



**CHESTER COUNTY TRANSPORTATION COMMITTEE**  
Tuesday, January 17th, 2023 at **5:30 PM**  
**R. Carlisle Roddey Chester County Government Complex**  
1476 J A Cochran Bypass, Council Chambers

**CTC AGENDA**

- 1. Call to Order**
- 2. Approval of CTC Minutes**
  - a. November 7<sup>th</sup>, 2022 CTC Special Called Minutes.
- 3. Old Business**
  - a. Update on TAP program regarding sidewalks. Bill Coleman.
  - b. Update on existing CTC contracts. Bill Coleman.
- 4. New Business**
  - a. Approval of \$461,000 of intersection work on Blaney Road, Kee Moore Drive, Secret Drive and Rocky Creek Road. Bill Coleman.
  - b. Approval of Road Reimbursement for \$ 20,604.83 for road materials to the Road department.
  - c. Approval of Sign Reimbursement for \$13,794.73 for sign materials to the Recycling department.
- 5. Adjourn**



**SPECIAL CALLED**  
**CHESTER COUNTY TRANSPORTATION COMMITTEE**  
Monday, November 7<sup>th</sup>, 2022 **at 5:50 PM**  
**R. Carlisle Roddey Chester County Government Complex**  
1476 J A Cochran Bypass, Council Chambers

**Minutes**

**Present:** Vice Chairman Branham, Councilman Jordan, Councilwoman Guy, Councilman Killian. Councilman Vaughn, Councilman Wilson, County Attorney Winters, and Clerk to Council Lee. **Absent:** Interim Chairman Dr. Frederick,

1. **Call to Order**-Vice Chairman Branham called the meeting to order.
2. **Approval of CTC Minutes**
  - a. September 6th, 2022 CTC Minutes.  
Councilman Vaughn motioned to approve, second by Councilman Wilson. Vote was unanimous.
3. **New Business**
  - a. **Approval of bid RFB 20-46.17 Chester CTC One-Time Money State Roads 2022-23 to LCI-Lineberger Construction in the amount of \$2,037,469.39 – Bill Coleman & Robert Hall.**

Mr. Coleman stated there was a technicality in the contract that needed to be cleared up before approval, he stated Dearborn turns into Republic. The technicality was Council should have approved at the time when they were approving the roads it should have been Dearborn/Republic that was his mistake. Councilman Vaughn motioned to approve, second by Councilman Killian. Vote was unanimous.
  - b. **Approval of bid RFB 22-54.03 Chester CTC 2023 Paving Program 21 Roads to Lynch River Contracting in the amount of \$2,113,054.50 – Bill Coleman & Robert Hall.**

Mr. Coleman stated only 14 to 15 roads had been paved. Councilman Jordan stated his list had 17 roads and asked Mr. Robert Hall if that was correct. Mr. Hall said yes. Councilman Jordan motioned to approve 17 roads, second by Councilman Killian. Vote was unanimous.
4. **Adjourn**  
Councilman Wilson motioned to adjourn, second by Councilman Vaughn. Vote was unanimous.

## Chester CTC Contracts, Uncompleted, Updated 1-6-2023

PROJECT #	NAME OF PROJECT	PROJECT ROADS	STATUS
2046-7	Chester 2022 Paving Program	Appalossa Ridge Road	Paved
		Barbers Creek Road	Paved
		Kati Lane	Paved
		Stacie Lane	Paved
		Winnie Hole Lane	Paved
		Heather Hill Drive	Paved
		Cessna Drive	
		Golden Maple Lane	Paved
		Hall Street	Paved
		Luscomb Drive	
		Old Pavilion Road	
		Oliphant Lake Road	
		Poverty Hollow Road	
		State Park Drive	
		Tate Drive	Paved
		Cedar Street	Paved
2046-8	Chester CTC resurfacing	Pilgrim Road (Eastern Half)	
		Minter Road S-778	SCDOT CMRB Completed
2046-16	Carlisle White Bridges	Bridge repair on 2 Bridges	Complete-final inspection 1-11-2023
2046-017	2022 CTC One Time Money State Roads	Pilgrim Road (Western Half) S-840	Waiting on SCDOT CMRB
		Hicklin Bridge Road S-325	
		Dearborn Street S-20/Republic S-62	
		Wright Street S-886	
		Lilly Street S-815	
		Henry Woods Street S-106 & 452	
		Torbit Street S-291	



**SCOPE OF WORK WITH COSTS**

**Rodman Sports complex**

Rework main road to Rodman sports complex to include relocation entrance to be at 90 degrees	<b>\$275,000.00</b>
--	---------------------

**Kee Moore intersection**

Widen intersection so trucks will be able to make the turn into the industrial park	<b>\$125,000.00</b>
---	---------------------

**Secret Drive**

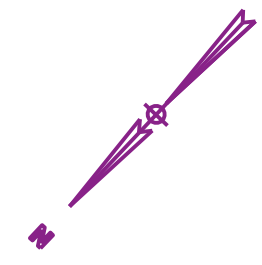
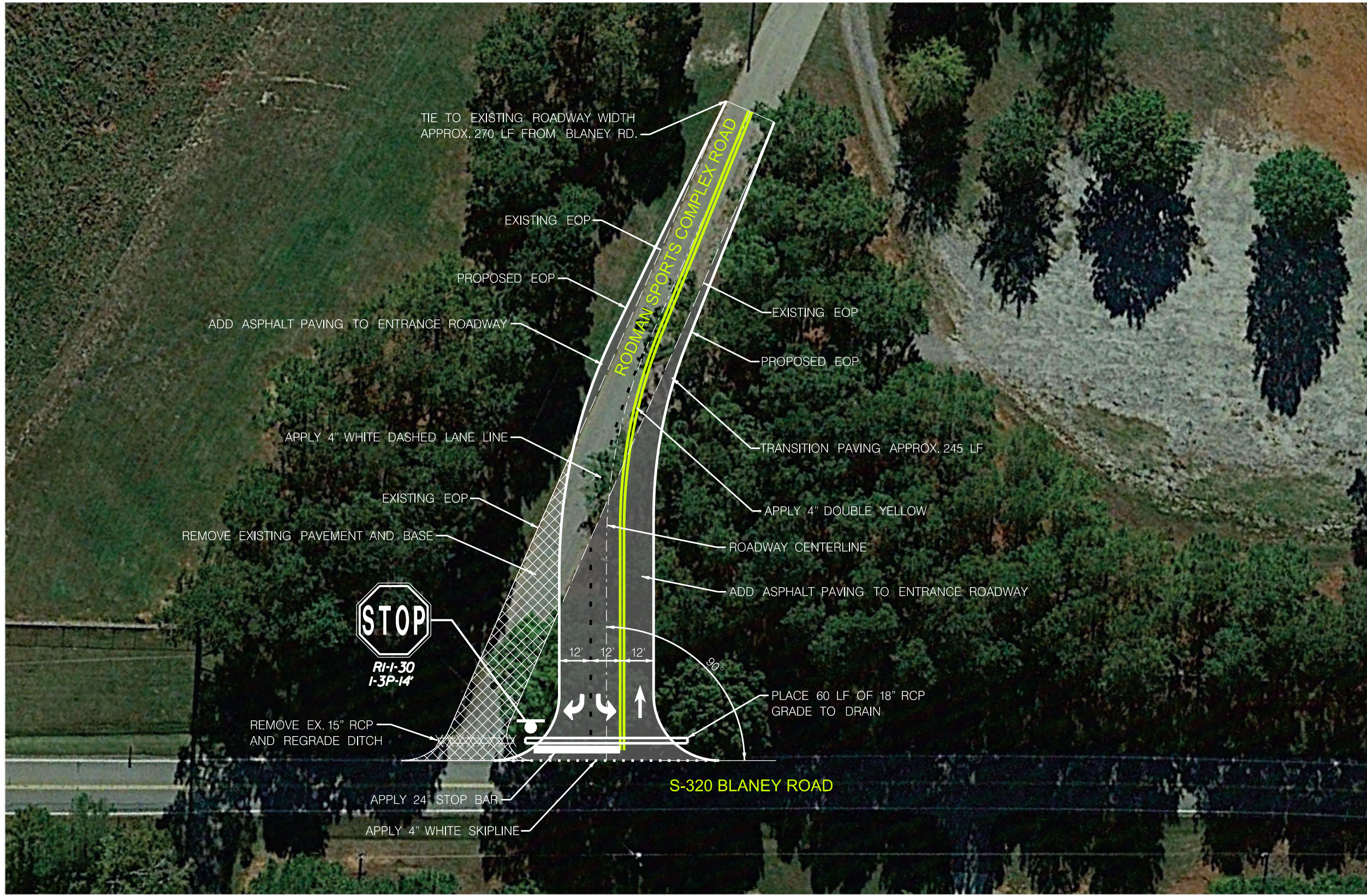
Replace pipe that has seperated and pave apron	<b>\$33,000.00</b>
--	--------------------

**Rocky Creek Road**

Add pipe to relieve area that has considerable water standing	<b>\$28,000</b>
---	-----------------

<b>TOTAL</b>	<b>\$461,000</b>
--------------	------------------

FED. RD. DIV. NO.	STATE	COUNTY	PROJECT ID.	ROAD / ROUTE NO.	SHEET NO.
	SC	CHESTER			1



NOTE:  
ALL NEW PAVEMENT TO BE  
2" TYPE C ASPHALT SURFACE  
WITH 8" CMRB.

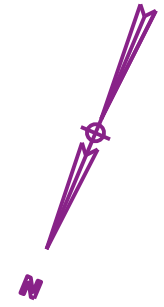
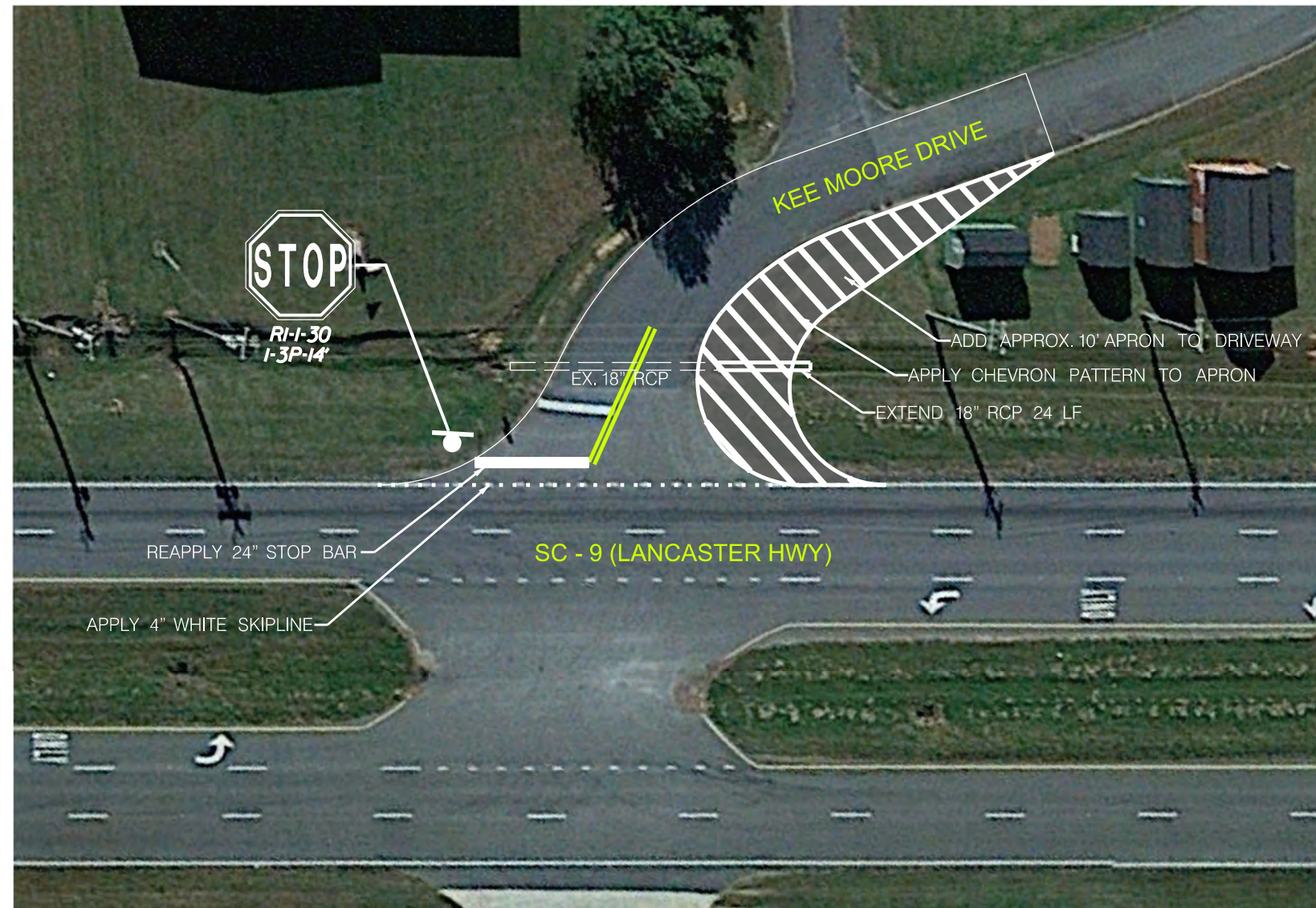
\$\$\$\$\$path\$\$\$\$\$filename\$\$\$\$\$date\$\$\$\$\$




7			
6			
5			
4			
3			
2			
1			
REV. NO.	BY	DATE	DESCRIPTION OF REVISION


CHESTER COUNTY
PLAN SHEET
RODMAN SPORTS COMPLEX ROAD SAFETY IMPROVEMENTS DESIGN

SCALE: 1" = 20'



NOTE:  
 ALL NEW PAVEMENT TO BE 12" IN DEPTH.  
 OVERLAY EXISTING APRON WITH 2" HMA TO  
 EXTENTS SHOWN. MILL A JOINT.

\$\$\$\$\$path\$\$\$\$\$filename\$\$\$\$\$  
 \$\$\$date\$\$\$

			7				CHESTER COUNTY
			6				
			5				KEE MOORE DRIVE SAFETY IMPROVEMENTS DESIGN
			4				
			3				
			2				
			1				
		SCALE: 1" = 20'	REV. NO.	BY	DATE	DESCRIPTION OF REVISION	



# Chester County, South Carolina

Roads Department  
Post Office Drawer 580  
Chester, SC 29706

---

January 9, 2023

To: Chester County Transportation Committee

From: Chester County Road Department

Re: Reimbursement for Road Materials for Chester County Roads

Dear CCTC Members,

Please reimburse the following account (100-401-5225) for County road maintenance materials purchased between July 11, 2022 and November 30, 2022.

The total amount for this period is \$20,604.83.

Regards,

*Randy Hall*

Roads Department Supervisor



**ROADS DEPARTMENT REIMBURSEMENT  
JULY 11, 2022 - NOVEMBER 4, 2022**

Vendor	Date	Quantity	Description	Rate	Amount	Tax	Freight	Grand Total	
4S Sign & Supply Inc	7/11/2022	30	Blue HIP Sheeted Blanks, 18x6x.080	\$ 7.75	\$ 232.50	\$ 18.60	\$ -	\$ 251.10	
4S Sign & Supply Inc	7/11/2022	30	Blue HIP Sheeted Blanks, 24x6x.080	\$ 11.65	\$ 349.50	\$ 27.96	\$ -	\$ 377.46	
4S Sign & Supply Inc	7/11/2022	3	White SEG Reflective Rolls, 6"x50 yd	\$ 125.00	\$ 375.00	\$ 30.00	\$ -	\$ 405.00	
4S Sign & Supply Inc	7/11/2022	20	HIP Standard Stop Signs, 30x30x.080	\$ 41.95	\$ 839.00	\$ 67.12	\$ -	\$ 906.12	
4S Sign & Supply Inc	7/12/2022	6	Jumbo Drive Rivets	\$ 95.00	\$ 570.00	\$ 45.60	\$ -	\$ 615.60	
4S Sign & Supply Inc	7/12/2022	100	Black/Yellow Dead End Tabs, 6"x4"	\$ 2.50	\$ 250.00	\$ 20.00	\$ -	\$ 270.00	
4S Sign & Supply Inc	7/12/2022	3	6" Clear Application Tape	\$ 41.50	\$ 124.50	\$ 9.96	\$ -	\$ 134.46	
4S Sign & Supply Inc	9/26/2022	100	Square Tube Sign Posts, 1.75"x8'	\$ 46.50	\$ 4,650.00	\$ 372.00	\$ -	\$ 5,022.00	
4S Sign & Supply Inc	9/26/2022	10	Square Tube Posts, 2"x10'	\$ 67.95	\$ 679.50	\$ 54.36	\$ -	\$ 733.86	
4S Sign & Supply Inc	9/28/2022	20	Blue HIP Sheeted Blanks, 18x6x.080	\$ 6.95	\$ 139.00	\$ 11.12	\$ -	\$ 150.12	
4S Sign & Supply Inc	9/28/2022	20	Blue HIP Sheeted Blanks, 24x6x.080	\$ 8.85	\$ 177.00	\$ 14.16	\$ -	\$ 191.16	
4S Sign & Supply Inc	9/28/2022	40	Blue HIP Sheeted Blanks, 30x6x.080	\$ 11.10	\$ 444.00	\$ 35.52	\$ -	\$ 479.52	
4S Sign & Supply Inc	9/28/2022	20	Blue HIP Sheeted Blanks, 36x6x.080	\$ 13.40	\$ 268.00	\$ 21.44	\$ -	\$ 289.44	
4S Sign & Supply Inc	9/28/2022	2	White SEG Reflective Rolls, 6"x50 yd	\$ 125.00	\$ 250.00	\$ 20.00	\$ -	\$ 270.00	
4S Sign & Supply Inc	10/13/2022	4	Blue ELG Reflective, 6"x50 yd	\$ 84.55	\$ 338.20	\$ 27.06	\$ -	\$ 365.26	
4S Sign & Supply Inc	11/29/2022	25	Square Tube Sign Posts, 10ftx2"	\$ 64.60	\$ 1,615.00	\$ 129.20	\$ -	\$ 1,744.20	
4S Sign & Supply Inc	11/30/2022	40	hip Sandard Signs, R11-1 STOP	\$ 46.10	\$ 1,844.00	\$ 147.52	\$ -	\$ 1,991.52	
<b>TOTAL REIMBURSEMENT AMOUNT</b>						<b>\$ 13,145.20</b>	<b>\$ 1,051.62</b>	<b>\$ -</b>	<b>\$ 14,196.82</b>

**CHESTER COUNTY RECYCLING, LITTER CONTROL, LANDFILL AND SIGN  
REPLACEMENT**

**P.O. DRAWER 580**

**CHESTER, SC 29706**

**DATE:** January 1, 2023  
**TO:** CHESTER COUNTY TRANSPORTATION COMMITTEE  
**FROM:** MICHAEL WADE, RECYCLING/LITTER CONTROL COORDINATOR  
**RE:** REIMBURSEMENT FOR SIGN MATERIALS

Dear CCTC Members,

Please reimburse the following account (301-000-5218) for sign materials purchased between July 2022 and December 2022. The total amount for this period is:

**\$13,794.73**

Thank you,



MICHAEL WADE  
RECYCLING/LITTER CONTROL COORDINATOR

**RECYCLING DEPARTMENT REIMBURSEMENT REPORT FOR**

**January 2023**

	A	B	C	D	E	F	G	H	I
1	Vendor	Date	Quantity	Description	Rate	Amount	Tax	Freight	Grand Total
2	4S Sign & Supply Co	8/19/2022	40	30X6"X.080 SHEETED STREET SIGN BLANK, FLAT, GREEN HIP, 2/S	\$ 16.15	\$ 646.00	\$ 51.68	\$ -	\$ 697.68
3	4S Sign & Supply Co	8/19/2022	20	42X6"X.080 SHEETED STREET SIGN BLANK , FLAT, GREEN HIP, 2/S	\$ 18.75	\$ 375.00	\$ 30.00	\$ -	\$ 405.00
4	4S Sign & Supply Co	8/19/2022	30	18X6"X.080 SHEETED STREET SIGN BLANK, FLAT, GREEN HIP, 1/S	\$ 9.05	\$ 271.50	\$ 21.72	\$ -	\$ 293.22
5	4S Sign & Supply Co	8/26/2022	50	POST CAP FOR 1.75" SQUARE TUBE POST CAP, FLAT	\$ 7.50	\$ 375.00	\$ 30.00	\$ -	\$ 405.00
6	4S Sign & Supply Co	8/26/2022	40	18X6"X.080 SHEETED STREET SIGN BLANK, FLAT, GREEN HIP, 2/S	\$ 9.25	\$ 370.00	\$ 29.60	\$ -	\$ 399.60
7	4S Sign & Supply Co	8/26/2022	40	24X6"X.080 SHEETED STREET SIGN BLANK, FLAT, GREEN HIP, 2/S	\$ 11.20	\$ 448.00	\$ 35.84	\$ -	\$ 483.84
8	4S Sign & Supply Co	8/26/2022	40	30X6"X.080 SHEETED STREET SIGN BLANK, FLAT, GREEN HIP, 2/S	\$ 13.80	\$ 552.00	\$ 44.16	\$ -	\$ 596.16
9	4S Sign & Supply Co	8/19/2022	2	30"X50 YD ROLL WHITE SEG REFLECTIVE SHEETING	\$ 606.00	\$ 1,212.00	\$ 96.96	\$ -	\$ 1,308.96
10	4S Sign & Supply Co	8/19/2022	50	2" ROUND POST CAP, FLAT, 5 1/2" SLOT	\$ 7.50	\$ 375.00	\$ 30.00	\$ -	\$ 405.00
11	4S Sign & Supply Co	8/19/2022	25	8"X1.75" SQUARE TUBE POST	\$ 47.40	\$ 1,185.00	\$ 94.80	\$ -	\$ 1,279.80
12	4S Sign & Supply Co	8/19/2022	5	10"X2" SQUARE TUBE POST	\$ 71.95	\$ 359.75	\$ 28.78	\$ -	\$ 388.53
13	4S Sign & Supply Co	8/19/2022	25	8"X1.75" SQUARE TUBE POST	\$ 47.40	\$ 1,185.00	\$ 94.80	\$ -	\$ 1,279.80
14	4S Sign & Supply Co	8/19/2022	3	6"X50YD ROLL WHITE SEG REFLECTIVE SHEETING	\$ 125.00	\$ 375.00	\$ 30.00		\$ 405.00
15	4S Sign & Supply Co	8/19/2022	3	ROLL APPLICATION TAPE, CLEAR, TRANSFER RITE	\$ 41.50	\$ 124.50	\$ 9.96		\$ 134.46
16	4S Sign & Supply Co	11/23/2022	50	18X6"X.080 SHEETED STREET SIGN BLANK, FLAT, GREEN HIP, 2/S	\$ 6.95	\$ 347.50	\$ 27.80		\$ 375.30
17	4S Sign & Supply Co	11/23/2022	40	24X6"X.080 SHEETED STREET SIGN BLANK, FLAT, GREEN HIP, 2/S	\$ 8.85	\$ 354.00	\$ 28.32		\$ 382.32
18	4S Sign & Supply Co	11/23/2022	40	36X6"X.080 SHEETED STREET SIGN BLANK, FLAT, GREEN HIP, 2/S	\$ 11.10	\$ 444.00	\$ 35.52		\$ 479.52
19	4S Sign & Supply Co	11/23/2022	40	18X6"X.080 SHEETED STREET SIGN BLANK,FLAT,WHITE HIP,2/S	\$ 6.95	\$ 278.00	\$ 22.24		\$ 300.24
20	4S Sign & Supply Co	11/23/2022	40	24X6"X.080 SHEETED STREET SIGN BLANK, FLAT, GREEN HIP, 2/S	\$ 8.85	\$ 354.00	\$ 28.32		\$ 382.32
21	4S Sign & Supply Co	10/26/2022	50	18X6"X.080 SHEETED STREET SIGN BLANK,FLAT1/S	\$ 7.50	\$ 375.00	\$ 30.00		\$ 405.00
22	4S Sign & Supply Co	10/26/2022	30	24X6"X.080 SHEETED STREET SIGN BLANK, FLATGREENHIP1/S	\$ 9.35	\$ 280.50	\$ 22.44		\$ 302.94
23	4S Sign & Supply Co	10/26/2022	40	36X6"X.080 SHEETED STREET SIGN BLANK, FLAT, GREEN HIP, 1/S	11.60	\$464.00	\$37.12		\$ 501.12
24	4S Sign & Supply Co	11/23/2022	20	42X6"X.080 SHEETED STREET SIGN BLANK , FLAT, GREEN HIP, 2/S	19.55	\$391.00	\$31.28		\$ 422.28
25	4S Sign & Supply Co	11/23/2022	10	48X6"X.080 SHEETED STREET SIGNBLANK, FLAT,GREEN HIP,2/S	21.95	\$219.50	\$17.56		\$ 237.06
26	4S Sign & Supply Co	11/23/2022	15	36X6"X.080 SHEETED STREET SIGN BLANK FLAT, WHITE HIP, 2/S	16.70	\$250.50	\$20.04		\$ 270.54
27	4S Sign & Supply Co	11/23/2022	15	42X6"X.080 SHEETED STREET SIGN BLANK , FLAT, WHITE HIP, 2/S	19.55	\$293.25	\$23.46		\$316.71
28	4S Sign & Supply Co	11/23/2022	10	48X6"X.080 SHEETED STREET SIGNBLANK, FLAT,WHITE HIP,2/S	21.95	\$219.50	\$17.56		\$237.06
29	4S Sign & Supply Co	11/23/2022	2	6"X50YD ROLL CLEAR PREMASK	41.50	\$83.00	\$6.64		\$89.64
30	4S Sign & Supply Co	10/26/2022	2	BAG OF 100 JUMBO RIVETS	95.20	\$190.40	\$15.23		\$205.63
31	4S Sign & Supply Co	10/26/2022	25	CORNER BOLT FOR SQUARE TUBE ANCHOR	1.50	\$37.50	\$3.00		\$40.50
32	4S Sign & Supply Co	10/26/2022	50	2" ROUND POST CAP, FLAT, 5 1/2" SLOT	6.75	\$337.50	\$27.00		\$364.50
33									
34	<b>TOTAL REIMBURSEMENT AMOUNT</b>					<b>\$ 12,772.90</b>	<b>\$1,021.83</b>	<b>\$ -</b>	<b>\$ 13,794.73</b>



# CHESTER COUNTY COUNCIL MEETING

## **R. Carlisle Roddey Chester County Government Complex**

1476 J.A. Cochran Bypass Chester, SC 29706

Tuesday, January 17<sup>th</sup>, 2023 at 6:00 PM

### **Agenda**

**1. Call to Order**

**2. Pledge of Allegiance and Invocation**

**3. Approval of Minutes**

- a. December 27<sup>th</sup>, 2022 Special Called Minutes.
- b. January 3<sup>rd</sup>, 2023 Special Called Minutes.

**4. Citizen's Comments**

**5. Ordinances/Resolutions/Proclamations**

a. **2023-1** Resolution to Gift Service Weapon to Billy Wayne Alley.

b. **2023-2** A Resolution Committing Chester County (1) To Enter Into, Execute And Deliver A Fee Agreement With A Company Identified Under The Code Name "Project Phoenix22" Pursuant To Which Chester County Shall Covenant To Accept Certain Negotiated Fees In Lieu Of Ad Valorem Taxes; (2) To Ensure The Benefits Of A Multi-County Industrial Or Business Park Be Made Available To Project Phoenix22; (3) To Provide Payments For Certain Investments In Infrastructure; And (4) Other Economic Development Incentives And Other Matters Related Thereto.

c. **1<sup>st</sup> Reading of 2023-1 in Title Only** An Ordinance Authorizing Chester County (1) To Enter Into, Execute And Deliver A Fee Agreement With A Company Identified Under The Code Name "Project Phoenix22" Pursuant To Which Chester County Shall Covenant To Accept Certain Negotiated Fees In Lieu Of Ad Valorem Taxes; (2) To Ensure The Benefits Of A Multi-County Industrial Or Business Park Be Made Available To Project Phoenix22; (3) To Provide Payments For Certain Investments In Infrastructure; And (4) Other Economic Development Incentives And Other Matters Related Thereto.

d. **2023-3** Inducement Resolution Providing Preliminary Approval For Certain Incentives To Induce One Or More Investors Identified For The Time Being As Project Power, Each Acting For Itself, One Or More Current Or Future Affiliates, And Other Project Sponsors (Collectively, "Company") To Establish Facilities In Chester County, South Carolina ("County"), Such Incentives To Include (1) A Negotiated Fee In Lieu Of *Ad Valorem* Tax Arrangements; (2) Special Source Revenue Credits; (3) Multi-County Industrial Or Business Park Arrangements; And (4) Other Related Matters.

e. **1<sup>st</sup> Reading of 2023-2** An Ordinance Authorizing An Amendment To The Agreement For Development Of Joint County Industrial And Business Park (York And Chester Counties) To Enlarge The Boundaries Of The Joint County Industrial Park To Include Certain Real Property Located In Chester County; And Other Matters Related Thereto.

**f. 1<sup>st</sup> Reading of 2023-3** An Ordinance Authorizing The Execution And Delivery Of A Fee In Lieu Of Tax Agreement By And Between Chester County And [Project Power]; The Inclusion Of Certain Real Property Located In Chester County In A Multi-County Industrial Park; The Provision Of Credits Against Fee In Lieu Of Tax Payments; The Execution And Delivery Of Such Documents As May Be Necessary To Effect The Intent Of This Ordinance; And Other Matters Related Thereto.

**g. 1<sup>st</sup> Reading of 2023-4** in Title Only An Ordinance To Repeal Chester County Code, Chapter 46, Streets, Sidewalks, and other Public Property, Article VII, Acceptance of Streets, Section 46-202 Street Lighting.

## 6. Old Business

a. Update regarding the Burnt House Meeting Cemetery- Neely Gaston.

**b. From CCTC:**

1. Action taken regarding intersection work on Blaney Road, Kee Moore Drive, Secret Drive and Rocky Creek Road.

2. Action taken regarding Road Reimbursement of \$20,604.83 for road materials to the Road department.

3. Action taken regarding Sign Reimbursement of \$13,794.73 for sign materials to the Recycling department.

c. Update on the Chester County Airport Overlay. Attorney Winters.

## 7. New Business

a. **1<sup>st</sup> Reading of CCMA22-24** Jeremiah Kibbey request Tax Map #101-00-00-099-000 at 2115 Great Falls Hwy, Blackstock, SC 29014 to be rezoned Rural 2 (R2) to General Residential District (RG-2). Planning Commission voted 5-0 to approve.

b. **1<sup>st</sup> Reading of CCMA22-25** Luck Companies request a portion (7.8 acres) of Tax Map #089-00-00-005-000 at 1207 Lancaster Hwy, Chester, SC 29706 to be rezoned from Rural Two District (R2) to General Commercial District (GC). Planning Commission voted 5-0 to approve.

c. **1<sup>st</sup> Reading of CCMA22-26** Luck Companies request a portion (1.82 acres) of Tax Map #089-00-00-005-000 at 1207 Lancaster Hwy, Chester, SC 29706 to be rezoned from Rural Two District (R2) to Restricted Industrial District (ID-1). Planning Commission voted 5-0 to approve.

d. **1<sup>st</sup> Reading of CCMA22-27** Luck Companies request a portion (48.89 acres) of Tax Map #089-00-00-008-000 at 1113 Lancaster Hwy, Chester, SC 29706 to be rezoned from Rural Two District (R2) to Restricted Industrial District (ID-1). Planning Commission voted 5-0 to approve.

e. **1<sup>st</sup> Reading of CCMA22-28** Luck Companies request a portion (17.92 acres) of Tax Map #089-00-00-008-000 at 1113 Lancaster Hwy, Chester, SC 29706 to be rezoned from Rural Two District (R2) to General Commercial District (GC). Planning Commission voted 5-0 to approve.

f. **1<sup>st</sup> Reading of CCMA22-29** Luck Companies request Tax Map #088-00-00-054-000 off Mallard Creek Dr., Chester, SC 29706 to be rezoned from Restricted Industrial District (ID-1) to Agricultural District (AG). Planning Commission voted 5-0 to approve.

**g. 1<sup>st</sup> Reading of CCMA22-30** Luck Companies request a portion (174.46 acres) of Tax Map #089-00-00-002-000 at 1421 Collie Lane, Chester, SC 29706 to be rezoned from Rural Two District (R2) to General Industrial District (ID-3). Planning Commission voted 5-0 to approve.

**h. 1<sup>st</sup> Reading of CCMA22-31** Luck Companies request a portion (19.35 acres) of Tax Map #089-00-00-002-000 at 1421 Collie Lane, Chester, SC 29706 to be rezoned from Rural Two District (R2) to Restricted Industrial District (ID-1). Planning Commission voted 5-0 to approve.

**i. 1<sup>st</sup> Reading of CCMA22-32** Luck Companies request Tax Map #089-00-00-025-000 off Lancaster Hwy, Chester, SC 29706 to be rezoned from Rural Two District (R2) to General Industrial District (ID-3). Planning Commission voted 5-0 to approve.

**j. 1<sup>st</sup> Reading of CCMA22-33** Luck Companies request a portion (9.35 acres) of Tax Map #089-00-00-001-000 at 1295 Lancaster Hwy, Chester, SC 29706 to be rezoned from Rural Two District (R2) to Restricted Industrial District (ID-1). Planning Commission voted 5-0 to approve.

**k. 1<sup>st</sup> Reading of CCMA22-34** Luck Companies request a portion (1.01 acres) of Tax Map #089-00-00-001-000 at 1295 Lancaster Hwy, Chester, SC 29706 to be rezoned from Rural Two District (R2) to General Industrial District (ID-3). Planning Commission voted 5-0 to approve.

l. Council to consider approval of the 2023 Council & CTC meeting dates. County Council.

## **8. Boards and Commissions**

### **a. Councilmember Vaughn Appointments and Reappointments.**

1. Appointment to Accommodation Tax Commission.
2. Reappointment to Tax Assessment Appeals Board.
3. Reappointment to Zoning Board of Appeals.
4. Reappointment to Rural Fire Commission.
5. Appointment to Library Board.
6. Reappointment to Planning Commission.
7. Reappointment Parks and Recreation.
8. Appointment to Hazel Pittman Board.

### **b. Councilmember Mosley Appointments and Reappointments.**

1. Appointment to the Accommodation Tax Commission.
2. Appointment to the Rural Fire Commission.
3. Appointment to the Planning Commission.

### **c. Councilmember Guy Appointments and Reappointments.**

1. Reappointment to Accommodation Tax Commission.
2. Reappointment to Zoning Board of Appeals.

**d. Councilmember Agee Appointments and Reappointments.**

1. Appointment to the Accommodation Tax Commission.
2. Reappointment to Zoning Board of Appeals.
3. Appointment to Rural Fire Commission.
4. Reappointment to the Library Board.
5. Appointment to the Planning Commission.
6. Appointment to Parks and Recreation.
7. Reappointment to Hazel Pittman Board.

**9. Executive Session**

- a. To receive legal advice regarding Project 22109. Attorney Winters.
- b. To receive legal advice regarding Project 2298. Attorney Winters.
- c. To receive legal advice regarding Chester County Airport. Attorney Winters.

**10. Council Actions Following Executive Session**

- a. Action taken regarding Project 22109.
- b. Action taken regarding Project 2298.
- c. Action taken regarding Chester County Airport.

**11. Council Comments**

**12. Adjourn**

Pursuant to the Freedom of Information Act, the Chester News & Reporter, The Herald in Rock Hill, SC, WSOC-TV, Channel 9 Eyewitness News, the Mfg. Housing Institute of SC, WRHI Radio Station, C&N2 News, WCNC News and Capitol Consultants were notified, and a notice was posted on the bulletin board at the Chester County Government Building 24 hours prior to the meeting.

