall subject the Permittee to enforcement pursuant to G.S. 143-215.114A, 143-215.114B, and 143-215.114C, including assessment of civil and/or criminal penalties.
12. Pursuant to North Carolina General Statute 143-215.3(a)(2), no person shall refuse entry or access to any authorized representative of the DAQ who requests entry or access for purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper, or interfere with any such representative while in the process of carrying out his official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.
13. In accordance with G.S. 143-215.108(c)(1), this permit does not relieve the Permittee of the responsibility of complying with any applicable Federal, State, or Local requirements governing the handling, disposal, or incineration of hazardous, solid, or medical wastes, including the Resource Conservation and Recovery Act (RCRA) administered by the Division of Waste Management.
14. PERMIT RETENTION REQUIREMENT - In accordance with 15A NCAC 2Q .0110, the Permittee shall retain a current copy of the air permit at the site. The Permittee must make available to personnel of the DAQ, upon request, the current copy of the air permit for the site.
15. CLEAN AIR ACT SECTION 112(r) REQUIREMENTS - Pursuant to 15A NCAC 2D .2100 "Risk Management Program," if the Permittee is required to develop and register a risk

management plan pursuant to Section 112(r) of the Federal Clean Air Act, then the Permittee is required to register this plan with the USEPA in accordance with 40 CFR Part 68.

16. PREVENTION OF ACCIDENTAL RELEASES - GENERAL DUTY - Pursuant to Title I Part A Section 112(r)(1) of the Clean Air Act "Hazardous Air Pollutants - Prevention of Accidental Releases - Purpose and General Duty," although a risk management plan may not be required, if the Permittee produces, processes, handles, or stores any amount of a listed hazardous substance, the Permittee has a general duty to take such steps as are necessary to prevent the accidental release of such substance and to minimize the consequences of any release. **This condition is federally-enforceable only.**
17. GENERAL EMISSIONS TESTING AND REPORTING REQUIREMENTS - If emissions testing is required by this permit, or the DAQ, or if the Permittee submits emissions testing to the DAQ in support of a permit application or to demonstrate compliance, the Permittee shall perform such testing in accordance with 15A NCAC 2D .2600 and follow all DAQ procedures including protocol approval, regional notification, report submittal, and test results approval. Additionally, in accordance with 15A NCAC 2D .0605, the permittee shall follow the procedures for obtaining any required audit sample and reporting those results.

Permit issued this the 18<sup>th</sup> of October, 2018.

NORTH CAROLINA ENVIRONMENTAL MANAGEMENT COMMISSION



Bruce J. Ingle

Regional Supervisor

By Authority of the Environmental Management Commission



**Insignificant / Exempt Activities**

<b>Source</b>	<b>Exemption Regulation</b>	<b>Source of TAPs?</b>	<b>Source of Title V Pollutants?</b>
IES-2 - propane-fired pressure washer (0.33 million BTU per hour maximum heat input)	2Q .0102(h)(1)(B)	No	Yes
IES-3 - diesel fuel storage tank (20,000 gallons capacity)	2Q .0102 (g)(4)	Yes	Yes
IES-4 - antifreeze storage tank (500 gallons capacity)	2Q .0102 (g)(4)	No	Yes
IES-5 - waste oil storage tank (1000 gallons capacity)	2Q .0102 (g)(4)	Yes	Yes
IES-6 - propane storage tank (250 gallons capacity)	2Q .0102 (g)(4)	No	Yes
IES-7 - parts washer	2Q .0102 (h)(3)	No	Yes

- 
1. Because an activity is exempted from being required to have a permit or permit modification does not mean that the activity is exempted from an applicable requirement or that the owner or operator of the source is exempted from demonstrating compliance with any applicable requirement.
  2. When applicable, emissions from stationary source activities identified above shall be included in determining compliance with the permit requirements for toxic air pollutants under 15A NCAC 2D .1100 "Control of Toxic Air Pollutants" or 2Q .0711 "Emission Rates Requiring a Permit."
  3. Sample permit conditions showing the regulatory requirements for exempt sources subject to NESHAP, NSPS, and NCAC rules may be found here:  
<https://deq.nc.gov/about/divisions/air-quality/air-quality-permits/specific-permit-conditions-regulatory-guide>





