

Tammy Flegal

From: Kevin Carver [kcarver@arhs-nc.org]
Sent: Thursday, May 26, 2016 12:10 PM
To: David Klebitz
Cc: Mark Bissell; Tammy Flegal
Subject: Re: 4562 - The Landing

Mark,

The lots at proposed "The Landing" subdivision in Moyock shall be considered Provisionally Suitable with the addition of aerial fill and/or groundwater lowering draintile.

Kevin

On May 25, 2016, at 2:39 PM, "David Klebitz" <davek@bissellprofessionalgroup.com> wrote:

Kevin,

Attached are the conceptual site plans requested for The Landing. As discussed, to represent worse case scenarios, the plan for Lots 10 & 11 have drain tile while the plan for Lots 15 & 16 have 2' of fill. Please let us know if you have questions.

Best Regards,

David M. Klebitz, PE

<image001.jpg>

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<image002.jpg> "Like" Bissell Professional Group

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Our Mission:

The Public Health professionals and programs of Albemarle Regional Health Services are dedicated to disease prevention and the promotion of a healthy environment to reduce morbidity, mortality and disability, through quality service, education, and advocacy.



Currituck County
Engineering Stormwater Management Plan Report
Narrative and Basis of Design

Project:

"The Landing" Conservation Subdivision
Currituck County, North Carolina

Prepared By:

Bissell Professional Group

P.O. Box 1068
3512 N. Croatan Highway
Kitty Hawk, North Carolina 27949

Updated May 26, 2016
May 28, 2015



STORMWATER MANAGEMENT NARRATIVE:

PROPOSED DEVELOPMENTAL ACTIVITIES

The intent of the stormwater management design, to the maximum extent possible, is to employ best management practices through the use of vegetative conveyances, vegetative buffers and a wet-detention BMP to serve the proposed development. As a whole, the development will consist of 29 residential single family home lots served by three proposed cul-de-sac roads located on a 73 acre tract of land. The proposed Landing subdivision is located off of Baxter Lane Extension and Little Acorn Trail, just east of Baxter Lane Estates subdivision in Moyock Township, Currituck County, North Carolina.

The proposed developmental activities for this development include the following:

- a) Construction of 29 single family residential home parcels, each approximately 40,000 square feet
- b) Construction of about 2,354 linear feet of typical asphalt subdivision road
- c) Waterline Improvements
- d) Drainage and Stormwater BMP Improvements

Site Soils

The following is a summary of the soils typically found within the Phase 1 project boundary limits.

Soil Description

The majority of the site is composed of:

Ro: Roanoke Fine Sandy Loam: Nearly level, poorly drained soil on broad flats and in slightly depressed waterways. Permeability is slow with a seasonal high water table at or near the surface. Permeability in the first 45" of soil is described as being 0.06 in/hr – 0.2 in/hr.

and:

Wa: Wahee Fine Sandy Loam: Nearly level, somewhat poorly drained soils on low ridges along streams and rivers that flow into the Currituck and Albemarle Sounds. Permeability is slow at 0.06-0.2 in/hr and a seasonal high water table that fluctuates between depths of 0.5 to 1.5 feet.

With some areas of:

At: Augusta Fine Sandy Loam: Somewhat poorly drained soils on smooth, slightly convex ridges near or adjacent to small streams and rivers. Permeability is moderate at 0.6-2.0 in/hr and a seasonal high water table that fluctuates between depths of 1.0 and 2.0 feet.

Soils to the north and south of the developable areas are Cb: Conaby Muck, most of which are classified as wetlands subject to the jurisdiction of the US Army Corps of Engineers.

- *Information referenced from United States Department of Agriculture, Soil Conservation Service, Soil Survey of Currituck County, North Carolina*

Existing Site Topography and Drainage Features

The site's topography is generally in the 5 to 5.5' elevation range in the roadway and lot areas, gently sloping toward the north, south and east, with the last 50 to 100 feet sloping rapidly toward the wetlands, typically from about 5' msl down to 2' and then to sea level in the delineated wooded wetland areas.

