



Alamance County

PLANNING DEPARTMENT
201 W Elm St
Graham, NC 27253
Tel. (336) 570-4053

Case Number: _____

Submittal Date: 02-06-2026

Heavy Industrial Development Intent-to Construct Permit Application

An Intent-to-Construct Permit does not convey permission to operate a heavy industrial facility. Planning Department staff must conduct site visits before construction begins, during construction, and before an Operations Permit can be issued. The final site visit is part of the review of As-Built site plans, which must be submitted once construction is completed.

Applicant Name: Kenneth Phillippie	
Property Owner Name (if different):	
Project Name: Phillippie Borrow Pit & LCID Landfill	
Parcel Address: 4115 Clapp Mill Rd., Burlington, NC, 27215	
Parcel ID: 105192	Acreage of Lot: 99.03
Proposed Use: LCID Landfill	
Applicant Contact (phone & email): (336) 266-0522	

Instructions:

Please provide the following items:

- The application form has been fully completed, signed and notarized.
- Site plans for proposed project.
- Application fee. (\$500.00)

1. Describe what the land and/or building(s) will be used for:

The landfilling of land clearing & inert debris (LCID)

2. Please state the proposed days and hours of operation:

Mon - Fri: 7am - 6pm, Sat: 8am - 12pm (subject to situational of emergency change)



Alamance County

PLANNING DEPARTMENT
201 W Elm St
Graham, NC 27253
Tel. (336) 570-4053

By signing this application, the applicant hereby certifies to the best of their knowledge the following statements are true:

1. The industry for which the Permit is being requested will at all times comply with the applicable regulations and standards imposed under this Ordinance.
2. No Permit issued to the applicant under this Ordinance, or under any successor Ordinance hereto, has ever been revoked.

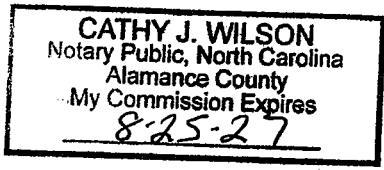
Statement of Acceptance:

I swear/affirm that the information provided in this application is true and accurate to the best of my knowledge. I certify that any copies of documents I did not create myself are true, accurate, and complete copies of the original documents.

<u>Kenneth Philippe</u>	<u>2-6-26</u>
Property Owner	Date
<u>Kenneth Philippe</u>	<u>2-6-26</u>
Applicant	Date

Sworn to and subscribed before me this 6th day of February, 2026.

Cathy J. Wilson
 Notary Public
 Printed Name of Notary Public Cathy J. Wilson
 My Commission Expires: 8-25-27



For Internal Use

Received by: _____ Date: _____

Date of Planning Board hearing: _____

Date of Board of Commissioners hearing: _____

THIS APPLICATION MUST BE COMPLETE TO BE ACCEPTED FOR PROCESSING.
Please see subsequent pages for additional items required at submittal.



Alamance County

PLANNING DEPARTMENT
201 W Elm St
Graham, NC 27253
Tel. (336) 570-4053

Specifications for Heavy Industrial Development Site Plans

The site plan requirements are the same for proposed projects and As-Built plans, which are to be submitted after construction is complete.

Title & General Information

- a. Date of submission.
- b. Location designation (township, county, state).
- c. Name and address of surveyor (Surveyor must sign and seal the site plan).
- d. Scale in figures and bar graph.
- e. North arrow.
- f. Vicinity map
- g. Surveyor's or Engineer's Seal

Site Data

- a. Name and address of owner(s).
- b. Parcel Identification Number(s).
- c. Name of Project.
- d. Total acreage
- e. Total percentage of proposed and existing impervious surface area.

Project Area

- a. Designated Area of Operations; clearly showing all fencing and existing and/or proposed buildings to be located on the site.
- b. The distance of the Area of Operations from all property lines.
- c. Location of any streams, ponds, or other waterways located on the property.
- d. The distance of the Area of Operations from any stream (perennial or intermittent) located on the property.
- e. Lake and stream buffers.
- f. Location and extent of any marginal land/floodplain.
- g. Representative topography.
- h. Location and purpose of any existing or proposed rights-of-way or easements.
- i. Location of any existing or proposed stormwater control devices.
- j. Location of existing or proposed septic tank and drainage field or public utilities.
- k. Design of the parking lot, showing all points of entrance and exit, proposed lot lighting (if applicable), parking stalls, handicapped-parking stalls, and distance between stalls (aisles); including all dimensions.
- l. Location and dimensions of loading berths. m. Location of proposed gate and signage.
- n. An exterior lighting plan showing locations of all lighting and proposed lighting fixtures.

Appendix C Heavy Industrial Development Intent-to-Construct Permit Application

Alamance County Planning Department

Date: 02-06-21026

Project Name: Phillippie Borrow Pit & LCID Landfill Township Name: Coble

Contact Person: Kenneth Phillippie Parcel I.D. Number: 105192

Contact Address: 3736 Clapp Mill Rd. Burlington, NC Proposed Use:

99.03 Acreage of Lot:

Contact Phone: (336) 266-0522 Property Owner (if different)

1. Describe what the land and/or building(s) will be used for:

The landfilling of land clearing & inert debris (LCID)

2. Please state the proposed days and hours of operation:

Mon - Fri: 7am - 6pm, Sat: 8am - 12pm (subject to situational of emergency change)

3. Please state any additional comments you would like to make that you feel may be relevant to the consideration of this application:

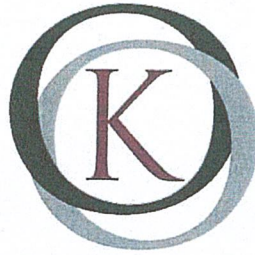
Four horizontal lines for additional comments.

By signing this application, the applicant hereby certifies to the best of their knowledge the following statements are true:

- 1. The industry for which the Permit is being requested will at all times comply with the applicable regulations and standards imposed under this Ordinance.
2. No Permit issued to the applicant under this Ordinance, or under any successor Ordinance hereto, has ever been revoked.

Applicant Signature: Date: 02-06-2026

Received by: Date:



OERTEL
KOONTS
OERTEL PLLC
ATTORNEYS AT LAW

PAUL L. OERTEL, III | F. PAUL KOONTS | GEOFFREY K. OERTEL | DAVID C. STEPHENS

February 6, 2026

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED & EMAIL

Matt Hoagland, Alamance County Planning Director
Alamance County Planning Department
201 W. Elm Street
Graham, NC 27253

Re: Confirmation of Permit Choice Protection (NCGS 143-755)
Applicant: K D Phillippie LLC
Project: Intent-to-Construct Permit – LCID Landfill
Parcel: 4115 Clapp Mill Road, Burlington

Dear Planning Director and Alamance County Officials:

I write on behalf of my client, K D Phillippie LLC, concerning its pending Intent-to-Construct Permit Application for the proposed LCID (Land-Clearing and Inert Debris) landfill. This letter formally asserts my client's protections under the Permit Choice Rule, NCGS 143-755, and rights under NCGS 160D-108.

The Alamance County Unified Development Ordinance (“UDO”) expressly incorporates these concepts: “This ordinance recognizes and adheres to permit choice and vested rights as outlined in NCGS 160D-108.” North Carolina General Statute Section 160D-108(b) specifically references NCGS Section 143-755 regarding permit application. Under NCGS 143-755, when an applicant submits a permit application, and the applicable development regulations change at any time thereafter, the applicant may elect to have the application reviewed under the regulations in effect at the time of the original submission. We are not aware of any proposed changes to the UDO, but felt the need to be certain the applicant's rights are protected given recent public comment at planning board meetings regarding this project.

My client's initial application was submitted to the Planning Department on September 22, 2025. In response to feedback from the Planning Department and public comment on the prior application for the same project, K D Phillippie LLC has submitted this new application on February 6, 2026. Accordingly, the UDO provisions applicable on February 6, 2026 shall govern the current application. The controlling ordinance (UDO) provisions include:

- Classification of LCID landfills as Class I industrial uses,
- No spacing requirements for Class I uses,
- Compliance assessments based on the UDO version in effect at the time of original filing.

These standards cannot be retroactively modified or reinterpreted to the detriment of the applicant under the Permit Choice Rule.

The withdrawal and resubmission of the Intent to Construct application arose solely due to procedural and interpretive issues introduced during Planning Board proceedings, not because of any fundamental change in the project itself. Under both NCGS 143-755 (permit choice) and NCGS 160D-108 (vested rights), such procedural adjustments do not extinguish previously established rights. My client's entitlement to have the application reviewed under the ordinance standards in effect therefore remains unaffected.

K D Phillipie LLC values its working relationship with Alamance County and seeks only to ensure that its application is processed in accordance with controlling North Carolina law and the UDO standards preserved by permit-choice and vested-rights protections.

We respectfully request written confirmation that the application will be reviewed solely under the UDO provisions in effect as of February 6, 2026. Please let us know if the County prefers to schedule a meeting to discuss any of these issues. We look forward to your timely response.

Respectfully,

A handwritten signature in black ink, appearing to read "F. Paul Koonts". The signature is fluid and cursive, with the first name "F." and last name "Koonts" clearly legible.

F. Paul Koonts
Oertel, Koonts & Oertel, PLLC
Attorney for K D Phillipie LLC



K D Phillipie LCID – Alamance County UDO Compliance Schedule V1.1

K D Phillipie LLC

4115 Clapp Mill Rd – Burlington - Alamance County, North Carolina

Project No. 25-PHILLIPPIE-01

February 6, 2026

TABLE OF CONTENTS

§6.5.1 – Applicability.....	1
§6.5.2 – Regulated Land Uses and Exceptions.....	1
§6.5.3 – Regulations and Standards.....	1
▫ A – Minimum Lot Size.....	1
▫ B – Building Height Limit.....	1
▫ C – Land Use Spacing & Protected Facilities.....	1
▫ D – Land Spacing Waiver.....	2
▫ E – Operations Setback.....	2
▫ F – Traffic Impact Analysis.....	2
▫ G – Operations Area.....	2
▫ H – Stream Setback.....	2
▫ I – Landscaping & Screening.....	2
▫ J – Gating and Fencing.....	3
▫ K – Lighting	3
▫ L – Compliance with Other Governmental Requirements.....	3
§6.5.4 – Permitting Procedures.....	3
▫ A – Pre Application Meeting Required.....	3
▫ B – Intent-to-Construct Permits.....	3
▫ B-1 – Public Hearing and Notice.....	3
▫ B-2 – Groundwater / Well Study.....	4
▫ B-3 – Approval of Intent to Construct Permit Applications.....	4
▫ B-4 – Duration of Intent-to-Construct Permits.....	4
▫ C – Operation Permits.....	4
▫ C-2 – Post-Development / As-Built Site Plans.....	4
▫ C-3 – Final Site Inspection.....	4
▫ C-4 – Other requirements.....	5
▫ D – Operations Permit Renewal Required.....	5
▫ D-1 – Site Visit Required.....	5
▫ D-2 – Other requirements.....	5
Appendix A – Planting Plan.....	i
Appendix B – TIA Study.....	vi
Appendix C – Wetland Investigation Report.....	xxiv
Appendix D – Requisite Permits.....	xxvi
Appendix E – Pre-Application List.....	xxvii
Appendix F – Construction Cessation Memorandum.....	xxviii
Appendix G – NC GS §106D-406.....	xxx
Appendix H -Notice of Public Hearing.....	xxxi
Appendix I – Media Distribution List.....	xxxii
Appendix J – Adjoiners List.....	xxxiii
Appendix K – Class II Parcel List & Delineation.....	xxxiv
Appendix L – Holders of Utility or Easement.....	xxxv
Appendix M – Notice of Hearing Timeline.....	xxxvi
Appendix N – Groundwater Study.....	xxxvii

ALAMANCE COUNTY UNIFIED DEVELOPMENT ORDINANCE

6.5 Heavy Industrial Development

6.5.1 APPLICABILITY

The following regulations of industrial development are adopted for the purpose of promoting the health, safety, and general welfare of the citizens of Alamance County, and to promote the peace and dignity of the County. The Alamance County Commissioners hereby establish certain criteria relating to industrial development and associated land uses. These uses by their very nature produce objectionable levels of aesthetic impact, traffic, noise, odors, vibrations, fumes, light, smoke, and/or other impacts upon the lands adjacent to them. These standards shall allow for the placement and growth of such uses, while maintaining the health, safety, and general welfare standards of established and commercial areas in Alamance County.

6.5.2 REGULATED LAND USES AND EXCEPTIONS

a. Regulated Land Uses

CLASS I
Fuel Bulk Storage, Ready-Mix Concrete Suppliers, Inert Debris Landfills, Renewable Energy Generating Facilities
CLASS II
Resource Extraction, Automobile Salvage and Storage Facilities, Chemical Manufacturing
CLASS III
Mining/Quarrying, Race Tracks, Asphalt Plants, Electricity Generating Facility, Landfills-except Inert debris, Paper Mills, Cement Manufacturing, Waste Facilities, Saw Mills, Metal Recycling and Salvage Facilities

b. Exceptions to Applicability

The following are exceptions, by right, from regulations under this section:

- 1) Agricultural Farming Operations
- 2) Residential Land Uses

Exception from this Section does not grant immunity from other applicable sections of this Ordinance or other Alamance County Ordinances.

6.5.3 REGULATIONS AND STANDARDS

Prior to the issuance of any permit under this section, the regulated land use must demonstrate compliance with the applicable regulations and standards imposed.

Classification	Minimum Lot Size	Building Height	Land Use Spacing	Operations Setback	Stream Setback

§6.5.1 - APPLICABILITY

An LCID landfill qualifies as heavy industrial land use and is therefore subject to all pertinent §6.5 standards.

§6.5.2 – REGULATED LAND USES AND EXCEPTIONS

- (a). An LCID Landfill constitutes a Class I Land Use.
- (b). The LCID Landfill in question is neither an Agricultural Farming Operation nor a Residential Land Use, and therefore not exempt from regulations under this section.

ALAMANCE COUNTY UNIFIED DEVELOPMENT ORDINANCE

Class I	10 acres	40 feet	--	150 feet	100 feet
Class II	10 acres	40 feet	150 feet	150 feet	100 feet
Class III	40 acres	40 feet	1750 feet	500 feet	100 feet

A. Minimum Lot Size

No Class I or Class II land use regulated by this section shall be situated on a tract of land less than ten (10) acres in size. Class III land uses shall be located on a tract no less than forty (40) acres in size.

