



**SAVANNAH RIVERKEEPER®**

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February 23, 2023

Ms. Shylan Woods, Administrator,  
Zoning and Planning  
18 Old Raco High  
Suite 102  
Clayton, GA 30525  
Email [Shylan.wood@rabuncounty.ga.gov](mailto:Shylan.wood@rabuncounty.ga.gov)

Taywood, LLC. (Building storage facility)  
c/o Bruce Russell Jr., Esq.  
Russell and Russell PC  
P.O. Box 1202  
Clayton, GA 30525

Darrin Giles, Administrator  
Rabun County Administrator  
25 Courthouse Square  
Clayton, GA 30525

Re: Lake Burton – Improperly designed site plans of self storage unit approved by Rabun County Officials and owners developers of property on Murray Cove Road. Immediate meeting request.

Dear Ms. Woods. Mr. Russell and Mr. Giles:

We have serious concerns with the approval of the proposed construction plans for storage units located near Murray Cove. Savannah Riverkeeper is a non-profit organization whose purpose is to watch over the water quality of the Savannah River basin. Lake Burton and the Tallulah River are major sources of water to the upper Savannah River basin. The purpose of this letter is to address our concerns with the proposed new storage units development that is permitted by Rabun County to be constructed by Taywood LLC, near Murray Cove on Lake Burton in Rabun County, Georgia.

Please be advised that Savannah Riverkeeper and Friends of Murray Cove LLC have engaged the law firm, Hallman & Wingate, and Newfields Companies, an environmental consulting firm, to assist in our evaluations of the documents whereby Rabun County approved of the construction of the storage units project.

The construction plans were submitted by Taywood, LLC. and were approved by the Rabun County Planning Commission. The plans submitted by Taywood LLC, if followed during construction, will result in numerous violations of the state and federal legal mandates applicable to this construction project and will result in environmental damage to Lake Burton and the residences in proximity to this project, including causing siltation to illegally damage Lake Burton and its environment, as well as damages to other properties owned by third parties.

Attached please find copies of letters dated October 3, 2022 and November 8, 2022, from the following entities: Friends of Murray Cove, LLC, The Lake Burton Civic Association and The Religious Society of Friends. These 2022 letters were sent to the Rabun County Board of Commissioners and the Rabun County District Attorney. The 2022 letters outline many procedural and substantive defects in the permitting process and request that the current permits be withdrawn to allow time for an adequate evaluation to be conducted of the plans as approved by Rabun County. We have not received any responses to either of these letters.

One of the many defects in the permitting process is no site plan submitted with the most recent application for the permit to allow review by the appropriate county officials and other interested parties, prior to issuance of the permit. Rather than requiring a complete permit application which would include the site plan, Rabun County approved of the permit application at an August 23, 2022 meeting and issued a permit based upon Taywood's representatives' assurances that they would provide the site plan in the near future.

Representatives of Newfields Companies checked each week beginning a week after the August 23, 2022 meeting. The site plan at issue finally appeared during the week before Christmas, 2022.

NewFields prepared a draft technical memorandum dated January 12, 2023, that addresses the inadequacies of the currently pending site plan. A copy of the January 12, 2023 Draft Newfields Technical Memorandum was distributed publicly.

A copy of Newfields' February 20, 2023 updated Technical Memorandum is attached to this letter. Newfields' Updated Technical Memorandum is dated February 20, 2023 and addresses the defects in the currently existing site plan for the construction of the Taywood project.

The updated and Newfields memorandum dated February 20, 2023, and the 2022 letters describe in detail the deficiencies in the site design and plans that will impact sediment loads into Waters of the State, including Lake Burton, as follows:

- 1) "The sediment pond is not configured to effectively trap sediment eroded from the site during and after construction.
- 2) There are no data or calculations demonstrating that the sediment pond is sized correctly for the area of land disturbance.
- 3) The fill slopes along Murray Cove road are too steep and long for silt fences to be an effective control for sediment eroded from the slopes.
- 4) There is no hydrology analysis, or mention of the control of peak flows from the site to avoid flooding to downstream properties and increased offsite erosion in receiving drainage ways.
- 5) Flow from the site is concentrated in a point discharge where none currently exists, impacting the adjacent property, owned by private parties, with the resulting change in flow patterns, which are not adequately addressed.

Since Rabun County's approval of site plans for the project, I have attempted to reach Ms. Shylan Woods, Administrator, Zoning and Planning for Rabun County by telephone for several weeks and I have not received a response. On behalf of all interested parties, this is my renewed and final attempt to schedule a time to meet in the immediate future with appropriate representatives of Rabun County to discuss important deficiencies in the planning of this project. Any such meeting should include representatives of Rabun County, including the Rabun County attorney, as well as privately owned entities, Taywood, LLC, The Lake Burton Civic Association, Friends of Murray Cove LLC, the environmental consulting firm, NewFields Companies, and our attorneys, Ed Hallman or Richard Wingate of the law firm of Hallman & Wingate LLC. The purpose of this requested meeting is to discuss the critical facts and governing laws that have not been considered by the Rabun County government and Taywood, LLC.

Please contact me by email at my email address, riverkeeper@savannahriverkeeper.org or by phone at 706-755-4839, to make plans for the requested meeting.

Please be assured that we do not want to eliminate the proposed project. Rather, our collective goal is to assure that the current defects in the site plans are corrected and that the actions of the project developers and owners will not negatively impact Lake Burton from siltation and/or excess runoff. We believe that we can reach an amicable resolution of these

issues and that the project can be completed in an environmentally responsible manner that will prevent any negative impacts to Lake Burton and the properties owned by Friends of Murray Cove LLC.

We understand that construction of the project may commence in the very near future. Accordingly, we request that Rabun County promptly schedule the requested meeting and immediately withdraw approval of the construction permit until the defects in the project site plans are addressed.

Please be advised that, if it becomes necessary, the impacted property owners and other interested parties have asked the Savannah Riverkeeper and the law firm of Hallman & Wingate to take all appropriate legal actions to enjoin any illegal development when the project gets underway, upon first signs of illegal sedimentation or other illegal conduct relating to the construction site.

Thank you for the consideration,

Sincerely,

A handwritten signature in blue ink, appearing to read 'Tonya Bonitatibus', with a large, stylized flourish at the end.

Tonya Bonitatibus,  
Savannah Riverkeeper

Cc:  
President, Friends of Murray Cove, LLC  
Billy Hall  
Brian Wellington  
Ed Hallman, Esq.  
Richard Wingate Esq.  
Kathy Sims  
Elizabeth Gill, Lake Burton Association  
Bill Sapp, Southern Environmental Law Center