North Carolina Department of Environment and Natural Resources  
**Division of Energy, Mineral, and Land Resources**  
Land Quality Section

Tracy E. Davis, PE, CPM  
Director

Beverly Eaves Perdue, Governor  
Dee Freeman, Secretary

August 21, 2012

Mr. Tony Johnson  
Vulcan Construction Materials, LP  
4401 N. Patterson Avenue  
Winston-Salem, North Carolina 27105

RE: Permit No. 13-04  
Gold Hill Quarry  
Cabarrus County  
Yadkin River Basin

Dear Mr. Johnson:

Your application for renewal and modification of the above referenced mining permit has been approved. The modification is to reduce the affected acreage at this site to 391.3 acres as indicated on the 2012 Renewal Mine Map last revised July 18, 2012. This modification includes the relocation of a stream crossing, relocation of a screening berm, removal of a major diversion channel, addition of new sediment control basins and redesign of erosion control measures to the updated standards. In addition, the affected acreage has been reduced based on updated surveys and aerial mapping. A copy of the renewed and modified permit is enclosed. The new expiration date is August 21, 2022.

The conditions in the renewed and modified permit were based primarily upon the initial application. Modifications were made as indicated by the renewal and modification requests and as required to insure compliance with The Mining Act of 1971. I would like to draw your particular attention to the following conditions where minor additions or changes were made: Operating Condition Nos. 3C, 3D, 4B, 5A and 10B and Reclamation Condition No. 3.

G.S. 74-65 states that the issuance of a mining permit does not supersede or otherwise affect or prevent the enforcement of any zoning regulation or ordinance duly adopted by an incorporated city or county or by any agency or department of the State of North Carolina.


As a reminder, your permitted acreage at this site is 425.9 acres and the amount of land you are allowed to disturb is 391.3 acres.



Mr. Johnson  
Page Two

Please review the renewed and modified permit and contact Judy Wehner, Assistant State Mining Specialist, at (919) 707-9220 should you have any questions concerning this matter.

Sincerely,



Janet S. Boyer, PE  
State Mining Specialist  
Land Quality Section

JSB/jw

Enclosures

cc: Mr. Zahid Khan  
Ms. Shannon Deaton-WRC, w/enclosures  
Mr. William Gerringer-DOL, Mine and Quarry Bureau, w/o enclosures



**DEPARTMENT OF ENVIRONMENT  
AND NATURAL RESOURCES**

**DIVISION OF LAND RESOURCES**

**LAND QUALITY SECTION**

**P E R M I T**

for the operation of a mining activity

In accordance with the provisions of G.S. 74-46 through 68, "The Mining Act of 1971," Mining Permit Rule 15A NCAC 5 B, and other applicable laws, rules and regulations

Permission is hereby granted to:

Vulcan Construction Materials LP

Gold Hill Quarry

Cabarrus County - Permit No. 13-04

for the operation of a

Crushed Stone Quarry

which shall provide that the usefulness, productivity and scenic values of all lands and waters affected by this mining operation will receive the greatest practical degree of protection and restoration.

MINING PERMIT EXPIRATION DATE: August 21, 2022



In accordance with the application for this mining permit, which is hereby approved by the Department of Environment and Natural Resources hereinafter referred to as the Department, and in conformity with the approved Reclamation Plan attached to and incorporated as part of this permit, provisions must be made for the protection of the surrounding environment and for reclamation of the land and water affected by the permitted mining operation. This permit is expressly conditioned upon compliance with all the requirements of the approved Reclamation Plan. However, completed performance of the approved Reclamation Plan is a separable obligation, secured by the bond or other security on file with the Department, and may survive the expiration, revocation or suspension of this permit.

This permit is not transferable by the permittee with the following exception: If another operator succeeds to the interest of the permittee in the permitted mining operation, by virtue of a sale, lease, assignment or otherwise, the Department may release the permittee from the duties imposed upon him by the conditions of his permit and by the Mining Act with reference to the permitted operation, and transfer the permit to the successor operator, provided that both operators have complied with the requirements of the Mining Act and that the successor operator agrees to assume the duties of the permittee with reference to reclamation of the affected land and posts a suitable bond or other security.