B. Building Height Limits

In order to allow for adequate fire protection, no building which is intended or used for human occupancy shall exceed a vertical height of forty (40) feet, measured from the top of the foundation (entrance grade) to the highest point of the roof assembly. No more than one (1) occupancy story may be below this entrance grade.

Excluded from this limitation are the following:

1. Water, radio, telephone (including cellular), or television towers or any equipment for the transmission of electricity or communications, or both; and
2. building, including chimneys, flagpoles, flues, spires, steeples, belfries, cupolas, antennas, poles, wires, or windmills, provided no part of the structure which is higher than (forty) 40 feet is intended or used for human occupancy. Structures which are slender in nature and minor vertical projections of a parent

C. Land Use Spacing & Protected Facilities

All industries regulated by this section shall be required at the time of the issuance of an Intent-to-Construct permit to meet a minimum spacing requirement from any "protected facility" as defined by this section. Land use spacing shall be measured in a straight line without regard for intervening structures or objects from the closest edge of the property line of the tract(s) on which the area of operations is located to the nearest improvement currently in use as a protected facility. The purpose of this requirement is to minimize the potential negative impacts of conflicting uses of land.

For the purpose of this section, the following shall be considered "protected facilities":

1. An educational facility
2. A North Carolina licensed child care facility
3. A North Carolina licensed assisted living facility
4. A North Carolina licensed nursing home
5. A public or privately-owned hospital
6. A rural medical center
7. A church

§6.5.3 – REGULATIONS AND STANDARDS

As a Class I Land Use, this project shall comply with the following requirements:

A - Minimum Lot Size: The project's lot size is surveyed at 99.03 Acres. For additional details, see Plat Book 86 Page 195 and Sheet 1A of the project's plan set.

B – Building Height Limit: There are no proposed structures in this project, and this section is therefore inapplicable.

C – Land Use Spacing & Protected Facilities: As an LCID Landfill and a Class I Land Use, this project has no spacing requirements with respect to protected facilities.

ALAMANCE COUNTY UNIFIED DEVELOPMENT ORDINANCE

- 8. A dwelling unit
- 9. Historic landmarks recognized by Alamance County Historic Properties Commission

D. Land Spacing Waiver

The Board of Commissioners may authorize individual land spacing waivers of the application of this Ordinance where there are practical difficulties or particular hardships in the way of carrying out the strict letter of the provisions of this Ordinance. Upon finding practical difficulties or unnecessary hardships existing with a strict application, individual requirements may be modified, provided they are consistent with the spirit, purpose, and the intent of the ordinance, substantial justice, and the public health and welfare secured. All requests for a review shall be written and submitted to the Alamance County Planning Department. Prior to consideration of a review by the Board of Commissioners, the request shall be referred to the Alamance County Planning Board for the Planning Board's recommendation. See Section 3.4. Notice: Decisions by the Board of Commissioners shall be reached only after a public hearing, quasi-judicial in nature, and after notice has been given by certified mail to the applicant. In addition, notice of the time and place of such public hearing shall be published in a paper of general circulation in the county not less than ten days nor more than thirty days previous to the hearing. Such notice shall contain the address or location of the property for which a hearing by the Board is sought, as well as a brief description of the nature of the application. Notice will follow NC GS 160D-406 Section B

E. Operations Setback

All industries regulated by this section shall be required to designate and maintain a minimum "operations setback". Operations setbacks shall be measured from the edge of the designated area of operations to the property line of the tract on which the area of operations is located. No area of operations or internal roadways may be located within the operations setback area. Vegetative screening and fencing are allowed by right. Other design elements may be located within the operations setback when required as a condition of other local, state, or federal permits or regulations.

F. Traffic Impact Analysis

Access to all regulated industries shall be directly from a state-maintained road. No access from a private road shall be allowed.

All industries regulated by this section shall be required to demonstrate if their proposed heavy industrial use would create an amount of traffic (in terms of vehicle trips per day) that would push the roads by which the industry is gaining access over its practical carrying capacity as defined by the N. C. Department of Transportation (NCDOT). The most updated version of the Institute of Transportation Engineers "Trip Generation Manual" shall be used to determine the average number of daily trips generated by the proposed industry. The regulated industry shall add these projected daily vehicle trips to the most recent traffic counts performed by NCDOT for the surrounding road network.

§6.5.3 – REGULATIONS AND STANDARDS (CONTINUED)

D – Land Spacing Waiver: As an LCID Landfill and a Class I Land Use, this project has no spacing requirements with respect to protected facilities. As such, no Land Spacing Waiver is applicable or required.

E – Operations Setback: As an LCID Landfill and a Class I Land Use, this project shall maintain a 150 foot Operations Setback around all designated areas of operation. Temporary sedimentation and erosion control measures are required as a component of compliance with respect to this project's Erosion and Sedimentation Control Plan, approved and issued by the North Carolina Department of Environmental Quality (NCDEQ), Division of Energy, Mineral & Land Resources – Land Quality Section on February 14, 2025. An NCDEQ required erosion control feature *Sediment Basin 1 (SB1)* shall be temporarily located within the Operations Setback. The ultimate removal of SB1 shall be followed by the enactment of the Operational Buffer Restoration Planting Plan, designed to restore existing vegetative screening and included herein as Appendix A.

F – Traffic Impact Analysis: This project directly abuts SR1129 (Clapp Mill Rd), granting it direct access with a state-maintained road. A comprehensive Traffic Impact Analysis was conducted utilizing the Institute of Transportation Engineers (ITE) Trip Generation Manual and contrasting findings with the definition of Practical Carrying Capacity as put forth by NCDOT Division 7, District 1 District Engineer Charles N. (Chuck) Edwards, PE. This report and supporting documentation, included herein as Appendix B, determined that the practical carrying capacity of SR1129 is not compromised by this project.

ALAMANCE COUNTY UNIFIED DEVELOPMENT ORDINANCE

If the regulated industry will exceed the carrying capacity of the roads which provide access to the property over the practical carrying capacity, then the applicant shall provide a traffic impact analysis (TIA) performed by a N.C. licensed engineer or transportation planner. The TIA shall provide specific recommendations for the mitigation of impacts from the proposed traffic, acceleration and deceleration lanes, road design standards, shoulder width, stop lights and outlying intersection improvements.

G. Operations Area

Operation of the regulated land use outside of the designated area of operations is prohibited.

The following areas shall not be allowed in the designated area of operation of the regulated industry:

1. Any area located within a special Flood Hazard Area as defined by the current Alamance County Flood Damage Prevention Ordinance.
2. Any area classified as wetlands or woody swamp by the U.S. Army Corp of Engineers.
3. Any area designated by the North Carolina Wildlife Resources Commission as habitat for an Identified Species of Greatest Conservation Need (SGCN).

Co-location of other land uses regulated by this section within the area designated for operation of the regulated industry is not allowed. Each land use required by this section to designate an area for operation must maintain a separate and distinct operations area.

H. Stream Setbacks

All industries regulated by this section shall be required to maintain a minimum stream setback from any perennial or intermittent stream. Stream setbacks shall be measured from the area of operations to the bank of the stream as defined in this section.

I. Landscaping & Screening

All industries regulated by this section shall be required to provide a landscaping/screening plan. The purpose of this requirement is to minimize/mitigate the visual impacts of the land use on adjacent properties as well as to maximize the buffering of noise and particulate matter. Screening shall be a minimum of fifty (50) feet in width for Class I and Class II uses and one hundred (100) feet for Class III uses. For Class I and II uses, the screening shall consist of a minimum of two staggered rows of plantings. For Class III uses, the screening shall consist of a minimum of three staggered rows of plantings. Plantings shall be a minimum of eight (8) feet on center with a maximum of ten (10) feet on center and be at least 36"-48" tall in seven (7) gallon size at time of installation. Mixed borders are encouraged. As part of the review process, the Planning Director may, at their discretion, consider existing screening and vegetation on the property. Suggestions for screening plans may be found in Appendix 6.5 Heavy Industrial Development of this ordinance.

§6.5.3 – REGULATIONS AND STANDARDS (CONTINUED)

G – Operations Area: No operations of the Regulated Land Use shall occur beyond the designated area of operations (see Sheet 2 of this project's plan set).

1: No Flood Hazard Areas are present within the project area.
2: A wetlands study was conducted on the project's parcel and its final determination noted that no jurisdictional wetlands were present on the property. This report and associated map are jointly included herein as Appendix C.
3: The NC Department of Natural and Cultural Resources (NCDHCR) as well as The North Carolina Natural Heritage Program (NCNHP) conducted an official query of their respective databases and determined that no rare or threatened species, records for important natural communities, natural areas, and/or conservation/managed areas were present within the project boundary.
 Co-location of other land uses is not proposed in this project.

H – Stream Setback: As a Class I Land Use, this project shall maintain a minimum 100 foot Stream Setback, having all areas of operation outside the bounds visible on Sheets 1, 2, 3, 4 and 7 of the project's plan set and labeled as "100' Stream Buffer".

I – Landscaping & Screening: As stated on Sheet 1 of this project's plan set, existing vegetation surrounding the project area satisfies the minimum vegetative buffer requirements, and its maintenance is expressly described in the Operational Buffer Restoration Planting Plan, designed to restore existing vegetative screening and included herein as Appendix A.

ALAMANCE COUNTY UNIFIED DEVELOPMENT ORDINANCE

In the event that an applicant is unable to plant required screening and/or landscaping; the applicant may post a bond or certified check in the amount of 1.5 times the engineer's estimate for the proposed plan. Should the applicant fail to install the necessary landscaping/screening, the County will be entitled to complete the landscaping plan using the proceeds of the bond or certified check.

J. Gating & Fencing

At a minimum, the area of operations of a regulated use shall be completely enclosed by a minimum six (6) foot high fence with a self-locking gate.

K. Lighting

Access ways, walkways and parking areas shall be lighted adequately by lighting fixtures which shall be so installed as to protect the street and neighboring properties from direct glare or hazardous interference of any kind. Applicants are encouraged to use light shielding and fixtures that are approved by the International Dark Sky Association (IDA) as these fixtures conserve energy, reduce monthly costs, and minimize the impact of light pollution on surrounding properties.

L. Compliance with Other Governmental Requirements

Applicants under this section are required to comply with all other applicable County, State, and Federal regulations. Said regulations include but are not limited to watershed protection, stormwater, erosion control, air quality, water quality, flood protection, building code, and NCDOT requirements. The Planning Director may require the applicant to submit additional information based on the permitting requirements. Failure to submit any additional information required by the Planning Director shall result in the denial or revocation of an Operations Permit.

6.5.4 PERMITTING PROCEDURES

A. Pre-Application Meetings Required

The applicant or an authorized corporate officer is required to meet in person with a Planning Staff member to discuss the nature of their application at least 14 days prior to making a formal application and submitting a site plan.

At this pre-application meeting, the applicant shall identify in writing any additional permits which the applicant needs in order to operate the regulated industry and provide a reasonable timeline for obtaining those permits.

Additionally, the applicant shall identify any protected facilities in the spacing area for which a spacing waiver is required.

B. Intent-to-Construct Permits

An Intent-to-Construct Industrial Development Permit shall be required before the owner or operator of a regulated industry commences any construction activities. A separate Intent-to-Construct Industrial Development Permit is required for each regulated use.

1. Public Hearing and Notice

67

[Return to TOC](#)

§6.5.3 – REGULATIONS AND STANDARDS (CONTINUED)

J – Gating & Fencing: The dimensions, configuration and bounds of this project's proposed fencing as well as the location of the self-locking gate are depicted on Sheet 1 of this project's site plan.

K – Lighting: A compliant lighting plan with NCDOT derived spacing requirements provided by the Alamance County Planning Department in July 2025 is depicted on Sheet 2B of this project's plan set.

L – Compliance with Other Governmental Requirements: This project shall be in compliance with all other applicable County, State and Federal regulations, including but not limited to: erosion control mandates by the NCDEQ, driveway and access requirements by the NCDOT, air quality permitting by NCDEQ, etc. These additional requirements are listed and included herein as Appendix D.

§6.5.4 – PERMITTING PROCEDURES

A – Pre-Application Meeting Required: A pre-application meeting was held at the Alamance County Planning Department offices on January 23, 2026. In attendance were the Alamance County Planning Director Matthew Hoagland, Planner II for the Alamance County Planning Department Jonathan Grace and Caleb Hall of Wilson Engineering Group. On behalf of the applicant, Wilson Engineering Group submitted in writing additional permits requisite to the project, their associated timelines and information regarding the applicability of protected facilities in the project spacing area. This document is included herein as Appendix E.

B – Intent-to-Construct Permits: At the time of application, no ongoing construction activities pursuant to this project are in effect.

ALAMANCE COUNTY UNIFIED DEVELOPMENT ORDINANCE

i. Upon the certification of a complete application for an Intent-to-Construct Permit, a public hearing on the proposed permit shall be scheduled for the next regular meeting of the Planning Board.

ii. Notice of a public hearing must be provided per N.C. Gen. Stat. 160D-406 (b) which is incorporated herein.

iii. In addition, the applicant must provide the following:

i. The applicant shall cause notice of the public hearing to be published in a newspaper of general circulation in Alamance County not less than 10 days nor more than 25 days before the date fixed for the hearing. The notice to be published is set forth in Appendix H to this Ordinance. In computing such period, the day of publication is not to be included but the day of the hearing shall be included.

ii. The applicant shall cause notice to be mailed, e-mailed, or delivered to each newspaper, wire service, radio station, and television station that has filed a written request for notice. This list may be obtained from the Alamance County Clerk to the Board of Commissioners.

iii. The applicant shall prominently post a notice of the public hearing on the site proposed for the issuance of the Intent-to-Construct permit in the adjacent public street or highway right-of-way. When multiple parcels are included within the application, a posting on each individual parcel is not required, but the applicant shall post sufficient notices to provide reasonable notice to interested persons. Placement must be approved by the Planning Director.

iv. The applicant shall cause to be mailed a notice of the public hearing by certified mail at the last addresses listed on the county tax abstracts for the owners of all parcels of land abutting that parcel of land as shown on the county tax listing, and provide proof of said mailing to the Planning Director.

v. The applicant shall cause to be mailed a notice of the public hearing by first class mail at the last addresses listed on the county tax abstracts for:

1. the owners of all parcels of land abutting that parcel of land as shown on the county tax listing,
2. the owners of all parcels of land as shown on the county tax listing, any portion of which is located within the spacing limit as described in section 6.5.3 above.
3. the residents of any residential structures located on the parcels listed above
4. the holder(s) of any utility or other easement on the parcel(s) included in the application.

vi. The notice of the public hearing shall be mailed by the applicant to those property owners and residents identified above at least 21 days prior to the public hearing. The notice to be mailed is set forth in Appendix G to this Ordinance.