The land drains into an existing wetland slough on both the north and south sides of the developable area, which connect directly to Shingle Landing Creek. Because of these direct connections, resulting in no property being impacted by stormwater runoff from this project, the alternative design criteria are proposed to be utilized in the stormwater management design for The Landing.

Land use in the surrounding area is predominately residential development.

Methodology of Managing Stormwater Runoff

In consideration of the development's proximity to adjoining wetlands that are tributary to the adjacent creek, the stormwater management for this development is designed around the Alternate Stormwater Plan criteria as provided in the UDO. Furthermore, in accordance with the recently approved Currituck County Stormwater Manual, the following must be applied to the Alternate Stormwater design:

- The maximum downstream rise in water surface elevation shall not exceed 0.01 feet over pre-development conditions.

Downstream

With regard to the downstream water elevation requirement, in consideration of the characteristics of the receiving wetlands and their direct outlet to the creek, it seems reasonable to conclude that the change in water surface will be negligible.

Stormwater Runoff Collection and Management

Based upon the topography of the proposed development, drainage there are three drainage basins (see attached overview sheet).

In General, rainfall runoff from the residential lots will primarily sheet flow overland into vegetative side property line swales. Runoff from the roadways will be collected by typical roadway swales. For the south side of the street, there will be a vegetative outlet swale and level spreader to convey overland flow into the wetlands and then the adjacent Shingle Landing Creek. On the north side of the street, even though the alternate design criteria can be used, it is proposed that the property line and roadway swales will convey runoff to a wet-detention BMP as illustrated on the preliminary construction drawings. Drawdown from the BMP will be handled via a typical drawdown device with

a 2" orifice and overflow be will be managed through a typical spillway. Discharge from the drawdown devices, and the overflow spillway, will be directed to the adjacent wetlands for additional filtering before it continues through the wetland slough to Shingle Landing Creek. Property line swales will act as broad, shallow, vegetative filters, constructed with side slopes of 3:1 or flatter and vegetated with grass. Longitudinal slopes are being kept relatively flat, to provide for low velocity flows, thereby aiding infiltration and sediment removal. This practice is also described as passive in accordance with best management practices.

Stormwater Management Overview

The following information is in conformance with the Currituck County Unified Development Ordinance:

- 1) Proposed impervious coverage of less than 30% for each residential lot.
- 2) Provision of vegetative conveyance swales along proposed property lines and roadway swales to collect and transport stormwater runoff from all impervious surfaces to the two proposed BMPs.
- 3) Provision of a wet-detention BMP with a drawdown device and overflow spillway that outlets to adjoining wetlands. The BMP is designed with about 2 feet of storage depth to manage the design storm plus 6" of freeboard.
- 4) Provision of vegetative buffers along wetlands.
- 5) Minimum Building Pad Elevations are being prescribed by lot based on exceeding the FEMA base flood elevation for the development area (AE (5)).
- 6) Minimum First Floor Elevations will also be prescribed by lot based on exceeding the FEMA base flood elevation for the development area.

Operation & maintenance

Schedule of Compliance

The developer shall maintain the responsibility for the stormwater management system until at which time a Property Owner's Association assumes responsibility. The stormwater measures are to be installed and maintained as follows:

- A. The BMP, swales and other vegetated conveyances shall be constructed, vegetated, and maintained to be operational.
- B. During construction, erosion shall be kept to a minimum and any eroded areas of the swales or other vegetated conveyances will be repaired immediately.
- C. The following operation & maintenance measures must be performed on all stormwater management measures for optimum efficiency of the stormwater management system;
 1. Inspections- at least (1) every 6 months or after any significant rainfall event.
 2. Sediment Removal - at least (1) every 6 months or after any significant rainfall.
 3. Mowing, and revegetating of the side slope once a month.
 4. Immediate repair of eroded slopes.
 5. General maintenance of side slopes in accordance with approved plans & specs.