In the event that the Department determines that the permittee or permittee's successor is not complying with the Reclamation Plan or other terms and conditions of this permit, or is failing to achieve the purposes and requirements of the Mining Act, the Department may give the operator written notice of its intent to modify, revoke or suspend the permit, or its intent to modify the Reclamation Plan as incorporated in the permit. The operator shall have right to a hearing at a designated time and place on any proposed modification, revocation or suspension by the Department. Alternatively and in addition to the above, the Department may institute other enforcement procedures authorized by law.

### Definitions

Wherever used or referred to in this permit, unless the context clearly indicates otherwise, terms shall have the same meaning as supplied by the Mining Act, N.C.G.S. 74-49.

### Modifications

January 31, 1989: This permit has been modified to allow the relocation of the existing stream south of the existing quarry excavation as per the revised Erosion Sediment Control and Drainage Plan dated January 10, 1989 provided that this plan complies with the rules and regulations promulgated by the US Army Corps of Engineers.

August 4, 1993: This permit has been modified to allow land application of contaminated soils as indicated on the Mine Map dated May 18, 1992 and revised May 26, 1993 and on the Erosion Control Detail Sheet dated May 18, 1992 and revised May 26, 1993. This activity shall be in accordance with all applicable rules and regulations administered by the Environmental Management Commission.



July 2, 1998: This permit has been modified to allow the construction of a 3 acre overburden disposal area, an additional stream crossing, and the addition of associated sediment and erosion control measures as per the modification application dated March 1998 and the revised Site Plan dated May 1998.

January 1, 2000: This permit has been modified to change the corporate name from Vulcan Materials Company to Vulcan Construction Materials, LP.

December 20, 2001: This permit has been modified to allow the southeast pit expansion, removal of the existing overburden disposal berm, and realignment of the perimeter road as indicated on the Mine Map dated August 29, 2001 and last revised October 31, 2001.

April 15, 2004: This permit has been modified to increase the permitted acreage to 425.92 acres and the affected acreage at this site to 400 acres as indicated on the mine maps last revised February 13, 2004. The modification includes the expansion to the south and for other purposes including future reserves to the east, drainage channel relocation to the southern extent of the site, two creek crossing installations and maintenance of the associated sediment and erosion control measures.

August 21, 2012: This permit has been modified to reduce the affected acreage at this site to 391.3 acres as indicated on the 2012 Renewal Mine Map last revised July 18, 2012. This modification includes the relocation of a stream crossing, relocation of a screening berm, removal of a major diversion channel, addition of new sediment control basins and redesign of erosion control measures to the updated standards. In addition, the affected acreage has been reduced based on updated surveys and aerial mapping.

#### Expiration Date

This permit shall be effective from the date of its issuance until August 21, 2022.

#### Conditions

This Permit shall be subject to the provisions of the Mining Act, N.C.G.S. 74-46, et. seq., and to the following conditions and limitations:

#### OPERATING CONDITIONS:

##### 1. Wastewater and Quarry Dewatering

- A. Any wastewater processing or mine dewatering shall be in accordance with the permitting requirements and rules promulgated by the N.C. Environmental Management Commission.



- B. Any storm water runoff from the affected areas at the site shall be in accordance with any applicable permit requirements and regulations promulgated by the Environmental Protection Agency and enforced by the N.C. Environmental Management Commission. It shall be the permittee's responsibility to contact the Division of Water Quality to secure any necessary storm water permits or other approval documents.

2. Air Quality and Dust Control

- A. Any mining related process producing air contaminant emissions including fugitive dust shall be subject to the requirements and rules promulgated by the N.C. Environmental Management Commission and enforced by the Division of Air Quality.
- B. The permanent access (plant entrance) road shall be paved a minimum of 200 linear feet. During processing operation, water trucks or other means that may be necessary shall be utilized to prevent dust from leaving the permitted area.

