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DIRECTOR OF PLANNING & ZONING
(302) 855-7878 T
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Sussex County

DELAWARE
sussexcountyde.gov

PLEASE NOTE

This paperless packet is published on the County's website for convenience purposes, and only includes information received up to the close of business on the day before a public hearing. Documents received after this, or documents submitted during the public hearing are not uploaded to the Paperless Packet. The legal record is the paper record maintained in the Offices of the Planning & Zoning Department.



COUNTY ADMINISTRATIVE OFFICES
2 THE CIRCLE | PO BOX 417
GEORGETOWN, DELAWARE

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COUNTY ADMINISTRATIVE OFFICES
2 THE CIRCLE | PO BOX 417
GEORGETOWN, DELAWARE

PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN
KIM HOEY STEVENSON, VICE-CHAIRMAN
R. KELLER HOPKINS
J. BRUCE MEARS
HOLLY J. WINGATE



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JAMIE WHITEHOUSE, AICP, MRTPI
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET

Planning Commission Public Hearing Date: November 17th, 2022

Application: CU 2336 Community Power Group, LLC

Applicant: Community Power Group, LLC c/o Michael Borkowski
5636 Connecticut Ave., #42729
Washington, DC 20015

Owner: Jade Run Farm, LLC c/o Glen & Laurie Jones
8268 Snake Road
Bethel, DE 19931

Site Location: Lying on the north side of Woodland Ferry Road (S.C.R. 78) about 800 feet east of the intersection with Bethel Road (S.C.R. 493) and on the east side of Bethel Road about 1,000 feet north of the intersection with Woodland Ferry Road.

Current Zoning: Agricultural Residential (AR-1) Zoning District

Proposed Use: Solar Farm consisting of photovoltaic electric generation facility with a capacity of generating up to 4 megawatts per acre on approximately 25 acres of the parcel.