PRELIMINARY STORMWATER MANAGEMENT CALCULATIONS

ROADWAY SURFACES:	67,570 SQ. FT.
LOT COVERAGE: 29 X 12,000 =	<u>348,000 SQ. FT.</u> (MAXIMUM)
TOTAL:	415,570 SQ. FT.

RUNOFF VOLUME FROM IMPERVIOUS AREAS FROM 1.5" STORM: $415,570 \times 1.5/12 = 51,946$ CU. FT.

BASIN VOLUME FROM 2' TO 4' MSL: APPROX. 200,000 CU. FT., SO THE PROPOSED BASIN STORAGE COULD ACTUALLY APPROXIMATE THE DIFFERENCE BETWEEN THE 10-YEAR PRE- AND POST-DEVELOPMENT RUNOFF.

NO.	DATE	DESCRIPTION
1	08/11/10	PRELIMINARY
2	08/11/10	REVISED

NO.	DATE	DESCRIPTION
1	08/11/10	PRELIMINARY
2	08/11/10	REVISED

LEGEND

- PROPERTY LINE
- ADJACENT PROP. LINE
- WATERWAYS
- 50' WETLANDS BUFFER
- 50' WETLANDS OFFSET BUFFER
- 500' PROPERTY OFFSET BUFFER
- SOILS BOUNDARY
- EXISTING STRUCTURES
- WETLANDS AREA
- BASE ZONING LINE

SOIL TYPES

- A1 - AUGUSTA FINE SANDY LOAM
- A2 - AUGUSTA FINE SANDY LOAM
- C2 - COVINGTON FINE SANDY LOAM
- Bb - DOROVAN MUCKY PEAT
- Rb - RONOKE FINE SANDY LOAM
- Wb - WAREH FINE SANDY LOAM