3. Buffer Zones

- A. Any mining activity affecting waters of the State, waters of the U. S., or wetlands shall be in accordance with the requirements and regulations promulgated and enforced by the N. C. Environmental Management Commission.
- B. Sufficient buffer shall be maintained between any affected land and any adjoining waterway or wetland to prevent sedimentation of that waterway or wetland from erosion of the affected land and to preserve the integrity of the natural watercourse or wetland.
- C. All buffer zones shown on the 2012 Renewal Mine Map last revised July 18, 2012 shall be maintained to protect adjoining property. These buffer zones, with the exception of the installation of required sediment control measures and approved earthen berms, shall remain undisturbed.
- D. The 100 foot wide stream crossing shall not be installed until the proper approvals/permits have been obtained from the Division of Water Quality and any other applicable agencies.

4. Erosion and Sediment Control

- A. Adequate mechanical barriers including, but not limited to diversions, earthen dikes, check dams, sediment retarding structures, rip rap pits, or ditches shall be provided in the initial stages of any land disturbance and maintained to prevent sediment from discharging onto adjacent surface areas or into any lake, wetland or natural watercourse in proximity to the affected land.



- B. All mining activities, including the installation and maintenance of all erosion and sedimentation control measures, shall be conducted as indicated on the 2012 Renewal Mine Map last revised July 18, 2012 and the supplemental information received by the Land Quality Section on April 17, 2012 and July 20, 2012 with the stipulation that the 100 foot wide stream crossing shall not be installed until the proper approvals/permit have been obtained from the Division of Water Quality and any other applicable agencies.
- C. An erosion and sediment control plan(s) shall be submitted to the Department for approval prior to any land disturbing activities not indicated on the revised erosion control plan or mine maps submitted with the approved application for a mining permit and any approved revisions to it. Such areas include, but are not limited to, expansion outside of the approved pit area, creek crossings, or expansion of overburden or waste disposal areas.

5. Groundwater Protection

- A. The observation wells denoted on the 2012 Renewal Mine Map last revised July 18, 2012 shall be monitored at least 30 days prior to initiating any excavations of consolidated material (rock) in the initial pit area to allow for the determination of pre-existing (static) groundwater levels.
- B. The observation wells shall be drilled wells cased into consolidated rock and grouted to the surface. The wells (boreholes) shall be extended at least 50 feet below static water level, or at least 50 feet into unweathered rock, whichever is deeper. The wells shall be secured against unauthorized entry with a lockable cap. The necessary permits or approvals to construct these wells shall be obtained from the N.C. Division of Water Quality.
- C. The observation wells shall be monitored quarterly at the same day and approximate time of day. The static water levels shall be measured with an accuracy of plus or minus 0.1 foot and shall be referenced to a datum point and a record of the water levels maintained. The quarterly precipitation and the volume of pit water discharge shall also be recorded. Copies of these records shall be provided to the Department on or about the end of each quarter. Static water level monitoring frequency may be increased or decreased as deemed appropriate by the Department.

6. Graded Slopes and Fills

- A. The angle for graded slopes and fills shall be no greater than the angle which can be retained by vegetative cover or other adequate erosion control measure, structure, or device. In any event, exposed slopes or any excavated channels, the erosion of which may cause off-site damage because of siltation, shall be planted or otherwise provided with groundcover, devices or structures sufficient to restrain such erosion.



- B. Overburden cut slopes along the quarry opening shall be graded to a minimum 2 horizontal to 1 vertical or flatter and shall be stabilized within 60 days of completion. Furthermore, a minimum ten (10) foot wide horizontal safety bench shall be provided at the top of the rock and at the toe of any overburden slope.

## 7. Surface Drainage

The affected land shall be graded so as to prevent collection of pools of water that are, or likely to become, noxious or foul. Necessary structures such as drainage ditches or conduits shall be constructed or installed when required to prevent such conditions.

## 8. Blasting

**The operator shall monitor each blast with a seismograph located at a distance no farther than the closest off site regularly occupied structure not owned or leased by the operator.** A seismographic record including peak particle velocity, air overpressure, and vibration frequency levels shall be kept for each blast (except as provided under Operating Condition Nos. 8B and 8D of this permit). The following blasting conditions shall be observed by the mine operator to prevent hazard to persons and adjacent property from surface blasting:

### A. Ground Vibration With Monitoring:

In all blasting operations, the maximum peak particle velocity of any component of ground motion shall not exceed Figure 1 (below) at the immediate location of any regularly occupied building outside of the permitted area such as a dwelling house, church, school, or public, commercial or institutional building.