**Guidelines for Addressing Council**

**Citizens Comments:**

- Each citizen will be limited to three minutes.

**Public Hearings:**

- Each speaker will be limited to three minutes.

**When introduced:**

- Approach the podium, state your name and address.
- Speak loudly and clearly making sure that the microphone is not obstructed.
- Do not address the audience – direct all comments to Council.
- Do not approach the Council table unless directed.

**Anyone addressing Council will be called out of order if you:**

- Use profanity
- Stray from the subject
- Make comments personally attacking an individual member of Council



# **CHESTER COUNTY SPECIAL CALLED COUNCIL MEETING**

## **R. Carlisle Roddey Chester County Government Complex**

1476 J.A. Cochran Bypass Chester, SC 29706

**Tuesday, December 27<sup>th</sup> 2022 at 9:00 AM**

### **MINUTES**

**Present:** Vice Chairman Branham, Councilman Jordan, Councilwoman Guy, Councilman Wilson, Councilman Vaughn, County Attorney Winters, and Clerk to Council Lee. Councilman Killian arrived at 9:15 am. **Absent:** Interim Chairman Frederick.

1. **Call to Order** -Vice Chairman Branham called the meeting to order.
2. **Approval of Minutes**
  - a. **December 12<sup>th</sup>, 2022 Special Called Minutes.**  
Councilman Wilson motioned to approve, second by Councilman Vaughn. Vote 5-0 to approve.
  - b. **December 8<sup>th</sup>, 2022 Special Called Minutes.**  
Councilman Vaughn motioned to approve, second by Councilwoman Guy. Vote 5-0 to approve.
  - c. **December 5<sup>th</sup>, 2022 Council Minutes.**  
Councilwoman Guy motioned to approve, second by Councilman Jordan. Vote 5-0 to approve.
3. **Executive Session**-Councilman Vaughn motioned to go to executive session, second by Councilman Wilson. Vote 5-0 to approve.
  - a. To receive legal advice regarding Project 2269. Attorney Winters.
  - b. To receive legal advice regarding a potential MOU agreement with Chester County and Chester Wastewater Recovery. Attorney Winters.
  - c. To receive legal advice regarding the hiring of the County Administrator. Attorney Winters.
4. **Council Actions Following Executive Session**-Councilwoman Guy motioned to go back to regular session, second by Councilman Wilson. Vote 6-0 to approve.
  - a. **Action taken regarding Project 2269.** Councilman Wilson motioned to allow Economic Development to continue negotiations with Project 2269, second by Councilman Killian. Vote 6-0 to approve.
  - b. **Action taken regarding a potential MOU agreement with Chester County and Chester Wastewater Recovery.** Taken as information.
  - c. **Action taken regarding the hiring of the County Administrator.** Councilman Jordan stated with the change in government the chairman of council and the vice chair would be taking on additional duties and motioned that Council approve to increase the chairman's pay by \$3000 dollars and the vice chair \$1500, second by Councilwoman Guy. Vote 6-0 to approve.
5. **Adjourn**-Councilwoman Guy motioned to adjourn, second by Councilman Jordan. Vote 6-0 to adjourn.





## **CHESTER COUNTY COUNCIL MEETING SPECIAL CALLED**

### **R. Carlisle Roddey Chester County Government Complex**

1476 J.A. Cochran Bypass Chester, SC 29706

Tuesday, January 3rd, 2023 at **6:30 PM**

#### **Minutes**

**Present:** Vice Chairman Branham, Councilman Wilson, Councilman Vaughn, Councilman Killian, Councilman Guy, Councilwoman Mosley, Councilman Agee, County Attorney Winters and Clerk to Council Lee.

1. **Call to Order-**Vice Chairman Branham called the meeting to order.
2. **Election of Chester County Council Chairman.**  
Councilman Agee nominated Councilwoman Mosley. Councilman Killian nominated Councilman Branham. Vote was 5-2 to nominate Councilman Branham as Chairman.
3. **Election of Chester County Council Vice Chairman.**  
Councilman Vaughn nominated Councilman Wilson. Councilman Guy nominated Councilman Killian. Vote was 4-3 to nominate Councilman Wilson as Vice Chairman.
4. **Adjourn-**Councilman Wilson motioned to adjourn, second by Councilman Killian. Vote 7-0 to adjourn.



Resolution 2023-1

**A RESOLUTION TO GIFT THE SERVICE WEAPON TO DIRECTOR BILLY WAYNE ALLEY**

**WHEREAS**, Chester County is grateful for the service given by Director Billy Wayne Alley for more than twenty-five years to the Chester County Sheriff's Office; and

**WHEREAS**, in accordance with South Carolina Code of Laws §23-1-255, Chester County Ordinance 11-16-098 and the Sheriff's Office General Order #311, upon retirement, state law enforcement officers may retain their commissions in retired status with all rights and privileges, including the right to retain their service weapons issued while serving in active duty status provided certain requirements are met; and

**WHEREAS**, the service weapon used by Director Billy Wayne Alley during his career with the Chester County Sheriff's Office was a Glock 22, .40 caliber, Serial number XCF550.

**THEREFORE**, the Chester County Council does hereby resolve to allow Director Billy Wayne Alley to retain the weapon used by Director Alley during his career with the Chester County Sheriff's Office, provided he completes the requisite documentation for the transfer of this weapon.

This County Council thanks Director Alley for his dedicated service to Chester County and wishes him well in his retirement.

**DONE IN MEETING DULY ASSEMBLED**, this of January 17, 2023.

**COUNTY COUNCIL OF CHESTER COUNTY**

---

Joe Branham, Chairman, County Council

ATTEST:

---

Karen Lee  
Clerk to County Council of Chester County

**A RESOLUTION COMMITTING CHESTER COUNTY (1) TO ENTER INTO, EXECUTE AND DELIVER A FEE AGREEMENT WITH A COMPANY IDENTIFIED UNDER THE CODE NAME “PROJECT PHOENIX22” PURSUANT TO WHICH CHESTER COUNTY SHALL COVENANT TO ACCEPT CERTAIN NEGOTIATED FEES IN LIEU OF AD VALOREM TAXES; (2) TO ENSURE THE BENEFITS OF A MULTI-COUNTY INDUSTRIAL OR BUSINESS PARK BE MADE AVAILABLE TO PROJECT PHOENIX22; (3) TO PROVIDE PAYMENTS FOR CERTAIN INVESTMENTS IN INFRASTRUCTURE; AND (4) OTHER ECONOMIC DEVELOPMENT INCENTIVES AND OTHER MATTERS RELATED THERETO.**

WHEREAS, Chester County, South Carolina, a political subdivision of the State of South Carolina (the “County”), acting by and through its County Council (the “County Council”), is authorized and empowered under and pursuant to the provisions of the Code of Laws of South Carolina 1976, as amended (the “Code”), particularly Title 12, Chapter 44 of the Code (the “FILOT Act”) and Title 4, Chapter 1 of the Code (the “Multi-County Park Act” or, as to Section 4-1-175 thereof, and, by incorporation Section 4-29-68 of the Code, the “Special Source Act”) (collectively, the “Act”) and by Article VIII, Section 13(D) of the South Carolina Constitution to: (i) to enter into agreements with qualifying industry to encourage investment and projects constituting economic development property to which the industrial development of the State of South Carolina (the “State”) will be promoted by inducing new and existing manufacturing and commercial enterprises to locate and remain in the State and thus utilize and employ manpower and other resources of the State; and (ii) to covenant with such industry to accept certain payments in lieu of *ad valorem* taxes (a “FILOT”) with respect to such investment (a “Fee Agreement”); and (iii) to covenant with such industries to claim special source revenue credits against their FILOT payments (“Special Source Credits”) to reimburse such investors for expenditures in connection with infrastructure serving the County and improved or unimproved real estate and personal property, including machinery and equipment, used in the operation of a manufacturing or commercial enterprise in order to enhance the economic development of the County (“Special Source Improvements”); and (iv) to create, in conjunction with one or more other counties, a multi-county industrial or business park in order to afford certain enhanced income tax credits to such investors and to facilitate the grant of Special Source Credits; and

WHEREAS, the County is presently recruiting an investment in the County from a company based outside the State, which for purposes of confidentiality is identified for the time being as “Project Phoenix22”, together with any sponsor affiliate(s) (the “Sponsor”), intends to acquire, construct and install land, buildings, improvements, fixtures, machinery, equipment, furnishings and other real and/or tangible personal property constituting two new manufacturing facilities in the County and hire employees for its operations at the project site (collectively, the “Project”); and

WHEREAS, the Sponsor has informed the County that the Sponsor, expects to make new taxable real and personal property investments in the County at the Project of at least \$363,300,000 and expects to create approximately 180 net, new full-time jobs (with benefits) in connection therewith, all by December 31 of the eighth year after the first year which any portion of the Project

is first placed in service, all in accordance with a Fee Agreement to be executed by the County, the Sponsor, which will contain, among other terms, certain terms set forth herein;

WHEREAS, pursuant to the authority of Section 4-1-170 of the Multi-County Park Act and Article VIII, Section 13 of the South Carolina Constitution (collectively, the “Multi-County Park Authority”), the County intends to cause the site on which the Project is or may be located, to be included in a multi-county industrial and business park (a “Park”) established by the County pursuant to a qualifying agreement with an adjoining South Carolina county (the “Park Agreement”) if the Project site is not already located in a Park; and

WHEREAS, the County has determined and found on the basis of the information supplied to it by the Sponsor and on the basis of relevant factors and criteria prescribed by law that the Project would be a “project” and “economic development property” as such terms are defined in the FILOT Act, would meet all other requirements of the FILOT Act and would serve the purposes of the FILOT Act; and

WHEREAS, the County has determined and found on the basis of the information supplied to it by the Sponsor that the Project would constitute an “enhanced investment,” as that term is defined in the FILOT Act; and

WHEREAS, the County intends by this Resolution to commit to entering into a Fee Agreement under the FILOT Act and Multi-County Park Agreement under the Multi-County Park Act with the Sponsor in a form acceptable to the County and the Sponsor so that the Sponsor may proceed to qualify the Project for certain benefits under the FILOT Act, all as more fully described in this Resolution; and

WHEREAS, the County and the Sponsor recognize and acknowledge that the Sponsor would not otherwise locate the Project in the County but for the delivery of the incentives described herein.

NOW, THEREFORE, BE IT RESOLVED by the County Council, as follows:

**Section 1.** It is the intention of the County Council that this Resolution shall constitute an official action of the part of the County Council relating to identifying and inducing the Project under the FILOT Act.

**Section 2.** Provided that the County and the Sponsor agree to the terms of, and sign, a Fee Agreement as provided under the FILOT Act in which the Sponsor commits to make a minimum investment of \$150,000,000 in economic development property (the “Enhanced Investment”) within the 8-year investment period as provided under the FILOT Act (the “Investment Period”) and Sponsor commits to creating not less than one hundred twenty-five (125) new full-time jobs (with benefits) at the Project within the Investment Period (the “Job Creation Requirement”), the County Council hereby authorizes a FILOT for the Project for a period of forty (40) years to be reflected in a Fee Agreement containing, without limitation, the following terms: (i) an assessment ratio on the Project’s economic development property not to exceed four percent (4%); (ii) a fixed millage rate set at 488.4 mills; and (iii) the fair market value of the Project property shall be determined by the South Carolina Department of Revenue in accordance with the FILOT Act. Should the Sponsor and/or the sponsor affiliate(s) fail to collectively invest at least \$150,000,000 or should the Sponsor and/or the sponsor affiliate(s) fail to create at least one hundred twenty-five (125) net, new full-time jobs (with benefits) at the Project, both by the end of

the Investment Period, the Sponsor and/or the sponsor affiliate(s), at the County's option, shall be liable for certain additional payments in accordance with the County's customary practices.

**Section 3.** Pursuant to Section 4-1-175 of the Multi-County Park Act, the County, subject to the limits set forth herein and pursuant to the Fee Agreement, will provide Special Source Credits against the FILOT payments by the Sponsor pursuant to the Park Agreement and/or the Fee Agreement, as the case may be, to reimburse the Sponsor related to the Special Source Improvements for the Project. In these respects, the Sponsor shall be entitled to claim an annual Special Source Credits in years one (1) through five (5) equal to fifty-five percent (55%) of each year's FILOT payments and in years six (6) through ten (10) equal to twenty-five percent (25%) of each year's FILOT payments pursuant to the Park Agreement and/or Fee Agreement, with respect to the Project (that is, with respect to the investment made by the Sponsor and/or any sponsor affiliate(s) under the Fee Agreement during the Investment Period). Should the Sponsor fail to meet the Enhanced Investment Requirement or the Jobs Creation Requirement by the end of the Investment Period, at the County's option, and Special Source Credits otherwise payable under the Fee Agreement shall no longer be payable by the County and the Sponsor shall be liable for certain claw back payments in accordance with the County's customary practices.

**Section 4.** The County Council agrees to provide the Sponsor any and sponsor affiliate(s) with the most favorable provisions allowable under the FILOT Act including, but not limited to, the disposal and replacement of personal property.

**Section 5.** The County Council agrees that it will adopt proceedings to place the Project sites, if not already so placed, in a Multi-County Park as provided in the Multi-County Park Act in connection with entering into a Fee Agreement under the FILOT Act but in no event later than December 31, 2023.

**Section 6.** The authorization by the County of the Fee Agreement is subject to compliance by the County with the provisions of the Home Rule Act regarding the enactment of ordinances and shall not constitute a general obligation or indebtedness of the County nor a pledge of the full faith and credit or the taxing power of the County. Further, the County will perform such other acts and adopt such other proceedings, consistent with this Resolution, as may be required to faithfully implement this Resolution and the Fee Agreement, in good faith and with reasonable diligence. All commitments of the County hereunder are subject to the condition that the County and the Sponsor agree on mutually acceptable terms and conditions of all documents, the execution and delivery of which are contemplated by the provisions hereof, and the adoption by the County Council of an ordinance authorizing the execution and delivery of such documents and approving the terms thereof. If the parties enter into the Fee Agreement, each party shall perform such other acts and adopt such further proceedings as may be required to faithfully implement its undertakings pursuant to such agreements.

**Section 7.** To the extent permitted by the FILOT Act, the County Council agrees to waive the recapitulation requirements set forth in the FILOT Act.

**Section 8.** The County Council hereby agrees and authorizes the County Supervisor and/or the County Administrator in lieu of the County Supervisor, the County Attorney and the Director of the Chester County Economic Development Board along with any designees and agents any of these officials deems necessary and proper (each and "Authorized Individual"), to negotiate in good faith the final terms of the Fee Agreement, the Multi-County Park Agreement

and any and all other agreements that may be necessary to effectuate the intent of this Resolution with the Sponsor.

**Section 9.** This Resolution shall take effect and be in full force from and after its passage by the County Council.

Done in meeting duly assembled this 17th day of January, 2023.

**CHESTER COUNTY, SOUTH CAROLINA**

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

Joe Branham

County Council Chairman / \_\_\_\_\_

\_\_\_\_\_  
Chester County, South Carolina

ATTEST:

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

Karen Lee

Clerk to County Council

Chester County, South Carolina

SOUTH CAROLINA )  
 ) A RESOLUTION 2023-3  
CHESTER COUNTY )

**PROVIDING PRELIMINARY APPROVAL FOR CERTAIN INCENTIVES TO INDUCE ONE OR MORE INVESTORS IDENTIFIED FOR THE TIME BEING AS PROJECT POWER, EACH ACTING FOR ITSELF, ONE OR MORE CURRENT OR FUTURE AFFILIATES, AND OTHER PROJECT SPONSORS (COLLECTIVELY, "COMPANY") TO ESTABLISH FACILITIES IN CHESTER COUNTY, SOUTH CAROLINA ("COUNTY"), SUCH INCENTIVES TO INCLUDE (1) A NEGOTIATED FEE IN LIEU OF *AD VALOREM* TAX ARRANGEMENTS; (2) SPECIAL SOURCE REVENUE CREDITS; (3) MULTI-COUNTY INDUSTRIAL OR BUSINESS PARK ARRANGEMENTS; AND (4) OTHER RELATED MATTERS.**

WHEREAS, Chester County, South Carolina ("County"), acting by and through its County Council ("Council"), is authorized and empowered, under and pursuant to the provisions of the Code of Laws of South Carolina 1976, as amended through the date hereof ("Code"), particularly Title 12, Chapter 44 thereof ("Negotiated FILOT Act") and Title 4, Chapter 1 of the Code ("Multi-County Park Act" or, as to Section 4-1-175 thereof, and, by incorporation, Section 4-29-68 of the Code, "Special Source Act") (collectively, "Act"), and by Article VIII, Section 13 of the South Carolina Constitution: (i) to enter into agreements with certain investors to establish projects through which the economic development of the State of South Carolina ("State") will be promoted and trade developed, thus utilizing and employing the manpower, agricultural products, and natural resources of the State; (ii) to covenant with such investors to accept certain fee in lieu of *ad valorem* tax ("FILOT") payments including, but not limited to, negotiated FILOT ("Negotiated FILOT") payments, with respect to a project; and (iii) to permit investors to claim special source revenue credits against their FILOT payments ("Special Source Credits") to reimburse such investors for expenditures in connection with certain infrastructure and other qualifying property related to a project; (iv) to create, in conjunction with one or more other counties, a multi-county industrial or business park to allow certain enhanced income tax credits to such investors and to facilitate the grant of Special Source Credits;

WHEREAS, one or more investors identified for the time being as Project Power, each acting for itself, one or more current or future affiliates, and other project sponsors (collectively, "Company") propose to invest in, or cause others to invest in, the establishment of certain facilities to be operated primarily for logistical operations, at one or more locations in the County (the "Project"), which the Company expects will result in aggregate investment of at least \$110,000,000 in the Project; and

WHEREAS, based solely on information supplied to it by the Company, the County has determined the Project would serve the purposes of the Act and would be directly and substantially beneficial to the County, the taxing entities of the County and the citizens and residents of the County due to the investment associated therewith, which contribute to the tax base and the economic welfare of the County, and, accordingly, the County wishes to induce the Company to undertake the Project by offering the Negotiated FILOT, Special Source Credits, and other incentives hereinafter described, subject, however, to final approval by ordinance of the Council.

NOW, THEREFORE, BE IT RESOLVED by the Council, as follows:

Section 1. As contemplated by Section 12-44-40(I) of the Negotiated FILOT Act, the County makes the following findings and determinations based solely on information provided by the Company: (a) the Project will constitute a “project” within the meaning of the Negotiated FILOT Act; (b) the Project, and the County’s actions herein, will serve the purposes of the Negotiated FILOT Act; (c) the Project is anticipated to benefit the general public welfare of the State and the County by providing services, employment, recreation, or other public benefits not otherwise provided locally; (d) the Project gives rise to no pecuniary liability of the County or incorporated municipality or a charge against its general credit or taxing power; (e) the purposes to be accomplished by the Project are proper governmental and public purposes; and (f) the benefits of the Project are greater than the costs.

Section 2. Subject to the provisions of the Act and to final approval by the Council through adoption of an ordinance (“Approving Ordinance”), the Chairman of the Council and such other officials of the County as may be designated by such Approving Ordinance are hereby authorized, by and on behalf of the County, to enter into a fee in lieu of tax and incentive agreement with the Company containing the terms and conditions summarized in the proposed term sheet appended hereto as Attachment A, as may be amended by the Approving Ordinance, which terms and conditions are incorporated herein by reference as if fully set forth herein, and such other terms and conditions as may be authorized by the Approving Ordinance. Capitalized terms utilized in Attachment A and not otherwise defined therein shall have the meanings ascribed to them in this Resolution.

Section 3. All orders, resolutions, and parts thereof in conflict herewith are to the extent of such conflict hereby repealed. This Resolution shall take effect and be in full force upon adoption by the Council.

[SIGNATURE PAGE FOLLOWS]  
[REMAINDER OF PAGE INTENTIONALLY BLANK]



RESOLVED: January \_\_\_\_\_, 2023

CHESTER COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
Joe Branham, Chairman, County Council  
Chester County, South Carolina

[SEAL]

Attest:

By: \_\_\_\_\_  
Karen Lee, Clerk to County Council  
Chester County, South Carolina

ATTACHMENT A  
PRELIMINARY TERM SHEET\*  
FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT  
BY AND BETWEEN  
CHESTER COUNTY, SOUTH CAROLINA, AND ONE OR MORE INVESTORS  
IDENTIFIED FOR THE TIME BEING AS PROJECT POWER AND ONE OR MORE CURRENT OR  
FUTURE AFFILIATES OR OTHER PROJECT SPONSORS

Company Commitments:	\$110,000,000 aggregate investment; compliance period ends 5 years from the “Commencement Date” as such term is defined in the Negotiated FILOT Act
Basic FILOT Terms:	6% assessment ratio; 0.4536 fixed millage rate; initial investment period ends 5 years from the “Commencement Date” as such term is defined in the Negotiated FILOT Act; 30-year payment period for each annual increment of investment during investment period
Multi-County Park:	All property of Company in County to be designated as part of a multi-county industrial or business park, to extent not already so designated
SSRC*:	Tiered SSRC of 40% for years 1-5 and 20% for years 6-10 against each FILOT payment for 10 consecutive tax years beginning with the second year in which a FILOT payment is due.

\*Terms set forth in this Attachment are summary in nature and shall be set forth in greater detail in the final fee in lieu of tax and incentive agreement.

ORDINANCE NO. 2023-2

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE AGREEMENT FOR DEVELOPMENT OF JOINT COUNTY INDUSTRIAL AND BUSINESS PARK (YORK AND CHESTER COUNTIES) TO ENLARGE THE BOUNDARIES OF THE JOINT COUNTY INDUSTRIAL PARK TO INCLUDE CERTAIN REAL PROPERTY LOCATED IN CHESTER COUNTY; AND OTHER MATTERS RELATED THERETO.

WHEREAS, York County, South Carolina (“York County”) and Chester County, South Carolina (“Chester County,” collectively, “Counties,” each, a “County”) are authorized under Article VIII, Section 13(D) of the South Carolina Constitution and Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended (collectively, “Act”) to jointly develop an industrial or business park within the geographical boundaries of one or more of the member Counties; and

WHEREAS, as provided under the Act, to promote the economic welfare of their citizens, the Counties jointly developed the York-Chester Industrial Park (“Park”) and entered into the Master Agreement Governing the York-Chester Industrial Park between Chester County and York County dated December 31, 2012, which is attached as Exhibit A (“Park Agreement”), which governs the operation of the Park; and

WHEREAS, pursuant to Section 3 of the Park Agreement, Chester desires to enlarge the boundaries of the Park to include certain property, as described on Exhibit B (“Property”).

NOW, THEREFORE, BE IT ORDAINED BY THE CHESTER COUNTY COUNCIL:

**Section 1. *Enlargement of Park to Include Property.*** The Park’s boundaries are enlarged to include the Property in the Park, effective \_\_\_\_\_, 2023. The Chair of Chester County Council, or Vice Chair in the event the Chair is absent, the Chester County Administrator and the Clerk to Chester County Council are hereby authorized to take such further actions as may be necessary to complete the enlargement of the Park’s boundaries. Pursuant to the terms of the Park Agreement, the enlargement is complete upon (i) the adoption of this Ordinance by the Chester County Council and a companion ordinance by the York County Council and (ii) delivery by Chester County of a description of the Property to York County.

**Section 2. *Allocation of Park Revenue within Chester.*** Pursuant to the terms of the Park Agreement, the revenue generated by property located in the Park, including the Property, and (i) received by York County from Chester County as the companion County to the Park, or (ii) retained by Chester County as the Host County following distribution to York County as the companion County to the Park (collectively, “Revenue”) shall be allocated pursuant to Section 7 of the Park Agreement.

**Section 3. *Further Assurances.*** The Chair, the Clerk and the Chester County Administrator (or their respective designees) are authorized to execute whatever other documents and take whatever further actions as may be necessary to effect the intent of this Ordinance.

**Section 4. *Severability.*** If any part of this Ordinance is unenforceable, the remainder is unaffected.

**Section 5. *General Repealer.*** Any ordinance, resolution or order, the terms of which conflict with this Ordinance, is, only to the extent of that conflict, repealed.

**Section 6. *Effective Date.*** This Ordinance is effective after third and final reading.

[End of Ordinance]

Enacted and approved in meeting duly assembled this \_\_\_\_ day of \_\_\_\_\_, 2023.

**CHESTER COUNTY, SOUTH CAROLINA**

By: \_\_\_\_\_  
Joe Branham, Chairman, County Council  
Chester County, South Carolina

ATTEST:

\_\_\_\_\_  
Karen Lee, Clerk to County Council  
Chester County, South Carolina

First Reading:            January 17, 2023  
Second Reading:        \_\_\_\_\_, 2023  
Public Hearing:            \_\_\_\_\_, 2023  
Third Reading:            \_\_\_\_\_, 2023

**EXHIBIT A**

[Master Agreement Governing the York-Chester Industrial Park between Chester County and York County dated December 31, 2012]

**EXHIBIT B**

**ADDITION TO EXHIBIT A (CHESTER)**

<b>PROJECT NAME</b>	<b>DESCRIPTION</b>	<b>NOTES</b>
POWER	TMS:	_____ ACRES

ORDINANCE NO. 2023-3

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BY AND BETWEEN CHESTER COUNTY AND [PROJECT POWER]; THE INCLUSION OF CERTAIN REAL PROPERTY LOCATED IN CHESTER COUNTY IN A MULTI-COUNTY INDUSTRIAL PARK; THE PROVISION OF CREDITS AGAINST FEE IN LIEU OF TAX PAYMENTS; THE EXECUTION AND DELIVERY OF SUCH DOCUMENTS AS MAY BE NECESSARY TO EFFECT THE INTENT OF THIS ORDINANCE; AND OTHER MATTERS RELATED THERETO.

WHEREAS, Chester County, South Carolina (“County”), acting by and through its County Council (“County Council”), is authorized and empowered, under and pursuant to the provisions of the Code of Laws of South Carolina 1976, as amended through the date hereof (“Code”), particularly Title 12, Chapter 44 thereof (“Negotiated FILOT Act”) and Title 4, Chapter 1 of the Code (“Multi-County Park Act” or, as to Section 4-1-175 thereof, and, by incorporation, Section 4-29-68 of the Code, “Special Source Act”) (collectively, “Act”), and by Article VIII, Section 13 of the South Carolina Constitution: (i) to enter into agreements with certain investors to establish projects through which the economic development of the State of South Carolina (“State”) will be promoted and trade developed, thus utilizing and employing the manpower, agricultural products, and natural resources of the State; (ii) to covenant with such investors to accept certain fee in lieu of *ad valorem* tax (“FILOT”) payments including, but not limited to, negotiated FILOT (“Negotiated FILOT”) payments, with respect to a project; and (iii) to permit investors to claim special source revenue credits against their FILOT payments (“Special Source Credits”) to reimburse such investors for expenditures in connection with certain infrastructure and other qualifying property related to a project (“Special Source Improvements”); (iv) to create, in conjunction with one or more other counties, a multi-county industrial or business park to allow certain enhanced income tax credits to such investors and to facilitate the grant of Special Source Credits;

WHEREAS, one or more investors identified for the time being as Project Power, each acting for itself, one or more current or future affiliates, and other project sponsors (collectively, “Company”) propose to invest in, or cause others to invest in, the establishment of certain facilities to be operated primarily for logistical operations, at one or more locations in the County (the “Project”), which the Company expects will result in aggregate investment of at least \$110,000,000 in the Project; and

WHEREAS, based solely on information provided to the County by the Company, the County has determined that the Project will subserve the purposes of the Act and has made certain findings pertaining thereto in accordance with the Act; and

WHEREAS, in accordance with such findings and determinations, and in order to induce the Company to locate the Project in the County, the County Council adopted a Resolution on [January 17, 2023], whereby the County formally identified the Project as a “project” within the meaning of the Act, and, subject to certain conditions described therein, authorized County officials to provide the benefits of a negotiated FILOT, a multi-county industrial or business park, and Special Source Credits with respect to the Project; and

WHEREAS, the County and the Company have agreed to specific terms and conditions of such arrangements as set forth herein and in a Fee in Lieu of Tax and Incentive Agreement by and among the County and the Company with respect to the Project (“FILOT Agreement”), the form of which is



presented to this meeting, which Incentive Agreement is to be dated as of [\_\_\_\_\_], 2023], or such other date as the parties may agree; and

WHEREAS, it appears that the Incentive Agreement now before this meeting is in appropriate form and is an appropriate instrument to be executed and delivered by the County for the purposes intended.

NOW, THEREFORE, BE IT ORDAINED by the County Council as follows:

Section 1. Evaluation of the Project. Based solely on information provided by the Company, County Council has evaluated the Project on the following criteria and based upon the advice and assistance of the South Carolina Department of Commerce and the South Carolina Department of Revenue:

- (a) whether the purposes to be accomplished by the Project are proper governmental and public purposes;
- (b) the anticipated dollar amount and nature of the investment to be made; and
- (c) the anticipated costs and benefits to the County.

Section 2. Findings by County Council. Based solely on information provided by and representations of the Company and the advice and assistance of the South Carolina Department of Commerce and the South Carolina Department of Revenue, as required, County Council hereby finds that:

- (a) the Project constitutes a “project” as that term is defined in the FILOT Act;
- (b) the Project will serve the purposes of the FILOT Act;
- (c) the investment by the Company in the project is anticipated to be approximately \$110,000,000, to be invested within 5 years from the “Commencement Date” as such term is defined in the Negotiated FILOT Act;
- (d) the Project will be located entirely within the County;
- (e) the Project will benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise adequately provided locally;
- (f) the Project will not give rise to a pecuniary liability of the County or any municipality nor a charge against its general credit or taxing power of the County or any municipality;
- (g) the purposes to be accomplished by the Project are proper governmental and public purposes;
- (h) the inducement of the location of the Project is of paramount importance; and
- (i) the benefits of the Project to the public are greater than the costs to the public.

Section 3. Fee-in-Lieu of Taxes Arrangement. Pursuant to the authority of the Negotiated FILOT Act, the Project is designated as “economic development property” under the Negotiated FILOT Act and there is hereby authorized a fee-in-lieu of taxes arrangement with the Company which will provide Negotiated FILOT payments to be made with respect to the Project based upon a 6% assessment ratio and a fixed millage of rate of 453.6 mills, all as more fully set forth in the FILOT Agreement.

Section 4. Special Source Revenue Credits. As reimbursement to the Company for expenditures on Special Source Improvements, the County will provide to the Company Special Source Credits under the Special Source Act as set forth in the FILOT Agreement.

Section 5. Execution of the FILOT Agreement. The form, terms and provisions of the FILOT Agreement presented to this meeting and filed with the Clerk of the County Council be and hereby are approved, and all of the terms, provisions and conditions thereof are hereby incorporated herein by reference as if such FILOT Agreement were set out in this Ordinance in its entirety. The Chairman of the County Council, the County Administrator and the Clerk of the County Council be and they are hereby authorized, empowered and directed to execute, acknowledge and deliver the FILOT Agreement in the name and on behalf of the County, and thereupon to cause the FILOT Agreement to be delivered to the Company. The FILOT Agreement is to be in substantially the form now before this meeting and hereby approved, or with any changes therein as shall not materially adversely affect the rights of the County thereunder and as shall be approved by the County Attorney and the officials of the County executing the same, their execution thereof to constitute conclusive evidence of their approval of all changes therein from the form of FILOT Agreement now before this meeting.

Section 6. Inclusion of Project in Multi-County Park. The County will use its best efforts to ensure the Project is included, if not already included, and will remain, in the boundaries of a multi-county industrial or business park pursuant to the provisions of the Multi-County Park Act and Article VIII, Section 13 of the State Constitution, as set forth in the FILOT Agreement.

Section 7. Miscellaneous.

(a) The Chairman of the County Council, the County Administrator and all other appropriate officials of the County are hereby authorized to execute, deliver and receive any other agreements and documents as may be required by the County in order to carry out, give effect to and consummate the transactions authorized by this Ordinance;

(b) This Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina;

(c) This Ordinance shall become effective immediately upon approval following third reading by the County Council;

(d) The provisions of this Ordinance are hereby declared to be severable and if any section, phrase or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, that declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereunder; and

(e) All ordinances, resolutions and parts thereof in conflict herewith are, to the extent of the conflict, hereby repealed.

**[SIGNATURE PAGE FOLLOWS]  
[REMAINDER OF PAGE INTENTIONALLY BLANK]**

**CHESTER COUNTY, SOUTH CAROLINA**

By: \_\_\_\_\_  
Joe Branham Chairman, County Council  
Chester County, South Carolina

Attest:

\_\_\_\_\_  
Karen Lee, Clerk to County Council  
Chester County, South Carolina

First Reading:            January 17, 2023  
Second Reading:        \_\_\_\_\_, 2023  
Public Hearing:            \_\_\_\_\_, 2023  
Third Reading:            \_\_\_\_\_, 2023

**Sec. 46-202. - Street lighting.**

The county shall not provide street lighting on any highway, street or road until such time as sufficient funds are appropriated to provide that service county-wide. Homeowners or homeowner's associations may obtain street lighting through contractual arrangements with the electric utility serving their area.

(Ord. No. 10-01-2007B, § 1-12, 10-1-2007)

Chester County Planning Commission Minutes

December 20, 2022

CCMA22-24 Jeremiah Kibbey requests Tax Map# 101-00-00-099-000 at 2115 Great Falls Hwy., Blackstock, SC 29014 to be rezoned from Rural 2 (R2) to General Residential District (RG-2).

Jeremiah John Kibbey stated he lives at 2115 Great Falls Hwy., Blackstock, SC 29014 and his request is to rezone his property from R2 to RG-2 to allow another residence on the property which is just under 4 acres. His parents are getting older and having health problems and need his assistance.

Vice Chairman Smith asked if anyone had any questions. There were none. Vice Chairman Smith motioned to approve, second by Commissioner Howell. Vote 5-0 Approved.



**Chester County, South Carolina**  
 Department of Planning, Building & Zoning  
 1476 J.A. Cochran Bypass  
 Chester, SC 29706

Zoning Map Amendment (Rezoning) Application

Fee: Residential \$150.00, Non-Residential \$300.00, Planned Development \$1000.00

Meeting Date: 12.20.22 Case # CCMA22-24 Invoice# 5845

The applicant hereby requests that the property described to be rezoned from R-2 to RG-2

Please give your reason for this rezoning request:

I would like to add A mobile home to my property for my Parents who have health conditions and require help. I have 3.996 Acres with one Dwelling on property Now.

*Copy of plat must be presented with the application request*

Designation of Agent (complete only if owner is not applicant): I (we) hereby appoint the person named as applicant as my (our) agent to represent me (us) in this request for rezoning. A Corporate Resolution letter or a permission letter must be presented at the time of application request. NAICS CODE: \_\_\_\_\_

Property Address Information

Property address: 2115 Great Falls Rd Blackstock SC 29014  
 Tax Map Number: ~~101-00-00-011-000~~ Acres: 3.996  
101-00-00-011-000

Any structures on the property: yes  no . If you checked yes, draw locations of structures on plat or blank paper.