CONSERVATION AREA SUMMARY

404 WETLANDS CONSERVATION AREAS:	32.43 AC.
SECONDARY CONSERVATION AREAS:	10.11 AC.
TOTAL CONSERVATION AREAS:	42.54 AC.

NOTES

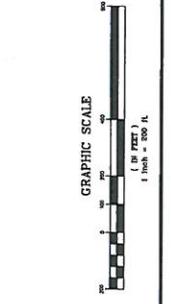
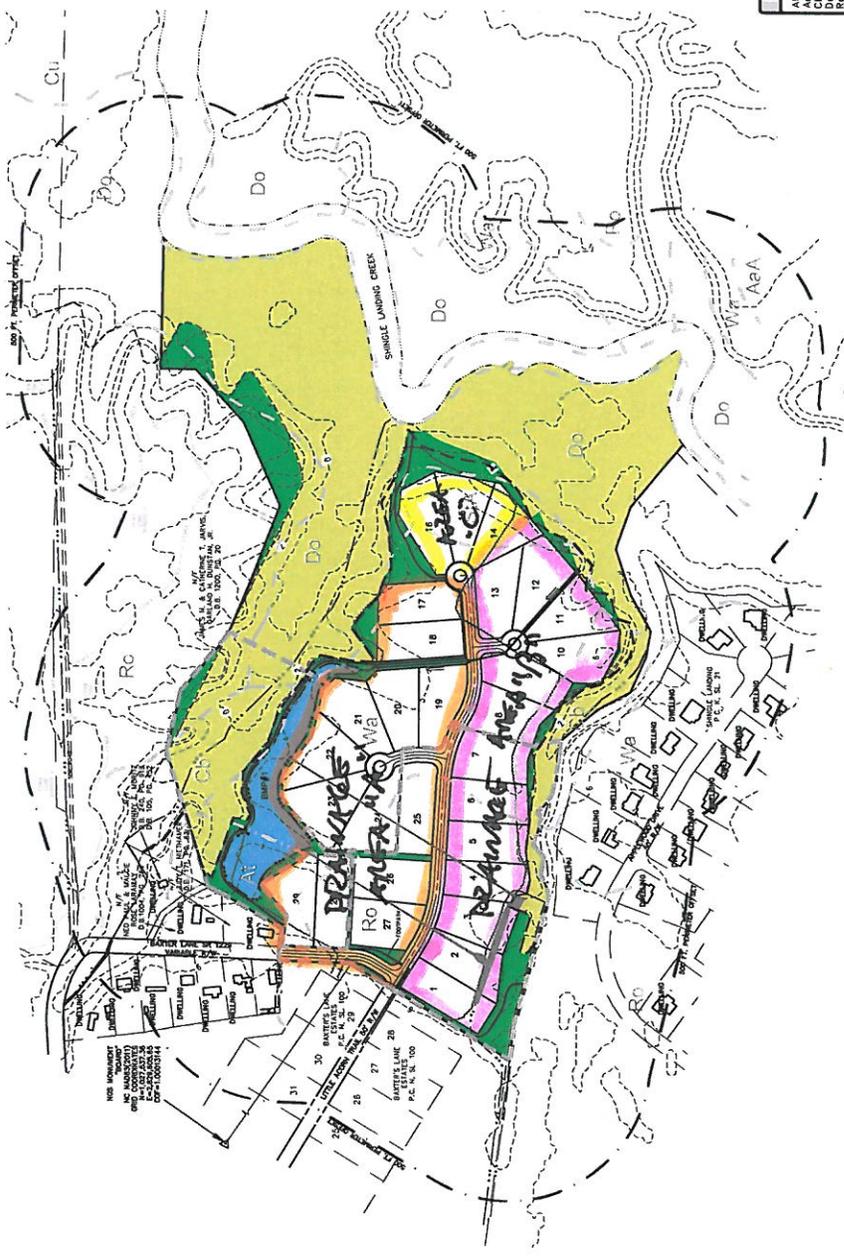
1. SUBJECT PROPERTY IS LOCATED IN TRACT A (SEE PLAN SHEET 4562).
2. EFFECTIVE DATE: DECEMBER 14, 2008. (RETRACTED)
3. PARCEL ID: 001-000-000-0000.
4. PROPERTY OWNER: JAMES M. JAMES, JR. & CLYMERNE.
5. PROPERTY ADDRESS: BAXTER ROAD.
6. LOT AREA = 72.65 AC.

DEVELOPMENT SUMMARY

TOTAL AREA OF TRACT	72.65 AC.
NET AREA FOR CONSERVATIONS	42.54 AC.
REQUIRED OPEN SPACE (10% OF 72.65)	38.33 AC.
OPEN SPACE PROVIDED	32.43 AC.
WETLANDS OPEN SPACE	10.11 AC.
TOTAL OPEN SPACE PROVIDED	42.54 AC.

ROADS AND LOT AREAS
 ALLOWED AREA, ROADS & LOTS (SIDE OF 72.65): 30.11 AC.
 ACTUAL AREA LOTS: 27.10 AC.
 TOTAL "WET" WOODS AND LOTS: 30.12 AC.

TOTAL NUMBER OF LOTS ALLOWED PER UDC: 0.4 x 72.66 = 29.06
 MINIMUM LOTS PROPOSED = 29
 MINIMUM LOTS SITE = 38,900 SQ. FT.



REVISIONS

NO.	DATE	DESCRIPTION
1	08/11/10	PRELIMINARY
2	08/11/10	REVISED

**U.S. ARMY CORPS OF ENGINEERS
WILMINGTON DISTRICT**

Action Id. SAW 2015-00221

County: Currituck

U.S.G.S. Quad: Moyock

NOTIFICATION OF JURISDICTIONAL DETERMINATION

Property Owner(s): James Jarvis.

