

Georgia Department of Natural Resources

Environmental Protection Division • Watershed Protection Branch
2 Martin Luther King Jr. Drive • Suite 1152 East • Atlanta • Georgia 30334
(404) 463-1511; Fax (404) 656-2453
Richard E. Dunn, Director

June 8, 2016

Mr. Chris Daniel
J&A Construction & Homebuilders
A Division of Daniel Investment Group Properties
1 Powersports Circle
Cartersville, Georgia 30121

RE: Request for Variance under Provisions of O.C.G.A. 12-7-6(15)
Stormwater Detention Pond Improvements/New Dam Construction
Brookside Lake Manor-Proposed Residential Redevelopment
City of Smyrna
File: BV-033-16-01

Dear Mr. Daniel:

Attached is a copy of the Environmental Protection Division's public advisory for the subject project. The purpose of this public advisory is to provide interested parties with the opportunity to submit comments about the proposed stream buffer variance. The public shall have 30 days from the date of publication of the public notice to comment on the proposed buffer variance.

Site Plans are immediately available for review and are located in the following EPD office: Watershed Protection Branch 200 Piedmont Avenue, S.W. Suite 418 West Atlanta, Georgia 30334. Please contact Ms. Thais Edwards at (404) 463-2387 or e-mail thais.edwards@dnr.ga.gov to schedule an appointment to review the plans.

In accordance with the Georgia Department of Natural Resources (DNR) Rules for Erosion and Sedimentation Control effective April 20, 2016, the applicant is no longer required to publish a public notice in the legal organ of the county/counties where the buffer disturbance will occur.

If additional information is required, please do not hesitate to contact me at (404) 651-8549.

Sincerely,



Peggy Chambers
Environmental Specialist
Erosion and Sedimentation Control Unit

Mr. Chris Daniel
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PC:kj
Attachment

cc: Honorable A. Max Bacon
Eric Randall
Neil Schapp
Kenneth Wood
Jeff Durniak
John Loughridge
Jim Cooley

File: BV-033-16-01

ENVIRONMENTAL PROTECTION DIVISION
PUBLIC NOTICE
WATERSHED PROTECTION BRANCH

June 8, 2016
Notice Issue Date

City of Smyrna
City/County

July 8, 2016
Notice Close Date

BV-033-16-01
Control Number

Stormwater Detention Pond Improvements/New Dam Construction
Brookside Lake Manor-Proposed Residential Redevelopment
Activity

This notice is issued to inform the public of a receipt of an Application for a variance submitted pursuant to a state environmental Law. The public is invited to comment during the 30-day period on the proposed activity. Site Plans are immediately available for review and are located in the following EPD office: Watershed Protection Branch 200 Piedmont Avenue, S.W. Suite 418 West Atlanta, Georgia 30334. Please contact Ms. Thais Edwards at (404) 463-2387 or e-mail thais.edwards@dnr.ga.gov to schedule an appointment to review the plans. Since the EPD has no authority to zone property or determine land use, only those comments addressing environmental issues related to air, water, and land protection will be considered in the application review process. Written comments should be submitted to: Program Manager, NonPoint Source Program, Erosion and Sedimentation Control, 2 MLK Jr., Dr., SW Suite 1462 East, Atlanta, Georgia 30334

Type of Permit Application: Variance to encroach within the 25-foot State waters buffer.

Applicable Law: Georgia Erosion and Sedimentation Act O.C.G.A. 12-7-1 et seq.

Applicable Rules: Erosion and Sedimentation Control Chapter 391-3-7

Basis under which variance shall be considered {391-3-7.05 (2)(A-J)}: A

Description and Location of Proposed Activity:

Applicant proposes to impact a total of 1,026 linear feet (27,650 ft²) of stream buffer along an unnamed impoundment that drains to Nickajack Creek to dredge the pond to increase stormwater capacity, and construct a new earthen dam and primary and emergency spillways. Project is located on Brookside Village Parkway, approximately 1.9-mi. from the intersection of Brookside Village Parkway and US78/US278.

Name and Address of Permit Applicant: Mr. Chris Daniel
J&A Construction & Homebuilders
A Division of Daniel Investement Group Properties
1 Powersports Circle
Cartersville, Georgia 30121

Summary of Rules Requirements for Variance Application:

The application for a variance must include an Erosion and Sediment Control Plan with control measures based on sound conservation and engineering practices which meet or exceed the standards in the "Manual for Erosion and Sediment Control in Georgia" and which will minimize erosion and deposition of sediments on adjacent lands or into State waters.

For Additional Information Contact: Peggy Chambers, Environmental Specialist
EPD, Watershed Protection Branch
NonPoint Source Program
2 MLK Jr., Dr., SW
Suite 1462 East
Atlanta, Georgia 30334
Telephone: 404/651-8549 FAX: 404/651-8455