

CASWELL COUNTY WATERSHED REVIEW BOARD

In re: Appeals of Watershed Protection Permits)
and Special Non-residential Intensity Allocation)
Permits)
_____)

**RESPONSE IN OPPOSITION
TO CASWELL COUNTY’S
MOTION TO DISMISS**

NOW COME Community Members Edward J. Dougherty, Dawn Leith-Dougherty, James Wilkinson, Sheila Wilkinson, Susan Hester, Ed Williams, Sharon Williams, Karen Anderson, Robert Anderson, Jackie Tice, Theresa Newman, Charles Clotfelter, Randolph Hester, Marcia McNally, Patrick Tighe, Elizabeth Norman, Thomas Nicholais, Donna Nicholais, Dale Kemper, Howard DuBose, Jr., Tim Solomon, Glenda Solomon, Susan Chandler, Peter Christopher, Karen Meek, Mark Wrenn, Stephen Pietsch, Sylvia Hedrick, Stephen C. Long, Patricia Carver, Casey Kemper, Ashley Kemper, John T. Carver, Jr., Virginia Pietsch, Ben Solomon, Matt Solomon, Lydia Jernigan, Garry Massey, Herman Roberts Kim Merritt, Junior Merritt, Donna, Hudson, Timothy W. Hudson, Evangeline Vinson Gaudette, Sharon Vinson, Ronnie Vinson, Arthur W. Miller, Jr., and Joyce G. Miller (“Community Members”), and state the following in response to Caswell County’s (the “County’s”) Motion to Dismiss (“Motion”):

ARGUMENT

1. Carolina Sunrock, LLC (“Sunrock”) filed a Motion to Dismiss the Community Members’ appeals of the Watershed Administrator’s issuance of Watershed Protection and Special Non-residential Intensity Allocation (“SNIA”) Permits (collectively referred to as “Permits”) on September 19, 2022.

2. Caswell County filed its own Motion to Dismiss on October 26, 2022, incorporating by reference Sunrock’s arguments.

3. The Community Members filed a Response to Sunrock’s Motion with the Watershed Review Board on October 28, 2022.

4. Now, the Community Members respond to Caswell County’s Motion by incorporating their arguments put forth in their October 28th Response by reference.

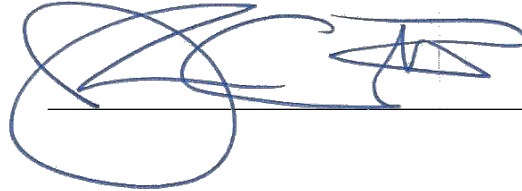
CONCLUSION

For all of the reasons stated in the Community Members’ Response to Sunrock Carolina, LLC’s Motion to Dismiss and incorporated herein, the Community Members respectfully request that this Board deny the County’s Motion to Dismiss and proceed to schedule a hearing on the merits of this case.

Respectfully submitted this the 4th day of November, 2022,

CALHOUN, BHELLA & SECHREST, LLP

By:



James L. Conner II

N.C. State Bar No. 12365

E-mail: jconner@cbsattorneys.com

Shannon M. Arata

N.C. State Bar No. 47544

E-mail: sarata@cbsattorneys.com

4819 Emperor Boulevard, Suite 400

Durham, North Carolina 27703

Telephone: (919) 887-2607

Facsimile: (919) 827-8806

Attorneys for Community Members

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing Response in Opposition to Caswell County's Motion to Dismiss has been served on the other parties' counsel via electronic mail and/or the United States Postal Service, addressed as follows:

William J. Brian
bbrian@morningstarlawgroup.com
Jeffrey Roether
jroether@morningstarlawgroup.com
Morningstar Law Group
700 West Main Street
Durham, NC 27701

Valerie L. Bateman
valerie@newsouthlawfirm.com
New South Law Firm
209 Lloyd Street, Suite 350
Carrboro, NC 27510

Brian M. Ferrell
bferrell@kennoncraver.com
Kennon Craver PLLC
4011 University Drive, Suite 300
P.O. Box 51579
Durham, NC 27717

Christopher & Julianne Woerdeman
2592 Wrenn Road
Prospect Hill, NC 27314

This the 4th day of November, 2022.

By:



James L. Conner II
Attorney for Community Members