68

[Return to TOC](#)

§6.5.4 – PERMITTING PROCEDURES (CONTINUED)

B – Intent-to-Construct Permits (CONTINUED): An onsite visit confirming absence of construction activities was conducted by the Alamance County Planning Department on December 16, 2025. An internal memorandum with a statement of findings is included herein as Appendix F. Further, the applicant requested at the pre-application meeting that the Planning Department continue to verify this through recurrent on-site visits. This request and its associated document are included herein as Appendix E.

B-1. Public Hearing and Notice:

i: Though not scheduled at the time of this application, the target goal is public hearing at the Planning Board meeting scheduled for March 12, 2026. ii: Notice of public hearing shall be provided per NC General Statute 160D-406 (b), which is included herein as Appendix G. iii-i: The notice of public hearing, included herein as Appendix H, shall be published in The Alamance News within the specified window. iii-ii: All media entities appearing on the list maintained by the County Clerk to the Board of Commissioners, included herein as Appendix I, shall receive notice of public hearing. iii-iii: Prominent notice shall be posted at the project site road frontage and approved by the Planning Director, Matthew Hoagland. iii-iv: All adjoining and abutting parcels listed in Appendix J shall receive notice of public hearing, with proof of mailing provided to the Planning Director, Matthew Hoagland. iii-v-1: All adjoining and abutting parcels listed in Appendix J shall receive notice of public hearing. iii-v-2: Though an LCID Landfill constitutes a Class I Land Use and is therefore not subject to the spacing limits as described in §6.5.3 above, this applicant shall, as a measure of good faith, cause to be mailed notice of public hearing to all parcels having any portion located within the Class II spacing limits. These parcels are

ALAMANCE COUNTY UNIFIED DEVELOPMENT ORDINANCE

- vii. The applicant shall produce a list showing all names and addresses to whom a notice of public hearing was mailed, and shall certify that proper notice was given to all required persons or organizations. Improper notice or certification shall be grounds to deny an Intent-to-Construct permit.
- iv. The Planning Board shall hold a public hearing on the application for the Intent-to-Construct Permit. At this public hearing, the regulated industry and community members may comment on the application.
- v. Upon the issuance of an Intent-to-Construct permit, the Alamance County Land Records System or Geographic Information System shall be changed to include a notice reasonably calculated to alert a person researching a particular parcel that the parcel is located within the spacing requirements of a regulated use.

2. Groundwater/ Well Study

Applicants must certify whether any study or analysis of the impacts of the regulated land use on subsurface aquifers, ground water or wells is required to be undertaken by the applicant pursuant to state or federal regulations, or for purposes of applying for any state or federal permit. If such a study is required, then the applicant must submit a copy of the required study or analysis as part of the application for an Intent to Construct Permit.

3. Approval of Intent-To-Construct Permit Applications

- i. Completed applications shall be presented to the Planning Board for a public hearing and determination of compliance with the requirements of this Ordinance. If the Planning Board determines that the application is compliant with the requirements of this Ordinance, the Planning Board shall forward its approval recommendation to the Board of Commissioners for final approval. If the Planning Board determines that the application is not compliant with the requirements of this Ordinance, the Planning Board shall issue a written determination of its reasons and deny the application.
- ii. In cases where the Planning Board recommends approval of an application, the Board of Commissioners shall review the recommendation of the Planning Board and review the application for compliance with the requirements of this Ordinance. If the Board of Commissioners determines that the application is compliant with the requirements of this ordinance, it shall issue the Intent-to-Construct permit. If the Board of Commissioners determines that the application is not compliant with the requirements of this ordinance, it shall deny the application. The decision of the Board of Commissioners may be appealed pursuant to the appeals procedures defined herein.

4. Duration of Intent-to-Construct Permits

69

[Return to TOC](#)

§6.5.4 – PERMITTING PROCEDURES (CONTINUED)

B – Intent-to-Construct Permits (CONTINUED):

included herein as Appendix K. **iii-v-3:** All residents of any abutting parcels or parcels falling within the Class II spacing limit shall receive notice of public hearing. These recipients are delineated, listed and included herein as both Appendix J and Appendix K. **iii-v-4:** All holders of utility or other easement on the project parcel shall receive notice of public hearing. These recipients are listed and included herein as Appendix L. **vi:** Mailed notices to all recipients outlined above shall be mailed within the specified window as well as the window mandated by NC General Statute 160D-406 (b), which is included herein as Appendix G. This dually compliant mailing schedule with respect to the target date of the March 12, 2026 Planning Board meeting is included herein as Appendix M. **vii:** Listed communication recipients demonstrating proper notice are included herein as Appendix I, Appendix J, Appendix K and Appendix L. **iv:** Public hearing regarding this project's Intent-to-Construct Permit application shall be held by the Alamance County Planning Board. **v:** In the event of issuance, the Alamance County Land Record System of GIS shall be changed to reflect the regulated use.

B-2. Groundwater / Well Study: The NCDEQ Division of Solid Waste Management permitting process requires test pits to locate and remain above the groundwater table. Based on acreage, the project will require 15. In May, 2025, 7 of these preliminary pits were dug and evaluated (15 could not be accomplished without risk of a greater than one-acre disturbance). This subsurface study is included herein as Appendix N.

B-3. Approval of Intent-to-Construct Permit Applications:
i: This document accompanies a completed application for the

ALAMANCE COUNTY UNIFIED DEVELOPMENT ORDINANCE

- i. Intent-to-Construct Permits require the permit holder to begin construction activities within one (1) year of the date of issuance. Delays due to those permitting requirements previously identified in the pre-application meeting shall not be grounds for permit expiration. If substantial construction activities have not been undertaken within this year, then the permit will expire and shall require re-application and review as a new project.
- ii. If an Operations Permit pursuant to this Ordinance has not been issued within one (1) year of the issuance of the last permitting requirement identified in the pre-application meeting, then the Intent-to-Construct Permit will expire and shall require re-application and review as a new project.
- iii. If, prior to the issuance of an Operations Industrial Development Permit, any changes or amendments are made to an approved site plan which impact the requirements of this section, the changes or amendments must be submitted to the Planning Department for approval. In the event an application is resubmitted with substantial impacts, the Planning Director may require an additional public hearing and re-approval of the application.

C. Operations Permits

A valid Operations Industrial Development Permit shall be required before the owner or operator of a regulated land use commences, continues, or maintains operations of said land use. An Operations Industrial Development Permit is required for each regulated use.

2. Post-Development/As-Built Site Plans

- a. Prior to receiving an Operations Permit, all applicants shall be required to submit a final "as-built" site survey to the Alamance County Planning Department. The Post-Development site survey shall be drawn by a Registered Surveyor or Engineer pursuant to the guidelines provided in Appendix E Heavy Industrial Development of this ordinance. This submission shall consist of two (2) paper copies.
- b. Operations Permits may be approved prior to the completion of any required traffic improvements upon the guarantee of said improvements by the owner/operator within an eighteen (18) month period. The County of Alamance may accept a surety bond issued by any company authorized to do business in this State, a letter of credit issued by any financial institution licensed to do business in this State, or another form of guarantee that provides equivalent security to a surety bond or letter of credit. All surety instruments shall be made payable to Alamance County. Surety must be in an amount equal to one and one-half times (1.50x) the cost of making the improvements, whereby such improvements may be made without cost to the public or subsequent purchasers of the property in the event of default on the part of the owner/operator. Owner/operators are required to obtain a letter from an engineer registered in North Carolina stating the total construction and surety amounts.

3. Final Site Inspection

70

[Return to TOC](#)

§6.5.4 – PERMITTING PROCEDURES (CONTINUED)

B-3. Approval of Intent-to-Construct Permit Applications (CONTINUED):

Alamance County Planning Department's review and consideration. **ii:** This procedure is hereby acknowledged, with a target Planning Board hearing of March 12, 2026.

B-4. Duration of Intent-to-Construct Permits:

i: This timeframe is understood and hereby acknowledged. **ii:** This timeframe is understood and hereby acknowledged. **iii:** This requirement and procedure is understood and hereby acknowledged.

C – Operations Permits: This requirement and procedure is understood and hereby acknowledged.

C-2. Post-Development / As-Built Site Plans:

- (a). This requirement and procedure is understood and hereby acknowledged.
- (b). This provision and process is understood and hereby acknowledged.

C-3. Final Site Inspection: This requirement and procedure is understood and hereby acknowledged.

ALAMANCE COUNTY UNIFIED DEVELOPMENT ORDINANCE

Prior to issuing an Operations Permit, a final site inspection shall be performed by the Alamance County Planning Department to ensure that development was established in harmony with the approved site plan.

4. Other Requirements

- A. Proof of an approved spill containment plan as issued by the Alamance County Fire Marshal.
- B. Proof that all required permits from other governmental or regulatory agencies have been issued.
- C. The Operations permit must be displayed in a conspicuous place where it may be readily observed by the public upon entering the main business structure of the regulated use, if the business is open to public.

D. Operations Permit Renewal Required

Operations permits issued under this section are valid for a period of two (2) years and shall automatically expire, unless renewed. An Operations Industrial Development Permit renewal is required for each regulated use.

1. Site Visit Required

A site visit must be conducted by the Alamance County Planning Department prior to issuing a renewed permit to ensure continued compliance with this ordinance. It is the responsibility of the permit holder to schedule a site visit with the Alamance County Planning Department.

2. Other Requirements

- a. Proof of Tier II reporting, if applicable.
- b. Proof of continued compliance with all requirements of this Ordinance and maintenance of all required permits.
- c. If the permitted location has been the subject of two or more enforcement actions within the renewal period, then the Planning Director, at their discretion, may require a public hearing before the Alamance County Planning Board prior to the renewal of the Operations Permit.

§6.5.4 – PERMITTING PROCEDURES (CONTINUED)

C-4. Other Requirements:

- A:** This requirement is understood and hereby acknowledged.
- B:** This requirement is understood and hereby acknowledged.
- C:** This requirement is understood and hereby acknowledged.

D – Operations Permit Renewal Required: This timeframe is understood and hereby acknowledged.

D-1. Site Visit Required: This requirement and procedure is understood and hereby acknowledged.

D-2. Other Requirements:

- (a):** This requirement is understood, hereby acknowledged, and is inapplicable.
- (b):** This requirement is understood and hereby acknowledged.
- (c):** This requirement and procedure is understood and hereby acknowledged.

Appendix A



K D Phillipie LCID – Operational Buffer Restoration Planting Plan

**K D Phillipie LLC
4115 Clapp Mill Rd – Burlington - Alamance County, North Carolina**

Project No. 25-PHILLIPPIE-01

December 17, 2025

Appendix A

LCID PLANTING PLAN - NO. 25-PHILLIPPIE-01 - WILSON ENGINEERING GROUP

Vegetative Buffer Planting Plan

For Restoration of Operations Setback Area Following Removal of Temporary Sediment Basin

Project: K D Phillippie LCID**Applicant:** K D Phillippie, LLC**Location:** 4115 Clapp Mill Rd, Burlington, NC**Reference:** Borrow Pit Construction Grading and Erosion Control Plan, Sheet 3 of 7**Temporary Feature:** Temporary Sediment Basin immediately east of the borrow pit**Land Use Classification:** Class I Use per *Alamance County UDO §6.5.2***Purpose and Applicability**

This Planting Plan is provided to address the deficiency identified by the Alamance County Planning Board regarding the presence of a temporary sediment basin (labeled on the plan set as "TEMP. SED. BASIN 1" and hereafter referred to as SB1) within the required 150-foot operations buffer. In accordance with the *Alamance County Unified Development Ordinance (UDO) §6.5.3, Subsection E – Operations Setback*, non-screening elements may not remain within the operations setback unless required by other permits. Because SB1 is a temporary erosion-control measure and *not* required to remain after stabilization of the borrow pit construction area, the area will be restored to a compliant vegetative buffer immediately upon decommissioning and removal of the basin. This Planting Plan provides the required restoration commitments, layout, species selection, spacing, and maintenance requirements to return the operations buffer to full compliance.

Applicable Ordinance Requirements

Per *Alamance County UDO §6.5.3, Subsection I – Landscaping & Screening*, Class I facilities must meet the following:

- Minimum Screening Width: 50 feet
- Required Vegetative Rows: Two (2) staggered rows of plantings
- Spacing: 8 - 10 feet on center
- Plant Size at Installation: 36 - 48 inches in height, 7-gallon minimum container size
- Mixed borders encouraged
- Existing vegetation may be credited at Planning Director discretion

The full 150-foot operations buffer far exceeds the required 50-foot minimum width for screenings; however, the restored planting area will meet all vegetative requirements within the first 50 feet interior to the boundary.

Appendix A

LCID PLANTING PLAN - NO. 25-PHILLIPPIE-01 - WILSON ENGINEERING GROUP

Location Requiring Restoration

The planting area is the portion of the operations setback that was temporarily disturbed for the installation of SB1, as shown on Sheet 3 of 7 of the Borrow Pit Construction Grading and Erosion Control Plan.

- The sediment basin is located immediately east of the borrow pit
- The remainder of the areas within the 150-foot buffer but outside of the boundaries of SB remains undisturbed and vegetated
- Upon basin removal, the disturbed footprint will be restored with plantings meeting all Class I screening standards.

Planting Design**Arrangement**

The restored buffer will consist of two staggered rows, aligned parallel to the operations boundary.

- Row spacing: 10-12 feet between rows
- Plant spacing: 10 feet on center within each row
- Pattern: Alternating evergreen and native species to achieve visual density and year-round opacity

This layout provides immediate screening while promoting long-term growth and stability.

Species Selection (Class I Mixed Screening)

Species used will be hardy, regionally appropriate, low-maintenance, and capable of developing effective vertical screening.