PLEASE PRINT:

Applicant(s): Jeremiah Hibbey  
 Address 2115 Great Falls Rd Blackstock SC 29014  
 Telephone: \_\_\_\_\_ cell \_\_\_\_\_ work \_\_\_\_\_  
 E-Mail Address: \_\_\_\_\_

Owner(s) if other than applicant(s): \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone: \_\_\_\_\_ cell \_\_\_\_\_ work \_\_\_\_\_  
 E-Mail Address: \_\_\_\_\_

**I (we) hereby agree that this information I (we) have presented is correct. Insufficient information may result in a denial of your request.**

Owner's signature: Jeremiah Hibbey Date: 10/20/2022  
 Applicant signature: Jeremiah Hibbey Date: 10/20/2022

Make 110 pg. 111

110 pg. 111

PLAT OF SURVEY FOR  
HEYWARD MOSER  
BEING A 3.996 ACRE PORTION OF  
MARILYN L. MOSER PROPERTY  
LOCATED ON S.C. HWY. 97

RCPT# 011fl ... /tl'°  
CL: ...  
CHEST= ...  
SEP 4 1 07 PM '97

HAZELWOOD TOWNSHIP, CHESTER COUNTY, SOUTH CAROLINA

MARCH 10, 1997

REFERENCE: TAX MAP/1101-0-0-52

PLAT BOOK "WPG. 89

FILED

MAGNETIC NORTH

094415

Time	1:07 pm
Recorded	
Month	Sept 4
Date	1997
Page	15
Book	68
Clerk of Court Chester Co. SC	

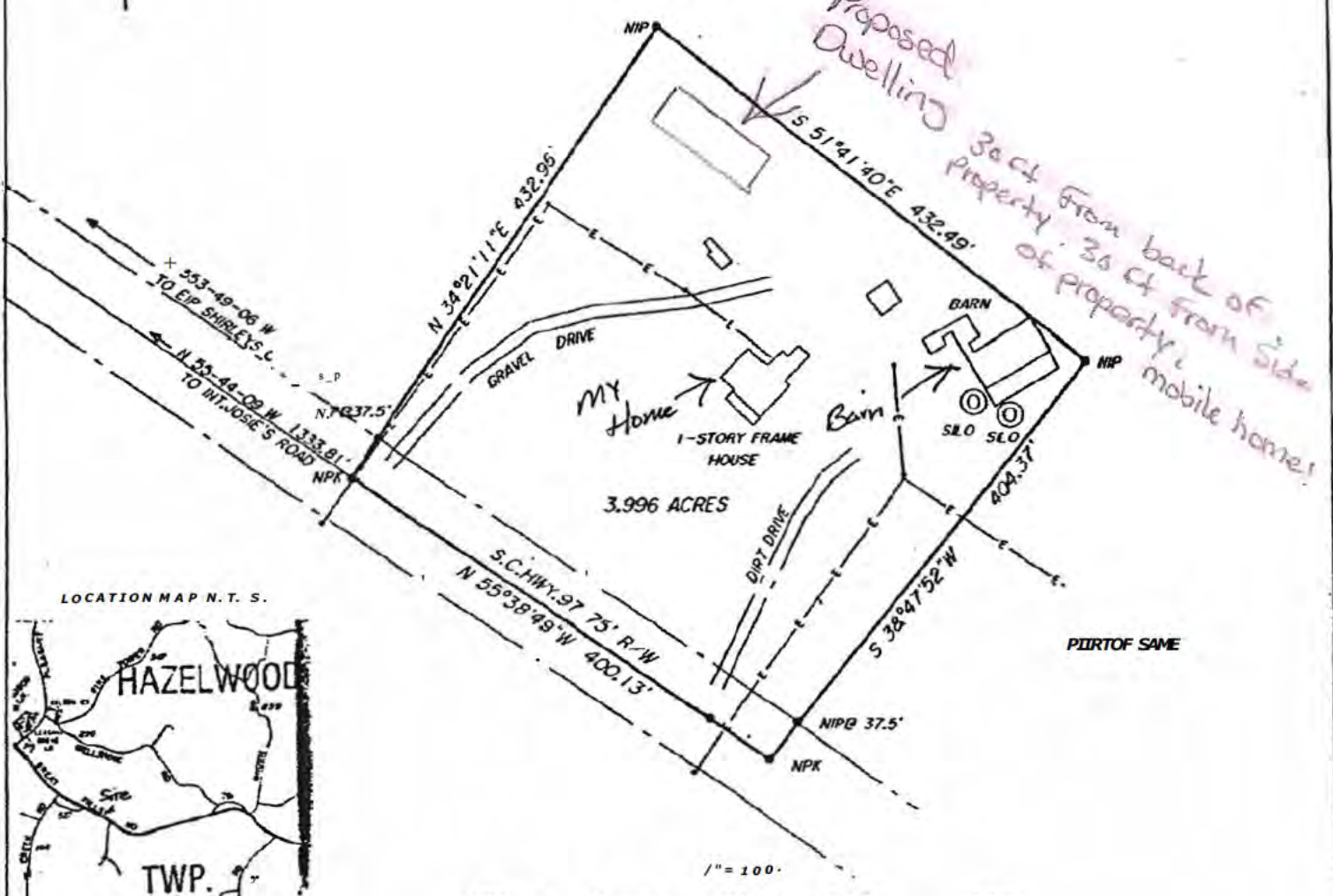
The publication of this plat has been approved by the  
County Land Development and Planning Commission  
of Chester County

9/2/97  
181/c  
Chester County Planning Commission

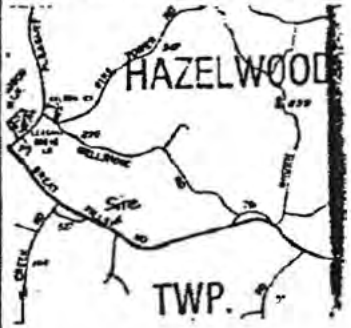
TAX MAP 1101-0-0-5

MARILYN L. MOSEH

0.8.404 PG. 509: P.B. 74 PG. 89



LOCATION MAP N. T. S.



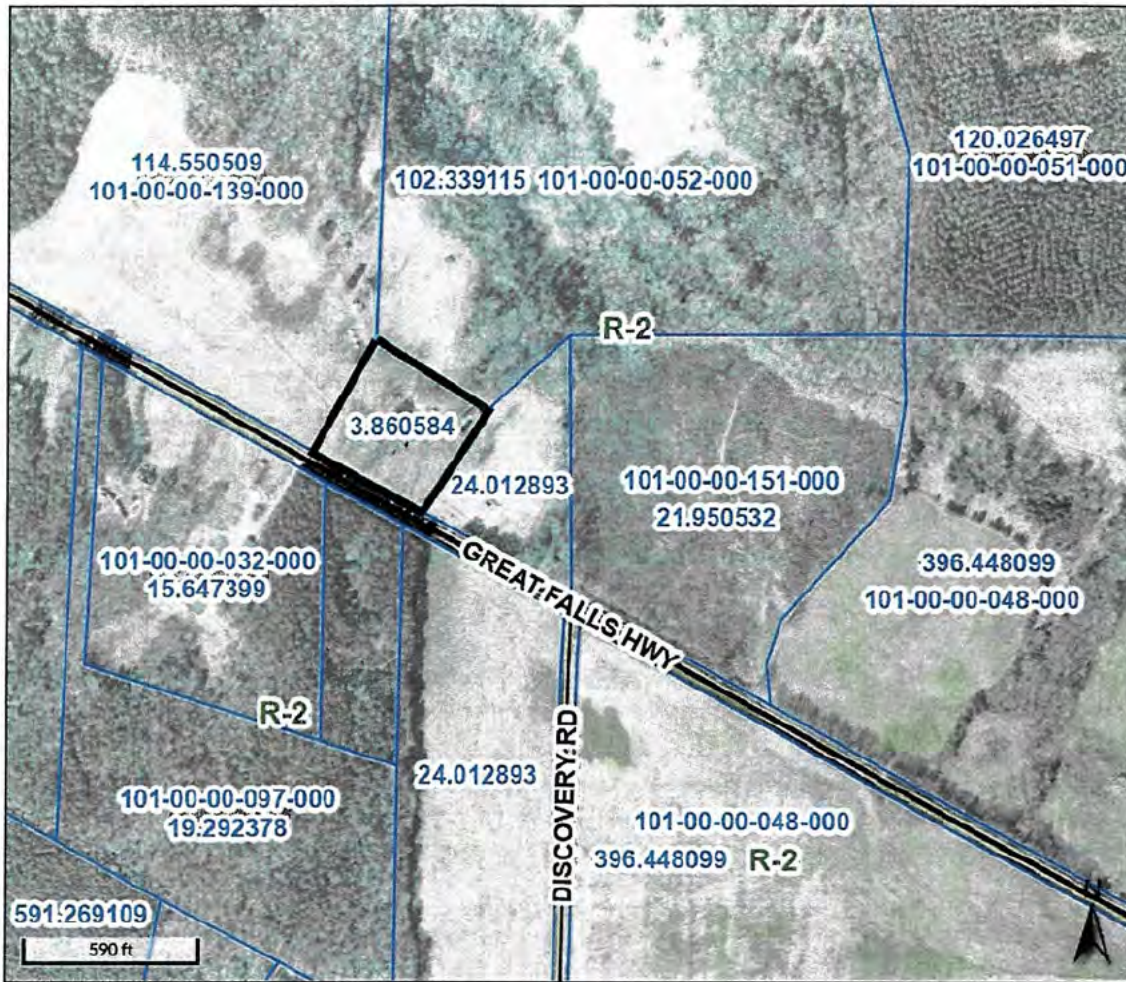
1" = 100'



GRAPHIC SCALE - FEET

NOTE:  
 EIP = EXISTING IRON PIN  
 NIP = NEW IRON PIN  
 L.F. = L.F.A. - - - -

INFORMATION: SHOWN HEREON IS THE RESULT OF A SURVEY  
 CONDUCTED UNDER THE SUPERVISION OF ... ALL THE  
 CORNER OR 1/4 DAIC - ... THE S-MET ... PERFORIED IF  
 A/C/III/A" a WHI' IN' III/I/I- SIAIDMOS - ... HACTICE  
 OF IN/O SUITW: ... AS ADCTED UNDER THE CODE OF U.E. OF SOUTH  
 CAROLINA 111E 04Y13P' L' ... IY n 5-1, ST... uao. h1;



Overview



Parcel ID	101-00-00-099-000	Alternate ID	n/a	Owner Address	RALLINGSARNOLD HANNAH
Sec/Twp/Rng	n/a	Class	R		ELIZABETH
Property Address	2115 GREAT FALLS HWY	Acreage	3.861		2115 GREATFALLS HIGHWAY
					BLACKSTOCK SC 29014

**District** 01  
**Brief Tax Description** n/a  
 (Note: Not to be used on legal documents)

Date created: 10/24/2022  
 LastData Uploaded: 10/24/2022 3:29:24AM

Developed by, L. **Schneider**  
 GEOSPATIAL



Next Year (2023) Changes

Search Options

Map Number 101-00-00-099-000 Real 100336197

History Year 1

Alerts

Has Additional Comments Current Year Record Exists

Name 1 KIBBEY JEREMIAH J

Other Map Number

find

Owner Information

Post Initials	1	Reason for Change		Activity Date	09/27/2022
Name2				Land Value	1 39,900
Address 1	2m GREAT FALLS HWY			Building Value	293,900
Address 2	BLACKSTOCK SC			Total Market Value	1 333,800
Zip Code	129014 1			Total Tax Value	1 333,800

Codes

District	r01	Fire Code	1sc 3 jsOUTHCHESTER
Town		Neighborhood	IR2 3 IRURAL2
Subdivision	3	Use Class	1 i j
Description			
Legal			

Location Street Number 2115 Street Name GREAT FALLS HWY Suffi 1 Direction j

Additional Information

Appraisal Appeal	31	Owner Occupied	1	TIF	r	Base	
Agricultural Use	r3' 1	Reappraisal Notice	r-3 1	MCIP	r	Industrial Park ID	
Rollback	! 1			EMempt	r		

## Chester County Planning Commission Minutes

December 20, 2022

- A. CCMA22-25 Luck Companies request a portion (7.8 acres) of Tax Map # 089-00-00-005-000 at 1207 Lancaster Hwy., Chester, SC 29706 to be rezoned from Rural Two District (R2) to General Commercial District (GC).**

Ben Thompson stated he was with Luck Company and is here on behalf of the company. He understands I've been before you all previously, back in 2020. So, I am going to somewhat abbreviate what would be a typical presentation and kind of the full breadth of who we are as a company. Try to get a little more into details and in particular denote. What has changed from the last application to the current proposal that's in front of you. Would love to answer any questions you may have at the end. Also, I'm sure there will be some comments made during the public hearing. That would love the opportunity as questions arise from those to be able to answer and provide as much clarity and transparency on this project as possible. So, in 2020, we came before you we had a project that was exclusively comprised of a Creek Restoration Project, a quarry portion of the property, so a heavy industrial zoning request on the back of a property, and then a frontage request for light industrial which would be economic development. So, we stood before you, and it was COVID Time. Education ability was a little lower on our side, and we received a negative vote from this council and certainly understand why. And so, we decided, well, we need to get out of this period, do more work in the community, listen a lot more. So, in doing so, we've been present over the past two years. We do pride ourselves in relationships and getting out but received a lot of feedback during those times. That feedback enabled us to come back to you with an application that has some similar parts, but many different parts as well. So as a company, yeah, one of the things that near and dear to our heart is the people and relationships. And so, when you're doing a project like this, there's a lot of anxiety that pops up in communities. There's a lot of fear of the unknown, there's also a lot of oversight, and conversations and studies that you must engage in. All that goes back to learning and as you're learning we start to see how the projects can change. So, with a lot of that good feedback, we have a project now that has a request to approve an industrial zoning. So, you're one distinction here is you're not approving as a quarry. You're approving the zoning. The quarry is another step that we do need to take. So, we're in front of you requesting an ID-3 zoning on a portion of property and I have maps that will depict this. We are also requesting that you down zone a piece of property so there's an industrial property attached to our application that we're requesting changes from its current state of ID-1 to an agricultural state. We also have attached to our application, a recreation area, so a trail component, as well. As a 50 plus acre commercial business park and retail center. In addition to that, we have conditions wrapping all of this. So, the conditions speak to either direct concern that individuals may have and those are typical concerns that we hear. But it also does some things like make commitments to within our project there's a government give space. So, we've set aside 15.8 acres that could grow as the county grows and has a need for additional service areas, satellite office, what have you, that area would be a donation to the county. We also have a component that is a community fund. So, I'm sure lots of people here have seen our name be present in the community. That is something that as part of our mission of igniting human potential that we feel is very important. But we also recognize that there might be some

voices saying, well, you're just doing certain things to win favor to gain a permit. So, to combat that, we've gone in and committed ourselves to an ongoing give to the community. That is completely separate from the foundation we have as a company that many local nonprofits have already participated with. So, with the plan that you see in front of you, and I'm hoping it's a little more legible on your personal screens. But we must get into specifics 1.39 miles of trail on site, the 15-point acres I mentioned as the donation we are keeping greater than 40% of open space on our project in total. We have 200, a minimum of 291,000 feet, and that's on the western portion of the property. So, where you see buildings in orange that is the general commercial area and the business park component. We recognize there's a void in the county of smaller square footage buildings, so there's lots of land that could absorb a million square foot type building. What there is not is inventory that allows the existing business within the county to grow or the follow along businesses to house themselves in the county. We also have if you'll look at the top north of the CSX rail line. That's a 90-acre piece of property, that property is currently zoned industrial. primary access to that property is through a residential neighborhood. And so, we have proposed to take that property down zone it from industrial to agriculture, and we have made a commitment and our conditions to work to partner with the schools for ag education, whether that be the school program itself or partnering with FFA. But we see that as an opportunity to get kids to the site. Also, an opportunity for a revenue stream for those programs to be created. That could fund future scholarships or reinvest in the schools themselves. So, this is the retail and business center portion, the defining line, so on the bottom you'll see Hwy 9. As you run into north south orientation, you'll see a blue line there. That's Rocky Creek. So, this is everything west of Rocky Creek. The purple area is the denoted space for the government donation. The yellow buildings in the back of that property are our larger flex space buildings. So anywhere from 20,000 to 80,000 square foot buildings and then the front edge would be truer to retail office competitor. Again, this is the property on the north side you can see it's currently zoned industrial and for a fuller orientation, if you look to the right hand of the map there that is Boise Cascade. So just from a general orientation, we are immediately adjacent to Boise Cascade on Highway 9, one property to the west of it. And I can pause if there are any questions at this point or I'm happy to keep going. So, as you're running through the overall project, and I've stated the numbers on the right-hand side, the quarry portion of the property has become fully vetted as well. So, we spent about two and a half years in Chester County talking to people looking at various properties of land. A lot of the spring's property, a lot of farms. Rock is not pervasive. So, while you may hit rock, it may not be the quality, or you may see an outcropping of rock and you go 20 feet to the right of it and you don't hit a point of refusal as you put a drill in the ground. So, this is not a type of use or a type of geologic body that you just say, well, why don't you go two miles down the road. After looking at about 14 properties. And we were in conversation with Karlisa Parker, and she brought to our attention this property that was on the economic development list. So, we liked a couple of things about it. We're always looking to be on the main road. We do not want trucks on secondary roads unless they are going to a project. It had the access to the I-77 interchange, which we liked. We recognize that part of the comp plan. This was the area to focus industrial development as denoted in the comp plan. And then we also recognized, and this is in a stronger, more global state. This was a linchpin area for the state of South Carolina. So, now we have worked on this site, we have gone through all state permitting, we did so to ensure that the science was sound. The State really looks at it from two perspectives does science work and is this group a good steward of property? Our reputation covers that piece well. And, and we can talk about that from an environmental Award standpoint, or we can talk about it from a safety standpoint or just a culture as a company standpoint. But in doing so, we reviewed this piece of property for roughly two years. Many experts on the site we heard lots of

statements about well, maybe there's threatened and endangered species on the property. Well, that's part of the study that the state requires. Maybe there's cultural resource issues with the site. Well, that's a study that the state requires. So, from an erosion and sediment control from a groundwater overview and hydro geologic analysis. All these studies have been complete and approved by the state. What we didn't do, was take into account the county as a whole. So, where we were trying to address certain things like, well, there, there needs to be trails and things like that. There were a lot more statements than that. Our schools need to get better, and our retail needs to be upgraded. We don't have spaces for existing companies to grow within the county. So that's where we really took the initiative to move further to the west. Grab that piece of property and start to do an appropriate design for that. We also heard as we went through this from many in the Craighrow neighborhood of, we need more buffer, it's too close. So, for us, and we have examples we can show. That neighborhood is one of the furthest neighborhoods away from any operation we have, and our footprint is running from Maryland to Georgia. So, we felt very comfortable with that. That does not alleviate the concern for those individuals. That's where we really focused on, well, I wonder if people even know that there's a property that can be developed right now and send industrial traffic through their neighborhood. So, in grabbing that, we felt like that was a good fit to bridge that with the schools and provide additional buffer for the neighborhood itself. These are also applications where when you're talking to the state, you're sitting there and laying out monitor wells. All the pieces and parts that would create anxiety or concern for individuals are addressed in those applications. Now we've doubled down on that, while those are state agreements, and certainly valid at the state level. We have also included those and many more in in this request proposal before you. So, as you're in and you probably got blurry eyed reading that, but we have about seven or eight pages that are just strictly conditions, everything from hours of operation to concern about noise and so we're placing decibel levels on things. As a as an example that we put in here we will not exceed 80 decibel levels at the property line. We received feedback just recently from some folks saying 80 seems okay but at nighttime that seems pretty loud. So just to go on record and then this would be addressed at the Zoning Board of Appeals. But we would reduce the nighttime different than the language you have to 70 decibel levels. And so those are the kinds of things when people engage and talk to you. We now can kind of have a working dialogue and make the applications even better. So, this is the zoning plan that would be the vote for this evening. So, you'll see in the hatched area that is a request to zone two ID-3. So, we were very purposeful to try to pull the ID-3 which is the heavier zoning off the Hwy 9 corridor and leave ID-1 on the front to ensure lower intensity uses. We also went into ID-3, and we said the ID-3 zoning category has a lot of allowed uses that may create concern for people. So, we went into ID-3, and we struck through most of the uses that are in ID-3. Really the only reason we want ID-3 is because that's the category to move forward with a special exception for a quarry. So that area and again, greater than 40% of that property will be open space. And from a quarry standpoint, for the first 20 years, we will only be operating in about 30 acres of a of a 260-acre portion of property there. The ID-1 is the darker purple on the property. And it's got kind of a linear shape to it. So, what that capture is the frontage in front of ID-3 and wraps behind it as it crosses the river for the business park component. The other zoning is GC which is General Commercial. That'll be for the retail office component, as well as the government use component that falls within the GC category. So, I'm not going to try to speak through this. But simply want to call out that every portion of the project like this is about engaging with stakeholders, whether that's community whether that's politicians, whether that's regulators and trying to bridge all those desires to make the healthiest project possible. You'll see that we are at the tail end here. We have all our necessary permits. This is really a zoning exercise that we need to undergo. While the state may say it's okay. What we really

need at this point is the County to bless it. So, a lot of people in and I don't want to be redundant here, but we have been very present and the community. That is very genuine to us. It's an authentic thing that will persist. So, one of the best compliments that I've received since being in Chester is that since you guys showed up and started participating, we've seen other businesses start to engage. Whether that's given money, whether that's time all those things are hugely valuable to communities. So, when you're talking about kind of just the general premise of sustainability, couple things are important. You got to have services, you got to have supply of materials. You got to have the oversight to be able to manage appropriately. And you got to have leadership.

I believe the project that we have before you today address all those things, and we want to remain with that. But we have further conditioned ourselves that there will be a community engagement group that's attached to our project. So, on a quarterly basis, we've committed that a community citizen group will meet with us, during that time, we will share where we are, what's going on, where's our planning. It will also be an opportunity for feedback. So, if there's any ongoing concern, we can hear it and address it. That grows relationships and in addition to that, we've also said that we're going to take a percentage of net revenue and that is going to be appropriated to community groups. So, this is a way to make sure that we are pushing our goodwill out in the community as we're receiving. And we really do operate in this space where there's a belief and rising tide raises all ships. And so, as Chester grows and as Chester improves and its schools get strong, all that benefits our business and our community members that are here. In this just restate so in our conditions, you'll see things addressing as well. You'll see sound, you'll see concerned about blasts, you'll see things about dust, and you'll see things about truck traffic. SCDOT has looked at this level of service does not change on Highway 9. Also, when you have a local source here on the main road and ensures that the product is not traveling from the north coming down secondary roads, longer miles. The things we haven't talked about here today are things like reclamation plans, investment, jobs, glad to talk about all those. With reclamation. We do have a reclamation plan on file with the state. We are not a group that at in the life puts a fence around something and just lets it be abandoned. This is a great value in other communities. We've done parks, we've done water reservoirs. We did a project in Fairfax County, Virginia not too long ago, where the development community there has an issue due to natural topography, no site ever balances there's always an excess of material. And so, we received clean fill dirt in one of our quarries now, and ultimately that will have a next generation life use. It's hard to contemplate what 50 plus years from now will be the right use for this site. But there is no default of we can just go do something now. All of those are community conversations and would necessitate the need for another zoning conversation. So again, our ask is that you concur with the state of South Carolina, SCDOT, DHEC, DNR, US Fish and Wildlife. This does meet the comprehensive plans criteria. We've scoured that and looked at that information. And by and large there is a community voice stayed in support for this. I'm going to shut it down there be respectful of time that would like to answer any questions you might have.

Commission Howell asked if the business park that you proposed, will that be limited to the same decimals to the quarry would be limited to?

Mr. Thompson stated yes and actually it's from a US standpoint predominantly enclosed. So yes, it would be.

Commissioner Grant asked how long do you estimate this will be quarry?

Mr. Thompson stated so lifespan of quarries are deposit dependent and market dependent. So, the larger market gets and the more demand the more stone goes up quicker. I would say in our estimation, this is somewhere between a 50- and 70-year quarry. That's pretty wide span that's 20 years span. But the energy that is coming north to south along the I- 77 corridor, and the so Chester's got a phenomenal location. It does have an inventory of land and it's got a strong work base. So, I think opportunities are going to continue to come and we want to be a part of that. So, I would say it's reasonable to think 50-year mark.

Commission Grant stated he had an opportunity to visit the quarry in VA, so how long has that one been in operation?

Mr. Thompson stated that one's a larger operation. So had more acreage because when you develop a floor you have to stair step down. So ultimately, depending on size you run out of space at the bottom. That one has been there since 1932.

Commissioner Grant asked when would you anticipate putting the trails in. Take into account that all of this is approved, and you get the exception permit. How long before would you start saying we have boots on the ground or shovel in the dirt?

Mr. Thompson stated so from a site work standpoint, we would need to coordinate with county planning office and building. It takes about six to eight months to prep the site to be able to start to remove material for sale. There is a requirement associated with this site that we have to put in monitor wells, and this has become more of a routine attachment to every mine permit in the state. So, we would monitor those wells for a year period of time, create a baseline. And so, it's reasonable to say that from approval the earliest would be a year's timeframe, more than likely it would be in that year to 18 months. So, in year terms it would be 2025 would be a good benchmark.

Commissioner Grant stated all that you are going to give to the County, and you know, turn the deeds over and all that kind of stuff. What's holding you? Is there an official agreement between you and the County that will be made?

Mr. Thompson stated that is a great question. There's no current official agreement. However, when you attach to zoning conditions like this, and Joanie can speak to this as well. When you attach it becomes legally binding. So, our zoning would be approved with these conditions attached.

Commission Grant asked that these conditions are the ones you spelled out yourself?

Mr. Thompson answered yes.

County Attorney Winters stated that would be my question because you provided this commission with written documents of special exception conditions and zoning conditions. So, you're saying that if this is approved, this would be part of that approval?

Mr. Thompson answered yes and the difference to that would be the conditions attached to the special exception. So, the more quarry uses specific, those would be attached upon approval of the special exception. The ones for the zoning would be attached per the approval of zoning.

County Attorney Winters stated that the zoning conditions are a three-page document, and the commission has that attached to the application. If the Commission decides to approve, it would be contingent on these conditions being a part of the approval.

Commission Grant stated that he was privileged enough to go see the VA quarry. From what I saw, you were in middle of a neighborhood with \$700,000 to \$800,000 houses. A couple of million-dollar houses on the very end. And the other thing that impressed me was, is that you washed the truck wheels before hitting the road. Is that something you would intend to put here to?

Mr. Thompson stated absolutely. So much of what we do, whether it's community or on-site practice is about our brand. And so, our brand means a couple of different things. Our brand means the nicer our sites are and the healthier work environments we have, the more recruitment we can have of individuals to work force and retain them. But it's also about growth. So, you know we permitted a site and just from a South Carolina standpoint, permitted a site in Spartanburg we have a site and an additional permit in Kershaw County, we permitted the site in Fairfield. If we are not responsible citizens and we are not in good favor with communities and doing everything to the best of our abilities. That word is going to travel pretty quick. And Facebook's an easy avenue and Twitter's an easy avenue. The next county we go to if we're not responsible and thought well of, that's going to impact our ability to grow. And so, there is a selfish component to doing everything the right way also.

Vice Chairman Smith asked a question about the permits and applications with DHEC and other state agencies. When you first submitted those, when was that and are you planning on submitting them again, what is the time difference, and are there any time stipulations associated with that?

Mr. Thompson stated we came before you all I believe it was 2020. About four months prior to that we received our approvals from DHEC for the mine permit. We do not need to revisit that unless there is some modification or dramatic change. It's considered a valid permit and it just awaits your blessing on land use. Those permits are 99-hundred-year permits. That is not indicative of how long people expect to mine. That's just the 10 year of the permit itself. And it is one of many.

Vice Chairman Smith stated he had another question if you remember the hearing in 2020. The topic came up of the noise level, the decibel levels, and about the crusher right in 24 hours. What's the status on that? I mean, I know you say we're going to lower to 70 but as at shutting down the crusher at certain times.

Mr. Thompson stated when people are at a site, the primary noise creator is the primary crusher. So, we do a couple of things outside of the hour's operation, which I'll get to. So, we use topography for that. So, we put the crusher down in the pit as we're going, which is able to use the topography as a noise abatement opportunity. Then you have berms that are vegetated and so that's one component and distance helps with sound. We have hours of operation that say the primary crusher will not run at nights and on the decibel levels. What we've said is that will be measured at the property line. And we've written

a condition for 80, which is just a blanket day or night. And what I'm saying that we will amend it to is 80 during the daytime, 70 at nighttime.

Commissioner Howell stated that what you are saying is that you will be quieter than a train going through there. You will be a quiet neighbor.

Mr. Thompson stated Yes. So, we also did in, and this isn't we have boards that we can show this to, but we did do a fair amount of noise readings. And what we did was travel around the site and take ambient level noise readings, for you know, obviously we're not there operating. And then we took it to similar distances at our operating sites and took noise readings. And it did demonstrate that the ambient noise they're not with the train running just standard ambient noise is higher than our decibel readings that are our operating locations. Yes, I do understand there are some by right uses on Highway 9 that are operating nighttime hours. And there is noise and so I do get the concern about noise. I just don't want it to be played that we are a major contributor to that. And for those that have been to our sites. You can see how the berms changed things and you can see how distance alleviate sound.

Commissioner Grant asked how deep is the quarry in VA?

Mr. Thompson stated the one in Goochland is 350 feet and actually in its kind of far, but you can see some pictures over here and this speaks to both depth and in relationship to water. But the one on the top there is in downtown Richmond. The distance between the water and the edge of the pit at the narrow spot is around 75 feet and that one's 350 feet below the James River, which is the primary water body in Virginia, inland water body.

Vice Chairman Smith asked if there were any plans for transporting rock via rail?

Mr. Thompson stated No, we've reserved that right. But this site is predicated on local supply. The rails are tricky and, in many times, more costly than you would imagine. We don't envision in any kind of any near-term fashion, that would be a component use of this property. But we do fully recognize that L&C rail sitting right there as well as the CSX mainline. So, if there is an opportunity, we'd like the opportunity to have that conversation. I can tell you one thing from our design. So, we have been thoughtful. You'll see a berm stretching along the back of our property. One of the thoughts of that berm is that if you were to do a spur that you bring it inside of that berm so that the spur sits between the berm and any offsite properties.

Vice Chairman Smith asked how similar the Kershaw plant is compared to the one in Chester.

Mr. Thompson stated my smile is because the plant manager for the commercial operations is here and I'm getting ready to speak a little poorly about it. So, we acquired that site. And Tim done a phenomenal job of bringing it up to our standard, but it's much harder to, it's a lot easier to make something your standard when you're starting from scratch. So, when we acquired that site, it didn't have indoor plumbing, didn't have electrical permits on most of the buildings. They're just it was kind of a duct tape and pretty poorly run operation, especially to our standards and so we progressively been working to bring it up. Things like it's got a dirt road access to the site. When we build our own operations and it's a



condition and they're you know, we're paving the first 3000 feet driveway into the operation has to ensure there's no dust escape that comes out. Dust suppression in and of itself. You're having to modify things to create dust suppression on the Kershaw site, whereas when you're building from scratch, you're employing all those tactics into all of the initial setup. So, and conditions like that are within your document as well. So, I guess short answer, it will be our standard, but it is not our standard now.

Vice Chairman Smith stated he has one last question. Right off the bat, like within the first couple of years. How many jobs total do you envision?

Mr. Thompson stated Yeah, So, jobs are in a couple different categories. So direct to the plant itself, the quarry. That's going to be somewhere between initially 15 to 20. That likely ramps up by about year 12, to 15 to 25. Where most of the numbers come from, is on the trucking side. We purposely make a choice not to employ our own trucking. What we feel that does is if you in our community, and you start to offer a bunch of trucking jobs, you're displacing existing trucking that's in the community. So, our process is to work with those groups. Allow somebody that owns one truck to grow to three trucks or a fleet of 10 to become 20. Typically, there's about 50 to 70, haulers, truck jobs. Those are not direct employees. Those are contractors. On the business park side that's a little more speculative. That could be somebody like a distribution group that comes in that has 350 jobs or could become piecemeal and be you know 20 jobs per 10,000 feet as it goes. These are good jobs. And glad to talk about our benefits and our packages and all that if you be interested.

Vice Chairman Smith asked if any other Commissioners have questions for Mr. Thompson?

Commissioner Walley asked if they would start in Chester County for the trucking jobs or do you have to go outside the county? How do you determine those jobs?

Mr. Thompson stated so there is always, and it doesn't just stop in the trucking competitive. There's always preference for the local. So, it goes back to that notion of you support local support to you. Yes, and we have done research on the trucking there is a good trucking base here. The other component that I didn't mention, and I thought you were going to go somewhere else with your question, but when you have contract haulers, it's a lot easier to dictate expectations to contract haulers. And that's not to say if, if they were our associates, they'd be doing anything differently, but you can give a warning. And anytime a vehicle leaves our site, it doesn't matter whose name on the door. It's going to be tied to us. And so that's the kind of rigor and expectation that we attach to it. And so, we are explicit down to giving the exact directions. People that haul for us they have an app on their phone. That app allows us to see that they are taking the route. It also allows us to communicate with the customer. When exactly they can expect receipt and the customer also has visibility to that. So, they can say the truck is 10 miles away and I need to get to my house for my driveway.

Mr. Howell asked if the substandard trucks, they wouldn't be allowed to haul your stone?

Mr. Thompson stated Yes, we do have standards that they meet now if they don't meet that, we absolutely work with people to whether it's getting them the right insurance and walking them through that process or ensuring that the inspections are done on their truck to bring it up to the right quality. There is an expectation that they are environmentally doing the right thing, doing the right thing from a safety

standpoint, and they are legally responsible. So, all of that while they might be independent. That's where I say all of it ultimately kind of falls under our umbrella. And so, we're very attended to that.

Vice Chairman Smith stated we would take a ten-minute break and then start with the public comments. Vice Chairman Smith stated to the public comment section, and we have a list here where we've had folks sign up to speak. I just want to remind everybody, there's a three-minute time limit. And we're going to keep a close watch on that because we do have several speakers. We're not trying to stay up here all night. After the comment section, we're going to give Mr. Thompson 10 minutes for rebuttal. With that being said, I'm going to go ahead and move forward and call up the names of people who sign up in order. And the first one on the list is Brandon Lindsey. Please come forward to the microphone. And this is for every speaker, state your name and your address and after you do that, you'll have three minutes to speak.

Brandon Lindsay stated he lives at 10630 Sweet Haven Lane, Harrisburg North Carolina. I'm here representing Hoopaugh Grading Company tonight. Hoopaugh Grading is a large general site development contractor. We've been doing projects in this community since 1953. We have 725 team members representing 725 families, many of which reside in Chester County. We're here tonight to voice our support of Luck. Our support of Chester County and our support have continued emphasis on responsible growth. You guys have been successful in that over the years, and we too are in support of that responsible growth. In fact, we have 725 families that are absolutely dependent on that responsible grid. We've been blessed to have been part of some very significant projects that this county has had over the last several years and we're excited to be part of many more in the future. Those projects even responsible growth require significant investment in infrastructure, roads, sidewalks, utilities, water, sewer erosion control. And all of that requires the use of materials everything that we do at Hoopaugh Grading requires the use of aggregates. And so, I will tell you that having a source for those materials is absolutely critical to being able to achieve the goals, the growth goals of the county but having a local source of those materials is absolutely critical. Given the cost of transportation and how difficult it is to find those materials. I believe truly that having a local source of those materials is critical to being able to achieve the goals. We have had the pleasure of being able to partner with Luck on some projects and we have found them to be exactly what they've told you. They've been very transparent. They've been great partners. They've been very honest, very fair, and they are very committed to investing back into the communities in which they live and work. It is our belief that they will be great partners for this county that they will be great neighbors and they will be great ambassadors for the county. Thank you.

