

January 23, 2012

Garland Chris Fulcher
105 Norman Circle
Oriental, NC 28571

Bob Maxbauer
Town Manager, Town of Oriental
PO Box 472
Oriental, NC 28571

Dear Mr. Maxbauer:

I am aware by public disclosure that the Town of Oriental intends to increase public access to Raccoon Creek harbor by constructing a dock extending into the creek from the west end of South Avenue right-of-way.

I own or have controlling interest in the properties on both sides of this proposed dock. Having operated a commercial seafood business on these properties for years, I have considerable experience in developing durable service docking, as well as firsthand knowledge of the traffic flow within the harbor. It is my observation, that the currently proposed recreational dock would be sandwiched between two commercial/industrial operations with pedestrian traffic limited to only that provided by South Avenue. Furthermore, the proposed project will require extensive dredging and developmental costs.

Being a life-long resident of Oriental, and wanting to contribute to the ultimate success of the development of one of Oriental's greatest assets to its citizens and visitors, I ask you to present to the Board of Commissioners for their consideration and acceptance this proposal and offer. The intended outcome of this proposal is to shift the public facilities northward along the Raccoon Creek shore, so they may become contiguous and in harmony with the other recreation assets of the harbor. To accomplish this, I offer the following:

First, that South Avenue and its' subsequent appendage of First Avenue be closed beyond the point on South Avenue where the private property on both sides of the right-of-way are owned by me, or to which I have controlling interest. It is my understanding that with such a closure, the then previous right-of-way would become under my sole possession and control. I offer that if such action were taken, that with an immediate and simultaneous action, I would cause to be conveyed to the Town of Oriental the following:

As represented on the attached preliminary plat, a newly defined parcel comprised of all property described by tax ID# J082-422, a portion of that described by ID# J082-423 and a portion which is now mine by the South Avenue closure. The parcel conveyed to the Town in fee simple would run some 46.47 linear feet along Raccoon Creek, and contain not less than 5,000 square feet to exceed the minimum building lot size requirements of Oriental's GMO. Also, conveyed to the Town would be a parcel contiguous to and extending a new South Avenue right-of-way 40 feet in width along the fee simple parcel's southern boundary 35 feet, terminating at the point of boundary with my property holdings.

Second, and in full consideration as a donated value to the Town of Oriental, the acceptance of all improvements previously made-to-date upon the fee simple parcel including bulk-head, dredging, dock piles, building structures and utility connections of water and sewer. The exception and conditions of this action would be the understanding that the dolphin at the end of the new dock construction would be removed and replaced by piles adequate to extend the dock to the maximum permitted length at my expense. The dolphin materials would be removed and retained as my possession. Existing CAMA permits for the property would be passed to the town, and any further completion of the dock would be of the Town's design and at Town's expense. Additionally at the Town's expense, the town would agree to move the building structure acquired and divided by the new boundary, so that the building is fully upon the Town's new parcel. All surveying cost would be at the expense of the Town.

Third, both parties would agree to the mutual respect of each other's riparian rights formed at the new property boundaries and each would agree to waive the CAMA setback requirements to each other, agreeing that development is not to limit pedestrian traffic along waterfront. Each party would agree to the responsibility of settling their own attorney or counseling fees.

I trust that the Town will appreciate the value of this proposal made in the public interest, and will respond favorably.

Sincerely,


Chris Fulcher

Attachment:



CAMA / DREDGE & FILL
GENERAL PERMIT

New Modification Complete Reissue Partial Reissue

No 55356 C

Previous permit # _____
 Date previous permit issued _____

As authorized by the State of North Carolina, Department of Environment and Natural Resources and the Coastal Resources Commission in an area of environmental concern pursuant to 15A NCAC

7H.1500

Applicant Name Chris Fulcher
 Address PO Box 250
 City Oriental State NC ZIP 28571
 Phone # 252-670-1974 Fax # () _____

Project Location: County Pamlico Rules attached.
 Street Address/ State Road/ Lot #(s) 103 South Ave.