Primary Evergreen Species (Core Screen Layer ~60% of total)

Pinus Taeda (Loblolly Pine) – fast-growing evergreen conifer, open to moderately dense, 60-90 ft mature height

Secondary Evergreen / Large Shrub Layer (~25% of total)

Ilex Opaca (American Holly) – native, evergreen, excellent winter screening, 40-60 ft mature height

Appendix A

LCID PLANTING PLAN - NO. 25-PHILLIPPIE-01 - WILSON ENGINEERING GROUP

Native Deciduous Shade Trees (~15% of total)

(Added for mixed border diversity, per UDO recommendation)

Liquidambar Styraciflua (Sweetgum) – fast-growing native deciduous shade tree, hardy and adaptable for mixed border diversity, 60-75 ft mature height

These species collectively provide height, evergreen coverage, biodiversity, stormwater absorption, and long-term stability.

Quantities and Densities

(Final numbers will be confirmed upon measurement of disturbed linear footage.)

Vegetative density shall be:

Vegetative density shall be provided in two rows spaced at 10 feet, resulting in an approximate density of 0.10 plants per linear foot per row, or approximately 0.20 plants per linear foot total.

Project Calculation

For the 350 linear feet of buffer disturbance, approximately **70 total plants** shall be provided, distributed as follows:

- Approximately **42 evergreen trees**
- Approximately **18 holly or large evergreen shrubs**
- Approximately **10 deciduous shade trees**

Quantities can be adjusted based on field conditions and installer recommendations while retaining ordinance compliance.

Installation Procedure Sequence

- Remove SB1 after DEMLR confirms stabilization of the borrow pit area
- Regrade and smooth the disturbed buffer area to match adjacent contours
- Apply 4 inches of topsoil where needed to establish suitable planting conditions
- Install temporary ground stabilization (e.g., straw or matting) as applicable based on slope
- Install vegetation according to spacing and layout noted above:
 - All plants in 7-gallon minimum containers
 - All plants 36-48 inches tall at installation
 - Evergreen species primarily in the first row (outermost from borrow pit and closest to property line) to maximize visual screening
- Install 3 inches of hardwood mulch around each plant
- Perform initial watering immediately after planting

Appendix A

LCID PLANTING PLAN - NO. 25-PHILLIPPIE-01 - WILSON ENGINEERING GROUP

Maintenance and Establishment Period

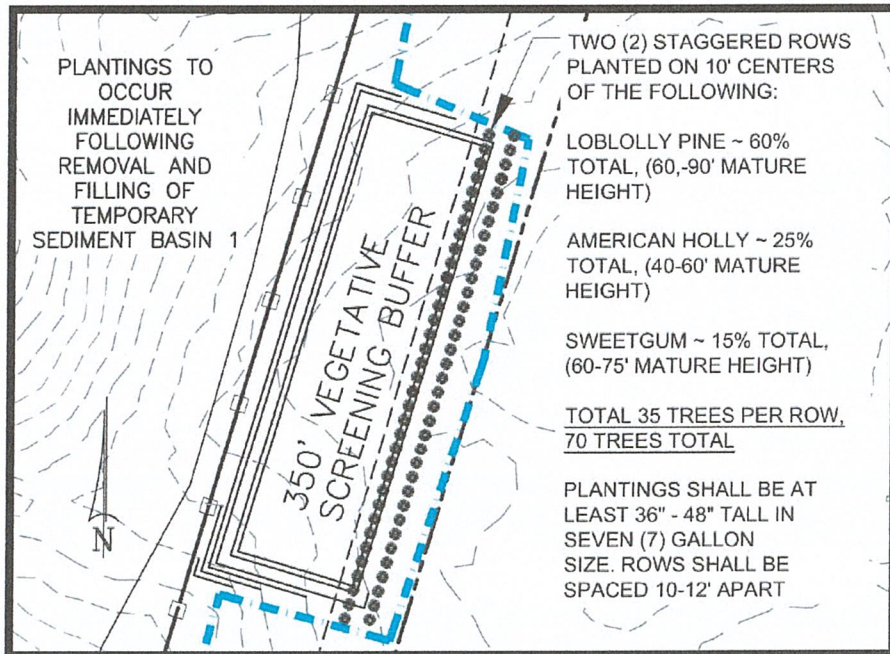
A two-year establishment period will be observed:

- Irrigation or supplemental watering during the first growing season
- Biannual inspections for mortality, erosion, or invasive species
- Replacement of any dead plants during the next growing season
- Limited mowing or disturbance within the buffer; natural vegetative succession encouraged beyond initial rows

Conclusion & Compliance Statement

Once SB1 is removed, the Applicant will restore the disturbed area of the operations setback to a UDO-compliant Class I vegetative screening buffer, consisting of two staggered rows of mixed plantings at 10 feet on center, 36 - 48 inches tall, 7-gallon minimum size, as required.

This restoration ensures that the 150-foot operations buffer will contain a fully compliant vegetative screen and will no longer contain any operational or nonpermitted elements.



Appendix B

Monday, Dec. 15, 2025



Alamance County Planning Board
201 West Elm Street
Graham, NC 27253

Re: Phillippie LCID Landfill
ITE Trip Generation Estimate
LCID on Clapp Mill Road

Gentlemen,

Wilson Engineering Group is pleased to provide this estimate of Trip Generation Rates and Road Capacity Analysis for the proposed LCID Landfill on Clapp Mill Road in Burlington, NC.

Section 6.5.3.F of the Alamance County Ordinance requires the use of the Institute of Transportation Engineers' "Trip Generation Manual" to determine the number of daily trips generated by a proposed industry. The ITE's manual contains tables with Lists of Land Uses (Coded) having vehicle Pass-By Rates and Statistical Data for an assortment of different land use types including but not limited to, Institutional, Retail, Service Industries, Day Care Centers, Discount Superstores, etc. While the ITE manual does not provide trip data for LCID landfills, it offers recommendations on how to create reasonable estimates. Specifically, finding the closest similar land uses, and using site specific data, then modifying using factors like urban or rural and relevant metrics like square footage, number of employees, or dwelling units to develop trip rate estimates.

Using these recommendations, Wilson Engineering Group has identified the Kimesville Road LCID landfill (located within ½ mile of the proposed landfill – Facility ID 0108-LCID-2022) as a similar use. The Kimesville Road Landfill has an operation area of approximately 7-acres.

All LCID Landfills are required to produce Facility Annual Reports for the NCDEQ's Division of Solid Waste Management, which include annual operations data such as fees, number of employees, number of weeks of operation per year, hours of operation, and amounts of average waste received per week. The 2024 Annual Report for the Kimesville Road Landfill is attached to this report.

Trip Generation Estimate – Pertinent Data from Kimesville Road LCID Landfill

- The Kimesville Road LCID Landfill received an average of **400 cubic yards (cy) of waste per week** in 2024 according to the 2024 Annual Report.
- The average load for a Single-Unit Truck, (ie dump truck) carrying Land Clearing and Inert Debris is **15 cubic yards**.
- The Kimesville Road LCID Landfill has an Operation Area of approximately **7-acres**.
- The Kimesville Road LCID operates 5.5 days per week (Monday – Friday 8am to 5pm & Saturday, 8am to 12 pm)

Using an average intake of 400 cy/week we can calculate the **average number of trips per day** based on the average carrying capacity of the typical dump truck being 15 cy / load.

- (400 cy/week / 15 cy per load) x 2 trips per load (to & from) = 53.3 trips per week
- 53.3 trips per week / 5.5 days of operation per week = **9.7 average trips per day**

1001 Chestnut Drive
Smithfield, North Carolina 27577
Phone (336) 736-9267

Appendix B



By comparing the Operational Area of the Kimesville Road Facility to the Proposed LCID Landfill on Clapp Mill Road (7-acres vs. 55-acres respectively) we can create an **estimate of the average daily trips for the proposed Clapp Mill Road LCID Landfill.**

- Hours of operation – same for both landfills
- Days of Operation – same for both landfills
- Rural vs. Urban – Both Landfills are located in the rural area of Alamance County and within ½ mile of each other
- Calculation based on operational area metric:
 - 55-acres / 7-acres = 7.86 (factor of increase)
 - 7.86 x 9.7 trips per day(Kimesville Road LCID) = **76.2 trips per day**

The Estimate of Average Trips per day for the Proposed LCID Landfill on Clapp Mill Road is therefore 76.2 trips per day.

Clapp Mill Road – Practical Carrying Capacity Assessment

Section 6.5.3.F of the Alamance County Ordinance also requires that all industries regulated by this section shall be required to demonstrate if their heavy industrial use would create an amount of traffic (in terms of vehicle trips per day) that would push the roads by which the industry is gaining access over its practical carrying capacity as defined by the North Carolina Department of Transportation (N.C.D.O.T.)

The Two Lane Rural Road Capacity Assessment is attached in the spreadsheet at the end of this report. The variables include:

- 2023 Annual Average Daily Traffic (AADT) Count for Clapp Mill Road = 600 vehicles per day (VPD) - (NCDOT ArcGIS Data Website – confirmed with Chuck Edwards of NCDOT).
- Peak Hour Factor (PHF) = 0.88
- Adjustment Factor for Grades (Fg): Rolling Terrain Factor in Piedmont = 0.71
- Adjustment Factor for No Passing Zones (Clapp Mill Road has NO Passing Zones) = 0
- Proportion of Trucks expressed as a decimal (PT)= 76.2 / 600 = 0.127
- Adjustment Factor for Heavy Vehicles (Fhv) = 0.840 (See Spreadsheet for Calculation)
- Passenger Car Equivalents (Table 7 of HCM) = 2.5

The result from the Capacity Calculations indicate that the **2025 Carrying Capacity of Clapp Mill Road is 1,679 vehicles per hour (vph)** (See attached spreadsheet for calculations).

What is Practical Carrying Capacity?

- Wilson Engineering Group in discussions with Mr. Chuck Edwards of NCDOT asked the question: “How does NCDOT define practical carrying capacity?” Mr. Edwards’s response is in the December 11, 2025 email attached to this report.
 “NCDOT has developed [Capacity Analysis Assumptions and Results by CTP Facility Type \(2021\).pdf](#) which provides recommended capacity values for various roadway types at LOS D and LOS E based on HCM methodology and assumptions as listed in the document. Based on the methodology and assumptions utilized, the LOS D capacity of a two-lane highway segment is calculated at 14,300 vehicles per day (VPD). The applicant

Appendix B



should carefully evaluate and confirm that the assumptions used are representative of conditions on Clapp Mill Road prior to using this value for the purpose of assessment of capacity. The information provided in this document is for planning purposes only and should not be used for evaluating operations at individual accesses or road junctions during peak periods or for making recommendations for infrastructure improvements.”

The calculated capacity of Clapp Mill Road using 2025 NCDOT AADT data and methodology from the Federal Highway Administration’s HCM Manual is 1,679 vehicles per hour (40,296 vehicles per day). This is roughly three (3) times the available capacity for a rural two lane road simply to maintain a Level of Service D according to NCDOT’s Capacity Analysis Assumptions and Results by CTP Facility Report. As Clapp Mill Road will remain well above a studied capacity level of service D (LOS D) with the addition of the proposed LCID Landfill, it is our professional opinion that the proposed landfill will **NOT** “push the roads by which the industry is gaining access over its practical carrying capacity as defined by the North Carolina Department of Transportation (N.C.D.O.T.)” The referenced NCDOT Capacity Analysis Assumptions Report is included as an attachment to this Report.

Please feel free to contact us with questions, or if further information is required.

Sincerely,
Jesse Wilson, P.E.

Wilson Engineering Group

APPENDICES

Appendix B


December 8, 2025	Phillipie Landfills - Clapp Mill Road, Alamance County NC Two Lane Rural Road Capacity Assessment	
Existing 2023 Annual Average Daily Traffic Count (AADT) - Clapp Mill Road, Burlington, NC = 600 vehicles per day (25 vehicles per hour) from NCDOT ARCGIS Website		25.00
2025 Two-Way Carry Capacity Calculated for Clapp Mill Road (NCSR 1129) with Increased Truck Traffic to LCID Landfill = (3,200 pch x PHF x Fg x Fhv) -Vnp		1,679.46
Equation Variables / Calculations		
PHF - Peak Hour Factor = 0.88		0.880
Fg - Adjustment Factor for Grades (Rolling Terrain)		0.710
Vnp = Volume Adjustment for No Passing Zones (Table 8)		0
Fhv - Adjustment Factor for Heavy Vehicles = $1/(1+PT(ET-1))$		0.840
PT - Proportion of Trucks expressed as a decimal (76.2 /600)		0.127
Et - Passenger Car Equivalents (Table 7)		2.5
Average Single Unit Truck per Day Estimate - Clapp Road Facility		
<hr/>		
Comparable Facility: NC Facility Identification Number 0108-LCID-2022		
Location: 4301 Kimesville Road, Burlington, NC		
Hours: Monday - Friday: 8am to 5pm, Saturday: 8am to 12pm		
Area of Operations: (7(+/-) Acres		7.00
Kimesville Facility Average Intake Intake (Cubic Yards per week		400.00
Number of Days of Operation / Week		5.5
Average Number of Cubic Yards per Day: (400 / 5.5)		73
Average Load per Single Unit Truck (Cubic Yards)		15
Average Number of Trips per Week (400 / 15) x 2		53.33
Average Number of Trips per day (53.3/5.5)		9.7
Average Number of Trips per day - Existing Kimesville Road Facility (Monday-Saturday) = (400/15) x 2		9.70
Proposed Facility:		
Location: 4115 Clapp Mill Road		
Hours: Monday - Friday: 8am to 5pm, Saturday: 8am to 12pm		
Area of Operations: (55 Acres)		55
Factor of Increase / Decrease (55/7)		7.86
Number of Days of Operation / Week		5.5
Average Number of Cubic Yards per Week: (400 x 7.86)		3,143
Average Load per Single Unit Truck (Cubic Yards)		15
Average Number of Trips per day Proposed Clapp Road Facility(Monday-Saturday) = (524/15) x 2		76.2

Wilson Engineering Group
1001 Chestnut Drive, Smithfield, NC 27577 (336) 736-9267

APPENDICES

Appendix B

STATE OF NORTH CAROLINA SOLID WASTE MANAGEMENT
 Facility Annual Report for the period of July 1, 2024 - June 30, 2025. Use this reporting form for Land Clearing and Inert Debris (LCID) landfill facilities.



Facility Information

LCID Landfill Information

Facility Identification*	0108-LCID-2022 - Put-Down List -	Permit Name	Phillippie Landfill LCID
---------------------------------	-------------------------------------	--------------------	--------------------------

Contacts

Facility Contact
Please edit the information below as needed.