Comprehensive Land
Use Plan Reference: Low Density Area

Councilmanic
District: Mr. Vincent

School District: Laurel School District

Fire District: Laurel Fire Department

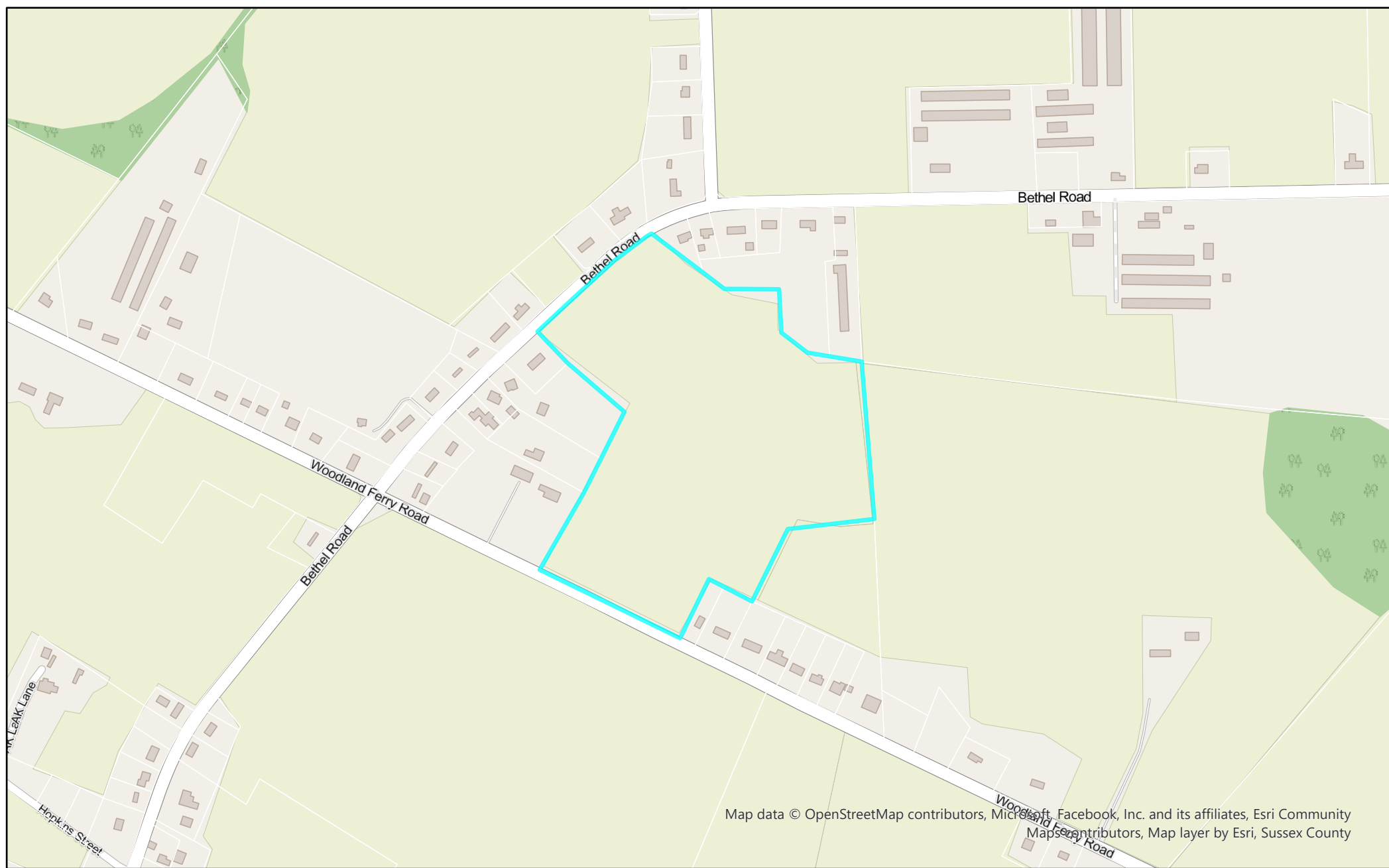
Sewer: N/A

Water: N/A

Site Area: 52.23 acres +/- (p/o 25 acres +/-)

Tax Map ID: 232-5.00-11.03

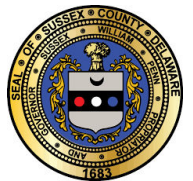




Map data © OpenStreetMap contributors, Microsoft, Facebook, Inc. and its affiliates, Esri Community
Map contributors, Map layer by Esri, Sussex County