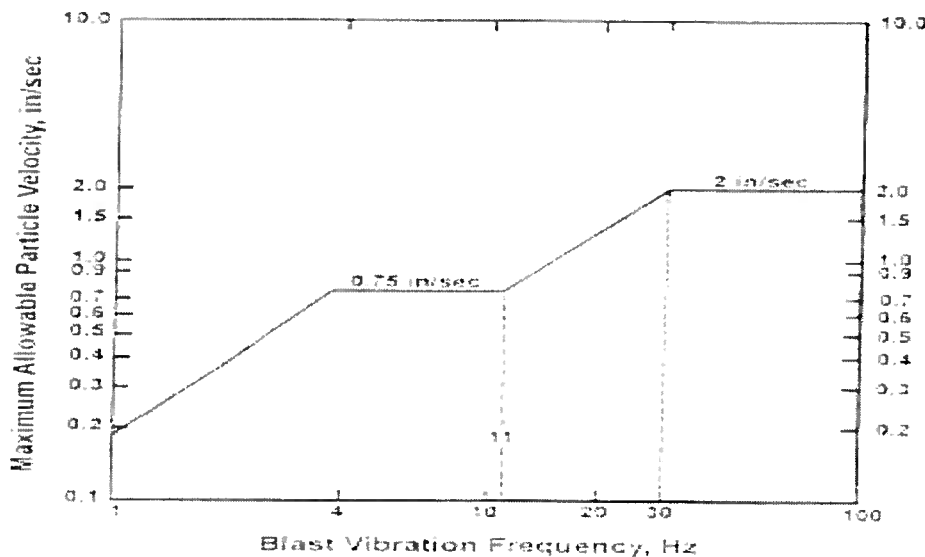


Figure 1. Alternative blasting level criteria  
(Source modified from figure B-1, Bureau of Mines R18507)



B. Ground Vibration Without Monitoring:

In the event of seismograph malfunction or other condition which prevents monitoring, blasting shall be conducted in accordance with the following formulas:

$$W = (D/D_s)^2 \quad D_s = \frac{D}{W^{1/2}}$$

$$V = 160(D_s)^{-1.6}$$

W = Maximum charge weight of explosives per delay period of 8.0 milliseconds or more (pounds).

D = Distance from the blast site to the nearest inhabited building not owned or leased by the mine operator (feet).

D<sub>s</sub> = Scaled distance factor.

V = Peak Particle Velocity (inches per second).

The peak particle velocity of any component shall not exceed 1.0 inch per second, for the purposes of this Section.

C. Air blast With Monitoring:

Air blast overpressure resulting from surface blasting shall not exceed 129 decibels linear (dBL) as measured at the immediate location of any regularly occupied building not owned or leased by the operator outside of the permitted area such as a dwelling house, church, school, or public, commercial or institutional building, unless an alternate level based on the sensitivity of the seismograph microphone as specified below is being used:

<u>Lower Frequency Limit of Measuring System, in Hz</u>	<u>Max Level, in dBL</u>
0.1 Hz or lower-flat response	134 peak
2.0 Hz or lower-flat response	133 peak
6.0 Hz or lower-flat response	129 peak

D. Air blast Without Monitoring:

In the event of seismograph malfunction or other condition which prevents monitoring, blasting shall be conducted in accordance with the following formulas:

$$U = 82 (D/W^{0.33})^{-1.2}$$

To convert U (psi) to P (dBL):



$$P = 20 \times \log (U/2.9 \times 10^{-9})$$

Confined Air blast/Overpressure (dBL)  
for quarry situation:

$$A = P - 35$$

- U = Unconfined air overpressure (pounds per square inch).
- W = Maximum charge weight of explosives per delay period of 8.0 milliseconds or more (pounds).
- D = Distance from the blast site to the nearest inhabited building not owned or leased by the mine operator (feet).
- P = Unconfined air overpressure (decibels).
- A = Air blast or air overpressure for typical quarry situations (decibels).

The air blast/overpressure shall not exceed 129 decibels, for the purposes of this Section.