Salutation*	First Name*	Last Name*	Title*	Telephone*	Email*
Kenneth	Kenneth	Phillippie	Owner	(336) 266-0522	kennethphillippie@gmail.com

Billing Contact
Please edit the information below as needed.

Salutation*	First Name*	Last Name*	Title*	Telephone*	Email*
Mr	Kenneth	Phillippie	Owner	(336) 266-0522	kennethphillippie@gmail.com

Address

Mailing Address
Please edit the information below as needed.

Mail Address*	City/Town*	Zip Code*	State*
3724 Clapp Mill Rd	Burlington	27215	NC

Operations

1. Disposal Operations* Did your facility accept and manage waste during the reporting period?

Yes
 No

Tip Fee Table

2. What is the Tipping Fee?

Tip Fee	Dollars*	Units*
Tip Fee	\$50.00	per Small Truck
Tip Fee	\$75.00	per Tandem Truck
Tip Fee	\$95.00	per Quad/Tractor Trailer

Attach Fee Schedule if Needed Any document type may be uploaded here.

APPENDICES

Appendix B

	Amount *	Units *
3. Estimate the waste amount received in an average week:	400.00	Cubic Yards
4. How many weeks did you operate this past year? *	52	
5. What are the facility operating hours and days? *	8am - 5pm Monday- Friday, 8am - 12pm Saturday, closed Sunday	
6. What was the waste footprint acreage as of June 30, 2025? *	1.0	

Risk Assessment

Receptors

- 1. Are Residential Structures located within 1,500 feet of the Edge of Waste?
 Yes No
- If Yes, how many?
 1
- Please list the three closest distances [in feet] from the Edge of Waste.
 700ft
- 2. Are Water Supply Wells located within 1,500 feet of the Edge of Waste?
 Yes No
- If Yes, how many?
 1
- Please list the three closest distances [in feet] from the Edge of Waste.
 600ft
- 3. Are Community/Municipal Water Supply Wells located within 1,500 feet of the Edge of Waste?
 Yes No
- 4. Are Surface Water Features located within 1,500 feet of the Edge of Waste?
 Yes No
- If Yes, how many?
 1
- Please list the three closest distances [in feet] from the Edge of Waste.
 200ft
- Please list the names of the water bodies.
 No Name, it's an old branch (North Prong Stinking Quarter Creek)
- 5. Is Public Water Available within 1,500 feet of the Edge of Waste?
 Yes No

Please indicate either Yes or No for each question below and provide the verifiable distance or distances requested [such as using range finders, GIS maps, survey measurements]. Please attach additional information including GIS maps, lists of potable well locations, etc.

Corrective Measures

- 6. Does the facility use an active methane extraction system [blower, vacuum, flare, etc.]?
 Yes No

APPENDICES

Appendix B

7. Does the facility use an passive methane extraction system (trench, vents, etc.)?
 Yes No

8. Is active ground water remediation taking place on site?
 Yes No

Upload Additional Risk Assessment Documents

Comments

Certification and Submittal

Certification* CERTIFICATION: I certify that the information provided is an accurate representation of the activity at this facility.
REMNINDER: According to G.S. 130A-309.09D(b), this report must be sent to the County Manager of each county from which waste was received. A copy of this report will be automatically forwarded to the Regional Environmental Senior Specialist for your county.

Name* Kenneth Phillippe

Title* Owner

Email* kennethphillippe@gmail.com

Date* 7/16/2025

Comments

APPENDICES

Appendix B

12/15/25, 12:19 PM

Gmail - RE: Phillippie Land Fill - NCDOT Driveway Permit & TIA Decision



Jesse Wilson <sudspa@gmail.com>

RE: Phillippie Land Fill - NCDOT Driveway Permit & TIA Decision

1 message

Edwards, Charles N <cnedwards@ncdot.gov>

Thu, Dec 11, 2025 at 1:38 PM

To: "Patton, Vance H" <vhpatton@ncdot.gov>, Matthew Hoagland <mhoagland@alamancecountync.gov>, Caleb Hall <wegroup.chall@gmail.com>, "sudspa@gmail.com" <sudspa@gmail.com>

Cc: "Lineberger, Nicholas C" <nclineberger@ncdot.gov>

I'm writing to follow up to this meeting which was attended by Matthew Hoagland of Alamance County, Jesse Wilson and Caleb Hall of Wilson Engineering and Vance Patton and myself of NCDOT. The purpose of the meeting was to discuss requirements and methodologies for traffic analysis associated with the proposed LCID landfill located on SR 1129, Clapp Mill Road in Alamance County. According to the development team, the site is expected to generate an approximate maximum 100 trips per day based on evaluation of historical data from a nearby LCID currently operated by the applicant. The site does not satisfy NCDOT criteria to require submittal of a formal TIA as set forth in the [POLICY ON STREET AND DRIVEWAY ACCESS](#). However, Alamance County regulations do require the applicant to demonstrate that, with the addition of anticipated site trips, the daily volumes on the adjacent roadway do not exceed "practical" capacity as defined by NCDOT. NCDOT does not have specific policy or guidelines applicable to this locally required evaluation. I have consulted with NCDOT Congestion Management Regional Engineer Nick Lineberger. We offer the following for consideration by the applicant and the County.

- The current ITE Trip Generation manual does not provide sufficient data for use in accurately estimating trip generation for this land use. Per NCDOT guidelines, it is recommended that local data from representative facilities operating in the area be used as the basis for estimation of trip generation for the site.
- The term "practical" carrying capacity as defined by NCDOT as stated by the County is not clearly defined and subject to interpretation. However, for the purposes of this, exercise, a daily volume consistent with the threshold of LOS D based on criteria and methodologies established in the Highway Capacity Manual (HCM) would be considered by NCDOT as appropriate.
- NCDOT has developed [Capacity Analysis Assumptions and Results by CTP Facility Type \(2021\).pdf](#) which provides recommended capacity values for various roadway types at LOS D and LOS E based on HCM methodology and assumptions as listed in the document. Based on the methodology and assumptions utilized, the LOS D capacity of a two-lane highway segment is calculated at 14,300 VPD. The applicant should carefully evaluate and confirm that the assumptions used are representative of conditions on Clapp Mill Road prior to using this value for the purpose of assessment of capacity. The information provided in this document is for planning purposes only and should not be used for evaluating operations at individual accesses or road junctions during peak periods or for making recommendations for infrastructure improvements.

Please note our new office phone number below.

C. N. Edwards Jr., PE (Chuck)

District Engineer

North Carolina Department of Transportation

<https://mail.google.com/mail/u/0/?ik=b9ec3dda3a&view=pt&search=all&permthid=thread-f:1851238199982213021&simpl=msg-f:1851238199982213021> 1/3

APPENDICES

Appendix B

12/15/25, 12:19 PM

Gmail - RE: Phillippie Land Fill - NCDOT Driveway Permit & TIA Decision

Division of Highways

Division 7, District 1

(336) 290-0250

cnedwards@ncdot.gov

115 East Crescent Square Drive

P. O. Box 766

Graham, NC 27253



-----Original Appointment-----

From: Patton, Vance H <vhpatton@ncdot.gov>

Sent: Monday, December 8, 2025 3:00 PM

To: Patton, Vance H; Matthew Hoagland; Caleb Hall; sudspa@gmail.com

Cc: Edwards, Charles N

Subject: Phillippie Land Fill - NCDOT Driveway Permit & TIA Decision

When: Wednesday, December 10, 2025 3:00 PM to Thursday, December 11, 2025 3:00 PM (UTC-05:00) Eastern Time (US & Canada).

Where: Microsoft Teams Meeting

Microsoft Teams Need help?

Join the meeting now

Meeting ID: 234 497 692 982 47

Passcode: kr3JB3xD

Dial in by phone

+1 984-204-1487,,700743326# United States, Raleigh

<https://mail.google.com/mail/u/0/?ik=b9ec3dda3a&view=pt&search=all&permthid=thread-f:1851238199982213021&simpl=msg-f:1851238199982213021> 2/3

Appendix B

Capacity calculation assumptions and results
by Joe Hummer, Mobility and Safety
For James Upchurch, TPD
Updated August 24, 2021

General

We made a number of assumptions to arrive at the recommended capacity values below. These assumptions were from the "NCLoS Program 2010 Update" (released in June 2013) as much as possible. The general assumptions which applied to most or all of the types of road included that:

- LOS D and LOS E capacities are shown in vehicles per day in two directions;
- In uninterrupted facilities level of service (LOS) D was at a density of 35 vpm;
- In interrupted facilities LOS D was at a control delay of 55 sec/veh;
- In uninterrupted facilities LOS E was at a density of 45 vpm or a demand to capacity (v/c) of 1.0;
- In interrupted facilities LOS E was at a control delay of 80 sec/veh or a v/c of 1.0;
- At intersections, 15 percent of the approach demand turns left and 15 percent turns right;
- The region of NC (coastal vs piedmont vs mountains) does not matter;
- For terrain, level = 0% grade, rolling = +3% grade, and mountainous = +5% grade;
- Lanes are 12 feet wide; and
- The proportion of the daily traffic in the peak hour (K) was 0.09.

The calculations followed Version 6 (2016) of *Highway Capacity Manual* (HCM) methods unless otherwise noted.

Freeway

This uninterrupted facility is defined in the same way as the SPOT definition of "freeway". We used the freeway portion of HCM Chapter 12. In that chapter, capacity and LOS depend primarily on trucks moving up grades. Key assumptions included:

- The base free flow speed = speed limit + 10 mph; and
- The right-side lateral clearance was 10 ft.

The difference between urban, suburban, and rural was captured in a few variables:

- The speed limit was 70 mph in a rural area, 65 mph in a suburban area, and 60 mph in an urban area;
- The total ramp density was 0.5 per mile in a rural area and 1.0 per mile in an urban or suburban area;
- The directional split in the peak hour (D) was 0.65 in a rural area and 0.60 in an urban or suburban area; and
- The peak hour factor (PHF) was 0.85 rural in a rural area and 0.90 in an urban or suburban area.

Appendix B

LOS D

Terrain	Percent trucks	Two lanes per direction			Three lanes per direction			Four lanes per direction		
		Urban	Suburban	Rural	Urban	Suburban	Rural	Urban	Suburban	Rural
Level	5	65000	66300	57800	97400	99400	86700	130000	132600	115600
	10	62200	63300	55200	93300	95200	82900	124400	126900	110600
	15	59800	60900	53200	89800	91500	79800	119600	122000	106300
	20	57800	58900	51300	86700	88300	77100	115600	117800	102700
	25	55700	56700	49400	83500	85200	74200	111500	113500	99000
	30	53500	54600	47700	80400	82000	71500	107200	109300	95400
	35	51700	52600	45800	77400	79100	68900	103300	105400	91800
Rolling	5	60400	61700	53700	90700	92400	80700	120900	123300	107500
	10	57800	58900	51300	86700	88300	77100	115600	117800	102700
	15	55400	56500	49200	83100	84800	74000	110900	113100	98600
	20	53300	54400	47400	80200	81700	71100	106900	108900	94900
	25	51300	52400	45600	77000	78500	68500	102800	104800	91500
	30	48900	49800	43400	73300	74800	65100	97800	99800	87000
	35	46700	47400	41400	70000	71300	62200	93300	95000	82900
Mountainous	5	56300	57200	49900	84400	85900	75000	112600	114600	100000
	10	53500	54600	47700	80400	82000	71500	107200	109300	95400
	15	51300	52400	45600	77000	78500	68500	102800	104800	91500
	20	49300	50200	43800	73900	75400	65800	98700	100600	87700
	25	47400	48300	42200	71100	72600	63200	95000	96900	84400
	30	44600	45400	39700	66900	68100	59500	89300	90900	79300
	35	42000	43000	37400	63100	64400	56100	84300	85900	74900

LOS E

Terrain	Percent trucks	Two lanes per direction			Three lanes per direction			Four lanes per direction		
		Urban	Suburban	Rural	Urban	Suburban	Rural	Urban	Suburban	Rural
Level	5	74100	75000	65300	111100	112600	98100	148100	150000	130800
	10	70900	71900	62600	106300	107800	93800	141700	143700	125300
	15	68100	69100	60200	102200	103700	90400	136500	138100	120500
	20	65900	66700	58100	98700	100000	87200	131700	133500	116400
	25	63500	64300	56100	95200	96500	84100	126900	128700	112100
	30	61100	61900	54000	91700	92800	81000	122200	123900	108000
	35	58900	59600	52000	88300	89400	77900	117800	119400	104100
Rolling	5	68900	69800	60900	103300	104800	91300	137800	139600	121700
	10	65900	66700	58100	98700	100000	87200	131700	133500	116400
	15	63300	64100	55900	94800	96100	83800	126500	128100	111800
	20	60900	61700	53700	91300	92600	80700	121700	123300	107500
	25	58500	59300	51600	87800	89100	77600	117200	118700	103400
	30	55700	56500	49200	83500	84600	73800	111500	113000	98500
	35	53100	53900	46800	79600	80700	70400	106300	107800	93800
Mountainous	5	64200	65000	56600	96100	97400	85000	128100	130000	113300
	10	61100	61900	54000	91700	92800	81000	122200	123900	108000
	15	58500	59300	51600	87800	89100	77600	117200	118700	103400
	20	56300	56900	49600	84300	85400	74500	112400	113900	99300
	25	54100	54800	47700	81100	82200	71600	108100	109600	95600
	30	50900	51500	45000	76300	77200	67400	101700	103100	89900
	35	47900	48500	42400	72000	73000	63600	95900	97200	84800

Appendix B

3

Expressway

This uninterrupted facility is defined in the same way as the SPOT definition of "multilane segment". We used the multilane highway portion of HCM Chapter 12. This facility has either two or three through lanes per direction. In Chapter 12, capacity and LOS depend primarily on trucks moving up grades. Key assumptions included:

- The PHF was 0.9; and
- The D was 0.6.

Suburban and urban expressways were assumed to be identical. They differed from rural expressways in a few variables:

- The speed limit was 55 mph in urban and suburban areas and 60 mph in rural areas;
- The access point density was 25 per mile in urban and suburban areas and 8 per mile in rural areas; and
- The lateral clearance was 8 feet in urban and suburban areas and 12 feet in rural areas.