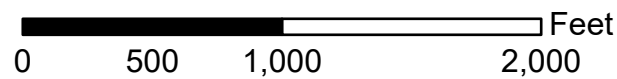
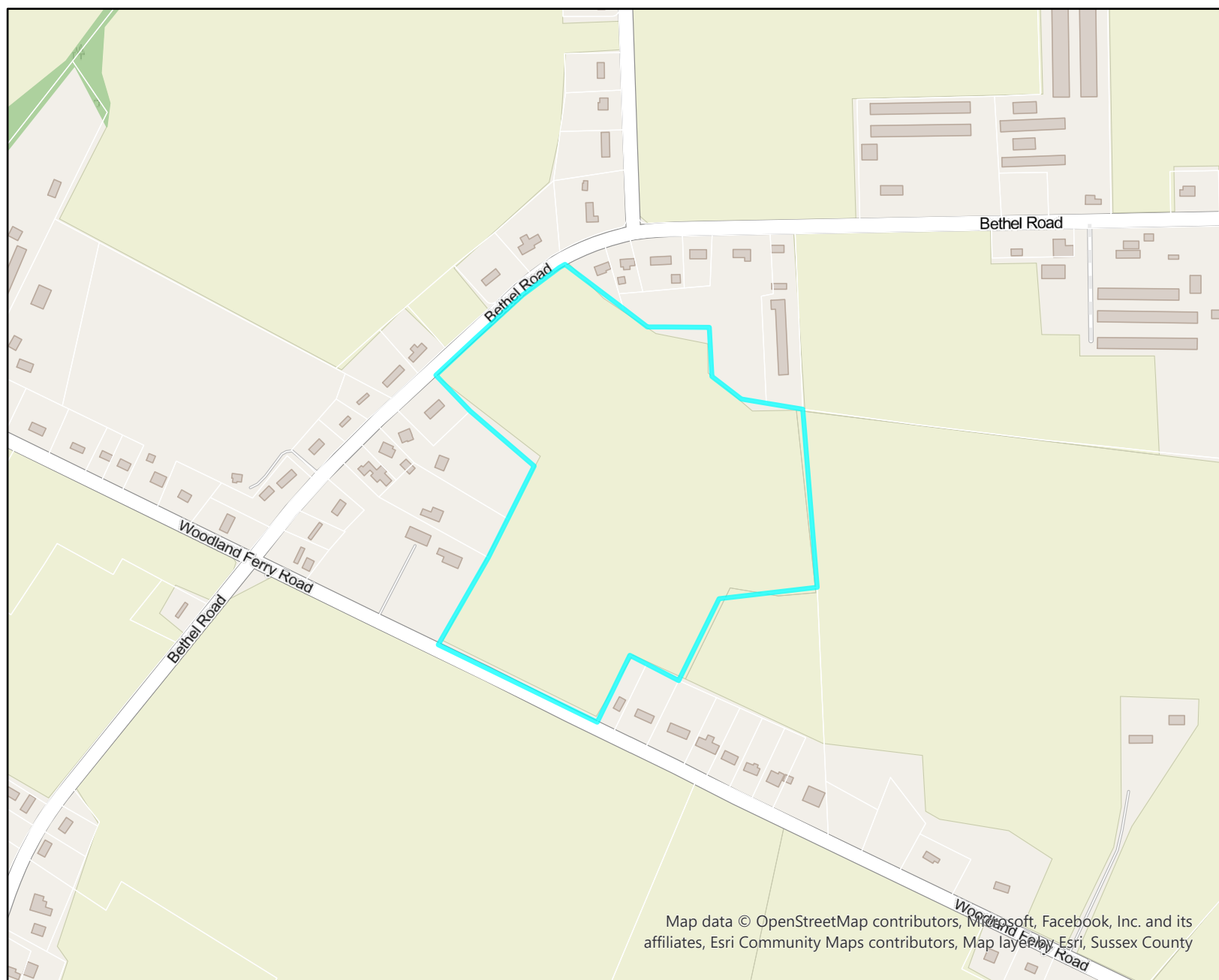
CU 2336 Community Power Group, LLC - Woodland Ferry Rd -
Street Map
TP#232-5.00-11.03
Planning Commission Hearing Date: November 17, 2022

0 500 1,000 2,000 Feet



Zoning

- Agricultural Residential - AR-1
- Agricultural Residential - AR-2
- Medium Residential - MR
- General Residential - GR
- High Density Residential - HR-1
- High Density Residential - HR-2
- Vacation, Retire, Resident - VRP
- Neighborhood Business - B-1
- Neighborhood Business - B-2
- Business Research - B-3
- General Commercial - C-1
- General Commercial - C-2
- General Commercial - C-3
- General Commercial - C-4
- General Commercial - C-5
- Commercial Residential - CR-1
- Institutional - I-1
- Marine - M
- Limited Industrial - LI-1
- Light Industrial - LI-2
- Heavy Industrial - HI-1



CU 2336 Community Power Group, LLC - Woodland Ferry Rd -
 Street Map
 TP#232-5.00-11.03
 Planning Commission Hearing Date: November 17, 2022