E. Record Keeping:

The operator shall maintain records on each individual blast describing: the total number of holes; pattern of holes and delay of intervals; depth and size of holes; type and total pounds of explosives; maximum pounds per delay interval; amount of stemming and burden for each hole; blast location; distance from blast to closest offsite regularly occupied structure; and weather conditions at the time of the blast. Records shall be maintained at the permittee's mine office and copies shall be provided to the Department upon request.

F. Excessive Ground Vibration/Air blast Reporting:

If ground vibration or Air blast limits are exceeded, the operator will immediately report the event with causes and corrective actions to the Department. Use of explosives at the blast site that produced the excessive reading shall cease until corrective actions approved by the Department are taken. However, blasting may occur in other approved areas within the permitted boundary. Authorization to blast at the blast site may be granted at the time of the verbal reporting of the high ground vibration or high air blast reading if the circumstances justify verbal approval. Failure to report will constitute a permit violation.

G. Flyrock Prevention:

The operator shall take all reasonable precautions to ensure that flyrock is not thrown beyond areas where the access is temporarily or permanently guarded by the operator. Failure to take corrective measures to prevent flyrock and repeated instances of flyrock shall be considered a violation of the Mining Permit.



H. Flyrock Reporting:

Should flyrock occur beyond the permitted and guarded areas, the operator shall immediately report the incident to the Department. Further use of explosives on the mine site shall be suspended until the following actions have been taken:

1. A thorough investigation as to the cause(s) of the incident shall be conducted.
2. A report detailing the investigation shall be provided to the Department within 10 days of the incident. The report shall, at a minimum, document the cause(s) of the incident along with technical and management actions that will be taken to prevent further incidents. The report shall meet with the approval of the Department before blasting may resume at the mine site.

I. Studies:

The operator shall provide to the Department a copy of the findings of any seismic studies conducted at the mine site in response to an exceedence of a level allowed by these blasting conditions. The operator shall make every reasonable effort to incorporate the studies' recommendations into the production blasting program.

J. Notice:

The operator shall, when requested by the Department, give 24-hour advance notice to the Land Quality Section Regional Office prior to any blast during a period for which notice is requested.

9. High Wall Barrier

A physical barrier consisting of large boulders placed end-to-end or fencing shall be maintained at all times along the perimeter of any highwall to prevent inadvertent public access. In addition, a minimum 10 foot wide horizontal safety bench shall be provided at the junction between the top of rock and the toe of any overburden cut slope.

10. Visual Screening

- A. Existing vegetation shall be maintained between the mine and public thoroughfares to screen the operation from the public. Additional screening methods, such as constructing earthen berms, shall be employed as deemed appropriate by the Department.



- B. Vegetated earthen berms shall be located and constructed as shown on the 2012 Renewal Mine Map last revised July 18, 2012. In addition to grasses, long leaf and/or Virginia pines or other acceptable evergreen species shall be planted as deemed appropriate by the Department to improve visual and noise buffering.

11. Plan Modification

The operator shall notify the Department in writing of the desire to delete, modify or otherwise change any part of the mining, reclamation, or erosion/sediment control plan contained in the approved application for a mining permit and any approved revisions to it. Approval to implement such changes must be obtained from the Department prior to on-site implementation of the revisions.

12. Refuse Disposal

- A. No on-site disposal of refuse or other solid waste that is generated outside of the mining permit area shall be allowed within the boundaries of the mining permit area unless authorization to conduct said disposal has first been obtained from both the Division of Waste Management and the Land Quality Section, Department of Environment and Natural Resources. The method of disposal shall be consistent with the approved reclamation plan.
- B. Mining refuse as defined by G.S. 74-49 (14) of The Mining Act of 1971 generated on-site and directly associated with the mining activity may be disposed of in a designated refuse area. All other waste products must be disposed of in a disposal facility approved by the Division of Waste Management. No petroleum products, acids, solvents or their storage containers or any other material that may be considered hazardous shall be disposed of within the permitted area.
- C. For the purposes of this permit, the Division of Land Resources considers the following materials to be "mining refuse" (in addition to those specifically listed under G.S. 74-49 (14) of the N.C. Mining Act of 1971):
  - 1. on-site generated land clearing debris
  - 2. conveyor belts
  - 3. wire cables
  - 4. v-belts
  - 5. steel reinforced air hoses
  - 6. drill steel
- D. If mining refuse is to be permanently disposed within the mining permit boundary, the following information must be provided to and approved by the Division of Land Resources prior to commencement of such disposal:
  - 1. the approximate boundaries and size of the refuse disposal area;
  - 2. a list of refuse items to be disposed;