Address: 241 Tulls Creek Road
Moyock, NC
27958

Agent: Dennis Hawthorn
Coastal Area Permit Assistance

Address: 407 Anlger Way
Kitty Hawk, North Carolina
27949

Property description:

Size (acres) 126
Nearest Waterway Shingle Landing Creek
USGS HUC 03010205

Nearest Town Moyock
River Basin Chowan
Coordinates 36.537524N, -76.167255W

Location description: The property is at the end of Baxter Lane, off NC 168, north of Moyock, in Currituck County, North Carolina. (PIN 00140000040000)

Indicate Which of the Following Apply:

A. Preliminary Determination

- Based on preliminary information, there may be wetlands on the above described property. We strongly suggest you have this property inspected to determine the extent of Department of the Army (DA) jurisdiction. To be considered final, a jurisdictional determination must be verified by the Corps. This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process (Reference 33 CFR Part 331). If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also, you may provide new information for further consideration by the Corps to reevaluate the JD.

B. Approved Determination

- There are Navigable Waters of the United States within the above described property subject to the permit requirements of Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- X **There are wetlands on the above described property subject to the permit requirements of Section 404 of the Clean Water Act (CWA)(33 USC § 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.**
- We strongly suggest you have the wetlands on your property delineated. Due to the size of your property and/or our present workload, the Corps may not be able to accomplish this wetland delineation in a timely manner. For a more timely delineation, you may wish to obtain a consultant. To be considered final, any delineation must be verified by the Corps.
- ___ The wetlands on your property have been delineated and the delineation has been verified by the Corps. We strongly suggest you have this delineation surveyed. Upon completion, this survey should be reviewed and verified by the Corps. Once verified, this survey will provide an accurate depiction of all areas subject to CWA jurisdiction on your property which, provided there is no change in the law or our published regulations, may be relied upon for a period not to exceed five years.
- X **The wetlands have been delineated and surveyed and are accurately depicted on the plat signed by the Corps Regulatory Official identified below on March 2, 2015 . Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.**
- There are no waters of the U.S., to include wetlands, present on the above described project area which are subject to the permit requirements of Section 404 of the Clean Water Act (33 USC 1344). Unless there is a change in the law or our

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND
REQUEST FOR APPEAL**

Applicant: James Jarvis		File Number: SAW 2015-00221	Date: March 2, 2015
Attached is:		See Section below	
<input type="checkbox"/>	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)		A
<input type="checkbox"/>	PROFFERED PERMIT (Standard Permit or Letter of permission)		B
<input type="checkbox"/>	PERMIT DENIAL		C
<input checked="" type="checkbox"/>	APPROVED JURISDICTIONAL DETERMINATION		D
<input type="checkbox"/>	PRELIMINARY JURISDICTIONAL DETERMINATION		E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://www.usace.army.mil/inet/functions/cw/cecwo/reg> or Corps regulations at 33 CFR Part 331.

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

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

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

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

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

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

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

published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.

X The property is located in one of the 20 Coastal Counties subject to regulation under the Coastal Area Management Act (CAMA). You should contact the Division of Coastal Management in Elizabeth City, NC, at (252) 264-3901 to determine their requirements.

Placement of dredged or fill material within waters of the US and/or wetlands without a Department of the Army permit may constitute a violation of Section 301 of the Clean Water Act (33 USC § 1311). If you have any questions regarding this determination and/or the Corps regulatory program, please contact Josh Pelletier at 910-251-4605.

C. Basis For Determination

There are jurisdictional wetlands as described in the 1987 Corps of Engineers Wetland Delineation Manual as well as the Atlantic and Gulf Coastal Plain Regional Supplement and are a broad continuum of wetlands associated with the Currituck Sound.