Sussex County



PIN:	232-5.00-11.03
Owner Name	JADE RUN FARM LLC
Book	3413
Mailing Address	8268 SNAKE RD
City	BETHEL
State	DE
Description	S RT 493
Description 2	E RT 78
Description 3	N/A
Land Code	

polygonLayer

Override 1

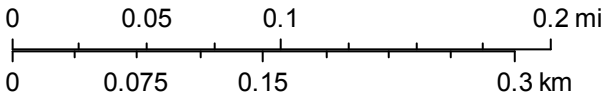
polygonLayer

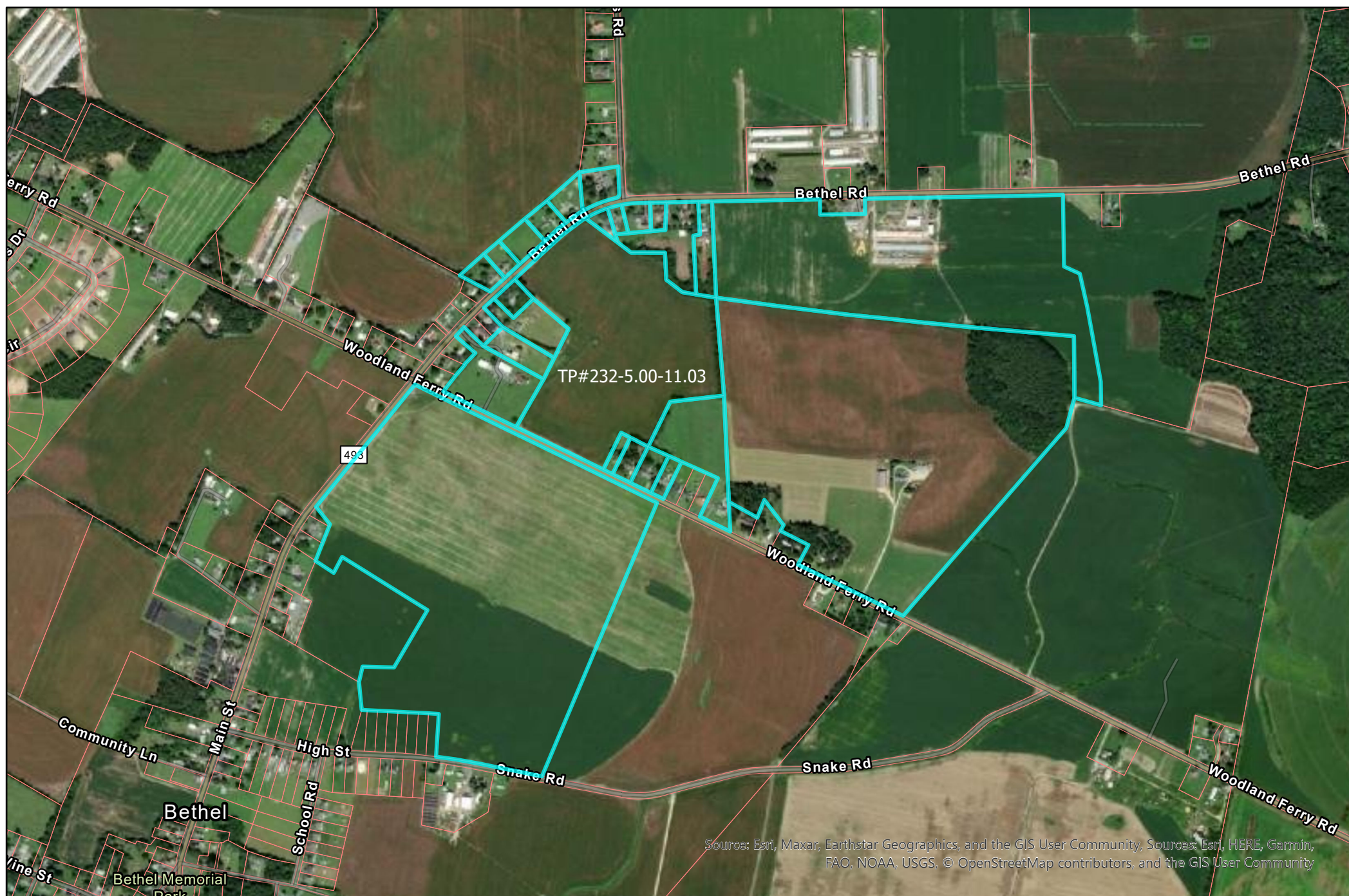
Override 1

⋯ Tax Parcels

— Streets

1:4,514





Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

CU 2336 Community Power Group, LLC - Woodland Ferry Rd -
Mailing List Map
TP#232-5.00-11.03

0 500 1,000 Feet



FULLNAME	Second_Owner_Name	MAILINGADD	CITY	STATE	ZIPCODE	PIN with Unit
CONDON RALPH M SR	DARLENE E CONDON	8167 BETHEL RD	SEAFORD	DE	19973	132-11.00-55.00
DUKES ARTHUR R JR & JOYCE MARI	DUKES	PO BOX 1054	LAUREL	DE	19956	232-11.00-67.00
ELLIOTT DAVID W & JUDY A		8280 BETHEL RD	SEAFORD	DE	19973	232-5.00-15.01
HANEY NICHOLAS COLE		8218 BETHEL RD	SEAFORD	DE	19973	232-5.00-13.00
HANEY STEVEN L & PATRICIA A		8234 BETHEL RD	SEAFORD	DE	19973	232-5.00-14.00
HHS DEVELOPERS LLC		PO BOX 357	SEAFORD	DE	19973	232-5.00-9.00
HILL SHERMAN H & PHYLLIS A		8082 BETHEL RD	SEAFORD	DE	19973	232-5.00-11.04
HILLS STEVEN C TTEE	CHRISTINE H WISE TTEE IRR TR	8114 BETHEL RD	SEAFORD	DE	19973	232-5.00-10.00
JADE RUN FARM LLC		8268 SNAKE RD	BETHEL	DE	19931	232-11.00-65.00