3. verification that a minimum of 4 feet of cover will be provided over the refuse;
4. verification that the refuse will be disposed at least 4 feet above the seasonally high water table; and
5. verification that a permanent vegetative groundcover will be established

13. Annual Reclamation Report

An Annual Reclamation Report shall be submitted on a form supplied by the Department by February 1 of each year until reclamation is completed and approved.

14. Bonding

The security, which was posted pursuant to N.C.G.S. 74-54 in the form of a \$500,000.00 blanket bond, is sufficient to cover the operation as indicated in the approved application. This security must remain in force for this permit to be valid. The total affected land shall not exceed the bonded acreage.

15. Archaeological Resources

Authorized representatives of the Division of Archives and History shall be granted access to the site to determine the presence of significant archaeological resources.



## APPROVED RECLAMATION PLAN

The Mining Permit incorporates this Reclamation Plan, the performance of which is a condition on the continuing validity of that Mining Permit. Additionally, the Reclamation Plan is a separable obligation of the permittee, which continues beyond the terms of the Mining Permit.

The approved plan provides:

### Minimum Standards As Provided By G.S. 74-53

1. The final slopes in all excavations in soil, sand, gravel and other unconsolidated materials shall be at such an angle as to minimize the possibility of slides and be consistent with the future use of the land.
2. Provisions for safety to persons and to adjoining property must be provided in all excavations in rock.
3. All overburden and spoil shall be left in a configuration which is in accordance with accepted conservation practices and which is suitable for the proposed subsequent use of the land.
4. No small pools of water shall be allowed to collect or remain on the mined area that are, or are likely to become noxious, odious or foul.
5. The revegetation plan shall conform to accepted and recommended agronomic and reforestation practices as established by the North Carolina Agricultural Experiment Station and the North Carolina Forest Service.
6. Permittee shall conduct reclamation activities pursuant to the Reclamation Plan herein incorporated. These activities shall be conducted according to the time schedule included in the plan, which shall to the extent feasible provide reclamation simultaneous with mining operations and in any event, provide reclamation at the earliest practicable time after completion or termination of mining on any segment of the permit area and shall be completed within two years after completion or termination of mining.

### RECLAMATION CONDITIONS:

1. Provided further, and subject to the Reclamation Schedule, the planned reclamation shall be to allow the quarry excavation to fill with water, provide a permanent barricade (fence) along the top of any high wall, and grade and revegetate any areas in unconsolidated material.
2. The specifications for surface gradient restoration to a surface suitable for the planned future use are as follows:



- A. All areas of unconsolidated material such as overburden or waste piles shall be graded to a 2 horizontal to 1 vertical or flatter slope and terraced as necessary to insure slope stability.
- B. Any settling ponds and sediment control basins shall be backfilled, graded, and stabilized or cleaned out and made into acceptable lake areas.
- C. The processing, stockpile, and other disturbed areas neighboring the mine excavation shall be leveled and smoothed.
- D. Compacted surfaces shall be disced, subsoiled or otherwise prepared before revegetation.
- E. No contaminants shall be permanently disposed of at the mine site. On-site disposal of waste shall be in accordance with Operating Conditions Nos. 12.A. through D.
- F. The affected land shall be graded to prevent the collection of noxious or foul water.

3. Revegetation Plan:

Disturbed areas shall be permanently revegetated according to the Revegetation Plan prepared by Mr. Robert J. Grill, Landscape Architect, on March 4, 2002 or the following:

Permanent Seeding Specifications

<u>Dates</u>	<u>Species</u>	<u>Rate, Lbs/Acre</u>
February 15- April 1	Korean Lespedeza	10
	Fescue	40
	Redtop	1
	Winter rye (grain)	15
April 1- July 31	Common Bermuda	50
August 1- October 25	Lespedeza (unscarified)	30
	German millet	40
October 25- February 15	Rye (grain- temporary)	120

Soil Amendments

Lime: 2000 lbs/acre or follow recommendations from a soil test.