LOS D

Terrain	Percent trucks	Two lanes per direction		Three lanes per direction	
		Urban or suburban	Rural	Urban or suburban	Rural
Level	5	55700	62200	83700	93400
	10	53300	59600	80200	89500
	15	51300	57400	77000	86100
	20	49600	55400	74400	83100
	25	47800	53300	71700	80100
	30	45900	51300	69100	77100
	35	44300	49400	66500	74300
Rolling	5	51900	58000	78000	87000
	10	49600	55400	74400	83100
	15	47600	53100	71500	79800
	20	45700	51100	68700	76800
	25	44100	49300	66300	73900
	30	42000	46900	63000	70300
	35	40000	44600	60000	67100
Mountainous	5	48300	53900	72400	80900
	10	45900	51300	69100	77100
	15	44100	49300	66300	73900
	20	42400	47200	63500	70900
	25	40700	45400	61100	68300
	30	38300	42800	57400	64200
	35	36100	40400	54300	60600

Appendix B

4

LOS E

Terrain	Percent trucks	Two lanes per direction		Three lanes per direction	
		Urban or suburban	Rural	Urban or suburban	Rural
Level	5	65600	72000	98400	107900
	10	62800	68900	94200	103300
	15	60400	66300	90700	99400
	20	58300	64000	87500	96000
	25	56200	61700	84400	92500
	30	54100	59400	81200	89100
	35	52200	57200	78300	85900
Rolling	5	61100	67000	91600	100500
	10	58300	64000	87500	96000
	15	56000	61500	84000	92200
	20	53900	59200	80900	88700
	25	51900	56900	77900	85400
	30	49400	54200	74100	81300
	35	47100	51700	70600	77500
Mountainous	5	56800	62300	85200	93500
	10	54100	59400	81200	89100
	15	51900	56900	77900	85400
	20	49800	54600	74700	82000
	25	47900	52600	71900	78900
	30	45100	49400	67600	74100
	35	42500	46700	63800	70000

Two-Lane Highway Segment

This uninterrupted facility is defined in the same way as the SPOT definition of "two-lane segment". This facility has one through lane per direction. We used a LOS procedure developed during NCHRP 17-65 which will be in version 6.1 of the HCM. Capacity and LOS depend primarily on faster vehicles platooning behind trucks and other slower vehicles. Key assumptions included:

- In consultation with the NCHRP 17-65 Principal Investigator (Scott Washburn at the University of Florida) we set the LOS E to F boundary at 16 followers/mi/ln for facilities with speeds of 50 mph or above or 20 followers/mi/ln for facilities with speeds below 50 mph;
- Rural, suburban, and urban areas were identical;
- There were zero passing zones or lanes;
- The segment length was two miles;
- Vertical class and alignment coefficients were based on Table 2-14 with class 1 for level terrain, class 2 for rolling terrain, and class 4 for mountainous terrain;
- 5 percent trucks;
- The PHF was 0.9; and
- D was 0.6.

Appendix B

5

LOS D

Terrain	Speed limit, mph	Capacity, vpd
Level	45	12100
	50	13300
	55	14400
Rolling	45	12100
	50	13200
	55	14300
Mountainous	45	11200
	50	12100
	55	13100

LOS E

Terrain	Speed limit, mph	Capacity, vpd
Level	45	16100
	50	17600
	55	19200
Rolling	45	16100
	50	17500
	55	19000
Mountainous	45	14800
	50	16000
	55	17300

Boulevard

This interrupted facility is defined in the same way as the SPOT definition of "arterial". This facility has two, three, or four through lanes per direction. Capacity and LOS are defined for a through movement at the stop bar on the way into an isolated, fixed-time signalized intersection. The calculations were made using Chapter 19 of the HCM. Key assumptions included:

- Speed limit does not matter;
- Urban vs suburban vs rural does not matter;
- The intersection is not in a central business district;
- All turns are made from exclusive turn lanes;
- 5 percent trucks;
- There were no stopping buses near the intersection;
- There was no on-street parking near the intersection;
- The signal cycle was 120 sec long;
- Total lost time was 4 sec per phase;
- Typical green time for the through movement was 35 sec long;
- Yellow and all-red for the through phase was 7 sec long;

Appendix B

6

- Ideal saturation flow was 1900 pcphpl;
- The PHF was 0.9; and
- D was 0.6.

We also calculated capacities for cases where the through movement receives a longer green time of 50 sec and show those values below. This could be the case at a meeting of an important boulevard with a less important major thoroughfare, minor thoroughfare, or local street. Note that if the through movement on the boulevard receives a longer green time the through movement for the intersecting street must receive a smaller green time, and capacity values are provided for those smaller green time cases below. It is not possible for both intersecting roadways to receive longer green times, or for one street to receive a longer green time and the other street to receive a typical green time.

LOS D, High Share of Green

Terrain	2 lanes ea direction	3 lanes ea direction	4 lanes ea direction
Level	34800	50600	68000
Rolling	34300	49800	67000
Mountainous	33900	49300	66300

LOS D, Typical Share of Green

Terrain	2 lanes ea direction	3 lanes ea direction	4 lanes ea direction
Level	23700	34800	47200
Rolling	23300	34300	46500
Mountainous	23000	33900	46000

LOS E, High Share of Green

Terrain	2 lanes ea direction	3 lanes ea direction	4 lanes ea direction
Level	36200	51800	69100
Rolling	35700	51000	68000
Mountainous	35300	50500	67300

LOS E, Typical Shared of Green

Terrain	2 lanes ea direction	3 lanes ea direction	4 lanes ea direction
Level	25500	36900	49500
Rolling	25100	36300	48800
Mountainous	24800	35900	48300

Appendix B

7

Reduced Conflict Boulevard

This facility is the street with the u-turn crossovers at a reduced conflict intersection, also known as a superstreet, synchronized street, restricted crossing u-turn intersection, or a j-turn intersection. The calculation is the same as for the boulevard, above, except that the signal of interest, where capacity is reached, is at the u-turn crossover and the typical green time for the through movement at that spot is 77 seconds.

LOS D, Typical Share of Green

Terrain	2 lanes ea direction	3 lanes ea direction	4 lanes ea direction
Level	38200	54700*	73000*
Rolling	37600	53900*	71900*
Mountainous	37200	53400*	71100*

* v/c exceeds 1.0 below 55 sec/veh delay, so LOS D and E demands are equal.

LOS E, Typical Share of Green

Terrain	2 lanes ea direction	3 lanes ea direction	4 lanes ea direction
Level	38300	54700*	73000*
Rolling	37700	53900*	71900*
Mountainous	37300	53400*	71100*

* v/c exceeds 1.0 below 55 sec/veh delay, so LOS D and E demands are equal.

Multilane Major Thoroughfare

This facility looks much like a boulevard, and the capacity calculation was just like that for the boulevard as described above. The tables for typical share of green time below are identical to those for a boulevard that receives a typical share of green time. The multilane major thoroughfare does not carry the high levels of long distance through traffic that the boulevard does, however, so it would never receive the high shares of green time shown in the tables above for the boulevard. In fact, where a multilane major thoroughfare intersects with a boulevard, the boulevard could well receive a high share of green time which means that this facility would receive a low share of green time, assumed as 20 seconds to create the tables below.

LOS D, Typical Share of Green

Terrain	2 lanes ea direction	3 lanes ea direction	4 lanes ea direction
Level	23700	34800	47200
Rolling	23300	34300	46500
Mountainous	23000	33900	46000

LOS D, Low Share of Green

Terrain	2 lanes ea direction	3 lanes ea direction	4 lanes ea direction
Level	12100	18400	25600
Rolling	11900	18100	25200
Mountainous	11700	17900	24900

Appendix B

8

LOS E, Typical Shared of Green

Terrain	2 lanes ea direction	3 lanes ea direction	4 lanes ea direction
Level	25500	36900	49500
Rolling	25100	36300	48800
Mountainous	24800	35900	48300

LOS E, Low Share of Green

Terrain	2 lanes ea direction	3 lanes ea direction	4 lanes ea direction
Level	14700	21600	29200
Rolling	14500	21200	28700
Mountainous	14300	21000	28400

Two-Lane Major Thoroughfare

In terms of capacity, this facility is identical to the multilane major thoroughfare described above except that it has just one through lane per direction.

LOS D, Typical Share of Green

Terrain	Capacity, vpd
Level	11600
Rolling	11400
Mountainous	11200

LOS D, Low Share of Green

Terrain	Capacity, vpd
Level	5400
Rolling	5300
Mountainous	5300

LOS E, Typical Share of Green

Terrain	Capacity, vpd
Level	12900
Rolling	12700
Mountainous	12600

LOS E, Low Share of Green

Terrain	Capacity, vpd
Level	7200
Rolling	7100
Mountainous	7000

Appendix B

9

Minor Thoroughfare

In terms of capacity, this facility is the same as the two-lane major thoroughfare as described above except that there is a shared through and right turn lane rather than an exclusive through lane.

LOS D, Typical Share of Green

Terrain	Capacity, vpd
Level	9200
Rolling	9100
Mountainous	9000

LOS D, Low Share of Green

Terrain	Capacity, vpd
Level	4400
Rolling	4300
Mountainous	4200

LOS E, Typical Share of Green

Terrain	Capacity, vpd
Level	10300
Rolling	10200
Mountainous	10000

LOS E, Low Share of Green

Terrain	Capacity, vpd
Level	5800
Rolling	5700
Mountainous	5600

Appendix C



WETLAND
SOLUTIONS LLC

P.O. Box 244 Bunnlevel, NC 28323 - (910) 890-2779

MEMORANDUM

Jesse Wilson
Wilson Engineering Group

Date: December 5, 2025

Subject: Wetland Investigation on 4115 Clapp Mill Road
PIN: 8841564064

Dear Mr Wilson,

A site investigation and wetland delineation based upon section 404/401 of the Clean Water Act has been conducted for the above referenced property, located at 4115 Clapp Mill Road, Burlington, Alamance County, North Carolina ("site"). The purpose of this investigation was to determine the existence and extent of areas that exhibit the characteristics of jurisdictional wetlands under Section 404 of the Clean Water Act. All wetland investigations were completed in accordance with the 1987 US Army Corps of Engineers Wetland Delineation Manual and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region (Version 2.0).

This report represents my professional opinion that no areas meeting the required criteria for jurisdictional wetlands were observed within the proposed Areas of Operation (Phases I and II) on the project site. While a jurisdictional stream is present on the southern perimeter of the property, neither the stream or the 100-foot stream buffer are located within any of the proposed Operations Areas. The criteria used to assess for jurisdictional wetlands include hydric soils, hydrophytic vegetation and wetland hydrology. We have provided a map of the top of bank delineation for the jurisdictional streams within the project area. As shown on the map, the proposed disturbances are outside of the 100 foot stream buffer. If you prefer, Wetland Solutions can pursue concurrence by the US Army Corps of Engineers or the NC Department of Environmental Quality; Division of Water Resources.

I appreciate the opportunity to provide this service and trust that you will feel free to call on me again in the future. If you have any questions or need additional information, please contact me at your convenience.

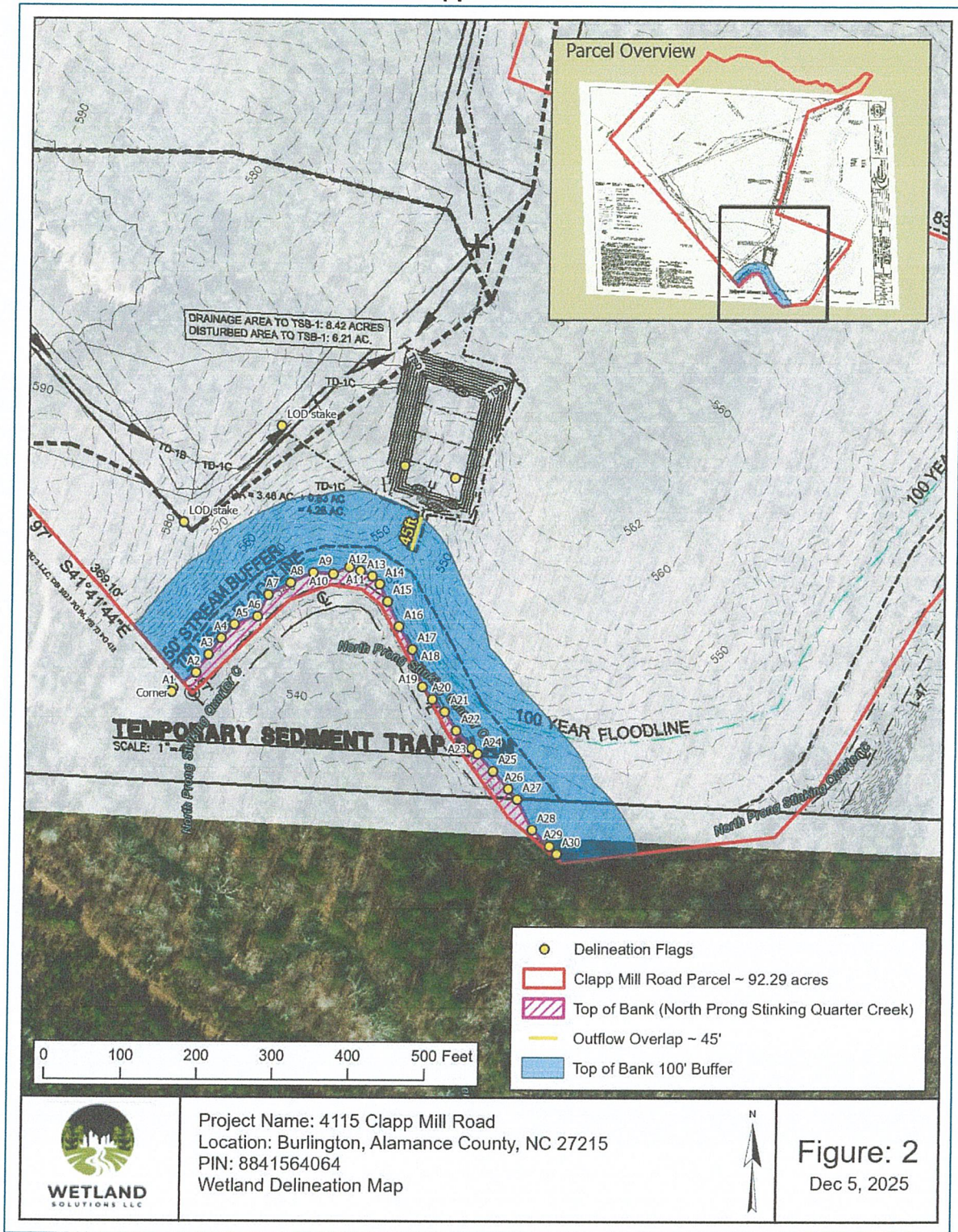
Sincerely,

Adam Carter
Senior Environmental Scientist

Wetland Solutions, LLC
P.O. Box 244
Bunnlevel, NC 28323
www.linkedin.com/in/adam-carter-wetland