JOYCE ONEAL FAMILY LLC		29214 SHADY CREEK LN	DAGSBORC	DE	19939	132-11.00-34.00
LECATES COREY D TTEE OF IRR TR	DANIEL & MARY LECATES IRR TI	PO BOX 223	BETHEL	DE	19931	132-11.00-35.00
LITTLETON JOSEPH A & AMY M	LITTLETON	8109 BETHEL RD	SEAFORD	DE	19973	132-11.00-53.00
LOWE BRYANT	JACLYN LOWE	9162 SHARPTOWN RD	LAUREL	DE	19956	132-11.00-34.12
LYNCH KYLE ALAN	MARJORIE KATHRYN LYNCH	10911 EAST 4TH ST	LAUREL	DE	19956	232-11.00-70.00
MCNATT JERRELL F	SUSAN E MCNATT DAVID L ADA	8183 WOODLAND FERRY RD	LAUREL	DE	19956	232-11.00-69.03
MONTAGUE EDWARD A	CAROL A MONTAGUE IRR TR	8266 BETHEL RD	SEAFORD	DE	19973	232-5.00-15.00
OWENS PATRICIA P		8365 WOODLAND FERRY RD	LAUREL	DE	19956	232-11.00-72.00
PUSEY WAYNE K	SHARON L PUSEY	8206 BETHEL RD	SEAFORD	DE	19973	232-5.00-12.00
RBEC FARMS LLC		8523 BETHEL RD	SEAFORD	DE	19973	232-5.00-18.00
SAMUELS DONNA M		8248 BETHEL RD	SEAFORD	DE	19973	232-5.00-15.02
SHOCKLEY DAVID S & KATHY L	SHOCKLEY	8241 WOODLAND FERRY RC	LAUREL	DE	19956	232-11.00-69.00
TUCKER DOUGLAS A SR KATHLEEN I	DOUGLAS A TUCKER SR KATHLE	8185 BETHEL RD	SEAFORD	DE	19973	232-5.00-11.00
ZACK ALBERT R		8167 WOODLAND FERRY RD	LAUREL	DE	19956	232-11.00-68.00
ZELLHART RICHARD J & KIMBERLEE J		8123 BETHEL RD	SEAFORD	DE	19973	132-11.00-54.00