Authorized Agent _____

Subdivision _____
 City Oriental ZIP 28571

Affected CW NEW PTA ES PTS
 AEC(s): OEA HHF IH UBA N/A
 PWS: _____ FC: _____

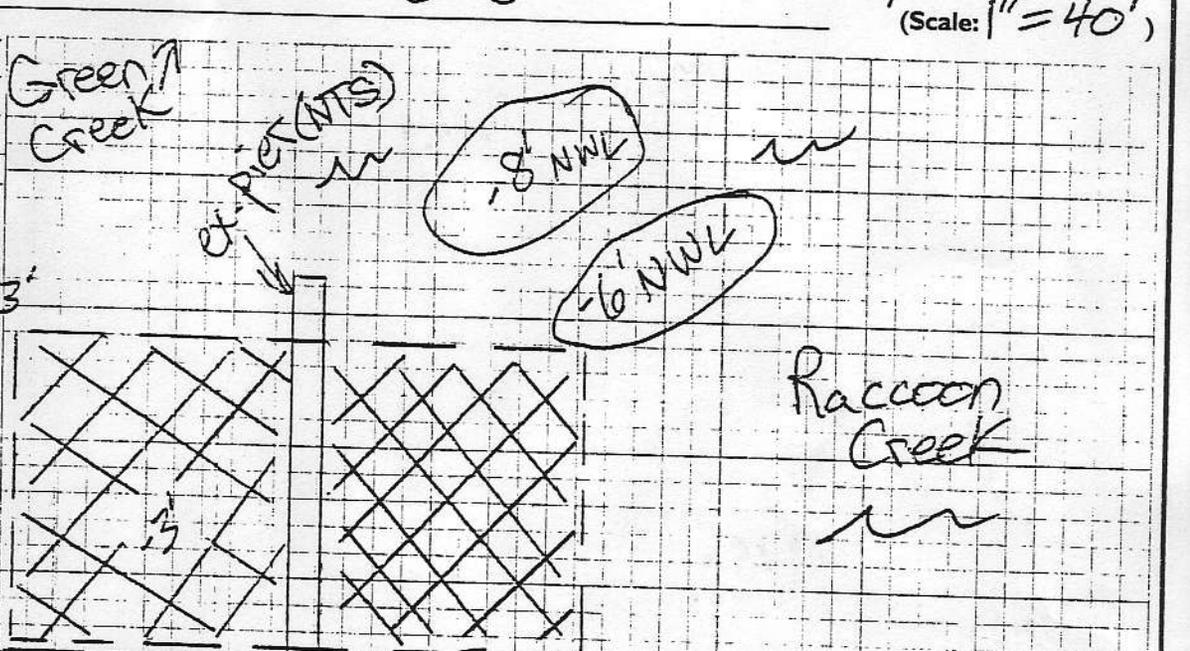
Phone # () _____ River Basin Neuse
 Adj. Wtr. Body Green Creek (nat / man / unkn)

ORW: yes no PNA yes no Crit.Hab. yes no

Closest Maj. Wtr. Body Neuse River

Type of Project/ Activity maintenance dredging of boat slips (Scale: 1" = 40')

Pier (dock) length _____
 Platform(s) _____
 Finger pier(s) _____
 Groin length number _____
 Bulkhead/ Riprap length avg distance offshore _____
 max distance offshore _____
 Basin, channel 123' x 65' x 3'
 cubic yards 8550 yd
 Boat ramp _____
 Boathouse/ Boatlift _____
 Beach Bulldozing _____
 Other _____



Shoreline Length 123'
 SAV: not sure : yes no
 Sandbags: not sure yes no
 Moratorium: n/a yes no
 Photos: yes no
 Waiver Attached: yes no

A building permit may be required by: Pamlico County See note on back regarding River Basin rules.
 Notes/ Special Conditions All spoil material must be stabilized entirely on high ground. Excavation is not to exceed -6' deep, nor exceed the connecting water depths.

Agent of Applicant Printed Name Chris Fulcher

Permit Officer's Signature Brad Connell

Signature Chris Fulcher ** Please read compliance statement on back of permit **

Issuing Date 5/7/10 - 5/1/11
 Expiration Date

Application Fee(s) \$400 Check # 10803

Local Planning Jurisdiction Pamlico County River File Name L050710B



**CAMA / DREDGE & FILL
GENERAL PERMIT**

No 54371

New Modification Complete Reissue Partial Reissue

Previous permit # _____
Date previous permit issued _____

As authorized by the State of North Carolina, Department of Environment and Natural Resources and the Coastal Resources Commission in an area of environmental concern pursuant to 15A NCAC

7H.2000 + 7H.1100

Applicant Name Chris Fulcher

Project Location: County Pamlico Rules attached.

Address Point Pride Seaford

Street Address/ State Road/ Lot #(s) 105 South Ave

City Oriental State NC ZIP 28571

Phone # 252-299-9895 Fax # ()

Subdivision _____

Authorized Agent Bobby Cahoon Const.