Adam@WetlandNC.com
www.WetlandNC.com
(910) 890-2779

Appendix C



Appendix D

North Carolina Department of Transportation (NCDOT)**Driveway Permit**Acquired? Yes No Notes: Approved September 17, 2025. Pending final improvement inspection, predicted to occur before February 6, 2026.Update: Closeout letter attesting satisfactory and compliant final improvement inspection received January 29, 2026.
NCDOT Identifier: D071-001-25-00045**North Carolina Department of Environmental Quality (NCDEQ)****Erosion and Sedimentation Control Plan**Acquired? Yes No Notes: Approved February 14, 2025.Application ID: PA-009322**NCDEQ - Division of Waste Management, Solid Waste Section****Land Clearing and Inert Debris Landfill Permit**Acquired? Yes No Notes: TBD, post-acquisition of Intent-to-Construct.**Alamance County Planning Board****Heavy Industrial Development Intent-to-Construct Permit**Acquired? Yes No Notes: TBD**Miscellaneous****Alamance County Planning Department Site Visit(s)**Occurred? Yes No Additional Requested? Yes No Notes: Site visit occurred on Dec 16, 2025**Wetlands Determination**Occurred? Yes No

Responsible firm: Wetlands Solutions, LLC

Notes: Determination report received December 5, 2025.**Cultural Resources & Endangered / Threatened Species Determination**Occurred? Yes No

Responsible Party: NCDNCR, NCNHP

Notes: Determination report received July 10, 2024.**Subsurface Groundwater Study**Occurred? Yes No Other: Partial Study

Requiring Agency: NCDEQ - Division of Waste Management, Solid Waste Section

Notes: Project requires 15 test pits. 7 preliminary occurred May 2025. Remainder cannot be accomplished without a greater than one acre disturbance. Pending Intent-to-Construct acquisition before pursuit resumes.

Appendix E

PRE-APPLICATION LIST - NO. 25-PHILLIPPIE-01 - WILSON ENGINEERING GROUP

This document is produced and presented on behalf of Mr. Kenneth D. Phillippie, Owner and Registered Agent of K D Phillippie, LLC. The following list of permits, studies and determinations (as well as the anticipated timelines associated with their individual acquisition) represents those that Wilson Engineering Group has identified as necessary and requisite for the proposed K D Phillippie LCID Landfill project on Clapp Mill Rd, located in the township of Coble, Alamance County in Burlington, NC.

Permits:**Driveway Permit**

Issuing Body: North Carolina Department of Transportation (NCDOT)

Anticipated Acquisition Timeline: Approved September 17, 2025. Note: pending final improvement inspection, predicted to occur before February 6, 2026.

Erosion and Sedimentation Control Plan

Issuing Body: North Carolina Department of Environmental Quality (NCDEQ)

Anticipated Acquisition Timeline: Approved February 14, 2025.

Heavy Industrial Development Intent-to-Construct Permit

Issuing Body: Alamance County Planning Board

Anticipated Acquisition Timeline: TBD and discussed during the course of this pre-application meeting.

Land Clearing and Inert Debris Landfill Permit

Issuing Body: NCDEQ - Division of Waste Management, Solid Waste Section

Anticipated Acquisition Timeline: TBD, post-acquisition of Intent-to-Construct.

Studies / Determinations / Misc.:**Alamance County Site Visit(s)**

Purpose: to ensure and record continued cessation of any construction activities pursuant to this project's past or future Intent-to-Construct Permit.

Anticipated Occurrence Timeline: Wilson Engineering Group hereby officially requests at least one site visit at 4115 Clapp Mill Rd. at the County's convenience and discretion. Multiple visits to ensure documented ongoing compliance is preferable.

Wetlands Determination

Purpose: to ensure and record the absence of jurisdictional protected wetlands within the project vicinity.

Anticipated Occurrence Timeline: On-site determination declaring no presence of jurisdictional protected wetlands within the project boundary (both Phases I and II) has been conducted, concluding with a final report submitted to this firm on December 5, 2025.

Cultural Resources and Endangered / Threatened Species Determination

Purpose: to ensure that there are no rare or threatened species, records for important natural communities, natural areas, and/or conservation/managed areas within the proposed project boundary.

Anticipated Occurrence Timeline: The NC Department of Natural and Cultural Resources as well as The North Carolina Natural Heritage Program conducted an official query of their respective databases and determined that no aforementioned points of interest were noted. Their report was submitted to this firm on July 10, 2024.

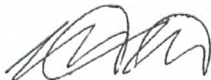
Groundwater Study

Purpose: to ensure dig depth limitation and imposition of a minimum four foot clearance buffer above the seasonal high water table.

Anticipated Occurrence Timeline: Seven exploratory well borings were executed as part of a preliminary subsurface investigation conducted in May, 2025. At that time, no evidence of any existing or pre-existing groundwater table was present. To meet NCDEQ requirements, fifteen such borings are requisite based on the project's acreage. To ensure compliance in observance of the project's current cessation of construction practice, the remaining eight borings will occur only when expressly approved by the Alamance County Planning Department or after Intent-to-Construct acquisition and NCDEQ permitting procedures are resumed.

Wilson Engineering Group has identified no protected facilities within the spacing area of this project that might otherwise require a spacing waiver. Copies of all currently possessed permits, studies and determinations are available upon request and shall be included where applicable in forthcoming application(s). We appreciate the Alamance County Planning Department's review and acceptance of this list, and their accommodation with respect to scheduling the requested on-site inspection for construction cessation monitoring at Mr. Phillippie's property. Please do not hesitate to contact our office should additional information or clarification be required.

Sincerely,



Caleb Hall, Wilson Engineering Group

Appendix F

Alamance County Planning Department

Matthew Hoagland, Planning Director
201 W. Elm Street, Graham, NC 27253
Phone: (336) 570-4053 | Email: Matthew.Hoagland@Alamance-NC.com

MEMORANDUM

To: Alamance County Planning Board
From: Planning Director Matthew Hoagland
Re: Phillipie LCID Landfill Construction Activities
Site Visit Date: Tuesday, December 16, 2025
Memo Date: Wednesday, December 31, 2025

During the November 13, 2025 meeting, the Planning Board requested further information regarding any ongoing "construction activities" in pursuit of the Phillipie LCID Landfill Intent-to-Construct Permit on the property at 4115 Clapp Mill Road, Burlington.

Section 6.5.4.B. of the Alamance County Unified Development Ordinance states: "An Intent-to-Construct Industrial Development Permit shall be required before the owner or operator of a regulated industry commences any construction activities."

Article 7 of the Alamance County Unified Development Ordinance defines "Construction Activities" as follows: "Any studies, investigations, improvements, or other activities undertaken at the site of a proposed regulated industry pertaining to the construction, placement, erection, or establishment of the same, including but not limited to surveys, soil and other environmental tests, clearing and grading, pouring footers or pads, placing building materials or equipment at the site, locating or constructing buildings, structures, or other improvements, or any other similar activities, except those similar activities constitute operations as defined in this ordinance."

The applicant requested that Alamance County Planning Department staff conduct a site inspection on Tuesday, December 16, 2025. A site inspection was then conducted by Planning Director Matthew Hoagland and Planner II Jonathan Grace at approximately 2:45 p.m. that day. Applicant Kenneth Phillipie and Caleb Hall from Wilson Engineering Group were also present during this site inspection.

The result of this site inspection was that Alamance County Planning Department staff found no ongoing "construction activities" in pursuit of the Intent-to-Construct Permit to be taking place on the property.

Appendix G

§ 160D-406. Quasi-judicial procedure.

(a) **Process Required.** – Boards shall follow quasi-judicial procedures in determining appeals of administrative decisions, special use permits, certificates of appropriateness, variances, or any other quasi-judicial decision.

(b) **Notice of Hearing.** – Notice of evidentiary hearings conducted pursuant to this Chapter shall be mailed to the person or entity whose appeal, application, or request is the subject of the hearing; to the owner of the property that is the subject of the hearing if the owner did not initiate the hearing; to the owners of all parcels of land abutting the parcel of land that is the subject of the hearing; and to any other persons entitled to receive notice as provided by the local development regulation. In the absence of evidence to the contrary, the local government may rely on the county tax listing to determine owners of property entitled to mailed notice. The notice must be deposited in the mail at least 10 days, but not more than 25 days, prior to the date of the hearing. Within that same time period, the local government shall also prominently post a notice of the hearing on the site that is the subject of the hearing or on an adjacent street or highway right-of-way. The board may continue an evidentiary hearing that has been convened without further advertisement. If an evidentiary hearing is set for a given date and a quorum of the board is not then present, the hearing shall be continued until the next regular board meeting without further advertisement.

(c) **Administrative Materials.** – The administrator or staff to the board shall transmit to the board all applications, reports, and written materials relevant to the matter being considered. The administrative materials may be distributed to the members of the board prior to the hearing if at the same time they are distributed to the board a copy is also provided to the appellant or applicant and to the landowner if that person is not the appellant or applicant. The administrative materials shall become a part of the hearing record. The administrative materials may be provided in written or electronic form. Objections to inclusion or exclusion of administrative materials may be made before or during the hearing. Rulings on unresolved objections shall be made by the board at the hearing.

(d) **Presentation of Evidence.** – The applicant, the local government, and any person who would have standing to appeal the decision under G.S. 160D-1402(c) shall have the right to participate as a party at the evidentiary hearing. Other witnesses may present competent, material, and substantial evidence that is not repetitive as allowed by the board.

Objections regarding jurisdictional and evidentiary issues, including, but not limited to, the timeliness of an appeal or the standing of a party, may be made to the board. The board chair shall rule on any objections, and the chair's rulings may be appealed to the full board. These rulings are also subject to judicial review pursuant to G.S. 160D-1402. Objections based on jurisdictional issues may be raised for the first time on judicial review.

(e) **Appearance of Official New Issues.** – The official who made the decision or the person currently occupying that position, if the decision maker is no longer employed by the local government, shall be present at the evidentiary hearing as a witness. The appellant shall not be limited at the hearing to matters stated in a notice of appeal. If any party or the local government would be unduly prejudiced by the presentation of matters not presented in the notice of appeal, the board shall continue the hearing.

(f) **Oaths.** – The chair of the board or any member acting as chair and the clerk to the board are authorized to administer oaths to witnesses in any matter coming before the board. Any person who, while under oath during a proceeding before the board determining a quasi-judicial matter, willfully swears falsely is guilty of a Class 1 misdemeanor.

(g) **Subpoenas.** – The board making a quasi-judicial decision under this Chapter through the chair or, in the chair's absence, anyone acting as chair may subpoena witnesses and compel the production of evidence. To request issuance of a subpoena, the applicant, the local government, and any person with standing under G.S. 160D-1402(c) may make a written request

Appendix G

to the chair explaining why it is necessary for certain witnesses or evidence to be compelled. The chair shall issue requested subpoenas he or she determines to be relevant, reasonable in nature and scope, and not oppressive. The chair shall rule on any motion to quash or modify a subpoena. Decisions regarding subpoenas made by the chair may be immediately appealed to the full board. If a person fails or refuses to obey a subpoena issued pursuant to this subsection, the board or the party seeking the subpoena may apply to the General Court of Justice for an order requiring that its subpoena be obeyed, and the court shall have jurisdiction to issue these orders after notice to all proper parties.

(h) Appeals in Nature of Certiorari. – When hearing an appeal pursuant to G.S. 160D-947(e) or any other appeal in the nature of certiorari, the hearing shall be based on the record below, and the scope of review shall be as provided in G.S. 160D-1402(j).

(i) Voting. – The concurring vote of four-fifths of the board shall be necessary to grant a variance. A majority of the members shall be required to decide any other quasi-judicial matter or to determine an appeal made in the nature of certiorari. For the purposes of this subsection, vacant positions on the board and members who are disqualified from voting on a quasi-judicial matter under G.S. 160D-109(d) shall not be considered members of the board for calculation of the requisite majority if there are no qualified alternates available to take the place of such members.

(j) Decisions. – The board shall determine contested facts and make its decision within a reasonable time. When hearing an appeal, the board may reverse or affirm, wholly or partly, or may modify the decision appealed from and shall make any order, requirement, decision, or determination that ought to be made. The board shall have all the powers of the official who made the decision. Every quasi-judicial decision shall be based upon competent, material, and substantial evidence in the record. Each quasi-judicial decision shall be reduced to writing, reflect the board's determination of contested facts and their application to the applicable standards, and be approved by the board and signed by the chair or other duly authorized member of the board. A quasi-judicial decision is effective upon filing the written decision with the clerk to the board or such other office or official as the development regulation specifies. The decision of the board shall be delivered within a reasonable time by personal delivery, electronic mail, or first-class mail to the applicant, landowner, and any person who has submitted a written request for a copy prior to the date the decision becomes effective. The person required to provide notice shall certify to the local government that proper notice has been made, and the certificate shall be deemed conclusive in the absence of fraud.

(k) Judicial Review. – Every quasi-judicial decision shall be subject to review by the superior court by proceedings in the nature of certiorari pursuant to G.S. 160D-1402. Appeals shall be filed within the times specified in G.S. 160D-1405(d). The governing board of the local government that is a party to the judicial review of the quasi-judicial decision shall have the authority to settle the litigation, subject to Article 33C of Chapter 143 of the General Statutes. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d); 2021-168, s. 3(a).)

Appendix H

NOTICE OF PUBLIC HEARING

Please take notice that the Alamance County Planning Board will hold a public hearing on DAY, DATE at TIME to consider the following:

Application of KD Phillippie LLC for a Land-Clearing and Inert Debris (LCID) Landfill.

This LCID Landfill will be located at 4115 Clapp Mill Road, Burlington NC. Please contact Caleb Hall at wegroup.chall@gmail.com for more information about KD Phillippie LLC or the LCID Landfill. If you would like to view a copy of the complete application for this proposed LCID Landfill, please contact the Alamance County Planning Department at (336) 570-4053 or view in person at: 201 West Elm St., Graham NC, 27253.