Jay Williams stated my wife and I live in 1652 Woods Road. Here in Chester. We own a cattle farm, and we are within probably a mile through the woods from this quarry. Now I am in favor of this quarry very much so. We get up in the morning. You set your feet on the floor, foundation of house, the stone made from a quarry from somewhere. Your driveway to get you to the road is made from a quarry. The road you drive to work, to school, to the grocery store are made from a quarry. So, you can do everything you touch in life, stone gets you there one way or the other. So, people need to realize how valuable this is to Chester County. The things that they have offered to do for Chester County are phenomenal like 15 acres, the business park, the schools, the agriculture property that they've set aside. These things all need to be considered very positive. Now we have a farm. I got two ponds, two wells that I dug and built. If the waters going to be drained. That's detriment to me. But I have sat down and voice these concerns with Luck

Stone. Personally, one on one. And they always came back with an answer. That was positive and that they were not here to hurt anybody, that they were here to build a good reputation within the county and support the county. Now I've been in this county for 25 years, and I really worked hard for this county. I mean very hard at no pay. I've been in most of the houses and in the community, we live in when people were in trouble. So, this is something that I feel like will help support this County. And I hope you'll consider that.

Debbie Parsons stated my name is Debbie Parsons and I live at 1051 Craighrow Circle. Before I get into the remarks that I intended to make, I'd like to remind you as a country girl, that you all are the keepers of the barn door. And once those horses get out, it's awfully hard to round them back up and put them in their stable. So, keep that in mind as you hear the remarks that some of us have to make this evening. I am speaking to ask you to deny the zoning request being made by Luck Corp. You have previously heard our concerns regarding air quality water levels, especially in neighborhoods like ours and surrounding areas that have wells and septic systems. Noise levels which have been addressed to some part tonight. But we live where we do because we want to be in a quiet, peaceful neighborhood. Where we can enjoy outdoor activities. Lots of my neighbors walk through our neighborhood on a regular basis. And we don't want that to stop. We know there will also be increased traffic in our county, not necessarily on our secondary roads, but in our county. So, all of those concerns that we've always previously still exist. In addition, there are some other factors for your consideration. One there was a recent Fairfield County study that shows that property values decline, the closer you get to a quarry. So, keep that in mind. There is proof in an article that was researched to show that property values decline the closer they are to a quarry. Scientists from North Carolina particularly meteorologists have reported that in areas where there is high dust, maybe not even dust that you can see, you would still need to limit your time outdoors, because it would be dangerous for you to breathe that dust in what love would bring to our life would be a detriment to our air quality. The same meteorologists have also recently reported in North Carolina that a quarry blast resulted in activity strong enough to result in a recorded seismic activity. It was not an earthquake, but it was a blast from a quarry. Our county is poised to become a destination based upon natural resources. Tourists don't need to see or hear and unsightly quarry as they traveled to destinations looking for clean air and water. And most importantly our county strategic plan should be your guide and all decision-making regarding planning and zoning. Nowhere in that strategic plan, do I find a quarry mentioned. Do not allow all-expense paid trips to a demonstration that can be controlled by a company, cloud your judgment or your responsibility to follow the county strategic plan and to look out for the welfare of our citizens who are your neighbors. Thank you.

Don Foster stated he lives 1036 Craighrow Circle. Luck Stone has been pretty busy in the last year and a half. They wrote checks to the school board. They've wrote checks to the Chester Chamber of Commerce. They come in her saying that they're answering questions. But if anybody from Craighrow had a question, I'd go to Chamber of Commerce or the school board or go skeet shooting or go to a downtown develop to even see them. Ain't nobody in Craighrow seen them since they pulled their permit. So that's bull. We have a constitutional right to be heard. Here we are, we're being heard. We have the constitutional right. Freedom of speech. Everybody said what they had to say. We had the constitutional right to own and bear arms. I don't say Chester County's confiscate nobody firearms. Who have the constitutional right to have religious liberties. I don't say Chester County shut down no church. Now if you will bear with me just a second. I want to read something to you. We the People of the United States in order to form a more

perfect union, which that is the constitution United States, established justice to ensure domestic tranquility. Let's stop there. Because time restraint. I'll looked in the Webster dictionary and it says these three words, ensure domestic tranquility and ensure to make certain domestic related to household, family, neighborhoods. Tranquility, free from agitation, free from disturbance, quiet, serene, peaceful, tranquil tranquility. That is our constitutional rights. And nobody in Chester County had the right to take our constitutional rights away from us, and they don't have the right to pick and choose what constitution that they can give the citizens of Chester County. And they sure don't have the right to put it up for sale for Luck Stone to buy. They bought the school board and Chamber of Commerce out. If they act like they do in Craigbrow a flavor about building a berm. They have to pile that dirt up somewhere. They're not here for dirt, they are here for rock and then they say they're going to plant grass on it and trees. They have to, that's erosion control. So, it's our constitutional right to live in peace and quiet. And not to be disturbed or agitated. I'm through.

Joyce Aragon stated my name is Joyce Aragon I live at 1579 Peden Bridge Road here in Chester. I was born in Chester County and have lived here on and off most all of my life. We my husband and I have a small farm that we ride horses and have pastureland here on Peden Bridge Road. We were at the last meeting at Gateway. And I know that y'all denied the permit. And I thought that was the end of it. And I thought you know this is a great thing that y'all just did. Because for 25 jobs. They're going to destroy hundreds of acres, hundreds, and hundreds of acres. And it's what everybody had wanted to rename gateway road, the gateway into Chester, and there's where all of the destruction is going to be. And I'm just really worried about the water table. I know that was a big issue, but we were down at the Gateway talking about it. My house is on a well and a septic tank. And I did read in the paper where it said that if what they were doing disturbs your water and you lose water. They will find some way to get you some more water. Now where are they going to get it from? Because Chester has got old iron pipe and stuff you know in the City of Chester, I'm way outside the City of Chester. I don't think there's any way they're going to be able to fill my well back up with water. It is definitely, they know that is going to lower the water table suing in all those millions of gallons of water that they're doing trying to keep the dust down. Like bought up farms and farmland. I've been trying to relocate from the road that I'm on to just a little smaller section and looking for a farm and I've been watching that old pile of Hollander piece of land there on Lancaster Road. My husband and I were riding down that road and there was a rezoning on it and I'm like why we backed up, pulled up in the driveway and Luck Stone bought it. And I just read something from Tim Scott on Facebook today and it's talking about Chester County and how we have lost people here in the county. And Luck Stone is not going to bring a big factory of jobs here. They're going to have 25 jobs. And I just don't know why that is enough to destroy all the property and upset all the people in Chester over that. You've already voted no to their rezoning. I expect that you would still vote no for it, and I don't know why they're still here. Thank you

Speaker Mr. Ervin declined to speak. Another citizen wanted to speak in their place. They didn't see the sign-up sheet before the meeting.

Vice Chairman Smith suggested to see Planning Director Mike Levister.

Planning Director Mike Levister asked County Attorney Joanie Winters if that was allowed.

County Attorney Joanie Winters stated that we can't yield time. There was a sign-up sheet out in the hallway for everyone. This is not a debate. It's a hearing. It's parliamentary procedure. Let's see how this goes. And if we're tracking on time, then we'll allow it but we'll only allow one person because we allow you to do and then we have to open it up to anybody else who didn't sign up. So, do you see the issue? That's how public hearings work. You have to sign up to talk so we'll see how much time we have left. We're trying to stay on track so that y'all get home and have dinner or whatever else you need to do but y'all need to also have the opportunity to speak. We don't want to shut anybody down from speaking, but we do have rules. Okay, so we'll hold that in abeyance for right now if that's okay. Thank you.

Matt Pulling stated my name is Matt Pulling. I live at 133 Colony Drive. I'm the current plant manager at our Kershaw and Fairfield operations here in South Carolina. I've worked with Luck Stone for over 12 years now. In a few different operational roles throughout the company. And I know you guys have heard this over and over tonight. But I just wanted to reiterate that our mission is not around the product that we produce, but it is around making an impact on people. And it's not just the impact that we make on people inside of our gate, such as our customers or our associates. It's the impact that we make on our communities and neighborhoods where we live and where we work. So just wanted to go over a few things that we have done in the community since we've been here in South Carolina. There was a need to help with a workforce planning program that historic Camden was designing and putting on, so we leaned in to help donate some property and some tools to let them learn some new skills and trades that they could further their career paths. We've donated to the food banks in Kershaw County and Fairfield County. We partnered with United Way of Kershaw to help them finish a mobile Nutrition Center and mobile nutrition Van, which is now currently being used to deliver food out to the more rural areas of Kershaw County. When the tornado came through and destroyed, North Central High School, we helped donate some money so they could rebuild the school. So those are just a few of the things that we've done since we've been here in South Carolina and to make a positive impact. So just wanted to share those with you guys. Thank you.

Clyde Roberts stated my name is Clyde Roberts. I live at 105 Irwin Street Chester, South Carolina. I'm totally against this Luck rock quarry because I can't see where it's going to do any good for anybody. But not to mention this how close the schools are to this Luck rock quarry, but the accidents do happen. When you are involved in the operations you have, and I have something here from Rock Blasting exercise shows what's safe in light of recent violations. In less than a second 33,000 tons of rock is created from a pit that is created by Luck Stone. The demonstration comes a year after folks, after rock went flying and damage homes and cars and businesses in Sterling, I guess that's in Virginia. So, in January 2015, the Virginia Department of Mines, Minerals an entity has taken 17 complaints from quarries in Loudoun County and two of them have been in violation. We know accidents happen, you know, in neighborhoods. People going to get hurt. And they do happen. And so, another thing comes from Chantilly, Virginia, we watch the blast rocks from Bull Run Quarry in Loudoun. You can feel the foundation shake your house. Kind of rambled a little bit. It makes you uneasy as a homeowner which I can understand that, and I got one more little thing. So, day in and day out the trucks go to and from luck stone quarry on Belmont Ridge Road near Leesburg, Virginia. Trucks enter and exit the quarry about 600 times each weekday. According to officials that Luck Stone and the Belmont Green neighborhood residents say there's always a film of gray dust on houses and trees and trucks and the blasting and crushing of trap rock inside Luck Stones 500-acre plant. The residents think the dust is making them and their trees sick. They say that chronic bronchitis and

asthma are common. Ear infections has skyrocketed. A dozen trees have died. We have people who suffer from respiratory things. Much of a 100-foot buffer of trees between them and the quarry has been cut down to make room for utilities. A half dozen neighbors heard the complaints at a hearing before the Loudon County Supervisor. We're not saying that the dust is totally Luck Stones. It's like the board is not thinking of environmental impact. So, they're you know that's the gateway to our town. It's you know, that's where any other industry, anybody going to come down that road, and they're going to see a rock quarry. And, you know, they're dynamite, and they've been here for dynamite. You know, if they're above their decibel level, we're going to hear that. So, it was something else there. Can I just make one more comment. Logging trucks, school buses. Busiest highway in Chester County.

Daniel Whiteman stated my name is Daniel Whiteman. I live at 608 Old Richburg Road. I'm Pastor of Orrs Baptist Church. I am directly across from where this environmental disaster is scheduled to be. I'm well aware of the dangers of this plan. I have worked as an environmental monitor in Kentucky and also some in Tennessee with some of my jobs there. I know what this does to people and the lungs. My daughter who was a high school runner, exercises right there where all the silica dust will be coming because it cannot be stopped in such a way as they may want to claim. This product might produce useful product, but it produces a byproduct that is dangerous and a carcinogen. Mr. Thompson when I met with him two years ago, told me that I believe there are going to be 10 to 12 employees only I see that numbers doubled now. That's a change or a change of statement there. But here's what I'd like to say. Mr. Thompson, you say that you're a goodwill company. If you are, I appreciate that. I'd like to tell you Welcome to South Carolina. Now take your business and go home.

Joanna Timms stated Hello, good evening. I am Joanna Timm's I reside at 1110 Dogwood Lane also in the Craigbrow community and before I start, I just want to say I personally am a person who believes in trusting people, but that trust needs to be earned and there has been nothing that Luck Stone has done to earn my trust. I've heard the commute about the community involvement. The only time I have seen them in the last two years was in the parade to wave at us. That's the first time I've seen you guys. So that just doesn't seem to add up. I have been a resident of Chester County for nearly excuse me, let me put my glasses on so I can see for nearly four decades and more than half of that has been in the Craigbrow community. My husband has retired from the Chester County wastewater recovery in 2018 and has nearly three decades of service to this county. He's currently the CEO of Timm's Environmental Consulting as well as the vice president of ETT Environmental. I own my own health and wellness business and I am also a mother of eight and grandmother of two. My family is very passionate about the environment and how it affects our health. I stand before you today to voice one or a few of the many concerns that is regarding this proposed quarry on behalf of myself and my community and my children and grandchildren as well. Luck's hydrogeological assessment suggests that water requirements for the quarry will be 100,000 gallons of water a day. This threatens not only the hundreds of wells nearby, which many of us fought to get in 2004 when our community well exploded, but also streams and lakes that support local wildlife and cattle. CMD and CWR are both privately owned, and they do not have any current plans to expand the water and sewer to our community leaving us 100% dependent on our wells for our clean water. There is no way that Luck Stone can guarantee there will be no contamination in the water table since they have to use equipment in the water table to get to the granite that is below it. Water sustains life. In addition to the water contamination concerns I have also spoken with a resident who purchased a home near a quarry. Sara states we had been living in our home for one week when I felt the first blast, I thought it was

an earthquake. Our home has cracks in the drywall and on blasting days the air is filled with so much dust many homes are completely gray. The truck traffic has destroyed our roads and our yards are full of potholes. I hope you reconsider for the sake of your community, Sarah Saldana. Lastly, I would like to ask that the imposed impact fees are for this proposal and is Chester County prepared to foot the bill for the damages caused to our wells, our roads, and our overall quality of life. I am publicly appealing to the planning commission today to deny all Luck requests in sections G through P two for rezoning and Chester County has nothing to gain for this, but much to lose.

Joan Hyde stated good evening, Joan Hyde 2440 Gill Jordan Road, Chester. My sources are the quarry mine case study in the Loudoun Times Virginia newspaper, The Chester News and Reporter, and the Federal Motor Carrier Safety Administration. Between the years 2013 And 2021, 30 inspections were done on Luck trucks in Virginia. And there were 26 violations and those violations included failure to secure load cargo, tires that were bald, or the ply showing, and there were accidents. In the last two years, Luck Stone in Virginia had four mine citations. Now because of the time, I can't go on to other plants. So, my focus was Virginia. In 2015, a truck driver died after he was buried beneath debris because Luck Stone failed to follow up from a 2012 inspection whereby recommendations were made, and they were not followed, or necessary actions taken. The failure to make sure proper safety inspections were completed for the US Department of Labor, Mine and Safety Health Administration. However, Mr. Kesterson, a Luck Stone employee you know when he said those accidents are far and few between. Tell that to the family of the man who died. Blasts have sent rocks into cars, homes, and businesses; management has failed to provide proper safety protocol. Blasting is to believe to cause dust, water pollution, traffic, and decrease property values between negative 4% to negative 39%. Excessive water uses per Luck even said this on a DHEC permit, thereby affecting the wells water table. There was a mine in Virginia that the neighbors someone referenced it earlier. There's the 750,000-million-dollar homes. They were on kind of okay at first with the mine. But now Luck Stone wants to increase that mine and the people have now said that the traffic has increased. The buffers trees which were reiterated earlier were cut after the initial build. That there's great dust from the blasting in the crushing and they believe it's making them sick with chronic bronchitis as my ear infections, and the trees have died. The Chester effects close to home. The explosives on the site will be hauled by semis, this is per Luck Stone. The 400 to 500 feet quarry, that can never be filled if they decide to leave town in five years, two years. 10 years can't be filled. And only 20 jobs and damage to Rocky Creek. One of the largest Chester County creeks. Questionable tactics to get approved. Luck calls citizens who opposed this plan, naysayers. They said some people had nothing to do but to attend meetings. And those were people who are persisted with opposition. If approved. They want this Joint School program, which was mentioned tonight, and they would donate 15.8 acres to Chester County. Vote no, vote no to recommendation to the County Council. This is for our health, our safety, the roads, everything. Quarry no! If they want to maybe do some economic development in this county. Fine. We could maybe listen to that. But no quarry. Thank you.

Eileen Brown stated I'm Eileen Brown, I live at 1211 Dogwood Lane. And I just got a couple questions. I want to know why since he cannot do anything about the water and wells because Robbins Circle has every home. Could he not use city water? And if he can't use city water, is he willing to pay to have City water run to all the houses and I forget the name of the place, Craigbrow.

Vice Chairman Smith state that Mr. Thompson will have a rebuttal at the end to answer questions.

Patrick Young stated Good Evening now, my name is Patrick Young. I live at 1091 Craighbrow Circle. I've lived there for roughly 18 years. Like my neighbors I am concerned noise, dust, water, traffic, and all these issues. Luck Stone has made some effort looks like to try to correct some of these things. But I am still opposed to this, and I hope the commission is. One of my bigger concerns is the water. We went to one of the open houses that they had at the Gateway Center. Talk to one of the Luck Stone employees and they say well if it does affect your well, we'll bring you bottled water out there until you know you can get another well in and or you can tie into the municipal system. There is no municipal system even remotely close to Craighbrow. So, I see this is you know Luck Stone is not going to be a good fit for Chester. It is not worth the impact for 15 or 20 jobs for what is going to do to our community in our neighborhood. Thank you.

Joanna Ingle stated Thank you, I'm Joanna Ingle and I live at 2762 Blaney Road and Lewis Turnout. And here we go again. Five days before Christmas. I want to emphasize why the three parcels Luck Stone is seeking to have rezoned to ID-3 don't qualify for ID-3. I would like to call your attention to a critical point from the Chester County Zoning Ordinance adopted January of 2020 which says ID-3 districts are intended for heavy industrial manufacturing and processing uses in areas isolated from residential, rural, and agricultural districts. Now, the area that they wish to rezone to ID-3 is immediate proximity to more than 200 homes in three of the County's most stable and desirable neighborhoods. They are less than one mile from one of the largest Elementary School complexes in South Carolina. A public middle school, a private church school, the Chester campus of York Technical College, two churches, a public park, a golf course, and a very large cattle farm. Though those properties they wish to rezone are not isolated, they are not isolated, and they do not qualify for ID-3. Thank you.

Dan Huntsinger stated good evening my name is Dan Huntsinger and I reside at 918 Craighbrow Circle, Chester, South Carolina. My wife and I moved to Craighbrow Circle three years ago. And we moved from York County and the reason we did was we wanted quiet we wanted wonderful neighbors. We wanted room and we found it there. Our neighbors are wonderful. We've seen our real estate cost, real estate value go way up. We see new homes built in the area. We've seen a home in our neighborhood just about a year and a half ago when it for sale and there were eight bids the first day. That's happening in Chester County. Putting in a rock quarry in that is going to mess all that up. There's no doubt about that. As Debbie said, it's proven that property values go down. Two years ago, you folks rejected the request. The gentleman has come back today and made some adjustments. But keep in mind he says well subject to later zoning. He can go come back in two years and change everything. This is just any company that is detrimental to all the citizens doesn't have to do all the things that he mentioned today. They come in and they do business and everybody's happy. Nobody wants to rock quarry. You may know this, but our neighbors in Lancaster County just miles away. Last year, denied a rock quarry by a seven to nothing vote on the Zoning Commission, 7.0. You denied it last time. Why would that change? Because he makes a few changes that are subject that, he can change in a year or two. When you folks are gone, he can come back and say you know we're going to do this. The bottom line is he wants to dig holes. He wants to have a rock quarry and it's detrimental to our community. I was looking at his new proposals and one of them had to do with the water. They said, well if DHEC determines your well was messed up, how long does that take six months. What are we going to do for showers. How are we going to wash our clothes for six months? And then if they do determine that is what are they going to do? Bring a water truck and park in your front



yard. We are your neighbors? Would you all like that to happen to you? I don't think so. The bottom line please don't vote for this. I have two grown daughters and years ago I had a 12 o'clock curfew for them. And they said dad that we want to stay out we want to stay out, and I said honey, nothing good happens at 2am in the morning. Nothing good happens when you bring a rock quarry into your community. Please, please we're your neighbors. There are hundreds of us, for 25 jobs please say no like you did last time. No reason to change your mind. For a quote unquote a few little things that could go away in a year or two. Thank you very much.

Vice Chairman Smith stated that was the end of the list of folks that were signed up to speak but we do have time so we're going to allow one more speaker. The gentleman who was sitting over here, please come up to state your name and your address for the record. And there's a three-minute timer on it.

Trent Bagley stated I apologize; I did not see the list, and this is my first time being in here. My name is Trent Bagley. I'm here representing myself and my mom at 1076 Craighbrow Circle. And when luck had their first meeting, I don't think there was a bigger opponent than me. I was so anti it, I wouldn't visit Virginia. I was heavily concerned, and I believe my mom's property is the largest and closest to the project. That's in Craighbrow. Because of these concerns, I started to do research on how I could stop them without cost. I went through the creeks, and I looked for endangered species. I mean, you name it I did. Ironically, the research that now has me on their side. I've seen the way they make things look nice. I've seen their safety record when I went to the Kershaw plant, and I've seen their environmental and their community approach which is grown this time around. The truth of the matter is that another company that comes may not offer these things may not have the safety aspect. You're not going to get a list of qualifications from them. And they're given that to us. If you read through their zoning qualifications and conditions, I believe they have addressed the possible issues head on. And following my research. I initially started to back Luck for the simple fact that I felt like there would be a better neighbor of lesser of two evils if you would say. That change with the community outreach that they're making right now. The Nature Trail, if we can walk down the Nature Trail, and we're not having issues that's them putting confidence in their system in there, their ways. They've not been guarded with us. I've hounded the death out of them and DHEC, and it's my thought that the sciences from DHEC and the sciences, it's okay. The qualifications that they're putting with the permit are what makes it legally they have to abide by. So, if the science is wrong, per chance we still have that legal opportunity with the qualifications. It's for these reasons that we support Luck Stone zoning change. Thank you for your time and I appreciate that.

Vice Chairman Smith stated that's the end of the public comment section and now we will give Mr. Thompson a ten-minute rebuttal to the concerns.

Mr. Thompson stated Thank you, Mr. Chairman. Again, my name is Ben Thompson with Luck Companies. I've heard a lot of concerns and I wanted to point out how many of those are very directly addressed. One of the things the young lady in front row here, stress concerned about wells that came up several times. So wanted to kind of talk about the process and then the condition that's in front of you. So as a process, we had to do a hydro geologic study at the property, which understands how water moves in the ground. It also does pump tests to ensure the recharge rates of those wells. Those monitor wells stay in place. They're monitored for a year prior to operation so that you have a baseline and then those are the first wells where identification of any concern would take place. That's a safety mechanism. On the concern

point of is my well going to go dry. DHEC does not approve something if the science doesn't show that there's consistent competent rock there, and that the water body and aquifer are not impacted. So, if there is a complaint, a third party comes in. DHEC oversees it. It's the operator if found to be in fault, and this is standard language. We've also provided it to the county as condition. If there is deemed to be fought, then the operator is responsible for digging the new well or providing water to that person in some form or fashion. As a company practice, we also provide water while that investigation is ongoing. So, when individuals have heard well, we could extend local water lines to you. That's a comment that is a general umbrella. It's meant as an insurance policy. It's also an insurance policy for us. As we go through. The appearance question came up you can see the highway 9. I would also say that we have done line of sight studies from all adjoining properties to ensure that there's no visible insight into our operation. That does come with one exception. That exception is along the trail that we intend to build. There will be an overlook and if committed to build, there will be an overlook where people can see it. A big part of putting that trail in is so people can visibly see Rocky Creek. There was some stress concern about Rocky Creek. Rocky Creek is in a pretty bad shape right now. It's had a lot of cows in it for a lot of years. Not only on our property, but also upstream. There's pretty high E coli factor within there. And so, and I didn't stress this we also own a business that stream bed restoration management and so part of that is to make that a laboratory and a visible aspect where everyone in the community can see the change within. There were several comments to air quality. We have dust suppression on all of our sites. We also there was some allusions to cancerous product. We also in there is some reality to a competitive desk called silica which is a shaped material. We do testing on site that really is an operator concern or something that an operator can address his it's in very low ventilated areas. So, our site is open air. It also is not a concern in America from that standpoint. We also have a dust permit attached to that so part of when I say not only not only there's these state conditions, also putting them local. The difference there is if they're local, the local body doesn't have to look to DHEC, they can say you run afoul of your conditions and therefore we are pulling your permit. So that is part of further confidence and trying to put that forward. There were a couple articles or quaza articles that were tough to follow. We don't have an operation in Sterling, Virginia so don't think that was anything related to us. Again, it goes back to brand and how we show up. That's why we have been very open to anybody and everybody to contact us. We've put our phone numbers out there. We've offered everybody trips. That is something so there's visibility, and it's not just somebody standing at podium professing something. So, people can see it for themselves. Hear for themselves. know it to be true. In an addition to the words that you're hearing. The blasting component, there's a condition in there also, that we do pre blast surveys prior to any blasting occur. We don't use dynamite. The mechanisms are separated, so there's no possibility for ignition until it's digitally ignited. It's a millisecond event. Those that have seen it know that the rock simply just slumps down on the bench in front of it. It's not the dramatic Hollywood event that is in a lot of people's minds. That is on a frequency of about once every week and a half to two weeks. So, a millisecond event. It's done during the daytime we don't blast during lunch in the event that somebody comes to wants to go home to eat for lunch and all of a sudden didn't know this was going to happen. We also have call list, and we will call people and tell them Hey, this time tomorrow we're going to blast. Typically, what you see is the concern that was expressed a moment ago. Typically, what you see three or four years from now is that was a great group. Those concerns were unfounded, and it becomes much more comfortable. And I know that is upsetting for some to hear tonight. But that is the reality. We also have provided in the appendix to this application, current date pictures of Rocky Creek. All what I'm trying to impress is that everything we're doing and talking about is very visible. We don't have anything to hide, which is why we offer those visits. We want people

to meet us, we want people to engage with us. The idea that we haven't been present is kind of both sides. You know, it's they've been at all these events and doing all these things, but yet they're not talking to us. And when we've offered our phone numbers and things of that nature. I do not harbor any ill feelings about people expressing concern. I think that's natural. What I hope people recognize is that the people standing in front of you tonight. This isn't an attorney that's hired by the company. I worked for this company for a reason. I believe in this company. This is my job. And I do this job because of the people that I work with and how much they mean, and that know what we do in communities. See if there any other we you know, oh the question about the jobs have migrated upward and that is due to the market changing. So, the market is much more robust, there's a lot of energy and growth. And we see that as an opportunity to hire more individuals. I think that's probably about my 10 minutes. I'm glad to answer any additional questions.

Vice Chairman Smith asked if any of the Commissioners have any additional questions.

Commissioner Howell asked how much water that you use is recycled?

Mr. Thompson stated thank you for asking that. So, the gallons reference is part of a permit. So, as you're developing a site, we will need to pump water. So, which will be used for the equipment. So basically, dust control but upon the first step in developing a site is that you are also going in and building ponds. So, the water that we use within our site is recycled water. So, with stormwater, we manage that ultimately the site acts like a funnel and capture stormwater in the bottom. We pump that to multiple settling ponds. And from there it's incorporated back into our system, both for dust suppression, water trucks for roads, and to make clean stone product also. So, in then, the whole cycle continues. So, we are not pulling water consistently out of the ground. That is in the permit. Truck traffic is a bit of a misnomer about growing it. Reason being is that product is currently making its way into the county today. So, what we would be doing is displacing those trucks that are traveling from other counties and generating revenue for those other counties. But displacing those but doing so with primary road system. York County has two quarries and Lancaster County has two quarries and so this is the way to protect and keep your product local and support local.

County Attorney Joanie Winters stated for the record to Mr. Levister that when Mr. Thompson was finished with his rebuttal, he still had two minutes left. Which with the question and the explanation he did clock off the extra two minutes so that's why he spoke additionally. I just wanted that in the record.

Vice Chairman Smith stated any discussion.

Commissioner Howell stated Let's face it, everybody's houses got rock. Everybody's driveways got rock. The roads we drive on got rock, and it's being brought from somewhere else. The taxes are being paid in another county. The one cent sales tax is being paid in another county. Also, the two-cent sales tax that the county hits when taxes is charged to offset our cost of our taxes for the county for us to operate. So, no matter what we do the floor we're standing on got rock in it. The parking lot and we parked on got rock. The building the concrete columns here have rock. It's part of everyday life. I know some people don't want it. But my question is Craigbrow closer to the plywood plant. Whatever it goes by now, and I had my job allowed me in the plants and some of the wood product plants were the some of the nastiest

places I ever went, Boise Cascade, they use caustic chemicals they use is just a number of chemicals that are used in a plant that's just as close as to Florida and it runs 24/7, 365. So, you have to look at what did they lose when the plywood plant went in and what will they gain with the quarry. Cheaper stone for the county, taxes for the county, the schools. They're not asking for a reduction in taxes. fee in lieu of taxes. They're asking to be a community partner. So, I will support this. I know some people in here are not happy with that, but just the amount of tax money that would be generated by this product in the county will change lives. They should lower our county taxes. I grew up a mile from the quarry in Rock Hill. I bought a house a half a mile from the quarry in Rock Hill. I lived there eight years. I never knew it was there. I never knew it was there when I was growing up. So yes, I do know what it's like to live beside a quarry.

Vice Chairman Smith stated that this is not an open format here, this is a discussion between the Commissioners.

Commissioner Grant stated Mr. Chairman, I got one comment. I could see where that would be beneficial, is when they get really started in making gravel. The 901 parts that comes from Lowry's to Highway 9. Maybe they can go in and finally fix that road. Because there's a lot of gravel truck traffic on that road. That would be one benefit that I could see, cut down traffic from the Hanson quarry. And I understand there's another one going beside Hanson.

Commissioner Howell stated that yes, York County has approved another quarry in that area.

Vice Chairman Smith stated at this point are there any other comments and he will entertain a motion.  
Commission Howell motion to approve, second by Commissioner Grant. Vote 5-0 Approved.



Designation of Agent for Zoning Map  
Amendment and for Special Exception Application

Chester County, South Carolina

We hereby appoint Benjamin A. Thompson, Director of Greenfield Development for Luck Stone Corporation d/b/a Luck Companies, as our agent to represent us in connection with applications to Chester County, South Carolina for a Zoning Map Amendment (Rezoning) and for a Special Exception with respect to the property described below:

Property Address Information

Property Address: 1207 Lancaster Highway, Chester, SC 29706  
Tax Map Number: 089-00-00-005-000 Acres: 9.38

Applicant:

Luck Stone Corporation d/b/a Luck Companies  
515 Stone Mill Drive  
Manakin-Sabot, Virginia 23103  
Attention: Benjamin A. Thompson  
Telephone: Office: [REDACTED] [REDACTED]

Owner:

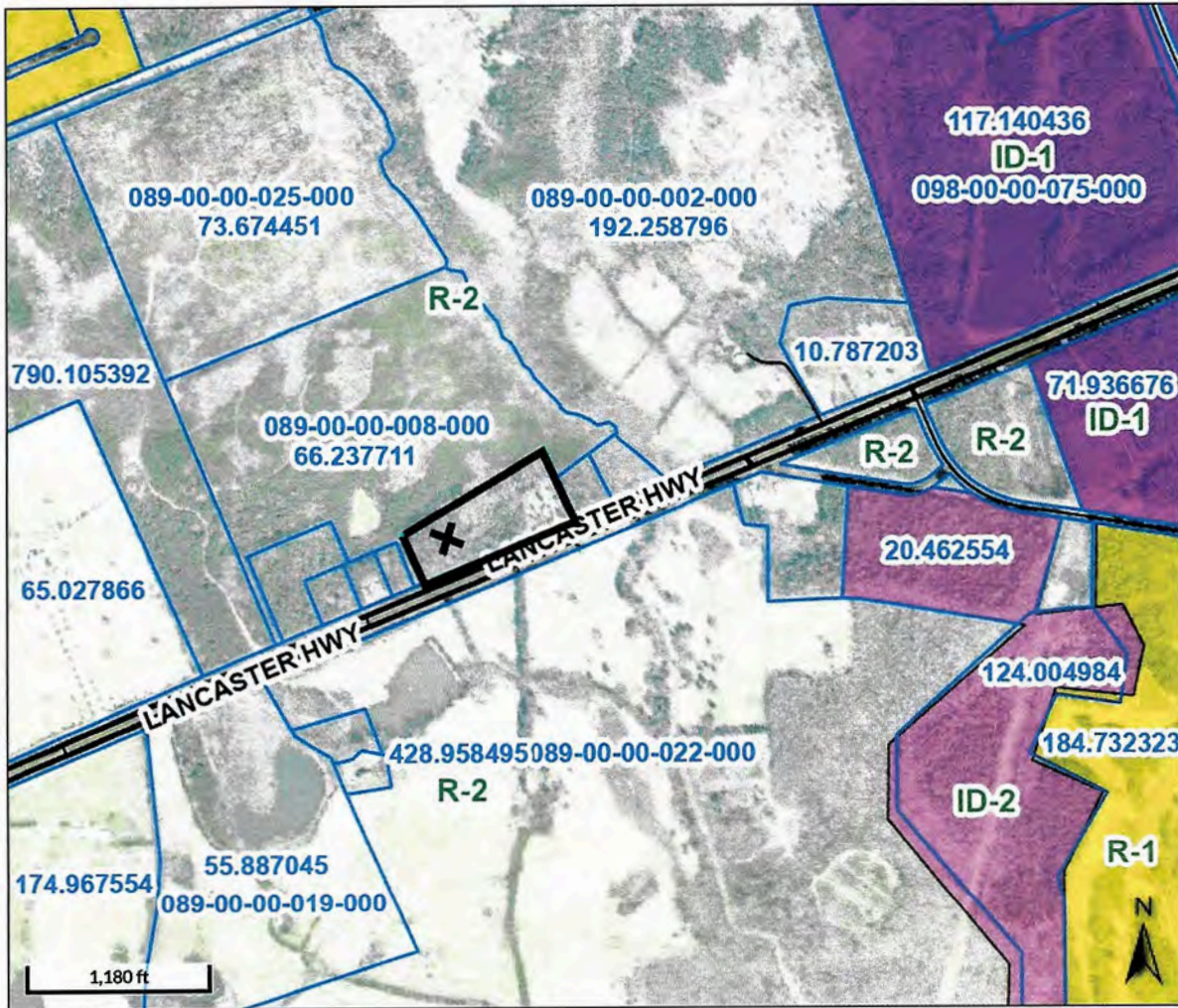
Anne Reed  
Harvey Brent Reed  
1207 Lancaster Highway  
Chester, South Carolina 29706  
Telephone: Home/Office: [REDACTED] ; Cell: [REDACTED]

We hereby agree that this information we have presented is correct.