JAMIE WHITEHOUSE, AICP MRTPI
PLANNING & ZONING DIRECTOR
(302) 855-7878 T
(302) 854-5079 F
jamie.whitehouse@sussexcountye.gov



Sussex County

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Memorandum

To: Sussex County Planning Commission Members
From: Mr. Michael Lowrey, Planner III
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant
Date: October 6, 2022
RE: Staff Analysis for C/U 2336 Community Power Group, LLC

This memo is to provide background and analysis for the Planning Commission to consider as a part of application C/U 2336 Community Power Group, LLC to be reviewed during the November 17th, 2022, Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for Tax Parcel: 232-5.00-11.03 to allow for a solar farm consisting of a photovoltaic electric generation facility which may generate up to 4 megawatts per acre on approximately 25 acres of the parcel. The property is located on the north side of Woodland Ferry Road (S.C.R. 78) about 800 feet east of the intersection with Bethel Road (S.C.R. 493) and on the east side of Bethel Road about 1,000 feet north of the intersection with Woodland Ferry Road. The parcel is comprised of a total area of 39.45 acres +/-.

Comprehensive Plan Analysis

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use Map in the plan indicates that the parcel has a designation of "Low Density Area". The adjacent parcels surrounding the subject property retain the Future Land Use Map designation of "Low Density Area." The properties on the opposite side of Woodland Ferry Road (S.C.R. 78) are also designated as "Low Density Areas." The parcels to the north and to the west on the opposite side of Bethel Road (S.C.R. 493) also have a Future Land Use Map designation of "Low Density Area."

As outlined within the 2018 Sussex County Comprehensive Plan, the primary uses envisioned in Low Density Areas are agricultural activities and homes. Business development should be largely confined to businesses addressing the needs of these two uses. Industrial and agribusiness uses that support or depend on agriculture should be permitted. The focus of retail and office uses in Low Density Areas should be providing convenience goods and services to nearby residents. Commercial uses in these residential areas should be limited in their location, size, and hours of operation. More intense commercial uses should be avoided in these areas. Institutional and commercial uses may be appropriate depending on surrounding uses. (Sussex County Comprehensive Plan, 4-19). Additionally, the Plan notes that Sussex County "hopes to retain the rural environment" in Low Density Areas and adds that "Sussex County Council supports land use State and local land use policies that will preserve the value of farmland" noting the County's



approach emphasizes sustaining “reasonable development rights” (Sussex County Comprehensive Plan, 4-18).

Zoning Information

The subject properties are zoned Agricultural Residential (AR-1) District. The adjacent properties on both sides of Bethel Road (S.C.R. 493) are zoned Agricultural Residential (AR-1) District. The adjacent properties on the both sides of Woodland Ferry Road (S.C.R. 78) are zoned Agricultural Residential (AR-1) District. The parcels to the east of the subject property are zoned Agricultural Residential (AR-1) District.