This public hearing will be held in the Commissioner's Meeting Room located on the 2nd floor of the Alamance County Office Building, 124 West Elm Street, Graham, NC 27253. All interested citizens are invited to attend. If any disabled person has a special request for a hearing interpreter or other assistance, please contact the ADA Coordinator at (336) 228-1312 TDD 570-6326.

Appendix I

Media Distribution List

ashcan_rantings@yahoo.com

news@thealamancenews.com

news@wfmy.com

news@wghp.com

triadnews@charter.com

wbag@bellsouth.net

newstips@wxii.12.com

reagan@alamancechamber.com

kbarber@thetimesnews.com

12/19/2024

APPENDICES

Appendix J

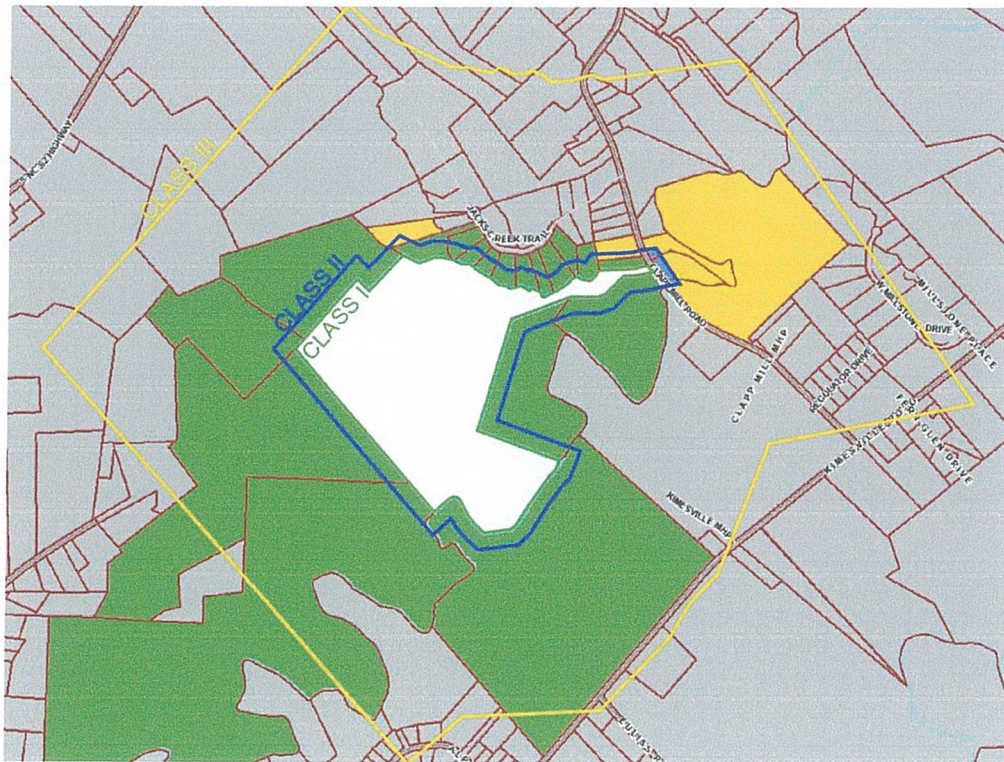
Abutting Parcels / Adjoiners Mailing List				
Site Address: 4115 Clapp Mill Rd, Burlington NC				
PIN: 105192				
Adjoiners Address	PIN	Owner	Additional	# Letters
4067 Clapp Mill Rd	175557	Michael P McMahon	NA	1
4061 Clapp Mill Rd	175563	Ronnie L Gammon Susan S Gammon	NA	1
4236 Jacks Creek Trl	178460	Robert Kushner Catherine Kushner	Alamance Construction & Repair LLC PO Box 219, Alamance NC 27210	2
4240 Jacks Creek Trl	178461	Robert Kushner Catherine Kushner	Lary P Salo & Calandra A Salo 4240 Jacks Creek Trl, Burlington NC 27215	2
4244 Jacks Creek Trl	178462	Lary Paul Salo Calandra Salo	NA	1
4248 Jacks Creek Trl	178463	David Michael Tierney	NA	1
4252 Jacks Creek Trl	178464	Randall J Smith Janna W Smith	NA	1
4260 Jacks Creek Trl	178465	Raymond Browning Moore III Kimberly Stainback Moore	NA	1
4264 Jacks Creek Trl	178477	Alamance Construction & Repair LLC	NA	0
4268 Jacks Creek Trl	178476	Benjamin Thomas Treschl Jacqueline L Treschl	NA	1
4272 Jacks Creek Trl	178475	Whitney McElroy Love Antonio Donta Love	Whitney McElroy Love & Antonio Donta Love, 7385 Woodspring Dr Apt 207, Whitsett NC, 27377	2
4276 Jacks Creek Trl	178474	Michael Scott Flynn Leroy Osborne Flynn	NA	1
NA	105149	Sara Lou B Heirs Shoffner C/O Charles N Moore TR	4533 T Boyd Wright Rd, Burlington NC, 27215	0
NA	105113	Sara Lou B Heirs Shoffner C/O Charles N Moore TR	4533 T Boyd Wright Rd, Burlington NC, 27215	0
NA	105112	Gertrude M Rumbley	1415 St Marks Church Rd, Burlington NC, 27215-9407	1
NA	105065	Seatic 2 LLC	1573 York Rd, Burlington NC, 27215	1
NA	173642	Francis A Campbell A ETAL C/O Carol Davis	721 Archer, Winston Salem NC, 27106-5411	1
4115 Unit G Clapp Mill Rd	105209	Jesse Michael Nikitin Sarah Dawn Nikitin	NA	1
4115 Unit C Clapp Mill Rd	105221	Kenneth D Phillippie Kimberly S Phillippie	NA	0
All parcels highlighted in yellow are presently owned by Kenneth Phillippie, the project property owner, despite how some are currently listed in the Alamance County GIS system. As such, no letter of notice is requisite.				Σ 18

APPENDICES

Appendix K

Additional Recipients - Class II Parcels Mailing List				
Site Address: 4115 Clapp Mill Rd, Burlington NC				
PIN: 105192				
Adjoiners Address	PIN	Owner	Additional	# Letters
4230 Clapp Mill Rd	105246	Ronald G Kirkpatrick Sr. Heirs, Linda K Kirkpatrick	PO Drawer 2570, Burlington, NC 27216-2570	2
4098 Clapp Mill Rd	105245	Larry Douglas Hunt, Vicki Hunt	NA	1
4068 Clapp Mill Rd	105224	Stephen L Workman II, Haley Workman	NA	1
4065 Clapp Mill Rd	175556	Ronald Lee Gammon, Susan S Gammon	NA	1
Jacks Creek Trl	178473	Brent McRay Lineberry	4288 Jacks Creek Trl, Burlington, NC 27215	1
				Σ
				6

Notes: All parcels herein are additional recipients adopted from the self imposed Class II spacing delineation.



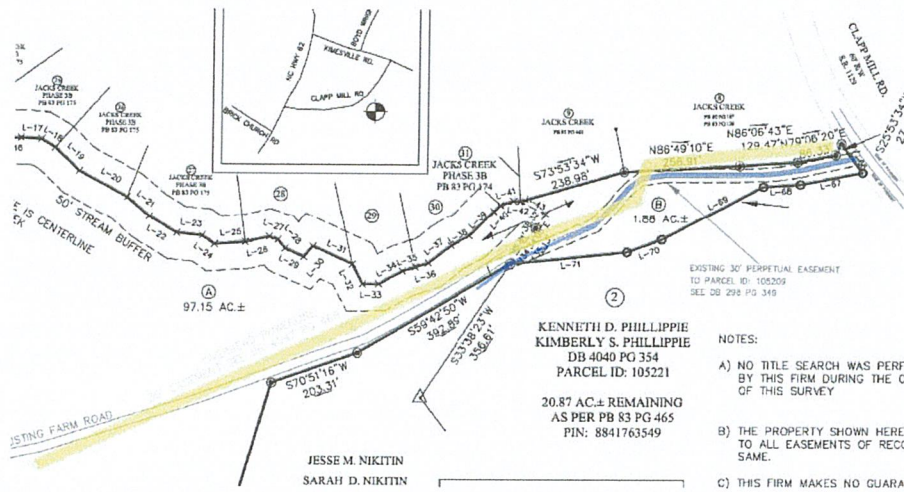
Appendix L

Holder of Utility or Easement

Parcel Information

Pin: 105192
 County: Alamance
 Township: Coble
 Location: 4115 Clapp Mill Rd., Burlington NC, 27215

Plan View:



KENNETH D. PHILLIPPIE
 KIMBERLY S. PHILLIPPIE
 DB 4040 PG 354
 PARCEL ID: 105221
 20.87 AC± REMAINING
 AS PER PB 83 PG 465
 PIN: 8841763549

- NOTES:
 A) NO TITLE SEARCH WAS PERFORMED BY THIS FIRM DURING THE COURSE OF THIS SURVEY.
 B) THE PROPERTY SHOWN HERE IS SUBJECT TO ALL EASEMENTS OF RECORD.
 C) THIS FIRM MAKES NO GUARANTEE.

<p>Holder: Duke Energy Type: Utility <input checked="" type="checkbox"/> Easement <input type="checkbox"/> Width: 30' Use: OH Power Line Records: Deed Book 4547, Page 468 Plan View Legend: Yellow Notes:</p>	<p>Holder: Parcel 105221 Type: Utility <input type="checkbox"/> Easement <input checked="" type="checkbox"/> Width: 30' Use: Ingress / Egress Records: Deed Book 298, Page 349 Plan View Legend: Blue Notes: Perpetual Easement</p>
---	--

Appendix M

Notice of Hearing TimelineCalculated with respect to the March 12, 2026 Planning Board Public HearingNotice Schedule:**Category: Class I - Adjoiners****Type: Certified Mail****Count:** 18**List Location:** Appendix J**Governing Criteria (a):** NCGS §160D-406(b): *≠ 10 days, ≠ 25 days***Governing Criteria (b):** AC UDO §6.5.4-B.1.iii(iv & vi): *≠ 21 days***Resultant Window:** February 15th - 19th, 2026**Notes:** Actual window 16th - 19th, as the 15th is a Sunday**Category: Class III - Neighboring****Type: Certified Mail****Count:** 111**List Location:** Appendix K**Governing Criteria (a):** NCGS §160D-406(b): *≠ 10 days, ≠ 25 days***Governing Criteria (b):** AC UDO §6.5.4-B.1.iii(v.2 & vi): *≠ 21 days***Resultant Window:** February 15th - 19th, 2026**Notes:** Actual window 16th - 19th, as the 15th is a Sunday**Category: Holders of Utility or Easement****Type: Certified Mail****Count:** 2**List Location:** Appendix L**Governing Criteria (a):** NCGS §160D-406(b): *≠ 10 days, ≠ 25 days***Governing Criteria (b):** AC UDO §6.5.4-B.1.iii(vi): *≠ 21 days***Resultant Window:** February 15th - 19th, 2026**Notes:** Window unspecified in UDO §6.5.4-B.1.iii(v.4). Using constraints set forth for general mailing of notice.Actual window 16th - 19th, as the 15th is a Sunday**Category: General Circulation Publication****Type: Newspaper (Alamance News)****Governing Criteria:** AC UDO §6.5.4-B.1.iii(i): *≠ 10 days, ≠ 25 days***Publishing Window:** February 15th - March 2nd, 2026**Notes:****Category: Media Release****Type: Email****Count:** 9**List Location:** Appendix I**Governing Criteria:** AC UDO §6.5.4-B.1.iii(i): *≠ 10 days, ≠ 25 days***Publishing Window:** February 15th - March 2nd, 2026**Notes:** Current media / interested parties list will be updated before submission to ensure up to date list. Window unspecified in UDO §6.5.4-B.1.iii(ii). Using constraints set forth for general mailing of notice. Actual window 16th - 19th, as the 15th is a Sunday**Category: Site Signage Posting****Type: Roadfront Sign****Count:** 1**Governing Criteria:** AC UDO §6.5.4-B.1.iii(i): *≠ 10 days, ≠ 25 days***Publishing Window:** February 15th - March 2nd, 2026**Notes:** Window unspecified in UDO §6.5.4-B.1.iii(iii). Using constraints set forth for general mailing of notice.Actual window 16th - 19th, as the 15th is a Sunday

Appendix N

November 13, 2025



Alamance County Planning Board
201 West Elm Street
Graham, NC 27253

Re: Phillippie LCID Land Fill
Subsurface Groundwater Investigation

Kenneth Phillippie in coordination with Wilson Engineering Group conducted a subsurface groundwater investigation in May of 2025. The preliminary subsurface investigation was conducted using a large backhoe with a limited dig depth of approximately 20-feet. The NCDEQ Division of Solid Waste Management requires a minimum of One (1) Test Pit per every 2-Acres of proposed landfill. The proposed landfill area is approximately 30-acres, which will require 15 test pits prior to NCDEQ Division of Waste Management permit approval. For preliminary purposes, seven (7) strategically placed test pits were dug and examined for any evidence of the presence of groundwater table. The lowest elevation of any dig was recorded at elevation 558 MSL, that dig site having a surface elevation of 578. No evidence of any existing or pre-existing groundwater table was present.

The lowest proposed borrow pit grade (bottom of pit) is currently wet at elevation 550 MSL. Final determinations of the exiting ground water table (or lack thereof) will be conducted and presented to the NCDEQ Division of Waste Management for final permitting procedures.

Following the public hearing slated for November 13, 2025 the required number of test pits (15) will be completed to depths of no less than 4-feet below the proposed finished pit grades. This will be accomplished using benching techniques to facilitate deeper digs with the backhoe. Prior to implementing erosion control measures, this could not be accomplished for all 15 pits without the risk of a greater than one-acre disturbance.

The NCDEQ Division of Waste Manage requires that no debris shall be deposited within 4-feet of the existing groundwater table. The proposed borrow pit will be adjusted (if necessary) in accordance with our final findings and prior to final permitting through NCDEQ's Division of Waste Management.

A copy of the existing site and the pit locations is attached.

Please contact us if you have questions or require any additional information.

Sincerely,

A handwritten signature in black ink that reads "Jesse W. Wilson".

Jesse W. Wilson, P.E.

1001 Chestnut Drive
Smithfield, North Carolina 27577
Phone (336) 736-9267