Owner's signature: Anne Reed Date: November 5, 2022  
Anne Reed

Owner's signature: Harvey Brent Reed Date: November 5, 2022  
Harvey Brent Reed

Doc#133253272



Overview

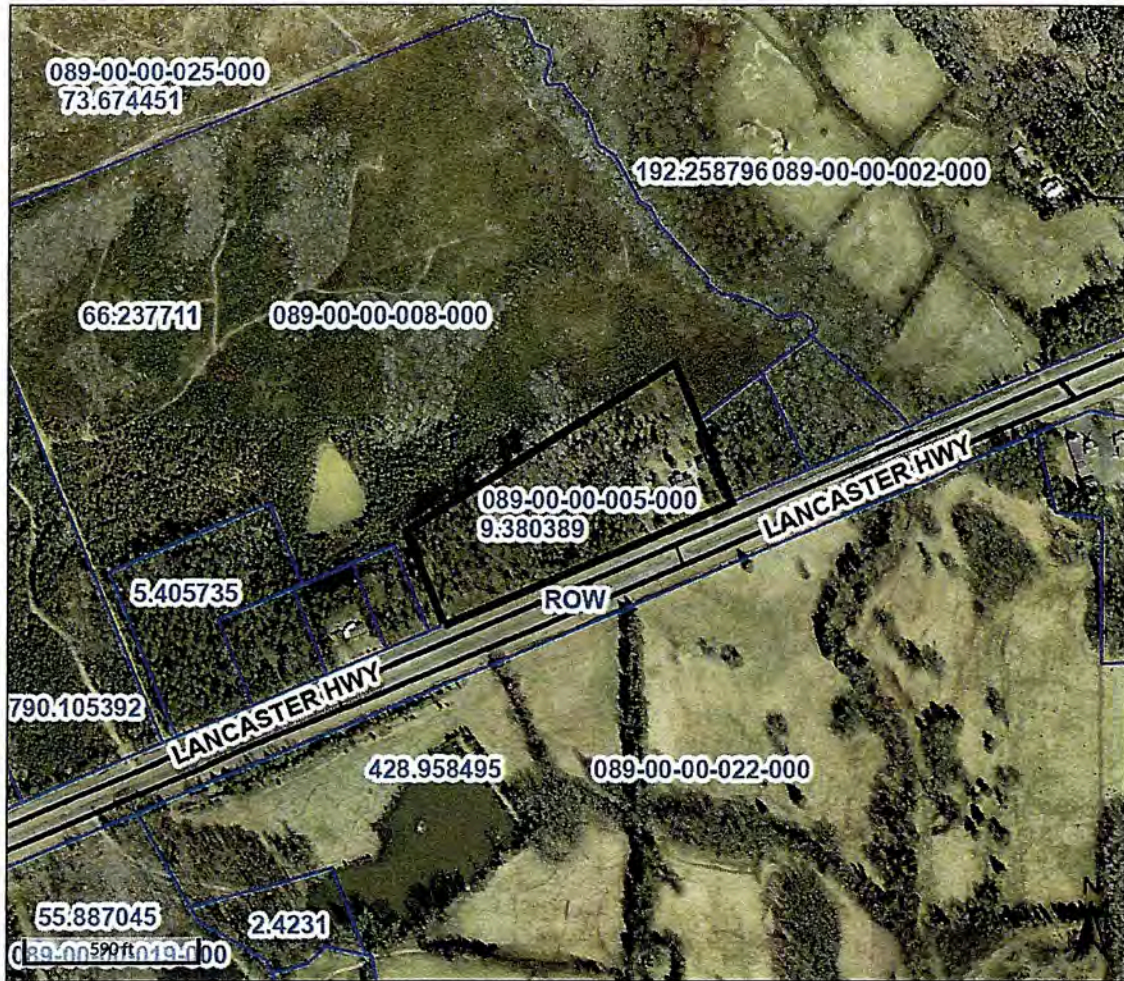


Parcel ID	089-00-00-005-000	Alternate ID	n/a	Owner Address	REED HARVEY BRENT-SURVIVORSHIP
Sec/Twp/Rng	n/a	Class	R		REED ANNE HALL-SURVIVORSHIP
Property Address	1207 LANCASTER HWY	Acreage	9.38		1207 LANCASTER HWY
					CHESTER SC 297066771

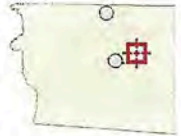
District: 02  
 Brief Tax Description: LANCASTER RD  
 (Note: Not to be used on legal documents)

Date created: 12/15/2022  
 Last Data Uploaded: 12/15/2022 3:16:50 AM

Developed by Schneider GEOSPATIAL



Overview



Parcel ID	089-00-00-005-000	Alternate ID	n/a	Owner Address	REED HARVEY BRENT-SURVIVORSHIP
Sec/Twp/Rng	n/a	Class	R		REED ANNE HALL-SURVIVORSHIP
Property Address	1207 LANCASTER HWY	Acreage	9.38		1207 LANCASTER HWY
					CHESTER SC 297066771
District	02				
Brief Tax Description	LANCASTER RD				
	(Note: Not to be used on legal documents)				

Date created: 11/17/2022  
 Last Data Uploaded: 11/17/2022 3:10:12 AM

Developed by  **Schneider**  
 GEOSPATIAL



Owner and Location



Next Year (2023) Changes



Search Options

Map Number  Real  History Year

Name 1  Other Map Number



Alerts

Has Additional Comments

Owner Information

Post Initials  Reason for Change

Name 2  Activity Date

Address 1  Land Value

Address 2  Building Value

Zip Code   Total Market Value

Total Tax Value

Codes

District  Fire Code  CITY SUB

Town

Subdivision

Neighborhood  RURAL 2

Use Class

Description

Legal

Location Street Number  Street Name  Suffix  Direction

Additional Information

Appraisal Appeal  Owner Occupied

Agricultural Use  Reappraisal Notice

Rollback

TIF  Base

MCIP  Industrial Park ID

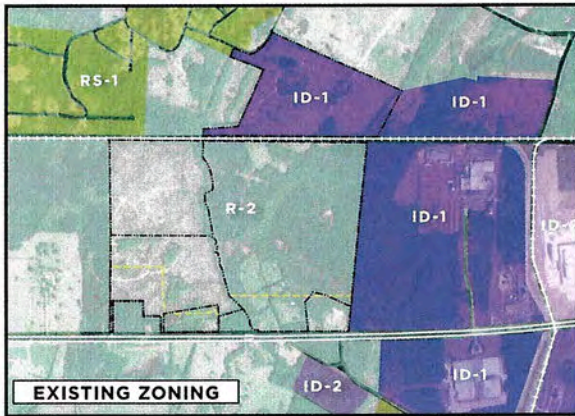
Exempt

Scroll by: MAP#

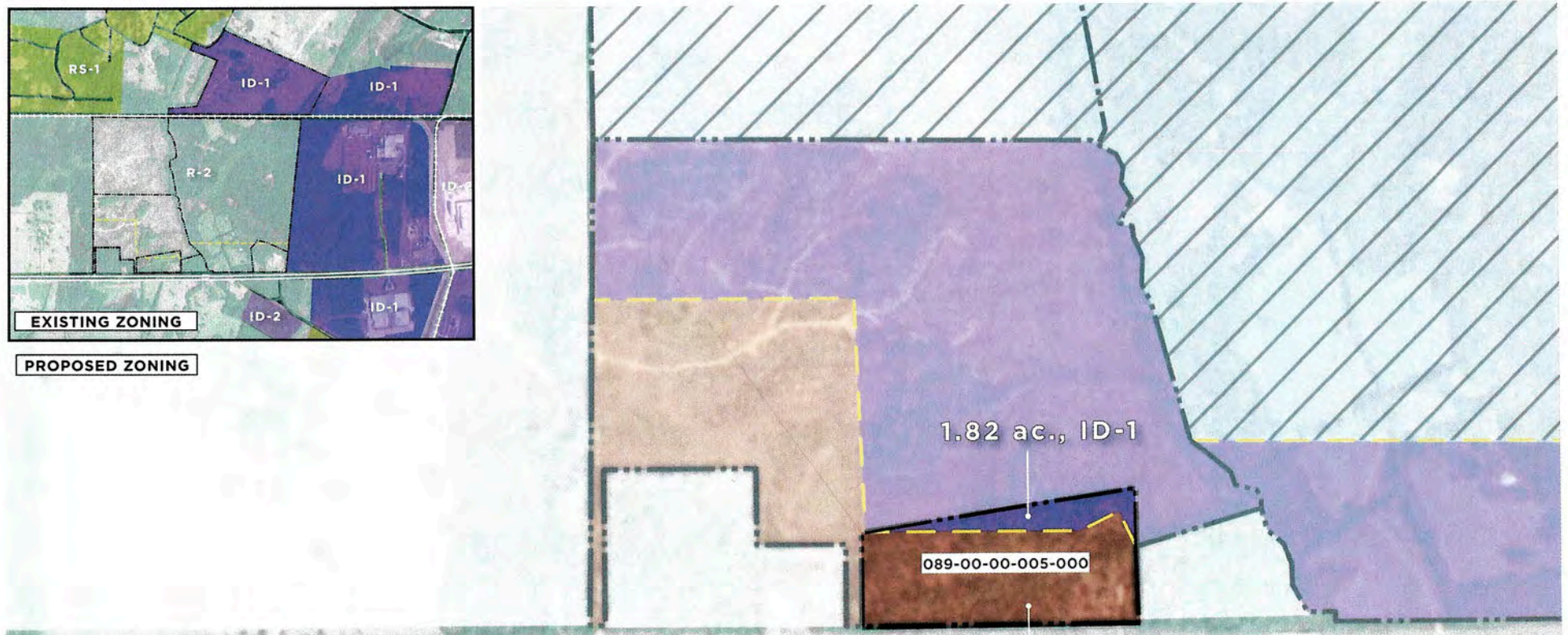




PARCEL #089-00-00-005-000



PROPOSED ZONING

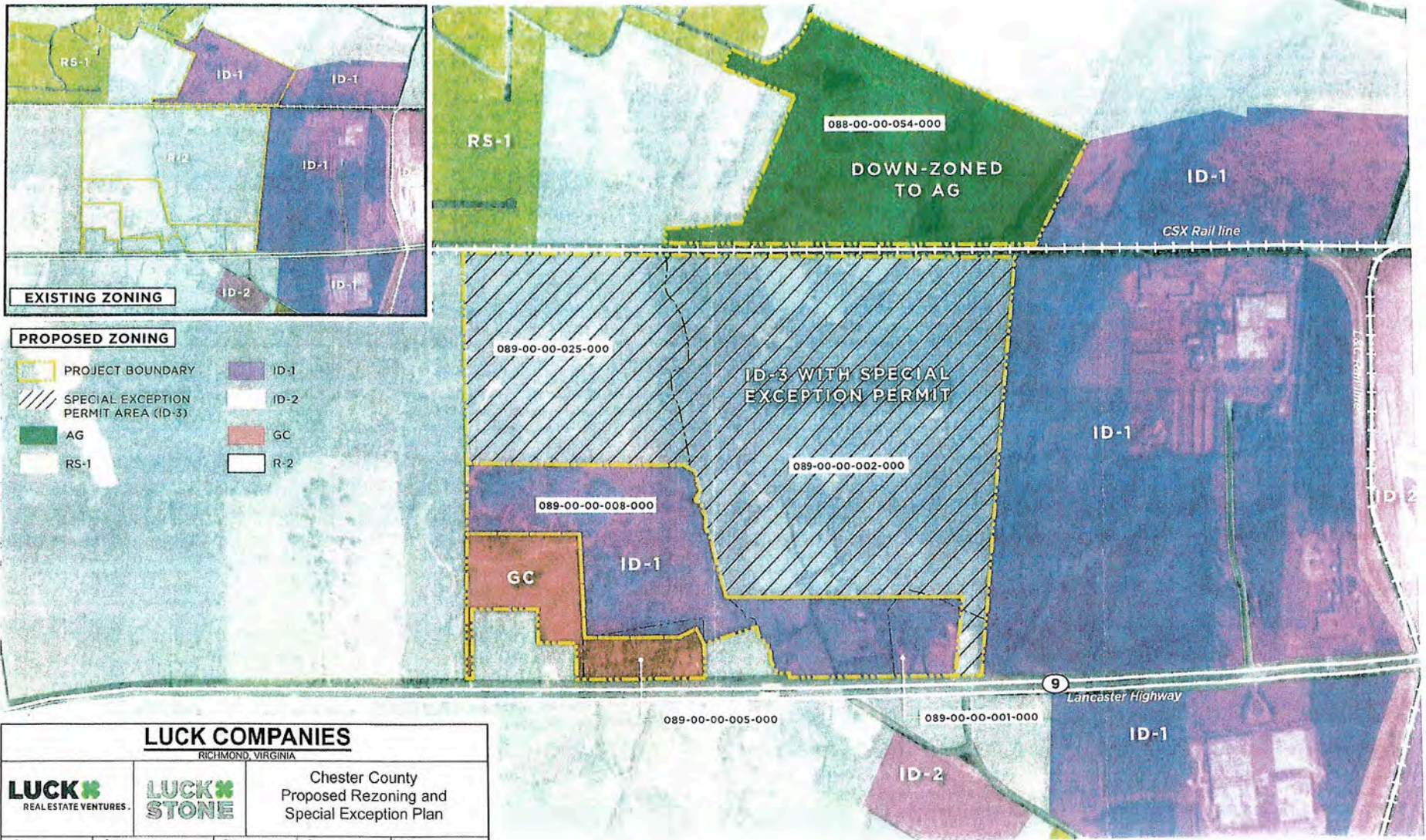


9 Lancaster Highway

7.8 ac., GC



# PROPOSED REZONING AND SPECIAL EXCEPTION PLAN



<b>LUCK COMPANIES</b> RICHMOND, VIRGINIA			
<b>LUCK</b> REAL ESTATE VENTURES.	<b>LUCK</b> <b>STONE</b>	Chester County Proposed Rezoning and Special Exception Plan	
Date 11/11/22	Base Chester County GIS, Google Maps	Scale Approx. 1" = 700'	Page 3 OF 4
Drawn by Patrick Hess			
We warrant that we have taken reasonable steps to ensure the accuracy, completeness and timeliness of our data provided, this warranty is limited to the data provided and does not constitute a warranty of any other kind or nature.			



## A note from Luck Companies:



Since becoming a member of the South Carolina business community in 2018, our family-owned company has created strong and lasting relationships with business partners and community members. Luck Companies has been welcomed as an active participant in the **Kershaw County, Fairfield County, and Spartanburg County**

communities. Growth through new locations provides Luck Companies the opportunity to expand our mission of igniting human potential and positively impacting the lives of others.

Chester is uniquely positioned for growth, with proximity to natural resources and economic trends in the county's favor. We want to support this growth with locally produced, high-quality materials and development that can serve as the county's foundation. Our excitement for a potential partnership with the Chester County community led us to our previous application effort which began in 2019. However, prioritizing health and safety during the pandemic and feedback from the community led us to withdraw our application in 2020. We have used the past two years to engage with and learn from community residents, schools, business owners and non-profit organizations. This time has provided us the opportunity to finalize the purchase of the land considered in our previous application, introduce additional property in Chester County and solicit input and approval from the state agencies responsible for regulating our three business units.

The community's input and Chester County's updated Comprehensive and Economic Development Plans have informed our revised approach. Luck Companies has prepared a new application which aligns to community goals, passions, and culture.

### Our project will create:

- local jobs
- tax revenue for the county
- outdoor recreation areas for the community
- a community impact fund
- business park and retail space

### Key amendments to our application include:

- **Down-zoning an adjacent parcel** to provide additional buffer from a northern residential neighborhood and facilitate agricultural education opportunities
- **New development to accommodate a market void** of medium square footage business park space
- **Large dedicated acreage** for governmental use, developed in coordination with the Board of Commissioners, and structured to facilitate citizen tax dollar savings

We are inspired by the opportunity to be longstanding members of the Chester community and look forward to continuing our conversation. We remain committed to collaboratively working towards a sustainable development plan that benefits Chester County now and for generations to come.

Sincerely,

Ben Thompson,  
Director, Greenfield Development

## Our Ask



**APPROVE A REZONING**  
to support a Quarry



**APPROVE A REZONING**  
to support a Business Park  
and Retail Center



**APPROVE A DOWNZONING**  
to eliminate industrial use and  
provide additional buffer for  
residential neighbors



**BLESS THE CREATION**  
of a Community Fund that  
administers 1% of annual net sales  
(of the Chester County Quarry)  
up to \$35k to Chester County  
Non-profits and initiatives



**BLESS THE CONDITIONS**  
of the associated rezonings  
to further ensure responsible  
actions and enable the donation  
of recognized acreage for  
Chester County Government use  
and growth

Conditions applicable to properties included within the Luck Stone Corporation (the "Applicant") application for rezoning of properties located in Chester County, South Carolina shown on the plan dated November 11, 2022, entitled "Proposed Zoning and Special Exception Plan" as (i) "ID1" containing 79.41 acres (the "ID1 Property"), (ii) "GC" containing 25.72 acres (the "GC Property"), (iii) "ID3" containing 247.87 acres (the "ID3 Property") and (iv) "AG" containing 90.39 acres (the "AG Property").

**Condition applicable to all properties:**

Prior to issuance of any County permits for development of the parcels included within the application for rezoning, the Applicant shall submit an application for subdivision/boundary line adjustment of all parcels included within the application for rezoning to provide for the adjustment of parcel boundaries by zoning classification so that no parcel shall be split-zoned (include more than one zoning classification) and that all parcels are in compliance with the County subdivision ordinance.

**Conditions applicable to the ID1 Property:**

1. Prohibited Uses. No portion of the ID1 Property shall be used for any of the following uses:
  - i. Grain Milling
  - ii. Reconstituted wood products
  - iii. Converted Paper Products
  - iv. Mineral and Earth
  - v. Misc. Nonmetallic Mineral
  - vi. Aluminum Production
  
2. Dedication of Easement for Public Park. Subject to and upon approval of the rezoning of the ID3 Property, approval of a special exception for mining activities and related uses on the ID3 Property and commencement of mining activities on the ID3 Property, the Applicant shall offer for dedication to the County an easement over an across the area containing approximately fifteen (15) acres (the "Park and Trail Easement") shown on the plan included in this application dated November 11, 2022 and entitled "Updated and Compiled General Development Plan" (the "GDP") on commercially reasonable terms and conditions for a public park and trail system along Rocky Creek together with a right of access to and from Highway 9 as shown on the GDP. The County may accept the offer of dedication at any time within five (5) years after commencement of mining activities on the ID3 Property. If the offer of dedication is not accepted within such period, the offer of dedication shall be void and of no further effect. The Applicant shall be responsible for preparation, at its expense, of a survey of the Park and Trail Easement and payment of costs to prepare and record the easement agreement.
  
3. Entrance Landscaping and Beautification. The entrance to the ID1 Property from Highway 9 shall be landscaped in accordance with a plan to be submitted by the Applicant to the County as part of the site plan for development of the ID1 Property. The design and materials included in the landscape plan for this entrance shall be similar to the design and materials included in the landscape plans for entrances to the GC Property and the ID3 Property to provide a consistent appearance for all such entrances.

**Conditions applicable to all areas rezoned to the GC classification (the "GC Property"):**

1. **Dedication of Property for Governmental Use.** Subject to and upon approval of the rezoning of the ID3 Property, approval of a special exception for mining activities and related uses on the ID3 Property and commencement of mining activities on the ID3 Property, the Applicant shall offer for dedication to the County of one or more parcels containing a total of not less than fifteen (15) acres for governmental uses (the "Governmental Use Property") as generally shown on the plan included in this application entitled "Updated and Compiled General Development Plan". The County may accept the offer of dedication at any time within five (5) years after commencement of mining activities on the ID3 Property. If the offer of dedication is not accepted within such period, the offer of dedication shall be void and of no further effect. The Applicant shall be responsible for preparation, at its expense, of a current survey of the Governmental Use Property and payment of costs to prepare and record the deed of dedication. The deed of dedication shall restrict use of the Governmental Use Property to use by the County or other governmental entities unless otherwise approved by the owner of the ID3 Property.
2. **Entrance Landscaping and Beautification.** The entrance to the GC Property from Highway 9 shall be landscaped in accordance with a plan to be submitted by the Applicant to the County as part of the site plan for development of the GC Property. The design and materials included in the landscape plan for this entrance shall be similar to the design and materials included in the landscape plans for entrances to the ID1 Property and the ID3 Property to provide a consistent appearance for all such entrances.
3. **Cemetery Access.** The cemetery located on the GC Property will remain undisturbed and reasonable access will be provided to relatives and descendants of persons buried in the cemetery for the limited purposes of visiting graves, maintaining the gravesite or cemetery or conducting genealogy research. Such access shall not include the right to operate motor vehicles on the GC Property other than within any driveways and parking areas as may be located on the GC Property from time to time.

**Condition applicable to the area rezoned to the AG classification (the "AG Property"):**

The Applicant will enter into discussions with representatives of the County schools to explore the use of a portion of the AG Property for an agricultural education program which may include the cultivation of trees or other crops to provide a hands-on learning experience. If the County schools are interested, the Applicant will work with the County schools in good faith to agree upon the terms and conditions of a lease of up to one half (1/2) of the AG Property for \$1.00/year for a term of up to fifteen (15) years or as may otherwise be agreed upon by the County schools and the Applicant.



**Conditions applicable to all areas rezoned to the ID3 classification (the "ID3 Property"):**

1. No portion of the ID3 Property shall be used for any of the following uses:
  - i. Biological and allied wholesaling
  - ii. Manufacturing of animal, chemical, gas, or arms and munitions
  - iii. Petroleum storage for wholesaling (except to supply uses on the ID3 Property)
  - iv. Fuel dealers, retail (except to supply uses on the ID3 Property)
  - v. Hazardous waste carriers
  - vi. Municipal solid waste landfill
  - vii. Airport
  
2. Entrance Landscaping and Beautification. The entrance to the ID3 Property from Highway 9 shall be landscaped in accordance with a plan to be submitted by the Applicant to the County as part of the site plan for development of the ID3 Property. The design and materials included in the landscape plan for this entrance shall be similar to the design and materials included in the landscape plans for entrances to the ID1 Property and the GC Property to provide a consistent appearance for all such entrances.
  
3. Screening and Visual Line of Sight. Mining activities and related uses on the ID3 Property shall be screened from visibility from Highway 9 using berms and landscaping or other means proposed by the Applicant and approved by the County in connection with the review and approval of a site plan for development of the ID3 Property.
  
4. Dedication of Easement for Public Park. Subject to and upon approval of the rezoning of the ID3 Property, approval of a special exception for mining activities and related uses on the ID3 Property and commencement of mining activities on the ID3 Property, the Applicant shall offer for dedication to the County an easement over an across the area containing approximately fifteen (15) acres (the "Park and Trail Easement") shown on the plan included in this application dated November 11, 2022 and entitled "Updated and Compiled General Development Plan" (the "GDP") on commercially reasonable terms and conditions for a public park and trail system along Rocky Creek together with a right of access to and from Highway 9 as shown on the GDP. The County may accept the offer of dedication at any time within five (5) years after commencement of mining activities on the ID3 Property. If the offer of dedication is not accepted within such period, the offer of dedication shall be void and of no further effect. The Applicant shall be responsible for preparation, at its expense, of a survey of the Park and Trail Easement and payment of costs to prepare and record the easement agreement.

**Conditions for a Special Exception to Allow Mining Operations and Associated Uses on the ID3 Property ("Mining Operations")**

Development and use of the ID3 Property for Mining Operations pursuant to the requested Special Exception shall be subject to the following conditions:

1. Hours of Operation. Hours of operation shall be limited as follows:
  - (a) Extraction Area, Primary Plant and Equipment: 6:00 a.m. to 9:00 p.m. Monday through Saturday ("Standard Operating Hours") only except as provided below.
  - (b) Shipping, Loading and Limited Processing: Standard Operating Hours except as otherwise required in the event a federal, state or local agency or authority requests or requires that such activities be conducted during other hours.
  - (c) Processing Plant (secondary and/or finishing phases of plant operations): Hours of operation for the processing plant shall be unrestricted when operated without the use of trucks and loaders utilizing audible back-up alarms (when operated with trucks and loaders utilizing audible back-up alarms, Standard Operating Hours shall apply). Any vehicular operations during hours other than Standard Operating Hours shall be for processing activities only and shall not be for extraction activities.
  - (d) Blasting. Blasting shall not occur before 9:30 a.m. or after 5:00 p.m. Monday through Friday, except when a blasting charge has been set before 5:00 p.m. and is delayed due to reasons beyond the reasonable control of Operator or due to safety considerations. In such a case, Operator may then complete the blast after 5:00 p.m. but no later than thirty (30) minutes after sunset. There shall be no blasting on Saturdays or Sundays except to complete a blast where the charge was set and blasting delayed as described above.
2. Buffers. Buffers shall be provided in the locations and of the widths shown on the on the plan included in this application dated November 11, 2022 and entitled "Updated and Compiled General Development Plan" (the "GDP"). Buffers shall consist of undisturbed natural vegetation supplemented by berms, additional vegetation or otherwise as necessary to comply with the requirements of the mining permit (the "State Mining Permit") issued to Operator for Mining Operations by the South Carolina Department of Health and Environmental Control ("DHEC"). Encroachments into buffers shall be allowed for utility lines, roads, access points and such other encroachments or breaks as necessary to conduct Mining Operations in accordance with the State Mining Permit.
3. No Trespassing Signs. "No Trespassing" signs shall be posted and perpetually maintained around the perimeter of the processing and extraction areas. Signs shall not be more than 300 feet apart.
4. Wetlands. All necessary permits to allow disturbance of jurisdictional wetlands on the ID3 Property shall be obtained from the applicable governmental authority (e.g., U.S. Army Corps. of Engineers, Chester County Government, or DHEC).

5. DHEC Mining, Water Discharge and Air Permits.

(a) Prior to commencement of any land disturbance associated with Mining Operations, Operator shall obtain the State Mining Permit from DHEC. The State Mining Permit shall address all relevant issues including soil erosion, stormwater management, air quality and reclamation. Completion of the reclamation plan shall be secured by a bond posted with DHEC in accordance with its regulations.

(b) Prior to commencement of Mining Operations, Operator shall obtain an NPDES General Permit for Discharges Associated with Nonmetal Mineral Mining Facilities from the DHEC Bureau of Water pursuant to the Pollution Control Act of South Carolina and the Federal Clean Water Act which is administered by DHEC in South Carolina.

(c) Prior to commencement of Mining Operations, Operator shall obtain an Air Quality Permit from the DHEC Bureau of Air Quality to ensure compliance with the Federal Clean Air Act which is administered by DHEC in South Carolina. In connection with the issuance of the Air Quality Permit, Operator shall develop and implement a facility-wide plan for controlling fugitive dust and emissions from Mining Operations including process operations, truck traffic, storage piles, and any other areas within the ID3 Property where fugitive dust emissions can be generated. Fugitive dust generated from direct Mining Operations shall be controlled by wet suppression and/or dry dust collection systems. Fugitive dust generated by vehicular traffic within Mining Operations shall be controlled by the application of water or equivalent wetting agent to roadways and other traveled surfaces on the ID3 Property.

(d) Operator shall maintain copies of all federal and state records pertaining to permits and approvals on-site and, upon reasonable prior notice from County zoning officials, Operator shall make copies of permits and approvals to County zoning officials for review.

6. Entrance Road.

(a) Operator shall pave and maintain in good condition the entrance road providing access to Mining Operations from Highway 9 for a distance of approximately 1000 feet as generally shown on the on the GDP.

(b) Permanent access to Mining Operations shall be limited to a single point on Highway 9 as generally shown on the GDP and approved by SC Department of Transportation. The portion of such access located between Highway 9 and the area used for active mining may be shared by other uses as authorized by Operator.

(c) Operator shall inspect the intersection of the Mining Operations entrance road and Highway 9 daily for loose stone. Operator shall remove any loose stone material at or around the entrance road outside of the right of way of Highway 9 if removal can be completed safely and without interruption of traffic on Highway 9. Operator shall solicit the assistance of the appropriate agency (SCDOT, County Sheriff, etc.) with respect to removal of stone within the right of way of Highway 9 or as otherwise required for safe removal without interruption of traffic on Highway 9.

7. Monitoring Wells. Operator shall construct five (5) monitoring wells at locations determined by an independent qualified professional (i.e., certified hydrologist or

geologist) and approved by DHEC. A plan describing the procedures and timing of observance for the monitoring wells shall be developed by an independent qualified professional and approved by DHEC and to be followed by Operator.

8. Water Well Impacts. Upon submission of a formal complaint by an adjacent property owner or as requested by the County, pursuant to the State Mine Permit DHEC shall determine if any activity associated with Mining Operations has caused a well or wells on the adjacent property owner's land to become dry. If DHEC determines that Mining Operations has caused the drying of the property owner's well, Operator shall be responsible for providing an alternative water source (e.g., drill well deeper, new well, or connect to public water source at the discretion of Operator) for the aggrieved party at Operator's expense.

9. Blasting.

- (a) Blasting Data shall be monitored and recorded for all blasts, shall be maintained on-site at the scale house for a period of three (3) years and shall be made available to County zoning officials for review at the scale house. Blasting Data shall include the time and date of blast, pounds of blasting material per delay, total pounds of blasting materials per blast, seismograph readings of ground vibration levels and air over-pressure levels in decibels.

- (b) Operator shall provide notice prior to the first blast associated with Mining Operations (not site development/construction) either by (i) written notice via direct mail to all property owners and/or occupants of existing dwellings within one-half (1/2) mile of the areas where blasting will occur or (ii) advertisement two (2) times in a local newspaper of general circulation at least ninety (90) days prior to the first blast associated with Mining Operations blast. Upon receipt, pursuant to the above described notice, by DHEC and Operator of a written request from the owner of any existing structures within one-half (1/2) mile of the areas where blasting will occur, a third party consultant selected and engaged by Operator shall conduct an inspection of the applicable structures to determine the structural condition of the structures prior to the first blast associated with Mining Operations. The property owner shall have the right to supervise the inspection by the third-party consultant and shall be provided with a copy of the consultant's report.

- (c) Ground vibration caused by blasting activity shall not exceed the maximum peak particle velocity allowed pursuant to South Carolina Code of Regulations Section 89-150(E) as measured at the immediate location of any dwelling, public building, school, church, or commercial or institutional building existing as of the date of approval of the Special Exception to allow Mining Operations. The maximum peak particle velocity requirement does not apply to structures within the permitted area, or any area that is owned or leased by Operator or any structures on which Operator has acquired waiver to damage rights.

- (d) If a formal claim is made by any private or public landowner that the landowner or the property (real or personal) of the landowner has been damaged by blasting activities associated with Mining Operations, whether by ground vibration, air over-pressure or otherwise, an independent, qualified professional with experience in the effects of blasting shall be engaged to determine if any damage was caused by blasting activities associated with Mining Operations. If it is determined that damage was caused by blasting activities

associated with Mining Operations, Operator shall correct the damage or reimburse the landowner for such damage. The amount of any reimbursement shall be determined by an independent, competent professional with expertise in estimating the damage (for example, a licensed builder or building contractor where the damage is to a residence). The independent professionals performing assessments pursuant to this paragraph shall be agreed upon by both Operator and the property owner and retained at the expense of Operator.

10. Lighting. Exterior light fixtures associated with Mining Operations shall be of a type and installed in a manner to reasonably minimize light spillage from Mining Operations onto adjoining parcels.
11. Noise. Airborne noise produced from Mining Operations other than blasting shall not exceed 80dba of continuous noise for greater than five (5) minutes at any one time as measured along the northern and western boundaries of the ID3 Property (the "Noise Limit"). The Noise Limit shall not apply to individual events lasting less than five (5) minutes. Operator shall install monitoring devices on the northern and western property lines of the ID3 Property to monitor decibel levels to assure that noise from Mining Operations does not exceed the Noise Limit.
12. Reclamation Plan. As a condition of the Special Exception, the reclamation plan approved by DHEC as part of the State Mining Permit shall be complied with by Operator, including, but not limited to, the following tasks which shall be completed upon completion of Mining Operations:
  - (i) all debris, scrap metal, concrete foundations, sidewalks and structures will be removed and
  - (ii) the stockpile, office and plant areas will be graded, sloped back to as natural a contour as reasonably possible (but no steeper than a 3h:1v slope) and seeded. Perimeter berms and buffers may be left in place and the pit area may be allowed to fill up with water.
13. Community Interest Engagement Group. Operator shall work with interested parties in the community to establish a Community Interest Engagement Group (the "CIEG") comprised of representatives of homeowner associations or similar residential groups and interested individual property owners located within a two (2) mile radius of Mining Operations. Operator shall facilitate meetings with the CIEG on a quarterly basis or as otherwise mutually determined by Operator and the CIEG to allow for information exchanges with respect to historical Mining Operations, future plans for Mining Operations and other community issues or opportunities of concern or interest of the CIEG and Operator. This condition is intended to provide a forum for communications among the CIEG and Operator and does not grant any approval rights to the CIEG with respect to Mining Operations.
14. Community Fund. Annually, Operator shall contribute the lesser of (i) one percent (1%) of the adjusted net sales of construction aggregate materials excavated from the ID3 Property and sold to third parties during the year or (ii) Thirty Five Thousand Dollars (\$35,000.00) to one or more organizations within Chester County in support of local Chester County non-profit initiatives, workforce development programming or general community improvement opportunities. This funding will be managed by Operator and distributed to organizations selected by Operator after consultation with the CIEG. For purposes of this condition, "adjusted net sales" shall mean total sales dollars of construction aggregate materials mined or extracted from the ID3 Property excluding any transportation (whether by truck, rail or other method), hauling, loading or unloading charges and less deductions for cash discounts, price

adjustments, additive materials, allowances, volume discounts and sales, use and other similar taxes or governmental charges. Annually, a report of contributions made by Operator pursuant to this condition shall be provided to the CIEG and to the County.

Chester County Planning Commission Minutes

December 20, 2022

**CCMA22-26 Luck Companies request a portion (1.82 acres) of Tax Map # 089-00-00-005-000 at 1207 Lancaster Hwy., Chester, SC 29706 to be rezoned from Rural Two District (R2) to Restricted Industrial District (ID-1). Commissioner Grant motioned to approve, second by Commissioner Howell. Vote 5-0 Approved.**



**Chester County, South Carolina**  
 Department of Planning, Building & Zoning  
 1476 J.A. Cochran Bypass  
 Chester, SC 29706

**Zoning Map Amendment (Rezoning) Application**

Fee: Residential \$150.00, Non-Residential \$300.00, Planned Development \$1000.00

Meeting Date: 12-20-22 Case # CCMA22-26 Invoice # 5948

The applicant hereby requests that the property described to be rezoned from R-2 to ID-1

**Please give your reason for this rezoning request:**

Zoning amendment enables economic development upon the property. Please see included "Luck Companies Chester County Economic Development Project Rezoning and Special Exception Application and Conditions".

*Copy of plat must be presented with the application request*

**Designation of Agent (complete only if owner is not applicant):** I (we) hereby appoint the person named as applicant as my (our) agent to represent me (us) in this request for rezoning. A Corporate Resolution letter or a permission letter must be presented at the time of application request. NAICS CODE: \_\_\_\_\_

**Property Address Information**

Property address: 1207 Lancaster HWY Chester, SC 29706  
 Tax Map Number: 089-00-00-005-000 (portion) Acres: 1.82 Acres Rezoned to ID-1 out of total 9.62 Acre Parcel

Any structures on the property: yes  no . If you checked yes, draw locations of structures on plat or blank paper. See attached "Proposed Rezoning and Special Exception Plan" for aerial photo

**PLEASE PRINT:**

Applicant (s): Luck Companies  
 Address PO BOX 29682 Richmond, VA 23242  
 Telephone: \_\_\_\_\_ cell \_\_\_\_\_ work \_\_\_\_\_  
 E-Mail Address: \_\_\_\_\_

Owner(s) if other than applicant(s): Harvey & Anne Reed - see attached Designation of Agent letter  
 Address: 1207 Lancaster HWY Chester, SC 29706  
 Telephone: \_\_\_\_\_ cell \_\_\_\_\_ work \_\_\_\_\_  
 E-Mail Address: \_\_\_\_\_

**I (we) hereby agree that this information I (we) have presented is correct. Insufficient information may result in a denial of your request.**

Owner's signature: see attached Designation of Agent letter Date: \_\_\_\_\_

Applicant signature: *[Signature]* Date: 11/11/22

**CANCELLATION MAY RESULT IN AN ADDITIONAL FEE OF \$150.00. SOMEONE MAY REPRESENT YOU AT THE MEETING.**



Designation of Agent for Zoning Map  
Amendment and for Special Exception Application

Chester County, South Carolina

We hereby appoint Benjamin A. Thompson, Director of Greenfield Development for Luck Stone Corporation d/b/a Luck Companies, as our agent to represent us in connection with applications to Chester County, South Carolina for a Zoning Map Amendment (Rezoning) and for a Special Exception with respect to the property described below:

Property Address Information

Property Address: 1207 Lancaster Highway, Chester, SC 29706  
Tax Map Number: 089-00-00-005-000 Acres: 9.38

Applicant:

Luck Stone Corporation d/b/a Luck Companies  
515 Stone Mill Drive  
Manakin-Sabot, Virginia 23103  
Attention: Benjamin A. Thompson  
Telephone: Office: ( [REDACTED] ) ( [REDACTED] )

Owner:

Anne Reed  
Harvey Brent Reed  
1207 Lancaster Highway  
Chester, South Carolina 29706  
Telephone: Home/Office: ( [REDACTED] ); Cell: ( [REDACTED] )

We hereby agree that this information we have presented is correct.