Existing Conditional Uses within the Vicinity of the Subject Site

Since 1970, there have been six (6) Conditional Use applications within less than a 1-mile radius of the application site. The first application is Conditional Use No. 1580 Crawford and David Matthews to allow for a lumber business/equipment storage within an Agricultural Residential (AR-1) Zoning District. The Application was approved by the Sussex County Council at their meeting of Tuesday, January 18, 2005 and the change was adopted through Ordinance No. 1746. The second application is Conditional Use No. 998 Jade Run Sod Farm to allow for the sale & service of agricultural irrigation systems within an Agricultural Residential (AR-1) Zoning District. The Application was approved by the Sussex County Council at their meeting of Tuesday, May 12, 1992 and the change was adopted through Ordinance No. 827. The third application is Conditional Use No. 739 Steven & Dorothy Cucinotta to allow for a chicken house on less than 5 acres to be located within the Agricultural Residential (AR-1) Zoning District. The Application was denied by the Sussex County Council at their meeting of Tuesday, January 17, 1984. The fourth application is Conditional Use No. 377 Herbert C. and Bonnie B. Carey to allow for a beauty salon within an (MR) Medium Density Residential District. The Application was approved by the Sussex County Council at their meeting of Tuesday, October 12, 1976. The fifth application is Conditional Use No. 1062 Excel Leasing Corp to operate an equipment leasing company within an Agricultural Residential (AR-1) Zoning District. The Application was approved by the Sussex County Council at their meeting of Tuesday, February 1, 1994, and the change was adopted through Ordinance No. 951. The sixth application is Conditional Use No. 2383 Consolidated Edison Development, Inc to operate a solar farm within an Agricultural Residential (AR-1) Zoning District. The Application was received by the Sussex County Planning & Zoning Department on June 29th, 2022.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use to allow for the placement of a photovoltaic electric generation facility in this location, subject to considerations of scale and impact, could be considered as being consistent with the land use, area zoning and surrounding uses.

Conditional Use Applications (Within a 1.0-mile radius of the subject site)						
Application Number	Application Name	Zoning District	Proposed Use	CC Decision	CC Decision Date	Ordinance Number
CU 1580	Crawford and David Matthews	AR-1	Lumber Business / Equipment Storage	Approved	1/18/2005	1746
CU 998	Jade Run Sod Farm	AR-1	Sale & Service of Agricultural Irrigation Systems	Approved	5/12/1992	827
CU 739	Steven & Dorothy Cucinotta	AR-1	Chicken House on Less Than 5 Acres	Denied	1/17/1984	N/A
CU 377	Herbert C. Carey & Bonnie B.	MR	Beauty Salon	Approved	10/12/1976	N/A
CU 1062	Equipment Leasing Company	AR-1	Equipment Leasing Company	Approved	2/1/1994	951
CU 2383	Consolidated Edison Development, Inc	AR-1	Solar Farm	Pending	N/A	N/A

File #: C42336
202200267

Planning & Zoning Commission Application

Sussex County, Delaware

Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph. 302-854-5079 fax

Type of Application: (please check applicable)

Conditional Use ☒

Zoning Map Amendment ☐

Site Address of Conditional Use/Zoning Map Amendment

38.579478, -75.610377 Near intersection of Bethel Rd and Woodland Ferry Road

Type of Conditional Use Requested:

4MW Community solar facility

Tax Map #: 232-5.00-11.03

Size of Parcel(s): 39.45 acres

Current Zoning: AR-1

Proposed Zoning: AR-1

Size of Building: ~25 acre solar facility

Land Use Classification: County Parcel Viewer land code: AG

Water Provider: N/A

Sewer Provider: N/A

Applicant Information

Applicant Name: Community Power Group, LLC (Michael Borkowski, President)

Applicant Address: 5636 Connecticut Ave., #42729

City: Washington

State: DC

Zip Code: 20015

Phone #: (202) 844-6423

E-mail: mborkowski@communitypowergroup.com

Owner Information

Owner Name: Jade Run Farm, LLC (Glen & Laurie Jones)

Owner Address: 8268 Snake Rd.