D. Remarks: Jurisdictional features were field verified on January 7, 2015.

E. Attention USDA Program Participants

This delineation/determination has been conducted to identify the limits of Corps' Clean Water Act jurisdiction for the particular site identified in this request. The delineation/determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are USDA Program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

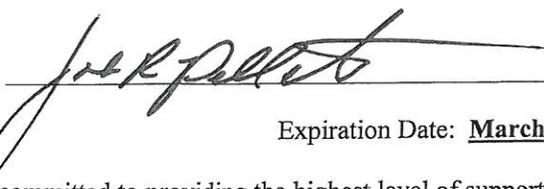
F. Appeals Information (This information applies only to approved jurisdictional determinations as indicated in B. above)

This correspondence constitutes an approved jurisdictional determination for the above described site. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and request for appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the following address:

US Army Corps of Engineers
South Atlantic Division
Attn: Jason Steele, Review Officer
60 Forsyth Street SW, Room 10M15
Atlanta, Georgia 30303-8801

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by .

****It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this correspondence.****

Corps Regulatory Official: 

Date: March 2, 2015

Expiration Date: March 2, 2020

The Wilmington District is committed to providing the highest level of support to the public. To help us ensure we continue to do so, please complete the attached customer Satisfaction Survey or visit <http://per2.nwp.usace.army.mil/survey.html> to complete the survey online.

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

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

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

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

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

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

**District Engineer, Wilmington Regulatory Division,
Attn: Josh Pelletier
Washington Regulatory
2407 W 5th Street
Washington, NC 27889**

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

Mr. Jason Steele, Administrative Appeal Review Officer
CESAD-PDO
U.S. Army Corps of Engineers, South Atlantic Division
60 Forsyth Street, Room 10M15
Atlanta, Georgia 30303-8801
Phone: (404) 562-5137

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

Signature of appellant or agent.

Date:

Telephone number:

For appeals on Initial Proffered Permits send this form to:

District Engineer, Wilmington Regulatory Division, Attn: _____, 69 Darlington Avenue, Wilmington, North Carolina 28403

For Permit denials, Proffered Permits and approved Jurisdictional Determinations send this form to:

**Division Engineer, Commander, U.S. Army Engineer Division, South Atlantic, Attn: Mr. Jason Steele, Administrative Appeal Officer, CESAD-PDO, 60 Forsyth Street, Room 10M15, Atlanta, Georgia 30303-8801
Phone: (404) 562-5137**

COUNTY OF Currituck
Maple, NORTH CAROLINA 27956



PATRICK IRWIN
Public Utilities Director

444 Maple Road
Phone: (252) 232-6061
Fax: (252) 453-3721
E-mail: pat.irwin@currituckcountync.gov

May 28, 2015

Mr. Mark Bissell, P.E.
Bissell Professional Group
3512 N. Croatan Highway
Kitty Hawk, NC 27949

RE: Commitment to Serve Water for Baxter South (The Landing) Phase 1
Development in Moyock, NC

Mr. Bissell:

The Currituck County Mainland Water System will commit to serve the water for the Baxter South (The Landing) Phase 1 Development when the constructed water lines have been tested and project final approval is given by North Carolina Department of Environment and Natural Resources Water Supply Section.

Sincerely,

Patrick Irwin
Public Utilities Director
Currituck County

Proposed Street Name Review and Addition to Master Street List Form

To Be Completed By Applicant

Subdivision Name: The Landing
Subdivision Type: Conservation Subdivision
Applicant: Catherine Jarvis James M. Jarvis, Jr.
Address: 241 Shingle Landing Road P.O. Box 609
Moyock, NC 27958 Moyock, NC 27958 - (757) 435-6645
Phone: (252) 435-6776 Fax: _____

Proposed Street Name(s):

Claire Court _____

Alternate Street Name(s): *Please provide at least one (1) alternate street name*

Evan Court _____

To Be Completed By County Staff

Proposed street names with a check mark have been approved. Proposed street names with an X mark have been denied.

Reviewed By: _____ Date: _____

Add the following data to the Master Street List:

Street Name: _____

Address Range: _____

F&R #: _____

Community: _____

ZIP: _____

Location: _____

Plat Approval Date: _____

Plat Approved By: _____