Owner's signature:  *Anne Reed*  Date: November 5, 2022  
Anne Reed

Owner's signature:  *Harvey Brent Reed*  Date: November 5, 2022  
Harvey Brent Reed

Doc#133253272



## **Chester County, South Carolina**

Department of Planning, Building & Zoning  
1476 J.A. Cochran Bypass  
Chester, SC 29706

---

Date: November 29, 2022

From: Chester County Planning Development

1476 J A Cochran Bypass

Chester, SC 29706

803-581-0942

Reference: # CCMA22-26

Please advise that applicant Luck Companies has made an application with Chester County Planning Commission to rezone property located on 1207 Lancaster Hwy., Chester, SC 29706.

This property is identified as Tax Map # 089-00-00-005-000. The property is currently zoned R2 (Rural Two District) and the request is to change a portion (1.82 acres) of the zoning to ID-1 (Restricted Industrial District).

This application will be presented to the Planning Commission at the December 20, 2022, meeting. The meeting is scheduled to begin at 6:30 PM at the R. Carlisle Roddey Complex in the Council Chambers. Adjoining landowners are invited to attend.

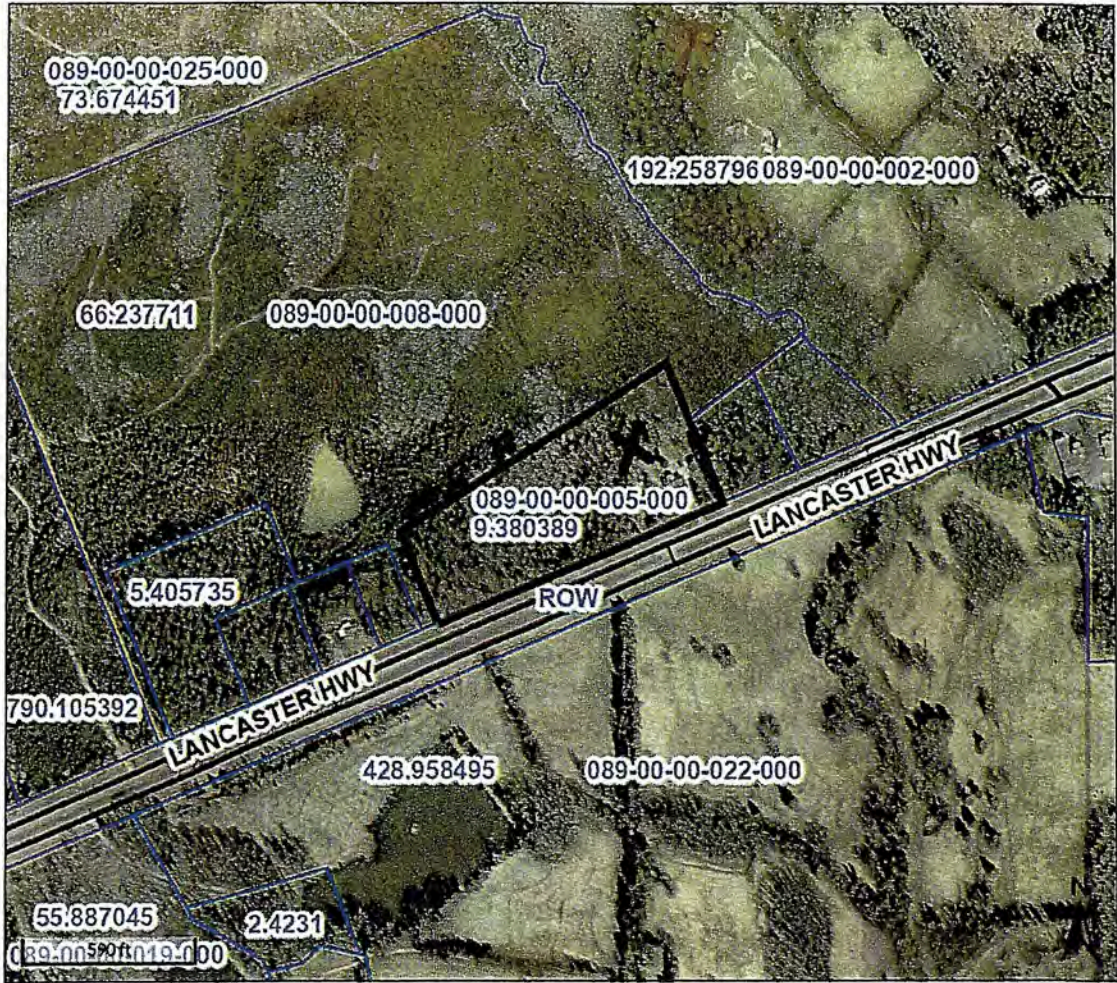
Please see the attached map for the location of the request is drawn in black with an X in the middle.

Thank you,

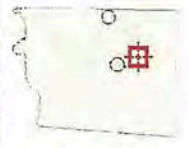
Chester County Planning Department

Telephone: 803-581-0942

Fax: 855-930-0979



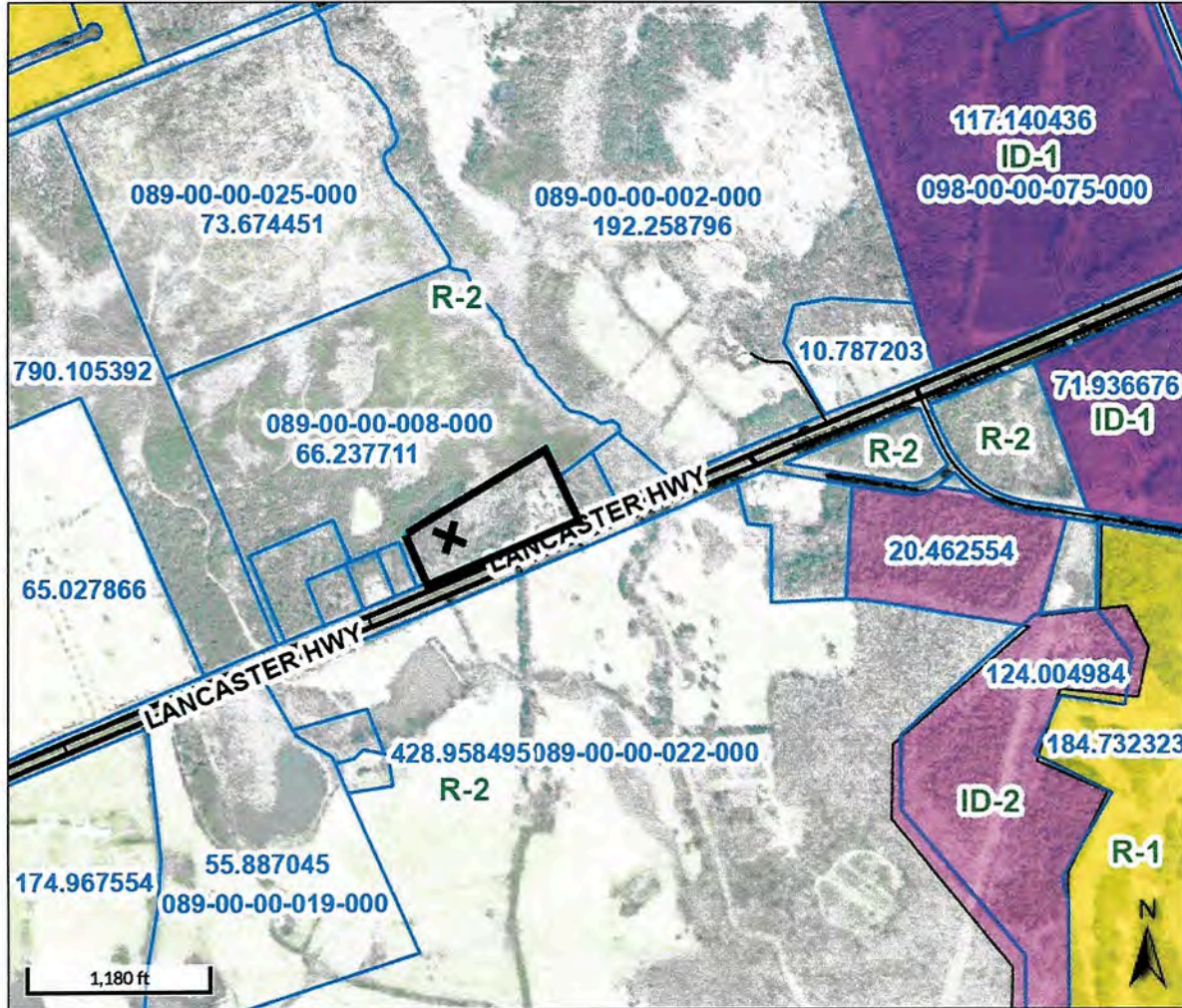
Overview



Parcel ID	089-00-00-005-000	Alternate ID	n/a	Owner Address	REED HARVEY BRENT-SURVIVORSHIP
Sec/Twp/Rng	n/a	Class	R		REED ANNE HALL-SURVIVORSHIP
Property Address	1207 LANCASTER HWY	Acreage	9.38		1207 LANCASTER HWY
					CHESTER SC 297066771
District	02				
Brief Tax Description	LANCASTER RD				
	(Note: Not to be used on legal documents)				

Date created: 11/17/2022  
 Last Data Uploaded: 11/17/2022 3:10:12 AM

Developed by  Schneider  
 GEOSPATIAL



Overview



Parcel ID	089-00-00-005-000	Alternate ID	n/a	Owner Address	REED HARVEY BRENT-SURVIVORSHIP
Sec/Twp/Rng	n/a	Class	R		REED ANNE HALL-SURVIVORSHIP
Property Address	1207 LANCASTER HWY	Acres	9.38		1207 LANCASTER HWY
					CHESTER SC 297066771
District	02				
Brief Tax Description	LANCASTER RD				
	(Note: Not to be used on legal documents)				

Date created: 12/15/2022  
 Last Data Uploaded: 12/15/2022 3:16:50 AM

Developed by  **Schneider**  
 GEOSPATIAL

Owner and Location

Next Year (2023) Changes

Search Options

Map Number **089-00-005-000** Real  00641493 History Year   
 Name 1 REED HARVEY BRENT-SURVIVORSHIP Other Map Number

Alerts

Has Additional Comments

Owner Information

Post Initials  CW Reason for Change  Activity Date 06/04/2021  
 Name 2 REED ANNE HALL-SURVIVORSHIP Land Value 50,300  
 Address 1 1207 LANCASTER HWY Building Value 111,200  
 Address 2 CHESTER SC Total Market Value 161,500  
 Zip Code 29706 6771 Total Tax Value 122,050

Codes

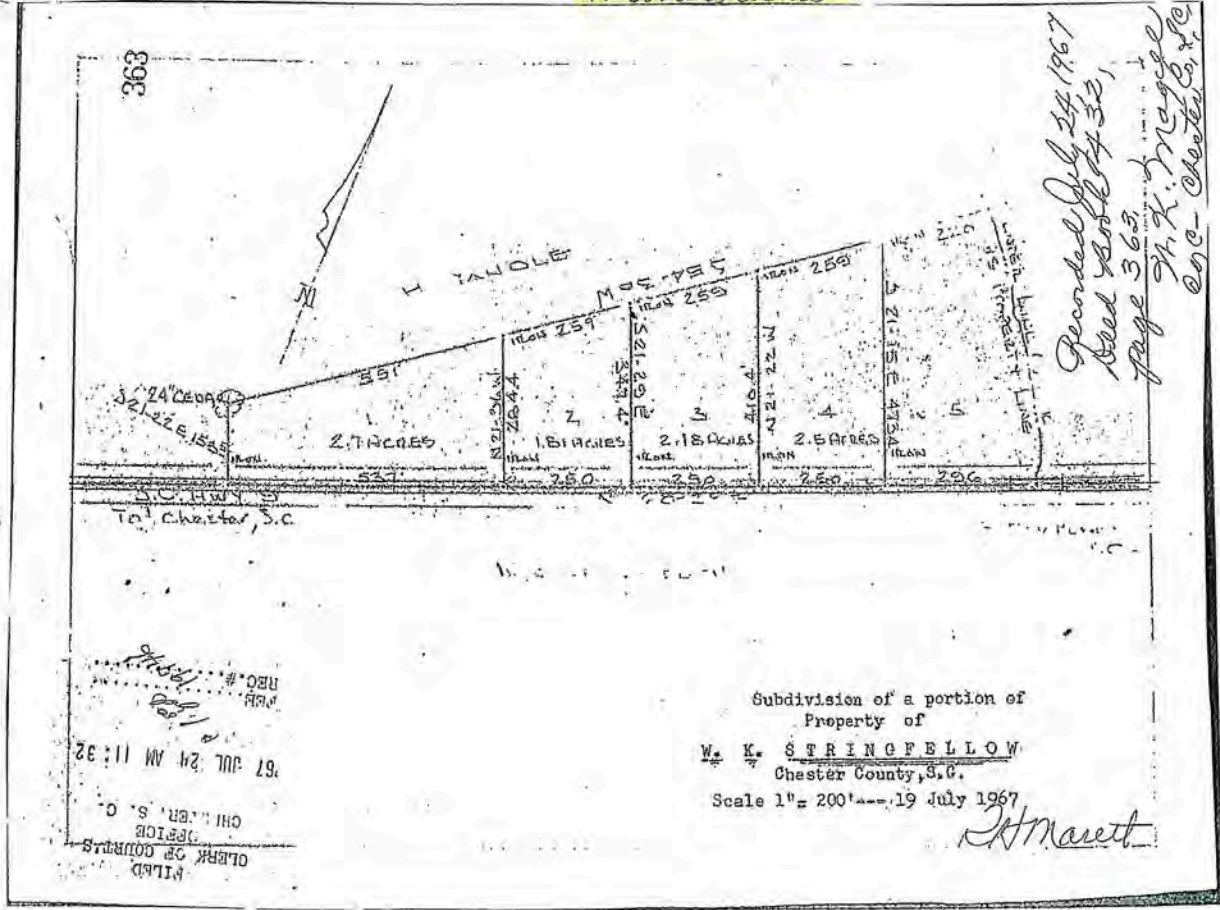
District 02 Fire Code CS CITY SUB  
 Town  Neighborhood R2 RURAL 2  
 Subdivision  Use Class   
 Description LANCASTER RD  
 Legal   
 Location Street Number 1207 Street Name LANCASTER HIGHWAY Suffix  Direction

Additional Information

Appraisal Appeal  Owner Occupied  TIF  Base   
 Agricultural Use  Reappraisal Notice  MCIP  Industrial Park ID   
 Rollback  Exempt

Scroll by: MAP#

TM# 689-00-00-005-000

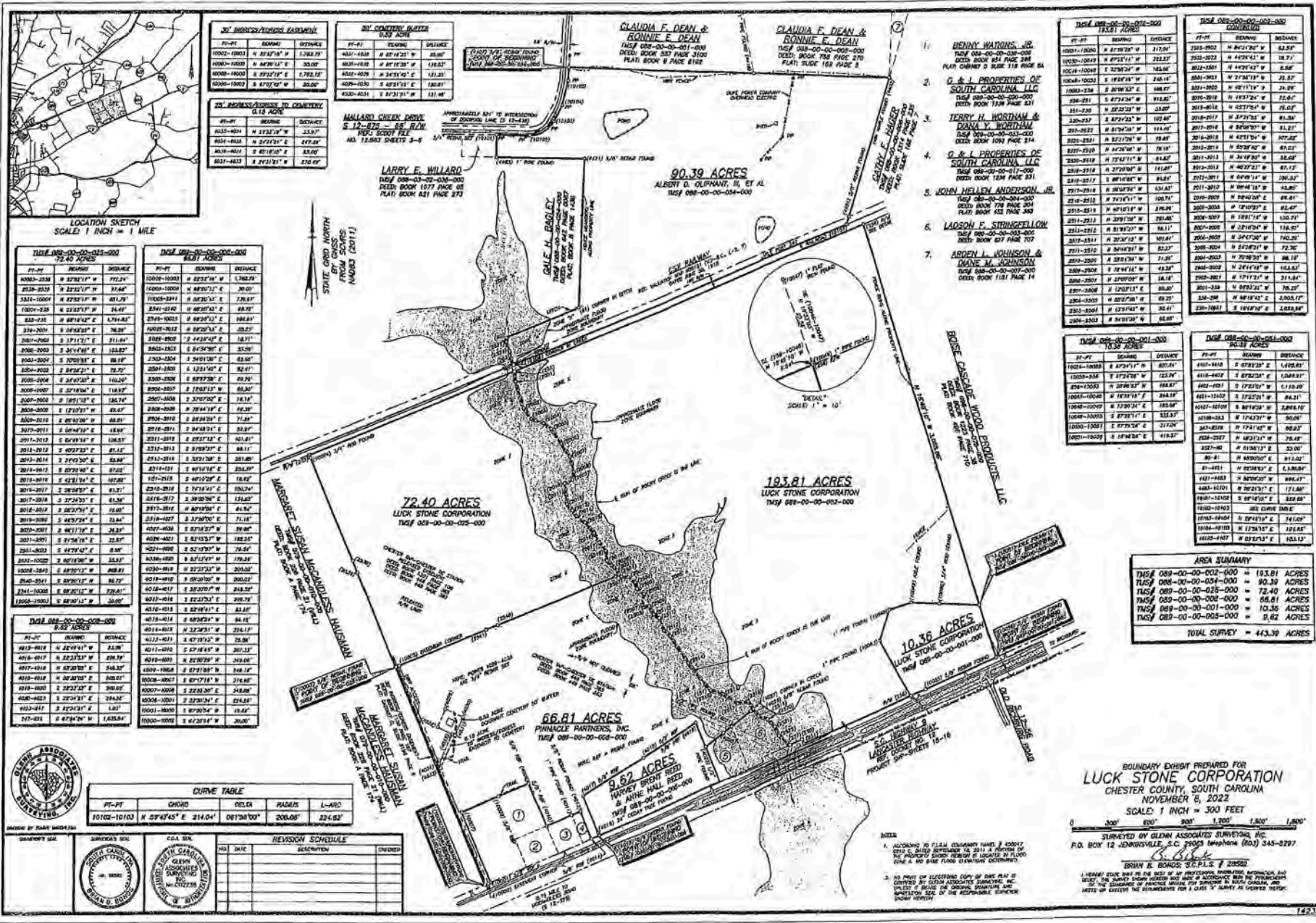


Recorded July 24, 1967  
 Book 363 p. 32,  
 Page 363,  
 W. K. Stringfellow  
 C.C. - Chester Co., S.C.

432

FILED  
 CLERK OF COURTS  
 CHESTER  
 S. C.  
 67 JUL 24 AM 11:32  
 REC. #

Recorded: July 24, 1967  
 PLAT BOOK 363



**ST. INTERSECTION/ADJACENT**

PT-PT	BEARING	DISTANCE
10002-10003	N 87°21'18" W	1,782.79
10003-10004	N 87°21'18" W	303.00
10004-10005	N 87°21'18" W	1,782.79
10005-10006	S 87°21'18" W	303.00
10006-10007	S 87°21'18" W	1,782.79
10007-10008	S 87°21'18" W	303.00

**ST. CURVE DATA**

PT-PT	BEARING	DISTANCE
4031-4032	N 87°21'18" W	303.00
4032-4033	N 87°21'18" W	1,782.79
4033-4034	N 87°21'18" W	303.00
4034-4035	S 87°21'18" W	1,782.79
4035-4036	S 87°21'18" W	303.00
4036-4037	S 87°21'18" W	1,782.79

**ST. ADDRESS/ROAD TO CENTERLINE**

PT-PT	BEARING	DISTANCE
4037-4038	N 27°21'18" E	213.97
4038-4039	N 27°21'18" E	477.40
4039-4040	S 87°21'18" W	83.00
4040-4041	S 87°21'18" W	270.97

LOCATION SKETCH  
SCALE: 1 INCH = 1 MILE

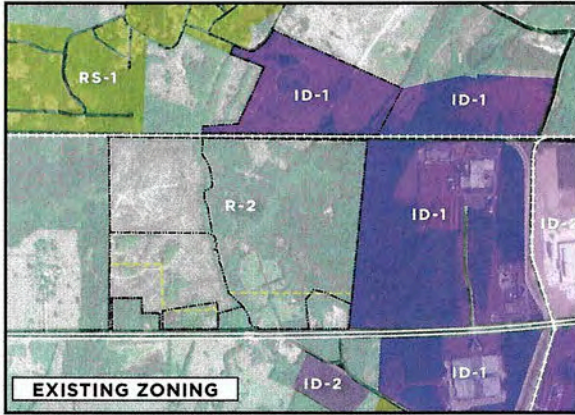
**TRIAL 088-00-00-002-000**  
72.40 ACRES

PT-PT	BEARING	DISTANCE
40003-2338	N 87°21'18" W	772.24
2338-2339	N 27°21'18" E	71.64
2339-2340	N 87°21'18" W	681.78
2340-2341	N 27°21'18" E	153.27
2341-2342	N 87°21'18" W	31.49
2342-2343	N 87°21'18" W	1,782.79
2343-2344	N 87°21'18" W	303.00
2344-2345	N 87°21'18" W	1,782.79
2345-2346	N 87°21'18" W	303.00
2346-2347	N 87°21'18" W	1,782.79
2347-2348	N 87°21'18" W	303.00
2348-2349	N 87°21'18" W	1,782.79
2349-2350	N 87°21'18" W	303.00
2350-2351	N 87°21'18" W	1,782.79
2351-2352	N 87°21'18" W	303.00
2352-2353	N 87°21'18" W	1,782.79
2353-2354	N 87°21'18" W	303.00
2354-2355	N 87°21'18" W	1,782.79
2355-2356	N 87°21'18" W	303.00
2356-2357	N 87°21'18" W	1,782.79
2357-2358	N 87°21'18" W	303.00
2358-2359	N 87°21'18" W	1,782.79
2359-2360	N 87°21'18" W	303.00
2360-2361	N 87°21'18" W	1,782.79
2361-2362	N 87°21'18" W	303.00
2362-2363	N 87°21'18" W	1,782.79
2363-2364	N 87°21'18" W	303.00
2364-2365	N 87°21'18" W	1,782.79
2365-2366	N 87°21'18" W	303.00
2366-2367	N 87°21'18" W	1,782.79
2367-2368	N 87°21'18" W	303.00
2368-2369	N 87°21'18" W	1,782.79
2369-2370	N 87°21'18" W	303.00
2370-2371	N 87°21'18" W	1,782.79
2371-2372	N 87°21'18" W	303.00
2372-2373	N 87°21'18" W	1,782.79
2373-2374	N 87°21'18" W	303.00
2374-2375	N 87°21'18" W	1,782.79
2375-2376	N 87°21'18" W	303.00
2376-2377	N 87°21'18" W	1,782.79
2377-2378	N 87°21'18" W	303.00
2378-2379	N 87°21'18" W	1,782.79
2379-2380	N 87°21'18" W	303.00
2380-2381	N 87°21'18" W	1,782.79
2381-2382	N 87°21'18" W	303.00
2382-2383	N 87°21'18" W	1,782.79
2383-2384	N 87°21'18" W	303.00
2384-2385	N 87°21'18" W	1,782.79
2385-2386	N 87°21'18" W	303.00
2386-2387	N 87°21'18" W	1,782.79
2387-2388	N 87°21'18" W	303.00
2388-2389	N 87°21'18" W	1,782.79
2389-2390	N 87°21'18" W	303.00
2390-2391	N 87°21'18" W	1,782.79
2391-2392	N 87°21'18" W	303.00
2392-2393	N 87°21'18" W	1,782.79
2393-2394	N 87°21'18" W	303.00
2394-2395	N 87°21'18" W	1,782.79
2395-2396	N 87°21'18" W	303.00
2396-2397	N 87°21'18" W	1,782.79
2397-2398	N 87°21'18" W	303.00
2398-2399	N 87°21'18" W	1,782.79
2399-2400	N 87°21'18" W	303.00
2400-2401	N 87°21'18" W	1,782.79
2401-2402	N 87°21'18" W	303.00
2402-2403	N 87°21'18" W	1,782.79
2403-2404	N 87°21'18" W	303.00
2404-2405	N 87°21'18" W	1,782.79
2405-2406	N 87°21'18" W	303.00
2406-2407	N 87°21'18" W	1,782.79
2407-2408	N 87°21'18" W	303.00
2408-2409	N 87°21'18" W	1,782.79
2409-2410	N 87°21'18" W	303.00
2410-2411	N 87°21'18" W	1,782.79
2411-2412	N 87°21'18" W	303.00
2412-2413	N 87°21'18" W	1,782.79
2413-2414	N 87°21'18" W	303.00
2414-2415	N 87°21'18" W	1,782.79
2415-2416	N 87°21'18" W	303.00
2416-2417	N 87°21'18" W	1,782.79
2417-2418	N 87°21'18" W	303.00
2418-2419	N 87°21'18" W	1,782.79
2419-2420	N 87°21'18" W	303.00
2420-2421	N 87°21'18" W	1,782.79
2421-2422	N 87°21'18" W	303.00
2422-2423	N 87°21'18" W	1,782.79
2423-2424	N 87°21'18" W	303.00
2424-2425	N 87°21'18" W	1,782.79
2425-2426	N 87°21'18" W	303.00
2426-2427	N 87°21'18" W	1,782.79
2427-2428	N 87°21'18" W	303.00
2428-2429	N 87°21'18" W	1,782.79
2429-2430	N 87°21'18" W	303.00
2430-2431	N 87°21'18" W	1,782.79
2431-2432	N 87°21'18" W	303.00
2432-2433	N 87°21'18" W	1,782.79
2433-2434	N 87°21'18" W	303.00
2434-2435	N 87°21'18" W	1,782.79
2435-2436	N 87°21'18" W	303.00
2436-2437	N 87°21'18" W	1,782.79
2437-2438	N 87°21'18" W	303.00
2438-2439	N 87°21'18" W	1,782.79
2439-2440	N 87°21'18" W	303.00
2440-2441	N 87°21'18" W	1,782.79
2441-2442	N 87°21'18" W	303.00
2442-2443	N 87°21'18" W	1,782.79
2443-2444	N 87°21'18" W	303.00
2444-2445	N 87°21'18" W	1,782.79
2445-2446	N 87°21'18" W	303.00
2446-2447	N 87°21'18" W	1,782.79
2447-2448	N 87°21'18" W	303.00
2448-2449	N 87°21'18" W	1,782.79
2449-2450	N 87°21'18" W	303.00
2450-2451	N 87°21'18" W	1,782.79
2451-2452	N 87°21'18" W	303.00
2452-2453	N 87°21'18" W	1,782.79
2453-2454	N 87°21'18" W	303.00
2454-2455	N 87°21'18" W	1,782.79
2455-2456	N 87°21'18" W	303.00
2456-2457	N 87°21'18" W	1,782.79
2457-2458	N 87°21'18" W	303.00
2458-2459	N 87°21'18" W	1,782.79
2459-2460	N 87°21'18" W	303.00
2460-2461	N 87°21'18" W	1,782.79
2461-2462	N 87°21'18" W	303.00
2462-2463	N 87°21'18" W	1,782.79
2463-2464	N 87°21'18" W	303.00
2464-2465	N 87°21'18" W	1,782.79
2465-2466	N 87°21'18" W	303.00
2466-2467	N 87°21'18" W	1,782.79
2467-2468	N 87°21'18" W	303.00
2468-2469	N 87°21'18" W	1,782.79
2469-2470	N 87°21'18" W	303.00
2470-2471	N 87°21'18" W	1,782.79
2471-2472	N 87°21'18" W	303.00
2472-2473	N 87°21'18" W	1,782.79
2473-2474	N 87°21'18" W	303.00
2474-2475	N 87°21'18" W	1,782.79
2475-2476	N 87°21'18" W	303.00
2476-2477	N 87°21'18" W	1,782.79
2477-2478	N 87°21'18" W	303.00
2478-2479	N 87°21'18" W	1,782.79
2479-2480	N 87°21'18" W	303.00
2480-2481	N 87°21'18" W	1,782.79
2481-2482	N 87°21'18" W	303.00
2482-2483	N 87°21'18" W	1,782.79
2483-2484	N 87°21'18" W	303.00
2484-2485	N 87°21'18" W	1,782.79
2485-2486	N 87°21'18" W	303.00
2486-2487	N 87°21'18" W	1,782.79
2487-2488	N 87°21'18" W	303.00
2488-2489	N 87°21'18" W	1,782.79
2489-2490	N 87°21'18" W	303.00
2490-2491	N 87°21'18" W	1,782.79
2491-2492	N 87°21'18" W	303.00
2492-2493	N 87°21'18" W	1,782.79
2493-2494	N 87°21'18" W	303.00
2494-2495	N 87°21'18" W	1,782.79
2495-2496	N 87°21'18" W	303.00
2496-2497	N 87°21'18" W	1,782.79
2497-2498	N 87°21'18" W	303.00
2498-2499	N 87°21'18" W	1,782.79
2499-2500	N 87°21'18" W	303.00

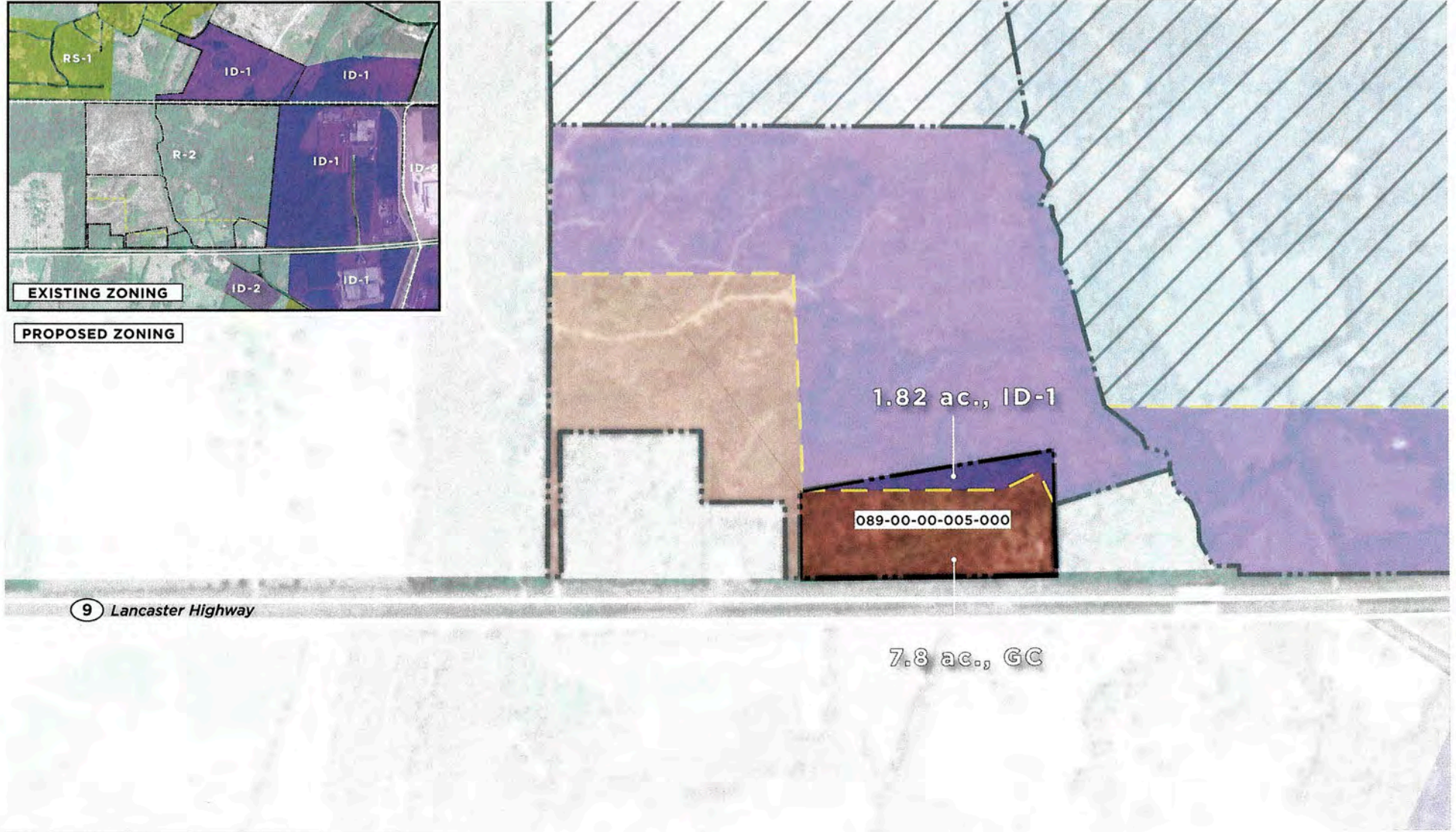
**TRIAL 088-00-00-002-000**  
72.40 ACRES

PT-PT	BEARING	DISTANCE
4013-4014	N 27°21'18" E	213.97
4014-4015	N 27°21'18" E	477.40
4015-4016	S 87°21'18" W	83.00
4016-4017	S 87°21'18" W	270.97
4017-4018	N 87°21'18" W	31.49
4018-4019	N 87°21'18" W	1,782.79
4019-4020	N 87°21'18" W	303.00
4020-4021	N 87°21'18" W	1,782.79
4021-4022	N 87°21'18" W	303.00
4022-4023	N 87°21'18" W	1,782.79
4023-4024	N 87°21'18" W	303.00
4024-4025	N 87°21'18" W	1,782.79
4025-4026	N 87°21'18" W	303.00
4026-4027	N 87°21'18" W	1,782.79
4027-4028	N 87°21'18" W	303.00
4028-4029	N 87°21'18" W	1,782.79
4029-4030	N 87°21'18" W	303.00
4030-4031	N 87°21'18" W	1,782.79
4031-4032	N 87°21'18" W	303.00
4032-4033	N 87°21'18" W	1,782.79
4033-4034	N 87°21'18" W	303.00
4034-4035	N 87°21'18" W	1,782.79
4035-4036	N 87°21'18" W	303.00
4036-4037	N 87°21'18" W	1,782.79
4037-4038	N 87°21'18" W	303.00
4038-4039	N 87°21'18" W	1,782.79
4039-4040	N 87°21'18" W	303.00
4040-4041	N 87°21'18" W	1,782.79
4041-4042	N 87°21'18" W	303.00
4042-4043	N 87°21'18" W	1,782.79
4043-4044	N 87°21'18" W	303.00
4044-4045	N 87°21'18" W	1,782.79
4045-4046	N 87°21'18" W	303.00
4046-4047	N 87°21'18" W	1,782.79
4047-4048	N 87°21'18" W	303.00
4048-4049	N 87°21'18" W	1,782.79
4049-4050	N 87°21'18" W	303.00
4050-4051	N 87°21'18" W	1,782.79
4051-4052	N 87°21'18" W	303.00
4052-4053	N 87°21'18" W	1,782.79
4053-4054	N 87°21'18" W	303.00
4054-4055	N 87°21'18" W	1,782.79
4055-4056	N 87°21'18" W	303.00
4056-4057	N 87°21'18" W	1,782.79
4057-4058	N 87°21'18" W	303.0