City Oriental ZIP 28571

Affected: CW DEW APTA YES FTS

Phone # () River Basin Neuse

AEC(s): OEA HHF IH UBA N/A

Adj. Wtr. Body Greens Creek (nat/man/unkn)

PWS: FC: _____

Closest Maj. Wtr. Body Neuse River

ORW: yes no PNA yes no Crit.Hab. yes no

Type of Project/ Activity Reconfiguration of existing docking facility and replacement of existing shoreline stabilization (Scale: none)

- Pier (dock) length _____
- Platform(s) _____
- Finger pier(s) _____
- Groin length number _____
- Bulkhead/Riprap length 125' x 1 x 5' (vinyl)
- avg distance offshore 2'
- max distance offshore _____
- Basin, channel _____
- cubic yards _____
- Boat ramp _____
- Boathouse/ Boatlift _____
- Beach Bulldozing _____
- Other _____



- Shoreline Length ~ 90'
- SAV: not sure yes no
- Sandbags: not sure yes no
- Moratorium: N/A yes no
- Photos: yes no
- Waiver Attached: yes no

A building permit may be required by: Pamlico County See note on back regarding River Basin rules.

Notes/ Special Conditions New Bulkhead is not to exceed 2' waterward of existing bulkhead. New pier is to be setback 15' from the adjacent riparian property lines. Docking facility is to remain in the existing footprint.

Agent or Applicant Printed Name Gene Crow
Signature [Signature] ** Please read compliance statement on back of permit **
Application Fee(s) 7244 Check # _____

Permit Officer's Signature [Signature]
Issuing Date 9/1/09 Expiration Date 1/1/10
Local Planning Jurisdiction Pamlico County Rover File Name _____



**CAMA / DREDGE & FILL
GENERAL PERMIT**

New Modification Complete Reissue Partial Reissue

54371

As authorized by the State of North Carolina, Department of Environment and Natural Resources and the Coastal Resources Commission in an area of environmental concern pursuant to LSA NCAC

Previous permit #
Date previous permit issued

Applicant Name: [Redacted]
Address: [Redacted]
City: Oriental State NC ZIP 28571
Phone # [Redacted] Fax # [Redacted]
Authorized Agent: Bobby Cahoon Const.

Project Location: County Pamlico
Street Address/ State Road/ Lot #(s) 105 South Av

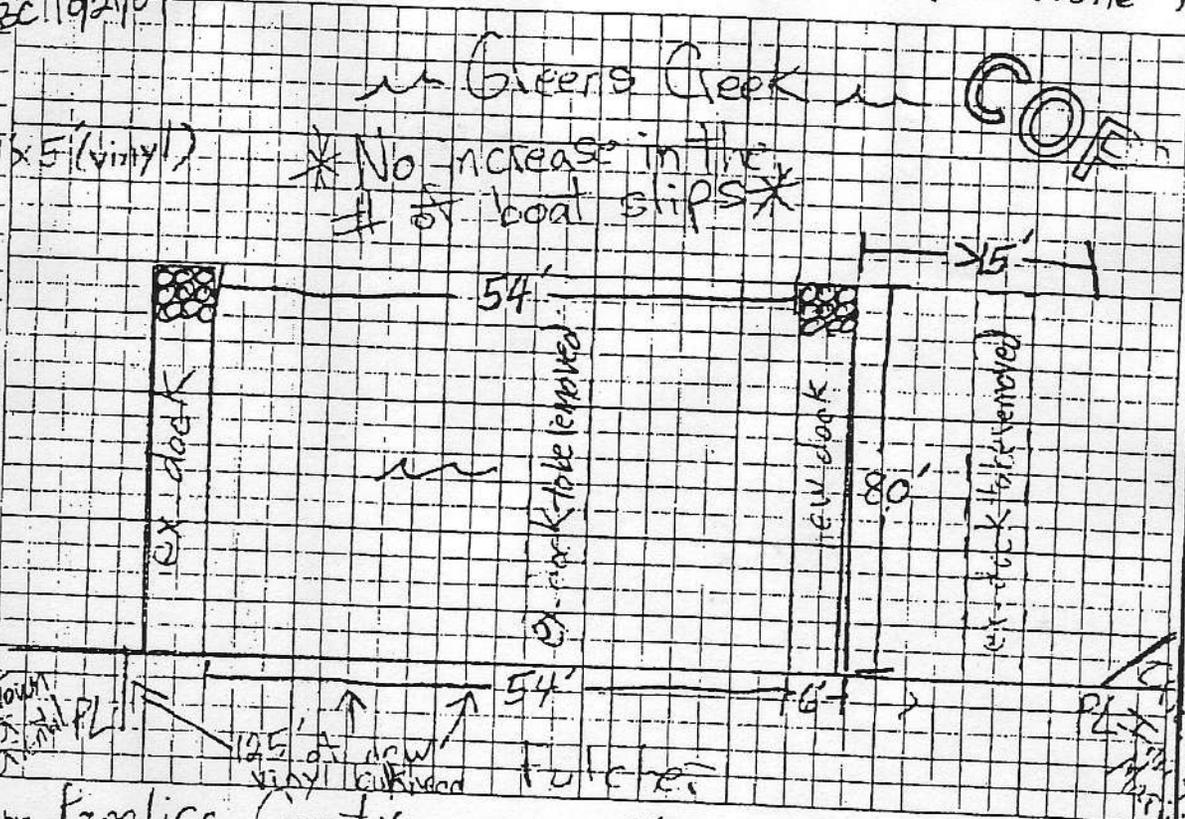
Subdivision _____
City Oriental ZIP 28571
Phone # () _____ River Basin Neuse
Adj. Wtr. Body Greens Creek (nat/man/unkn)
Closest Maj. Wtr. Body Neuse River