Fertilizer: 1000 lbs/acre 8-8-8 or 10-10-10, or follow recommendations from a soil test.

Mulch: All seeded areas shall be mulched using small grain straw at a rate of 2000 lbs/acre and anchored appropriately.

Whenever possible, disturbed areas should be vegetated with native warm season grasses such as switch grass, Indian grass, bluestem and gamma grass.

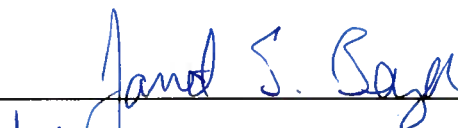
In addition, the permittee shall consult with a professional wildlife biologist with the N.C. Wildlife Resources Commission to enhance post-project wildlife habitat at the site.

4. Reclamation Plan:

Reclamation shall be conducted simultaneously with mining to the extent feasible. In any event, reclamation shall be initiated as soon as feasible after completion or termination of mining of any mine segment under permit. Final reclamation, including revegetation, shall be completed within two years of completion or termination of mining.

This permit, issued August 31, 1972 to Young Stone Company, Inc., renewed September 1, 1982, transferred September 1, 1966 to Vulcan Construction Company, Modified January 31, 1989, renewed October 30, 1992, modified August 4, 1993, July 2, 1998, January 1, 1999, December 20, 2001, renewed May 1, 2001 and modified April 18, 2004, is hereby simultaneously renewed and modified this 21st day of August, 2012 pursuant to G.S. 74-52.

By: \_\_\_\_\_



for Tracy E. Davis, Director  
Division of Energy, Mineral, and Land Resources  
By Authority of the Secretary  
Of the Department of Environment and Natural Resources





**Cabarrus County Government – Planning and Development Department**

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February 18, 2019

Dear Property Owner:

A Conditional Use Permit Application has been filed in our office for your property. The specifics of the request are listed below. The Cabarrus County Board of Adjustment will consider this petition on Tuesday, March 12, 2018 at 7:00 PM in the 2<sup>nd</sup> floor Commissioner's Chambers of the Cabarrus County Governmental Center, located at 65 Church Street SE, Concord, NC 28026. A Public Hearing will be conducted and public input will be allowed during that time. If you have any comments about this request, I encourage you to attend this meeting.

- **Petitioner:** Vulcan Construction Materials, LLC
- **Petition Number:** CUSE2019-00002
- **Property Location:** 16745 Old Beatty Ford Road Gold Hill, NC 28071
- **Parcel ID Number:** 6603-59-9632 & 6603-57-8665
- **Existing Zoning:** General Industrial (GI)
- **Request:** Conditional Use Permit Amendment to modify the berm required around phase 3 of the project.

If you have any questions regarding this petition, or the hearing process, please contact me at Cabarrus County Planning and Development at 704.920.2181.

Sincerely,

Josh Jurius, CFM  
Planner  
Cabarrus County Planning and Development  
704.920.2181





## **Cabarrus County Government – Planning and Development Department**

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February 22, 2019

Dear Property Owner:

A Conditional Use Permit Application has been filed in our office for property **adjacent** to yours. The specifics of the request are listed below. The Cabarrus County Board of Adjustment will consider this petition on Tuesday, March 12, 2019 at 7:00 PM in the 2<sup>nd</sup> floor Commissioner's Chambers of the Cabarrus County Governmental Center, located at 65 Church Street SE, Concord, NC 28026. A Public Hearing will be conducted and public input will be allowed during that time. If you have any comments about this request, I encourage you to attend this meeting.

- **Petitioner:** Vulcan Construction Materials, LLC
- **Petition Number:** CUSE2019-00002
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Sincerely,

Josh Jurius, CFM  
Planner  
Cabarrus County Planning and Development  
704.920.2181



Feb 25, 2019 2:31:33 PM  
16375 State Road 1221  
Gold Hill  
Rowan County  
North Carolina





Feb 25, 2019 2:24:17 PM  
2474 Old US Highway 80  
Gold Hill  
Rowan County  
North Carolina