PARCEL #089-00-00-005-000

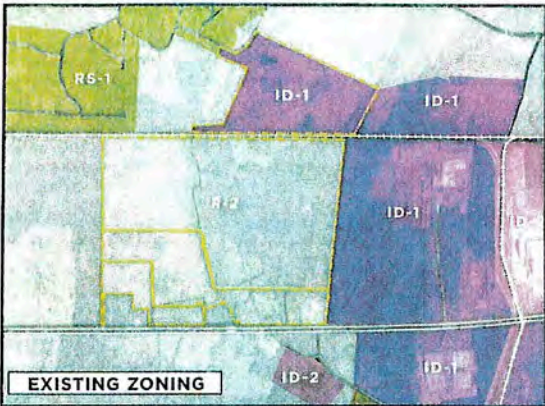
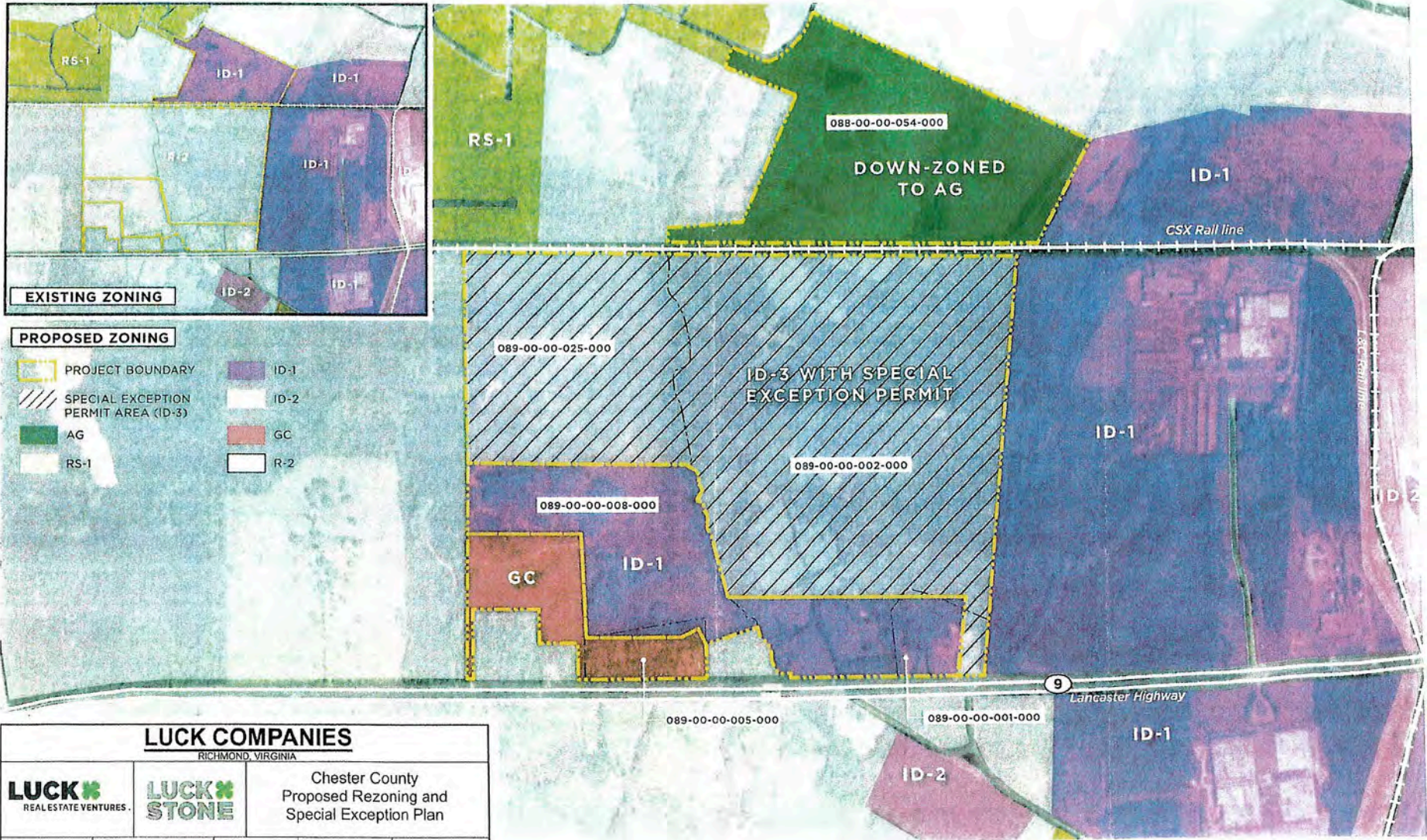


PROPOSED ZONING





# PROPOSED REZONING AND SPECIAL EXCEPTION PLAN



- PROPOSED ZONING**
- PROJECT BOUNDARY
  - AG
  - RS-1
  - ID-1
  - ID-2
  - GC
  - R-2

<b>LUCK COMPANIES</b> RICHMOND, VIRGINIA			
<b>LUCK</b> REAL ESTATE VENTURES	<b>LUCK</b> <b>STONE</b>	Chester County Proposed Rezoning and Special Exception Plan	
Date: 11/11/22	Data: Chester County GIS, Google Maps	Scale: Approx. 1" = 200'	Page: 3 OF 4 Drawn by: Patrick Hess
NOT A SURVEY. THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT TO BE USED FOR ANY PURPOSES WITHOUT THE EXPRESS WRITTEN PERMISSION OF LUCK COMPANIES. LUCK COMPANIES IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THIS MAP IS NOT TO BE USED FOR ANY PURPOSES WITHOUT THE EXPRESS WRITTEN PERMISSION OF LUCK COMPANIES.			



**Luck Companies**

**Chester County, SC: Rezoning & Special Exception Summary**

Parcel ID	Owner	Address	Survey Acreage	Current Zoning	Desired Zoning	Desired Zoning Acreage (Per GIS)	Special Exception Application	Summary of Use
089-00-00-005-000	Harvey and Anne Reed	1207 Lancaster HWY Chester, SC 29706	9.62	R-2	GC	7.8	n/a	Commercial Store Fronts, Government Building (Land for such donated to Chester County)
					ID-1	1.82	n/a	Business Park
089-00-00-008-000	Pinnacle Partners INC	1113 Lancaster HWY Chester, SC 29706	66.81	R-2	GC	17.92	n/a	Commercial Store Fronts, Government Building (Land for such donated to Chester County)
					ID-1	48.89	n/a	Business Park
088-00-00-054-000	Albert D Oliphant III	n/a	90.39	I-1	AG	90.39	n/a	Agricultural Education
089-00-00-002-000	Luck Stone Corporation	1421 Collie Lane Chester, SC 29706	193.81	R-2	ID-3 w/ Special Exception	174.46	✓	Quarry and Ancillary Uses
					ID-1	19.35	n/a	Business Park
089-00-00-025-000	Luck Stone Corporation	n/a	72.4	R-2	ID-3 w/ Special Exception	72.4	✓	Quarry and Ancillary Uses
089-00-00-001-000	Luck Stone Corporation	1257 Lancaster HWY Chester, SC 29706	10.36	R-2	ID-3 w/ Special Exception	1.01	✓	Quarry and Ancillary Uses
					ID-1	9.35	n/a	Business Park

Total GC Rezoning Area	25.72
Total ID1 Rezoning Area	79.41
Total ID3 w/ Special Exception Rezoning Area	247.87
Total AG Rezoning Area	90.39

## A note from Luck Companies:



Since becoming a member of the South Carolina business community in 2018, our family-owned company has created strong and lasting relationships with business partners and community members. Luck Companies has been welcomed as an active participant in the **Kershaw County, Fairfield County, and Spartanburg County**

communities. Growth through new locations provides Luck Companies the opportunity to expand our mission of igniting human potential and positively impacting the lives of others.

Chester is uniquely positioned for growth, with proximity to natural resources and economic trends in the county's favor. We want to support this growth with locally produced, high-quality materials and development that can serve as the county's foundation. Our excitement for a potential partnership with the Chester County community led us to our previous application effort which began in 2019. However, prioritizing health and safety during the pandemic and feedback from the community led us to withdraw our application in 2020. We have used the past two years to engage with and learn from community residents, schools, business owners and non-profit organizations. This time has provided us the opportunity to finalize the purchase of the land considered in our previous application, introduce additional property in Chester County and solicit input and approval from the state agencies responsible for regulating our three business units.

The community's input and Chester County's updated Comprehensive and Economic Development Plans have informed our revised approach. Luck Companies has prepared a new application which aligns to community goals, passions, and culture.

Our project will create:

- local jobs
- tax revenue for the county
- outdoor recreation areas for the community
- a community impact fund
- business park and retail space

Key amendments to our application include:

- **Down-zoning an adjacent parcel** to provide additional buffer from a northern residential neighborhood and facilitate agricultural education opportunities
- **New development to accommodate a market void** of medium square footage business park space
- **Large dedicated acreage** for governmental use, developed in coordination with the Board of Commissioners, and structured to facilitate citizen tax dollar savings

We are inspired by the opportunity to be longstanding members of the Chester community and look forward to continuing our conversation. We remain committed to collaboratively working towards a sustainable development plan that benefits Chester County now and for generations to come.

Sincerely,

Ben Thompson,  
Director, Greenfield Development

### Our Ask



**APPROVE A REZONING**  
to support a Quarry



**APPROVE A REZONING**  
to support a Business Park  
and Retail Center



**APPROVE A DOWNZONING**  
to eliminate industrial use and  
provide additional buffer for  
residential neighbors



**BLESS THE CREATION**  
of a Community Fund that  
administers 1% of annual net sales  
(of the Chester County Quarry)  
up to \$35k to Chester County  
Non-profits and initiatives



**BLESS THE CONDITIONS**  
of the associated rezonings  
to further ensure responsible  
actions and enable the donation  
of recognized acreage for  
Chester County Government use  
and growth

Conditions applicable to properties included within the Luck Stone Corporation (the "Applicant") application for rezoning of properties located in Chester County, South Carolina shown on the plan dated November 11, 2022, entitled "Proposed Zoning and Special Exception Plan" as (i) "ID1" containing 79.41 acres (the "ID1 Property"), (ii) "GC" containing 25.72 acres (the "GC Property"), (iii) "ID3" containing 247.87 acres (the "ID3 Property") and (iv) "AG" containing 90.39 acres (the "AG Property").

**Condition applicable to all properties:**

Prior to issuance of any County permits for development of the parcels included within the application for rezoning, the Applicant shall submit an application for subdivision/boundary line adjustment of all parcels included within the application for rezoning to provide for the adjustment of parcel boundaries by zoning classification so that no parcel shall be split-zoned (include more than one zoning classification) and that all parcels are in compliance with the County subdivision ordinance.

**Conditions applicable to the ID1 Property:**

1. **Prohibited Uses.** No portion of the ID1 Property shall be used for any of the following uses:
  - i. Grain Milling
  - ii. Reconstituted wood products
  - iii. Converted Paper Products
  - iv. Mineral and Earth
  - v. Misc. Nonmetallic Mineral
  - vi. Aluminum Production
  
2. **Dedication of Easement for Public Park.** Subject to and upon approval of the rezoning of the ID3 Property, approval of a special exception for mining activities and related uses on the ID3 Property and commencement of mining activities on the ID3 Property, the Applicant shall offer for dedication to the County an easement over an across the area containing approximately fifteen (15) acres (the "Park and Trail Easement") shown on the plan included in this application dated November 11, 2022 and entitled "Updated and Compiled General Development Plan" (the "GDP") on commercially reasonable terms and conditions for a public park and trail system along Rocky Creek together with a right of access to and from Highway 9 as shown on the GDP. The County may accept the offer of dedication at any time within five (5) years after commencement of mining activities on the ID3 Property. If the offer of dedication is not accepted within such period, the offer of dedication shall be void and of no further effect. The Applicant shall be responsible for preparation, at its expense, of a survey of the Park and Trail Easement and payment of costs to prepare and record the easement agreement.
  
3. **Entrance Landscaping and Beautification.** The entrance to the ID1 Property from Highway 9 shall be landscaped in accordance with a plan to be submitted by the Applicant to the County as part of the site plan for development of the ID1 Property. The design and materials included in the landscape plan for this entrance shall be similar to the design and materials included in the landscape plans for entrances to the GC Property and the ID3 Property to provide a consistent appearance for all such entrances.

**Conditions applicable to all areas rezoned to the GC classification (the "GC Property"):**

1. **Dedication of Property for Governmental Use.** Subject to and upon approval of the rezoning of the ID3 Property, approval of a special exception for mining activities and related uses on the ID3 Property and commencement of mining activities on the ID3 Property, the Applicant shall offer for dedication to the County of one or more parcels containing a total of not less than fifteen (15) acres for governmental uses (the "Governmental Use Property") as generally shown on the plan included in this application entitled "Updated and Compiled General Development Plan". The County may accept the offer of dedication at any time within five (5) years after commencement of mining activities on the ID3 Property. If the offer of dedication is not accepted within such period, the offer of dedication shall be void and of no further effect. The Applicant shall be responsible for preparation, at its expense, of a current survey of the Governmental Use Property and payment of costs to prepare and record the deed of dedication. The deed of dedication shall restrict use of the Governmental Use Property to use by the County or other governmental entities unless otherwise approved by the owner of the ID3 Property.
2. **Entrance Landscaping and Beautification.** The entrance to the GC Property from Highway 9 shall be landscaped in accordance with a plan to be submitted by the Applicant to the County as part of the site plan for development of the GC Property. The design and materials included in the landscape plan for this entrance shall be similar to the design and materials included in the landscape plans for entrances to the ID1 Property and the ID3 Property to provide a consistent appearance for all such entrances.
3. **Cemetery Access.** The cemetery located on the GC Property will remain undisturbed and reasonable access will be provided to relatives and descendants of persons buried in the cemetery for the limited purposes of visiting graves, maintaining the gravesite or cemetery or conducting genealogy research. Such access shall not include the right to operate motor vehicles on the GC Property other than within any driveways and parking areas as may be located on the GC Property from time to time.

**Condition applicable to the area rezoned to the AG classification (the "AG Property"):**

The Applicant will enter into discussions with representatives of the County schools to explore the use of a portion of the AG Property for an agricultural education program which may include the cultivation of trees or other crops to provide a hands-on learning experience. If the County schools are interested, the Applicant will work with the County schools in good faith to agree upon the terms and conditions of a lease of up to one half (1/2) of the AG Property for \$1.00/year for a term of up to fifteen (15) years or as may otherwise be agreed upon by the County schools and the Applicant.

**Conditions applicable to all areas rezoned to the ID3 classification (the "ID3 Property"):**

1. No portion of the ID3 Property shall be used for any of the following uses:
  - i. Biological and allied wholesaling
  - ii. Manufacturing of animal, chemical, gas, or arms and munitions
  - iii. Petroleum storage for wholesaling (except to supply uses on the ID3 Property)
  - iv. Fuel dealers, retail (except to supply uses on the ID3 Property)
  - v. Hazardous waste carriers
  - vi. Municipal solid waste landfill
  - vii. Airport
  
2. Entrance Landscaping and Beautification. The entrance to the ID3 Property from Highway 9 shall be landscaped in accordance with a plan to be submitted by the Applicant to the County as part of the site plan for development of the ID3 Property. The design and materials included in the landscape plan for this entrance shall be similar to the design and materials included in the landscape plans for entrances to the ID1 Property and the GC Property to provide a consistent appearance for all such entrances.
  
3. Screening and Visual Line of Sight. Mining activities and related uses on the ID3 Property shall be screened from visibility from Highway 9 using berms and landscaping or other means proposed by the Applicant and approved by the County in connection with the review and approval of a site plan for development of the ID3 Property.
  
4. Dedication of Easement for Public Park. Subject to and upon approval of the rezoning of the ID3 Property, approval of a special exception for mining activities and related uses on the ID3 Property and commencement of mining activities on the ID3 Property, the Applicant shall offer for dedication to the County an easement over an across the area containing approximately fifteen (15) acres (the "Park and Trail Easement") shown on the plan included in this application dated November 11, 2022 and entitled "Updated and Compiled General Development Plan" (the "GDP") on commercially reasonable terms and conditions for a public park and trail system along Rocky Creek together with a right of access to and from Highway 9 as shown on the GDP. The County may accept the offer of dedication at any time within five (5) years after commencement of mining activities on the ID3 Property. If the offer of dedication is not accepted within such period, the offer of dedication shall be void and of no further effect. The Applicant shall be responsible for preparation, at its expense, of a survey of the Park and Trail Easement and payment of costs to prepare and record the easement agreement.

**Conditions for a Special Exception to Allow Mining Operations and Associated Uses on the ID3 Property ("Mining Operations")**

Development and use of the ID3 Property for Mining Operations pursuant to the requested Special Exception shall be subject to the following conditions:

1. Hours of Operation. Hours of operation shall be limited as follows:
  - (a) Extraction Area, Primary Plant and Equipment: 6:00 a.m. to 9:00 p.m. Monday through Saturday ("Standard Operating Hours") only except as provided below.
  - (b) Shipping, Loading and Limited Processing: Standard Operating Hours except as otherwise required in the event a federal, state or local agency or authority requests or requires that such activities be conducted during other hours.
  - (c) Processing Plant (secondary and/or finishing phases of plant operations): Hours of operation for the processing plant shall be unrestricted when operated without the use of trucks and loaders utilizing audible back-up alarms (when operated with trucks and loaders utilizing audible back-up alarms, Standard Operating Hours shall apply). Any vehicular operations during hours other than Standard Operating Hours shall be for processing activities only and shall not be for extraction activities.
  - (d) Blasting. Blasting shall not occur before 9:30 a.m. or after 5:00 p.m. Monday through Friday, except when a blasting charge has been set before 5:00 p.m. and is delayed due to reasons beyond the reasonable control of Operator or due to safety considerations. In such a case, Operator may then complete the blast after 5:00 p.m. but no later than thirty (30) minutes after sunset. There shall be no blasting on Saturdays or Sundays except to complete a blast where the charge was set and blasting delayed as described above.
2. Buffers. Buffers shall be provided in the locations and of the widths shown on the on the plan included in this application dated November 11, 2022 and entitled "Updated and Compiled General Development Plan" (the "GDP"). Buffers shall consist of undisturbed natural vegetation supplemented by berms, additional vegetation or otherwise as necessary to comply with the requirements of the mining permit (the "State Mining Permit") issued to Operator for Mining Operations by the South Carolina Department of Health and Environmental Control ("DHEC"). Encroachments into buffers shall be allowed for utility lines, roads, access points and such other encroachments or breaks as necessary to conduct Mining Operations in accordance with the State Mining Permit.
3. No Trespassing Signs. "No Trespassing" signs shall be posted and perpetually maintained around the perimeter of the processing and extraction areas. Signs shall not be more than 300 feet apart.
4. Wetlands. All necessary permits to allow disturbance of jurisdictional wetlands on the ID3 Property shall be obtained from the applicable governmental authority (e.g., U.S. Army Corps. of Engineers, Chester County Government, or DHEC).

5. DHEC Mining, Water Discharge and Air Permits.

(a) Prior to commencement of any land disturbance associated with Mining Operations, Operator shall obtain the State Mining Permit from DHEC. The State Mining Permit shall address all relevant issues including soil erosion, stormwater management, air quality and reclamation. Completion of the reclamation plan shall be secured by a bond posted with DHEC in accordance with its regulations.

(b) Prior to commencement of Mining Operations, Operator shall obtain an NPDES General Permit for Discharges Associated with Nonmetal Mineral Mining Facilities from the DHEC Bureau of Water pursuant to the Pollution Control Act of South Carolina and the Federal Clean Water Act which is administered by DHEC in South Carolina.

(c) Prior to commencement of Mining Operations, Operator shall obtain an Air Quality Permit from the DHEC Bureau of Air Quality to ensure compliance with the Federal Clean Air Act which is administered by DHEC in South Carolina. In connection with the issuance of the Air Quality Permit, Operator shall develop and implement a facility-wide plan for controlling fugitive dust and emissions from Mining Operations including process operations, truck traffic, storage piles, and any other areas within the ID3 Property where fugitive dust emissions can be generated. Fugitive dust generated from direct Mining Operations shall be controlled by wet suppression and/or dry dust collection systems. Fugitive dust generated by vehicular traffic within Mining Operations shall be controlled by the application of water or equivalent wetting agent to roadways and other traveled surfaces on the ID3 Property.

(d) Operator shall maintain copies of all federal and state records pertaining to permits and approvals on-site and, upon reasonable prior notice from County zoning officials, Operator shall make copies of permits and approvals to County zoning officials for review.

6. Entrance Road.

(a) Operator shall pave and maintain in good condition the entrance road providing access to Mining Operations from Highway 9 for a distance of approximately 1000 feet as generally shown on the on the GDP.

(b) Permanent access to Mining Operations shall be limited to a single point on Highway 9 as generally shown on the GDP and approved by SC Department of Transportation. The portion of such access located between Highway 9 and the area used for active mining may be shared by other uses as authorized by Operator.

(c) Operator shall inspect the intersection of the Mining Operations entrance road and Highway 9 daily for loose stone. Operator shall remove any loose stone material at or around the entrance road outside of the right of way of Highway 9 if removal can be completed safely and without interruption of traffic on Highway 9. Operator shall solicit the assistance of the appropriate agency (SCDOT, County Sheriff, etc.) with respect to removal of stone within the right of way of Highway 9 or as otherwise required for safe removal without interruption of traffic on Highway 9.

7. Monitoring Wells. Operator shall construct five (5) monitoring wells at locations determined by an independent qualified professional (i.e., certified hydrologist or



geologist) and approved by DHEC. A plan describing the procedures and timing of observance for the monitoring wells shall be developed by an independent qualified professional and approved by DHEC and to be followed by Operator.

8. Water Well Impacts. Upon submission of a formal complaint by an adjacent property owner or as requested by the County, pursuant to the State Mine Permit DHEC shall determine if any activity associated with Mining Operations has caused a well or wells on the adjacent property owner's land to become dry. If DHEC determines that Mining Operations has caused the drying of the property owner's well, Operator shall be responsible for providing an alternative water source (e.g., drill well deeper, new well, or connect to public water source at the discretion of Operator) for the aggrieved party at Operator's expense.
9. Blasting.
  - (a) Blasting Data shall be monitored and recorded for all blasts, shall be maintained on-site at the scale house for a period of three (3) years and shall be made available to County zoning officials for review at the scale house. Blasting Data shall include the time and date of blast, pounds of blasting material per delay, total pounds of blasting materials per blast, seismograph readings of ground vibration levels and air over-pressure levels in decibels.
  - (b) Operator shall provide notice prior to the first blast associated with Mining Operations (not site development/construction) either by (i) written notice via direct mail to all property owners and/or occupants of existing dwellings within one-half (1/2) mile of the areas where blasting will occur or (ii) advertisement two (2) times in a local newspaper of general circulation at least ninety (90) days prior to the first blast associated with Mining Operations blast. Upon receipt, pursuant to the above described notice, by DHEC and Operator of a written request from the owner of any existing structures within one-half (1/2) mile of the areas where blasting will occur, a third party consultant selected and engaged by Operator shall conduct an inspection of the applicable structures to determine the structural condition of the structures prior to the first blast associated with Mining Operations. The property owner shall have the right to supervise the inspection by the third-party consultant and shall be provided with a copy of the consultant's report.
  - (c) Ground vibration caused by blasting activity shall not exceed the maximum peak particle velocity allowed pursuant to South Carolina Code of Regulations Section 89-150(E) as measured at the immediate location of any dwelling, public building, school, church, or commercial or institutional building existing as of the date of approval of the Special Exception to allow Mining Operations. The maximum peak particle velocity requirement does not apply to structures within the permitted area, or any area that is owned or leased by Operator or any structures on which Operator has acquired waiver to damage rights.
  - (d) If a formal claim is made by any private or public landowner that the landowner or the property (real or personal) of the landowner has been damaged by blasting activities associated with Mining Operations, whether by ground vibration, air over-pressure or otherwise, an independent, qualified professional with experience in the effects of blasting shall be engaged to determine if any damage was caused by blasting activities associated with Mining Operations. If it is determined that damage was caused by blasting activities

associated with Mining Operations, Operator shall correct the damage or reimburse the landowner for such damage. The amount of any reimbursement shall be determined by an independent, competent professional with expertise in estimating the damage (for example, a licensed builder or building contractor where the damage is to a residence). The independent professionals performing assessments pursuant to this paragraph shall be agreed upon by both Operator and the property owner and retained at the expense of Operator.

10. Lighting. Exterior light fixtures associated with Mining Operations shall be of a type and installed in a manner to reasonably minimize light spillage from Mining Operations onto adjoining parcels.
11. Noise. Airborne noise produced from Mining Operations other than blasting shall not exceed 80dba of continuous noise for greater than five (5) minutes at any one time as measured along the northern and western boundaries of the ID3 Property (the "Noise Limit"). The Noise Limit shall not apply to individual events lasting less than five (5) minutes. Operator shall install monitoring devices on the northern and western property lines of the ID3 Property to monitor decibel levels to assure that noise from Mining Operations does not exceed the Noise Limit.
12. Reclamation Plan. As a condition of the Special Exception, the reclamation plan approved by DHEC as part of the State Mining Permit shall be complied with by Operator, including, but not limited to, the following tasks which shall be completed upon completion of Mining Operations:
  - (i) all debris, scrap metal, concrete foundations, sidewalks and structures will be removed and
  - (ii) the stockpile, office and plant areas will be graded, sloped back to as natural a contour as reasonably possible (but no steeper than a 3h:1v slope) and seeded. Perimeter berms and buffers may be left in place and the pit area may be allowed to fill up with water.
13. Community Interest Engagement Group. Operator shall work with interested parties in the community to establish a Community Interest Engagement Group (the "CIEG") comprised of representatives of homeowner associations or similar residential groups and interested individual property owners located within a two (2) mile radius of Mining Operations. Operator shall facilitate meetings with the CIEG on a quarterly basis or as otherwise mutually determined by Operator and the CIEG to allow for information exchanges with respect to historical Mining Operations, future plans for Mining Operations and other community issues or opportunities of concern or interest of the CIEG and Operator. This condition is intended to provide a forum for communications among the CIEG and Operator and does not grant any approval rights to the CIEG with respect to Mining Operations.
14. Community Fund. Annually, Operator shall contribute the lesser of (i) one percent (1%) of the adjusted net sales of construction aggregate materials excavated from the ID3 Property and sold to third parties during the year or (ii) Thirty Five Thousand Dollars (\$35,000.00) to one or more organizations within Chester County in support of local Chester County non-profit initiatives, workforce development programing or general community improvement opportunities. This funding will be managed by Operator and distributed to organizations selected by Operator after consultation with the CIEG. For purposes of this condition, "adjusted net sales" shall mean total sales dollars of construction aggregate materials mined or extracted from the ID3 Property excluding any transportation (whether by truck, rail or other method), hauling, loading or unloading charges and less deductions for cash discounts, price

adjustments, additive materials, allowances, volume discounts and sales, use and other similar taxes or governmental charges. Annually, a report of contributions made by Operator pursuant to this condition shall be provided to the CIEG and to the County.

Chester County Planning Commission Minutes

December 20, 2022

**CCMA22-27 Luck Companies request a portion (48.89 acres) of Tax Map # 089-00-00-008-000 at 1113 Lancaster Hwy., Chester, SC 29706 to be rezoned from Rural Two District (R2) to Restricted Industrial District (ID-1). Vice Chairman motioned to approve, second by Commissioner Howell. Vote 5-0 Approved.**



**Chester County, South Carolina**  
 Department of Planning, Building & Zoning  
 1476 J.A. Cochran Bypass  
 Chester, SC 29706

**Zoning Map Amendment (Rezoning) Application**

Fee: Residential \$150.00, Non-Residential \$300.00, Planned Development \$1000.00

Meeting Date: 12.20.22 Case # CCMA22-27 Invoice # 5948

The applicant hereby requests that the property described to be rezoned from R-2 to ID-1

**Please give your reason for this rezoning request:**

Zoning amendment enables economic development upon the property. Please see included "Luck Companies Chester County Economic Development Project Rezoning and Special Exception Application and Conditions"

*Copy of plat must be presented with the application request*

**Designation of Agent (complete only if owner is not applicant):** I (we) hereby appoint the person named as applicant as my (our) agent to represent me (us) in this request for rezoning. A Corporate Resolution letter or a permission letter must be presented at the time of application request. NAICS CODE: \_\_\_\_\_

**Property Address Information**

Property address: 1113 Lancaster HWY Chester, SC 29706  
 Tax Map Number: 089-00-00-008-000 (portion) Acres: 48.89 Acres Rezoned to ID-1 out of total 66.81 Acre Parcel

Any structures on the property: yes \_\_\_\_\_ no  . If you checked yes, draw locations of structures on plat or blank paper.

**PLEASE PRINT:**

Applicant (s): Luck Companies  
 Address PO BOX 29682 Richmond, VA 23242  
 Telephone: \_\_\_\_\_ cell \_\_\_\_\_ work \_\_\_\_\_  
 E-Mail Address: \_\_\_\_\_

Owner(s) if other than applicant(s): Pinnacle Partners INC - see attached Designation of Agent letter  
 Address: PO Box 3167 Rock Hill, SC 29732  
 Telephone: \_\_\_\_\_ cell \_\_\_\_\_ work \_\_\_\_\_  
 E-Mail Address: \_\_\_\_\_

**I (we) hereby agree that this information I (we) have presented is correct. Insufficient information may result in a denial of your request.**

Owner's signature: see attached Designation of Agent letter Date: \_\_\_\_\_

Applicant signature: [Signature] Date: 11/11/22

*CANCELLATION MAY RESULT IN AN ADDITIONAL FEE OF \$150.00. SOMEONE MAY REPRESENT YOU AT THE MEETING.*

Designation of Agent for Zoning Map  
Amendment and for Special Exception Application

Chester County, South Carolina

Pinnacle Partners, Inc. hereby appoints Benjamin A. Thompson, Director of Greenfield Development for Luck Stone Corporation d/b/a Luck Companies, as its agent to represent it in connection with applications to Chester County, South Carolina for a Zoning Map Amendment (Rezoning) and for a Special Exception with respect to the property described below:

Property Address Information

Property Address: 1113 Lancaster Highway, Chester, SC 29706  
Tax Map Number: 089-00-00-008-000 Acres: 66.24

Applicant:

Luck Stone Corporation d/b/a Luck Companies  
515 Stone Mill Drive  
Manakin-Sabot, Virginia 23103  
Attention: Benjamin A. Thompson  
Telephone: Office: [REDACTED] Cell: [REDACTED]

Owner:

Pinnacle Partners, Inc.  
541 Windward Pt. Ct.  
Columbia, South Carolina 29212  
Telephone: Home/Office: ( ) \_\_\_\_\_; Cell: [REDACTED]

I hereby agree that this information I have presented is correct.

Owner's signature:

PINNACLE PARTNERS, INC.

By: Harold Williams  
Harold Williams  
Its PRESIDENT

Date: November 3<sup>rd</sup>, 2022

Doc#133266766



**Chester County, South Carolina**  
Department of Planning, Building & Zoning  
1476 J.A. Cochran Bypass  
Chester, SC 29706

---

Date: November 29, 2022

From: Chester County Planning Development

1476 J A Cochran Bypass

Chester, SC 29706

803-581-0942

Reference: # CCMA22-27

Please advise that applicant Luck Companies has made an application with Chester County Planning Commission to rezone property located on 1113 Lancaster Hwy, Chester, SC 29706.

This property is identified as Tax Map # 089-00-00-008-000. The property is currently zoned R2 (Rural Two District) and the request is to change a portion (48.89 acres) of the zoning to ID-1 (Restricted Industrial District).

This application will be presented to the Planning Commission at its December 20, 2022, meeting. The meeting is scheduled to begin at 6:30 PM at the R. Carlisle Roddey Complex in the Council Chambers. Adjoining landowners are invited to attend.

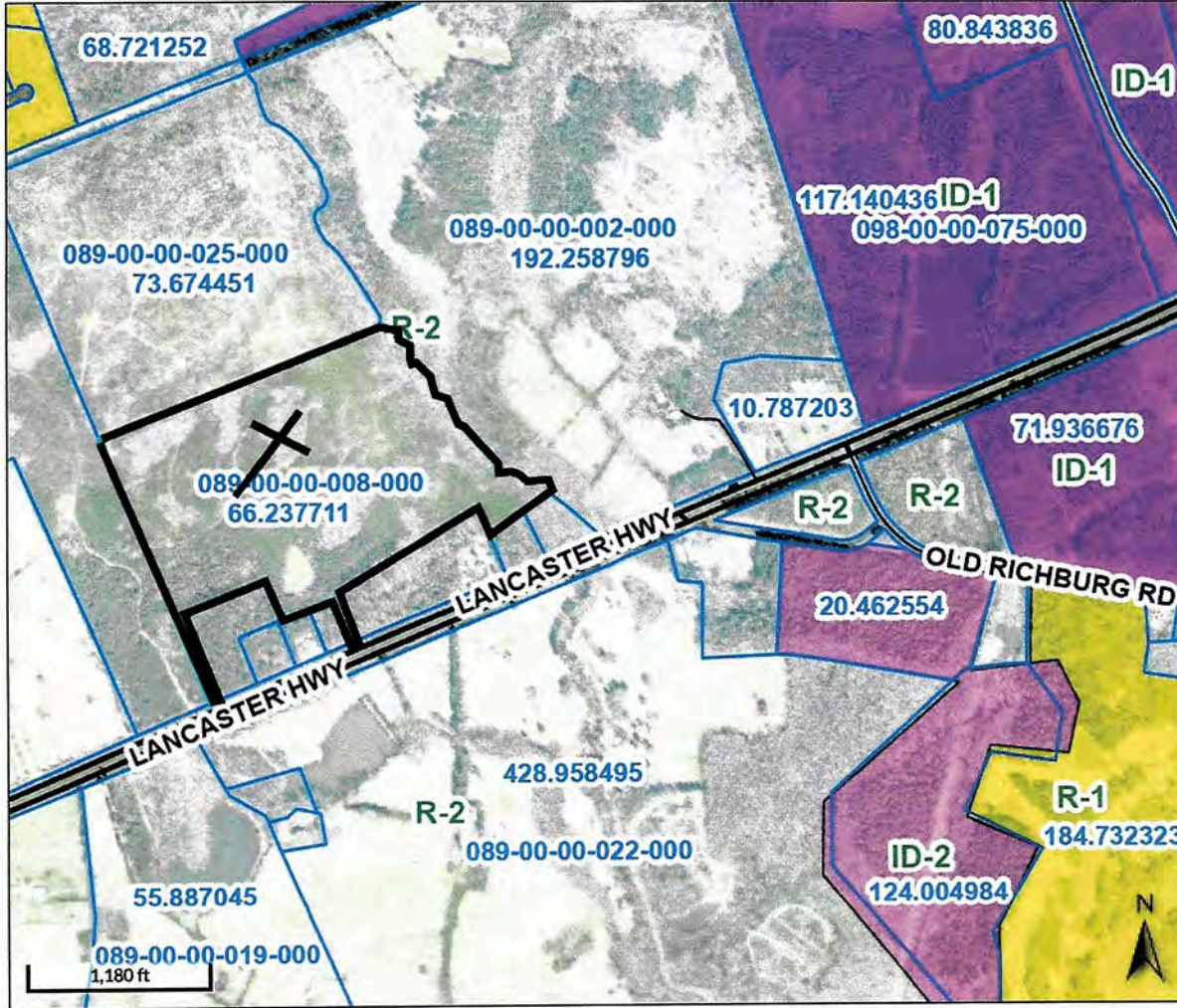
Please see the attached map for the location of the request is drawn in black with an X in the middle.