Affected CW DEW PTA ES PTS
AEC(s): OEA HHF IH UBA N/A
 PWS: _____ FC: _____
ORW: yes no PNA yes no Crit.Hab. yes no

Type of Project/ Activity Recontouring of existing docking facility and placement of existing shoreline stabilization

Pier (dock) length 6' x 72'
Platform(s) _____
Finger pier(s) _____
Groin length number _____
Bulkhead/Riprap length 125' x 1' x 5' (vinyl)
avg distance offshore _____
max distance offshore 2'
Basin, channel _____
cubic yards _____
Boat ramp _____
Boathouse/ Boatlift _____
Beach Bulldozing _____
Other 2 dolphins

Shoreline Length ~ 90'
SAV: not sure yes no
Sandbags: not sure yes no
Moratorium: n/a yes no
Photos: yes no
Waiver Attached: yes no



A building permit may be required by: Pamlico County See note on back regarding River Basin rules.
Notes/Special Conditions Bulkhead is not to exceed 2' waterward of existing bulkhead. New pier is to be setback 15' from the adjacent riparian property lines. Docking facility is to remain in the existing footprint.

Agent or Applicant Printed Name Gene Crow
Signature [Signature] ** Please read compliance statement on back of permit **
Application Fee(s) 7244 Check # _____

Permit Officer's Signature [Signature]
Issuing Date 9/1/09 Expiration Date 1/1/10
Local Planning Jurisdiction Pamlico County
River File Name _____

Permit Class
NEW

Permit Number
92-11

STATE OF NORTH CAROLINA
Department of Environment and Natural Resources
and
Coastal Resources Commission

Permit



Major Development in an Area of Environmental Concern
pursuant to NCGS 113A-118

Excavation and/or filling pursuant to NCGS 113-229

Issued to Garland C. Fulcher, PO Box 250, Oriental, NC 28571

Authorizing development in Pamlico County at Raccoon Creek, 301 South Avenue,

Oriental, as requested in the permittee's application dated 2/14/11 (MP-1) and 2/15/11 (rev'd MP-2), incl'g the att'd workplan drawings (4), 1 dtd rev'd 4/18/11, 1 dtd 2/5/11, 1 dtd rec'd 2/24/11 and 1 dtd 3/1/11

This permit, issued on July 28, 2011, is subject to compliance with the application (where consistent with the permit), all applicable regulations, special conditions and notes set forth below. Any violation of these terms may be subject to fines, imprisonment or civil action; or may cause the permit to be null and void.

Excavation

- 1) In order to ensure that the authorized excavation activities do not lead to adverse impacts to adjacent structures (ie. bulkhead, pier and pilings), no excavation shall take place to the north of the line depicted as "Property boundary (Deed Book 285, Page 752)" on the attached workplan drawing dated 2/5/11. This dredging limit boundary shall extend the "Property Boundary" line to the waterward limits of the authorized area of excavation.
- 2) Excavation shall not exceed -13.5 feet below the normal water level. In no case shall the depth of excavation exceed the depth of the connecting waters.

(See attached sheets for Additional Conditions)

This permit action may be appealed by the permittee or other qualified persons within twenty (20) days of the issuing date. An appeal requires resolution prior to work initiation or continuance as the case may be.

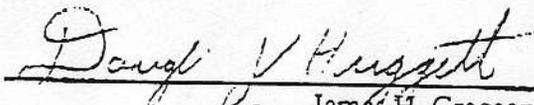
This permit must be accessible on-site to Department personnel when the project is inspected for compliance.

Any maintenance work or project modification not covered hereunder requires further Division approval.

All work must cease when the permit expires on

June 5, 2015

Signed by the authority of the Secretary of DENR and the Chairman of the Coastal Resources Commission.


For James H. Gregson, Director
Division of Coastal Management

This permit and its conditions are hereby accepted.

In issuing this permit, the State of North Carolina agrees that your project is consistent with the North Carolina Coastal Management Program.

Signature of Permittee