Thank you,

Chester County Planning Department

Telephone: 803-581-0942

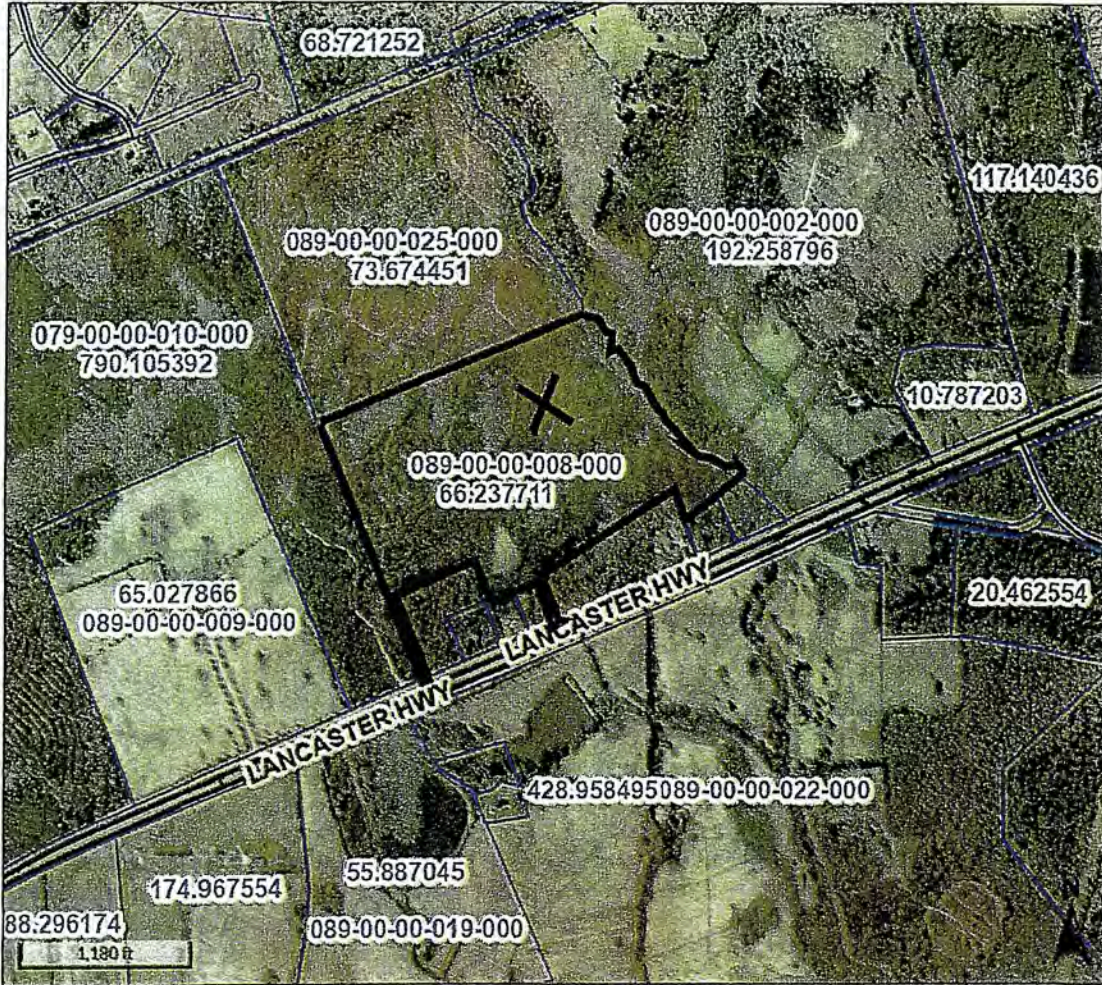
Fax: 855-930-0979



Parcel ID	089-00-00-008-000	Alternate ID	n/a	Owner Address	PINNACLE PARTNERS INC
Sec/Twp/Rng	n/a	Class	LA		PO BOX 3167
Property Address	1113 LANCASTER HWY	Acreage	66.238		ROCK HILL SC 29732
District	02				
Brief Tax Description	LANCASTER RD				
	(Note: Not to be used on legal documents)				

Date created: 12/16/2022  
 Last Data Uploaded: 12/16/2022 3:41:06 AM





Overview



Parcel ID	089-00-00-008-000	Alternate ID	n/a	Owner Address	PINNACLE PARTNERS INC
Sec/Twp/Rng	n/a	Class	LA		PO BOX 3167
Property Address	1113 LANCASTER HWY	Acreage	66.238		ROCK HILL SC 29732
District	02				
Brief Tax Description	LANCASTER RD				
	(Note: Not to be used on legal documents)				

Date created: 11/18/2022  
 Last Data Uploaded: 11/18/2022 3:11:25 AM

Developed by Schneider  
 GEOSPATIAL



### Next Year (2023) Changes

**Search Options**

Map Number:  Real  History Year:

Name 1:  Other Map Number:

Alerts:  Has Additional Comments

**Owner Information**

Post Initials:  Reason for Change:  Activity Date:

Name 2:

Address 1:  Land Value:

Address 2:  Building Value:

Zip Code:  Total Market Value:

Codes:  Total Tax Value:

District:  Fire Code:  CITY SUB

Town:  Neighborhood:  RURAL 2

Subdivision:  Use Class:

Description:

Legal:

**Location**

Street Number:  Street Name:  Suffix:  Direction:

**Additional Information**

Appraisal Appeal:  Owner Occupied:  TIF:  Base:

Agricultural Use:  Reappraisal Notice:  MCIP:  Industrial Park ID:

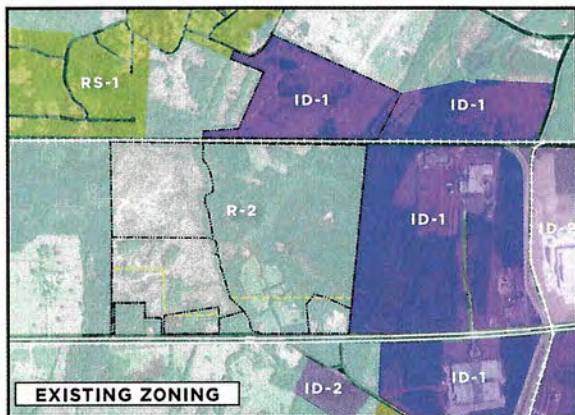
Rollback:  Exempt:

Scroll by: MAP#

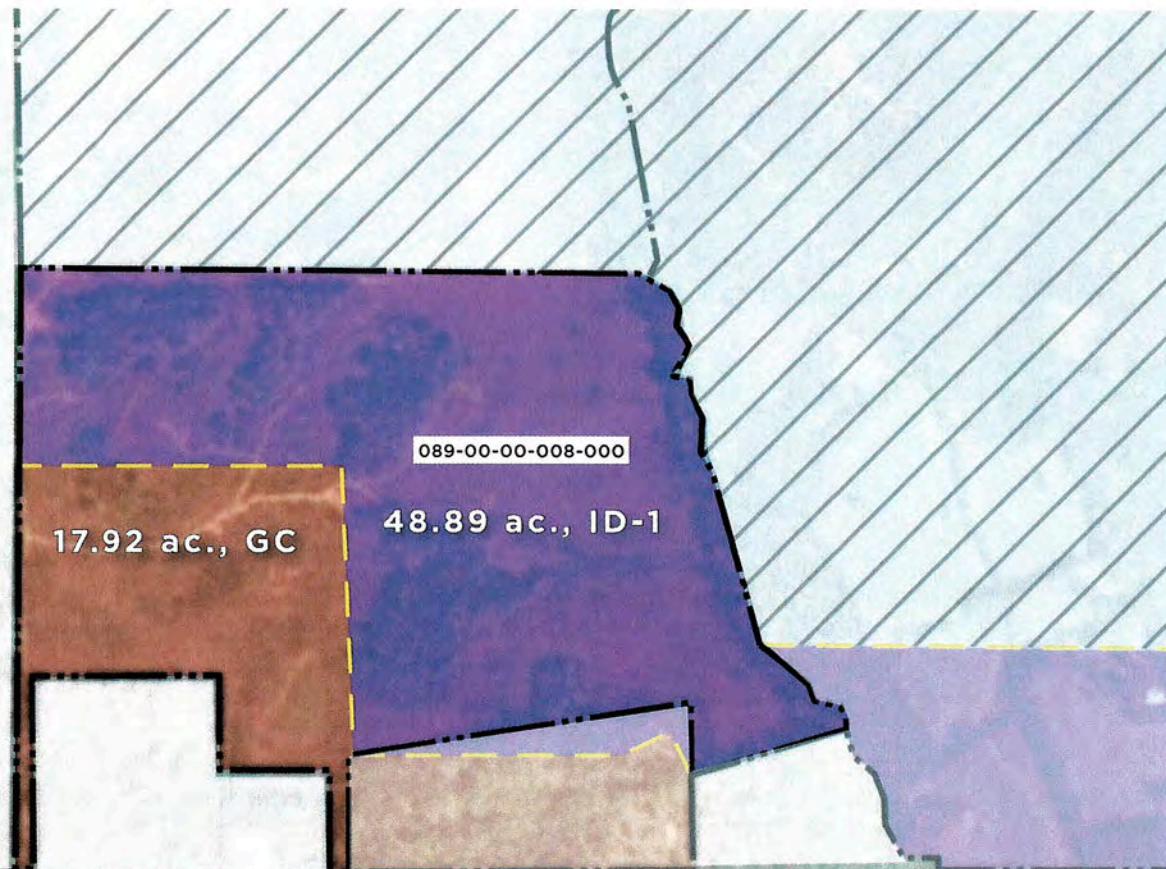




PARCEL #089-00-00-008-000



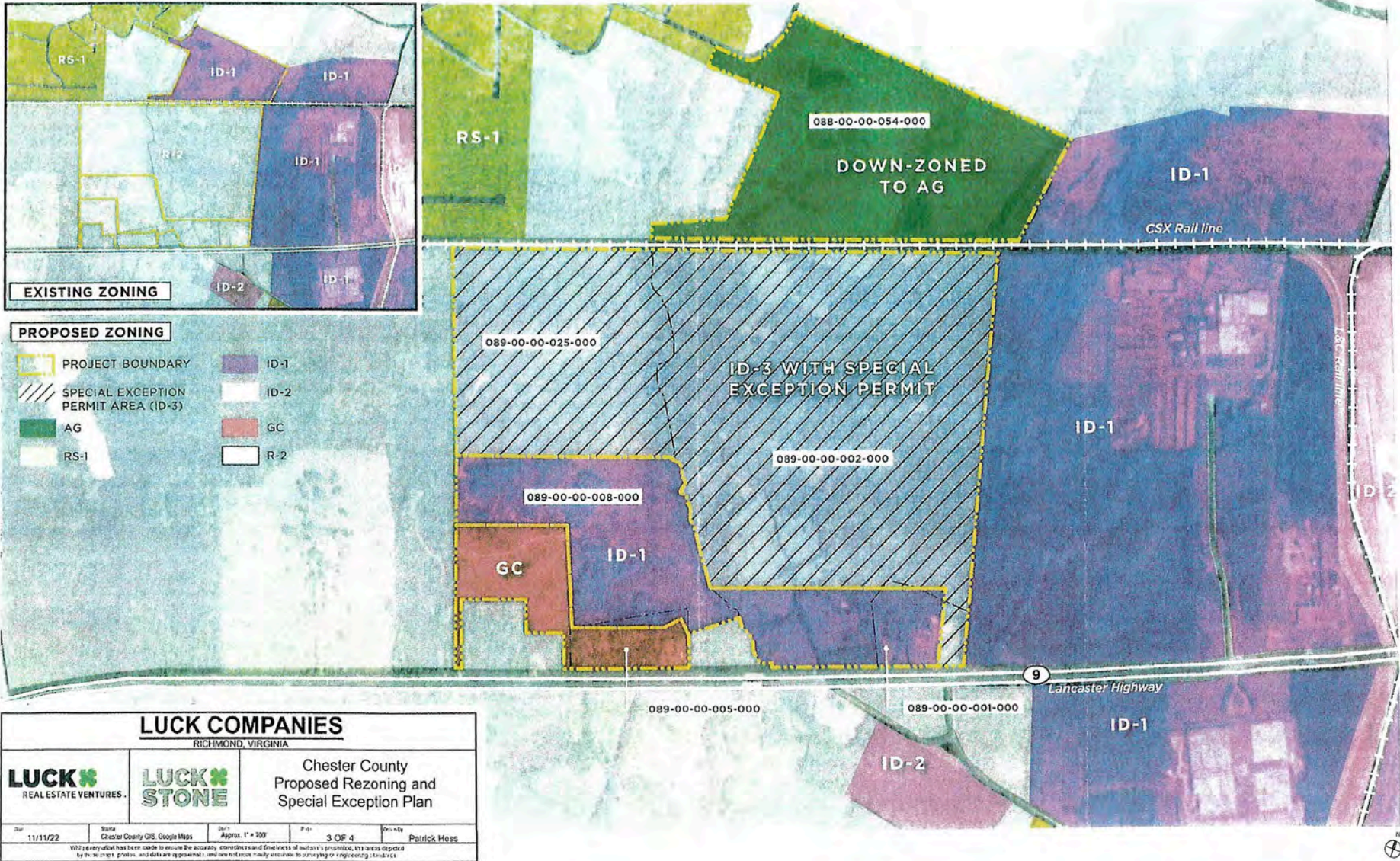
PROPOSED ZONING



9 Lancaster Highway



# PROPOSED REZONING AND SPECIAL EXCEPTION PLAN



**Luck Companies**

**Chester County, SC: Rezoning & Special Exception Summary**

Parcel ID	Owner	Address	Survey Acreage	Current Zoning	Desired Zoning	Desired Zoning Acreage (Per GIS)	Special Exception Application	Summary of Use
089-00-00-005-000	Harvey and Anne Reed	1207 Lancaster HWY Chester, SC 29706	9.62	R-2	GC	7.8	n/a	Commercial Store Fronts, Government Building (Land for such donated to Chester County)
					ID-1	1.82	n/a	Business Park
089-00-00-008-000	Pinnacle Partners INC	1113 Lancaster HWY Chester, SC 29706	66.81	R-2	GC	17.92	n/a	Commercial Store Fronts, Government Building (Land for such donated to Chester County)
					ID-1	48.89	n/a	Business Park
088-00-00-054-000	Albert D Oliphant III	n/a	90.39	I-1	AG	90.39	n/a	Agricultural Education
089-00-00-002-000	Luck Stone Corporation	1421 Collie Lane Chester, SC 29706	193.81	R-2	ID-3 w/ Special Exception	174.46	✓	Quarry and Ancillary Uses
					ID-1	19.35	n/a	Business Park
089-00-00-025-000	Luck Stone Corporation	n/a	72.4	R-2	ID-3 w/ Special Exception	72.4	✓	Quarry and Ancillary Uses
089-00-00-001-000	Luck Stone Corporation	1297 Lancaster HWY Chester, SC 29706	10.36	R-2	ID-3 w/ Special Exception	1.01	✓	Quarry and Ancillary Uses
					ID-1	9.35	n/a	Business Park

Total GC Rezoning Area	25.72
Total ID1 Rezoning Area	79.41
Total ID3 w/ Special Exception Rezoning Area	247.87
Total AG Rezoning Area	90.39

## A note from Luck Companies:



Since becoming a member of the South Carolina business community in 2018, our family-owned company has created strong and lasting relationships with business partners and community members. Luck Companies has been welcomed as an active participant in the **Kershaw County, Fairfield County, and Spartanburg County**

communities. Growth through new locations provides Luck Companies the opportunity to expand our mission of igniting human potential and positively impacting the lives of others.

Chester is uniquely positioned for growth, with proximity to natural resources and economic trends in the county's favor. We want to support this growth with locally produced, high-quality materials and development that can serve as the county's foundation. Our excitement for a potential partnership with the Chester County community led us to our previous application effort which began in 2019. However, prioritizing health and safety during the pandemic and feedback from the community led us to withdraw our application in 2020. We have used the past two years to engage with and learn from community residents, schools, business owners and non-profit organizations. This time has provided us the opportunity to finalize the purchase of the land considered in our previous application, introduce additional property in Chester County and solicit input and approval from the state agencies responsible for regulating our three business units.

The community's input and Chester County's updated Comprehensive and Economic Development Plans have informed our revised approach. Luck Companies has prepared a new application which aligns to community goals, passions, and culture.

Our project will create:

- local jobs
- tax revenue for the county
- outdoor recreation areas for the community
- a community impact fund
- business park and retail space

Key amendments to our application include:

- **Down-zoning an adjacent parcel** to provide additional buffer from a northern residential neighborhood and facilitate agricultural education opportunities
- **New development to accommodate a market void** of medium square footage business park space
- **Large dedicated acreage** for governmental use, developed in coordination with the Board of Commissioners, and structured to facilitate citizen tax dollar savings

We are inspired by the opportunity to be longstanding members of the Chester community and look forward to continuing our conversation. We remain committed to collaboratively working towards a sustainable development plan that benefits Chester County now and for generations to come.

Sincerely,

Ben Thompson,  
Director, Greenfield Development

### Our Ask



**APPROVE A REZONING**  
to support a Quarry



**APPROVE A REZONING**  
to support a Business Park  
and Retail Center



**APPROVE A DOWNZONING**  
to eliminate industrial use and  
provide additional buffer for  
residential neighbors



**BLESS THE CREATION**  
of a Community Fund that  
administers 1% of annual net sales  
(of the Chester County Quarry)  
up to \$35k to Chester County  
Non-profits and initiatives



**BLESS THE CONDITIONS**  
of the associated rezonings  
to further ensure responsible  
actions and enable the donation  
of recognized acreage for  
Chester County Government use  
and growth



Conditions applicable to properties included within the Luck Stone Corporation (the "Applicant") application for rezoning of properties located in Chester County, South Carolina shown on the plan dated November 11, 2022, entitled "Proposed Zoning and Special Exception Plan" as (i) "ID1" containing 79.41 acres (the "ID1 Property"), (ii) "GC" containing 25.72 acres (the "GC Property"), (iii) "ID3" containing 247.87 acres (the "ID3 Property") and (iv) "AG" containing 90.39 acres (the "AG Property").

**Condition applicable to all properties:**

Prior to issuance of any County permits for development of the parcels included within the application for rezoning, the Applicant shall submit an application for subdivision/boundary line adjustment of all parcels included within the application for rezoning to provide for the adjustment of parcel boundaries by zoning classification so that no parcel shall be split-zoned (include more than one zoning classification) and that all parcels are in compliance with the County subdivision ordinance.

**Conditions applicable to the ID1 Property:**

1. Prohibited Uses. No portion of the ID1 Property shall be used for any of the following uses:
  - i. Grain Milling
  - ii. Reconstituted wood products
  - iii. Converted Paper Products
  - iv. Mineral and Earth
  - v. Misc. Nonmetallic Mineral
  - vi. Aluminum Production
  
2. Dedication of Easement for Public Park. Subject to and upon approval of the rezoning of the ID3 Property, approval of a special exception for mining activities and related uses on the ID3 Property and commencement of mining activities on the ID3 Property, the Applicant shall offer for dedication to the County an easement over an across the area containing approximately fifteen (15) acres (the "Park and Trail Easement") shown on the plan included in this application dated November 11, 2022 and entitled "Updated and Compiled General Development Plan" (the "GDP") on commercially reasonable terms and conditions for a public park and trail system along Rocky Creek together with a right of access to and from Highway 9 as shown on the GDP. The County may accept the offer of dedication at any time within five (5) years after commencement of mining activities on the ID3 Property. If the offer of dedication is not accepted within such period, the offer of dedication shall be void and of no further effect. The Applicant shall be responsible for preparation, at its expense, of a survey of the Park and Trail Easement and payment of costs to prepare and record the easement agreement.
  
3. Entrance Landscaping and Beautification. The entrance to the ID1 Property from Highway 9 shall be landscaped in accordance with a plan to be submitted by the Applicant to the County as part of the site plan for development of the ID1 Property. The design and materials included in the landscape plan for this entrance shall be similar to the design and materials included in the landscape plans for entrances to the GC Property and the ID3 Property to provide a consistent appearance for all such entrances.

**Conditions applicable to all areas rezoned to the GC classification (the "GC Property"):**

1. **Dedication of Property for Governmental Use.** Subject to and upon approval of the rezoning of the ID3 Property, approval of a special exception for mining activities and related uses on the ID3 Property and commencement of mining activities on the ID3 Property, the Applicant shall offer for dedication to the County of one or more parcels containing a total of not less than fifteen (15) acres for governmental uses (the "Governmental Use Property") as generally shown on the plan included in this application entitled "Updated and Compiled General Development Plan". The County may accept the offer of dedication at any time within five (5) years after commencement of mining activities on the ID3 Property. If the offer of dedication is not accepted within such period, the offer of dedication shall be void and of no further effect. The Applicant shall be responsible for preparation, at its expense, of a current survey of the Governmental Use Property and payment of costs to prepare and record the deed of dedication. The deed of dedication shall restrict use of the Governmental Use Property to use by the County or other governmental entities unless otherwise approved by the owner of the ID3 Property.
2. **Entrance Landscaping and Beautification.** The entrance to the GC Property from Highway 9 shall be landscaped in accordance with a plan to be submitted by the Applicant to the County as part of the site plan for development of the GC Property. The design and materials included in the landscape plan for this entrance shall be similar to the design and materials included in the landscape plans for entrances to the ID1 Property and the ID3 Property to provide a consistent appearance for all such entrances.
3. **Cemetery Access.** The cemetery located on the GC Property will remain undisturbed and reasonable access will be provided to relatives and descendants of persons buried in the cemetery for the limited purposes of visiting graves, maintaining the gravesite or cemetery or conducting genealogy research. Such access shall not include the right to operate motor vehicles on the GC Property other than within any driveways and parking areas as may be located on the GC Property from time to time.

**Condition applicable to the area rezoned to the AG classification (the "AG Property"):**

The Applicant will enter into discussions with representatives of the County schools to explore the use of a portion of the AG Property for an agricultural education program which may include the cultivation of trees or other crops to provide a hands-on learning experience. If the County schools are interested, the Applicant will work with the County schools in good faith to agree upon the terms and conditions of a lease of up to one half (1/2) of the AG Property for \$1.00/year for a term of up to fifteen (15) years or as may otherwise be agreed upon by the County schools and the Applicant.

**Conditions applicable to all areas rezoned to the ID3 classification (the "ID3 Property"):**

1. No portion of the ID3 Property shall be used for any of the following uses:
  - i. Biological and allied wholesaling
  - ii. Manufacturing of animal, chemical, gas, or arms and munitions
  - iii. Petroleum storage for wholesaling (except to supply uses on the ID3 Property)
  - iv. Fuel dealers, retail (except to supply uses on the ID3 Property)
  - v. Hazardous waste carriers
  - vi. Municipal solid waste landfill
  - vii. Airport
2. Entrance Landscaping and Beautification. The entrance to the ID3 Property from Highway 9 shall be landscaped in accordance with a plan to be submitted by the Applicant to the County as part of the site plan for development of the ID3 Property. The design and materials included in the landscape plan for this entrance shall be similar to the design and materials included in the landscape plans for entrances to the ID1 Property and the GC Property to provide a consistent appearance for all such entrances.
3. Screening and Visual Line of Sight. Mining activities and related uses on the ID3 Property shall be screened from visibility from Highway 9 using berms and landscaping or other means proposed by the Applicant and approved by the County in connection with the review and approval of a site plan for development of the ID3 Property.
4. Dedication of Easement for Public Park. Subject to and upon approval of the rezoning of the ID3 Property, approval of a special exception for mining activities and related uses on the ID3 Property and commencement of mining activities on the ID3 Property, the Applicant shall offer for dedication to the County an easement over an across the area containing approximately fifteen (15) acres (the "Park and Trail Easement") shown on the plan included in this application dated November 11, 2022 and entitled "Updated and Compiled General Development Plan" (the "GDP") on commercially reasonable terms and conditions for a public park and trail system along Rocky Creek together with a right of access to and from Highway 9 as shown on the GDP. The County may accept the offer of dedication at any time within five (5) years after commencement of mining activities on the ID3 Property. If the offer of dedication is not accepted within such period, the offer of dedication shall be void and of no further effect. The Applicant shall be responsible for preparation, at its expense, of a survey of the Park and Trail Easement and payment of costs to prepare and record the easement agreement.

**Conditions for a Special Exception to Allow Mining Operations and Associated Uses on the ID3 Property ("Mining Operations")**

Development and use of the ID3 Property for Mining Operations pursuant to the requested Special Exception shall be subject to the following conditions:

1. Hours of Operation. Hours of operation shall be limited as follows:
  - (a) Extraction Area, Primary Plant and Equipment: 6:00 a.m. to 9:00 p.m. Monday through Saturday ("Standard Operating Hours") only except as provided below.
  - (b) Shipping, Loading and Limited Processing: Standard Operating Hours except as otherwise required in the event a federal, state or local agency or authority requests or requires that such activities be conducted during other hours.
  - (c) Processing Plant (secondary and/or finishing phases of plant operations): Hours of operation for the processing plant shall be unrestricted when operated without the use of trucks and loaders utilizing audible back-up alarms (when operated with trucks and loaders utilizing audible back-up alarms, Standard Operating Hours shall apply). Any vehicular operations during hours other than Standard Operating Hours shall be for processing activities only and shall not be for extraction activities.
  - (d) Blasting. Blasting shall not occur before 9:30 a.m. or after 5:00 p.m. Monday through Friday, except when a blasting charge has been set before 5:00 p.m. and is delayed due to reasons beyond the reasonable control of Operator or due to safety considerations. In such a case, Operator may then complete the blast after 5:00 p.m. but no later than thirty (30) minutes after sunset. There shall be no blasting on Saturdays or Sundays except to complete a blast where the charge was set and blasting delayed as described above.
2. Buffers. Buffers shall be provided in the locations and of the widths shown on the on the plan included in this application dated November 11, 2022 and entitled "Updated and Compiled General Development Plan" (the "GDP"). Buffers shall consist of undisturbed natural vegetation supplemented by berms, additional vegetation or otherwise as necessary to comply with the requirements of the mining permit (the "State Mining Permit") issued to Operator for Mining Operations by the South Carolina Department of Health and Environmental Control ("DHEC"). Encroachments into buffers shall be allowed for utility lines, roads, access points and such other encroachments or breaks as necessary to conduct Mining Operations in accordance with the State Mining Permit.
3. No Trespassing Signs. "No Trespassing" signs shall be posted and perpetually maintained around the perimeter of the processing and extraction areas. Signs shall not be more than 300 feet apart.
4. Wetlands. All necessary permits to allow disturbance of jurisdictional wetlands on the ID3 Property shall be obtained from the applicable governmental authority (e.g., U.S. Army Corps. of Engineers, Chester County Government, or DHEC).

5. DHEC Mining, Water Discharge and Air Permits.

(a) Prior to commencement of any land disturbance associated with Mining Operations, Operator shall obtain the State Mining Permit from DHEC. The State Mining Permit shall address all relevant issues including soil erosion, stormwater management, air quality and reclamation. Completion of the reclamation plan shall be secured by a bond posted with DHEC in accordance with its regulations.

(b) Prior to commencement of Mining Operations, Operator shall obtain an NPDES General Permit for Discharges Associated with Nonmetal Mineral Mining Facilities from the DHEC Bureau of Water pursuant to the Pollution Control Act of South Carolina and the Federal Clean Water Act which is administered by DHEC in South Carolina.

(c) Prior to commencement of Mining Operations, Operator shall obtain an Air Quality Permit from the DHEC Bureau of Air Quality to ensure compliance with the Federal Clean Air Act which is administered by DHEC in South Carolina. In connection with the issuance of the Air Quality Permit, Operator shall develop and implement a facility-wide plan for controlling fugitive dust and emissions from Mining Operations including process operations, truck traffic, storage piles, and any other areas within the ID3 Property where fugitive dust emissions can be generated. Fugitive dust generated from direct Mining Operations shall be controlled by wet suppression and/or dry dust collection systems. Fugitive dust generated by vehicular traffic within Mining Operations shall be controlled by the application of water or equivalent wetting agent to roadways and other traveled surfaces on the ID3 Property.

(d) Operator shall maintain copies of all federal and state records pertaining to permits and approvals on-site and, upon reasonable prior notice from County zoning officials, Operator shall make copies of permits and approvals to County zoning officials for review.

6. Entrance Road.

(a) Operator shall pave and maintain in good condition the entrance road providing access to Mining Operations from Highway 9 for a distance of approximately 1000 feet as generally shown on the on the GDP.

(b) Permanent access to Mining Operations shall be limited to a single point on Highway 9 as generally shown on the GDP and approved by SC Department of Transportation. The portion of such access located between Highway 9 and the area used for active mining may be shared by other uses as authorized by Operator.

(c) Operator shall inspect the intersection of the Mining Operations entrance road and Highway 9 daily for loose stone. Operator shall remove any loose stone material at or around the entrance road outside of the right of way of Highway 9 if removal can be completed safely and without interruption of traffic on Highway 9. Operator shall solicit the assistance of the appropriate agency (SCDOT, County Sheriff, etc.) with respect to removal of stone within the right of way of Highway 9 or as otherwise required for safe removal without interruption of traffic on Highway 9.

7. Monitoring Wells. Operator shall construct five (5) monitoring wells at locations determined by an independent qualified professional (i.e., certified hydrologist or

geologist) and approved by DHEC. A plan describing the procedures and timing of observance for the monitoring wells shall be developed by an independent qualified professional and approved by DHEC and to be followed by Operator.

8. Water Well Impacts. Upon submission of a formal complaint by an adjacent property owner or as requested by the County, pursuant to the State Mine Permit DHEC shall determine if any activity associated with Mining Operations has caused a well or wells on the adjacent property owner's land to become dry. If DHEC determines that Mining Operations has caused the drying of the property owner's well, Operator shall be responsible for providing an alternative water source (e.g., drill well deeper, new well, or connect to public water source at the discretion of Operator) for the aggrieved party at Operator's expense.
9. Blasting.
  - (a) Blasting Data shall be monitored and recorded for all blasts, shall be maintained on-site at the scale house for a period of three (3) years and shall be made available to County zoning officials for review at the scale house. Blasting Data shall include the time and date of blast, pounds of blasting material per delay, total pounds of blasting materials per blast, seismograph readings of ground vibration levels and air over-pressure levels in decibels.
  - (b) Operator shall provide notice prior to the first blast associated with Mining Operations (not site development/construction) either by (i) written notice via direct mail to all property owners and/or occupants of existing dwellings within one-half (1/2) mile of the areas where blasting will occur or (ii) advertisement two (2) times in a local newspaper of general circulation at least ninety (90) days prior to the first blast associated with Mining Operations blast. Upon receipt, pursuant to the above described notice, by DHEC and Operator of a written request from the owner of any existing structures within one-half (1/2) mile of the areas where blasting will occur, a third party consultant selected and engaged by Operator shall conduct an inspection of the applicable structures to determine the structural condition of the structures prior to the first blast associated with Mining Operations. The property owner shall have the right to supervise the inspection by the third-party consultant and shall be provided with a copy of the consultant's report.
  - (c) Ground vibration caused by blasting activity shall not exceed the maximum peak particle velocity allowed pursuant to South Carolina Code of Regulations Section 89-150(E) as measured at the immediate location of any dwelling, public building, school, church, or commercial or institutional building existing as of the date of approval of the Special Exception to allow Mining Operations. The maximum peak particle velocity requirement does not apply to structures within the permitted area, or any area that is owned or leased by Operator or any structures on which Operator has acquired waiver to damage rights.
  - (d) If a formal claim is made by any private or public landowner that the landowner or the property (real or personal) of the landowner has been damaged by blasting activities associated with Mining Operations, whether by ground vibration, air over-pressure or otherwise, an independent, qualified professional with experience in the effects of blasting shall be engaged to determine if any damage was caused by blasting activities associated with Mining Operations. If it is determined that damage was caused by blasting activities

associated with Mining Operations, Operator shall correct the damage or reimburse the landowner for such damage. The amount of any reimbursement shall be determined by an independent, competent professional with expertise in estimating the damage (for example, a licensed builder or building contractor where the damage is to a residence). The independent professionals performing assessments pursuant to this paragraph shall be agreed upon by both Operator and the property owner and retained at the expense of Operator.

10. Lighting. Exterior light fixtures associated with Mining Operations shall be of a type and installed in a manner to reasonably minimize light spillage from Mining Operations onto adjoining parcels.
11. Noise. Airborne noise produced from Mining Operations other than blasting shall not exceed 80dba of continuous noise for greater than five (5) minutes at any one time as measured along the northern and western boundaries of the ID3 Property (the "Noise Limit"). The Noise Limit shall not apply to individual events lasting less than five (5) minutes. Operator shall install monitoring devices on the northern and western property lines of the ID3 Property to monitor decibel levels to assure that noise from Mining Operations does not exceed the Noise Limit.
12. Reclamation Plan. As a condition of the Special Exception, the reclamation plan approved by DHEC as part of the State Mining Permit shall be complied with by Operator, including, but not limited to, the following tasks which shall be completed upon completion of Mining Operations:
  - (i) all debris, scrap metal, concrete foundations, sidewalks and structures will be removed and
  - (ii) the stockpile, office and plant areas will be graded, sloped back to as natural a contour as reasonably possible (but no steeper than a 3h:1v slope) and seeded. Perimeter berms and buffers may be left in place and the pit area may be allowed to fill up with water.
13. Community Interest Engagement Group. Operator shall work with interested parties in the community to establish a Community Interest Engagement Group (the "CIEG") comprised of representatives of homeowner associations or similar residential groups and interested individual property owners located within a two (2) mile radius of Mining Operations. Operator shall facilitate meetings with the CIEG on a quarterly basis or as otherwise mutually determined by Operator and the CIEG to allow for information exchanges with respect to historical Mining Operations, future plans for Mining Operations and other community issues or opportunities of concern or interest of the CIEG and Operator. This condition is intended to provide a forum for communications among the CIEG and Operator and does not grant any approval rights to the CIEG with respect to Mining Operations.
14. Community Fund. Annually, Operator shall contribute the lesser of (i) one percent (1%) of the adjusted net sales of construction aggregate materials excavated from the ID3 Property and sold to third parties during the year or (ii) Thirty Five Thousand Dollars (\$35,000.00) to one or more organizations within Chester County in support of local Chester County non-profit initiatives, workforce development programming or general community improvement opportunities. This funding will be managed by Operator and distributed to organizations selected by Operator after consultation with the CIEG. For purposes of this condition, "adjusted net sales" shall mean total sales dollars of construction aggregate materials mined or extracted from the ID3 Property excluding any transportation (whether by truck, rail or other method), hauling, loading or unloading charges and less deductions for cash discounts, price

adjustments, additive materials, allowances, volume discounts and sales, use and other similar taxes or governmental charges. Annually, a report of contributions made by Operator pursuant to this condition shall be provided to the CIEG and to the County.



Chester County Planning Commission Minutes

December 20, 2022

**CCMA22-28 Luck Companies request a portion (17.92 acres) of Tax Map # 089-00-00-008-000 at 1113 Lancaster Hwy., Chester, SC 29706 to be rezoned from Rural Two District (R2) to General Commercial District (GC). Vice Chairman motioned to approve, second by Commissioner Howell. Vote 5-0 Approved.**