City: Bethel

State: DE

Zip Code: 19931

Phone #: (302) 542-2875

E-mail: trioakfarms@gmail.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Whitney Hughes, Community Power Group Project Manager

Agent/Attorney/Engineer Address: 5636 Connecticut Ave., #42729

City: Washington

State: DC

Zip Code: 20015

Phone #: (202) 844-6429

E-mail: whitney@communitypowergroup.com



Check List for Sussex County Planning & Zoning Applications

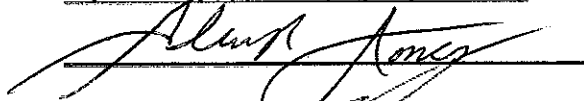
The following shall be submitted with the application

- ☒ Completed Application
- ☒ Provide eight (8) copies of the Site Plan or Survey of the property
 - Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
 - Provide a PDF of Plans (may be e-mailed to a staff member)
 - Deed or Legal description
- ☒ Provide Fee \$500.00
- ☒ Optional - Additional information for the Commission/Council to consider (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.
- ☒ Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.
- ☒ DeIDOT Service Level Evaluation Request Response
- ☐ PLUS Response Letter (if required)

The undersigned hereby certifies that the forms, exhibits, and statements contained in any papers or plans submitted as a part of this application are true and correct.

I also certify that I or an agent on my behalf shall attend all public hearing before the Planning and Zoning Commission and the Sussex County Council and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future needs, the health, safety, morals, convenience, order, prosperity, and general welfare of the inhabitants of Sussex County, Delaware.

Signature of Applicant/Agent/Attorney



Date: 11/22/21

Signature of Owner



Date: 11/28/21

For office use only:

Date Submitted: 1/11/22

Staff accepting application: ces

Location of property: _____

Fee: \$500.00 Check #: 2519

Application & Case #: 202200267

Subdivision: _____

Date of PC Hearing: _____

Date of CC Hearing: _____

Recommendation of PC Commission: _____

Decision of CC: _____

Prepared by and Return to:
Lawrence B. Steele, III P.A.
P.O. Box 799
Georgetown, DE 19947
Tax Map Parcel No. 1-32-11-34; 2-32-5-6; 2-32-5-11; 2-32-5-11.01; 2-32-5-11.02; 2-32-5-11.03; 2-32-11-3; 2-32-11-63; 2-32-11-65; 2-32-11-65.03; & 2-32-11-66

DEED

THIS DEED, Made this 5th day of January, 2007,

BY AND BETWEEN

JADE RUN SOD FARM OF DELAWARE, a Delaware general partnership, 2127 Route 206, PO Box 2536, Vincentown, New Jersey 08088-2536, party of the first part, Grantor,

AND

JADE RUN FARM, L.L.C., 9 North Front Street, Georgetown, Delaware 19947, party of the second part, Grantee,

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of TEN DOLLARS (\$10.00), lawful money of the United States of America, and other valuable and lawful consideration, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the said party of the second part, its successors and assigns forever,

ALL RECORDINGS IN THE OFFICE OF THE RECORDER OF
DEEDS, GEORGETOWN, SUSSEX COUNTY, DELAWARE

ALL OF THE FOLLOWING TMP PARCELS:

1-32- 11-34
2-32- 5-6
2-32- 5-11

Consideration: 50.00 Exempt Code: A

County	State	Total
0.00	0.00	0.00
counter	Date: 02/06/2007	

2-32- 5-11.01
2-32- 5-11.02
2-32- 5-11.03
2-32- 11-3
2-32- 11-63
2-32- 11-65
2-32- 11-65.03
2-32- 11-66.00

SEE ATTACHED EXHIBITS for a description of each Parcel and the derivation of title.

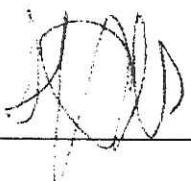
"A portion of this property is located in the vicinity of land used primarily for agricultural purposes on which normal agricultural uses and activities have been afforded the highest priority use status. It can be anticipated that such agricultural uses and activities may now or in the future involve noise, dust, manure and other odors, the use of agricultural chemicals and nighttime farm operations. The use and enjoyment of this property is expressly conditioned on acceptance of any annoyance or inconvenience which may result from such normal agricultural uses and activities."

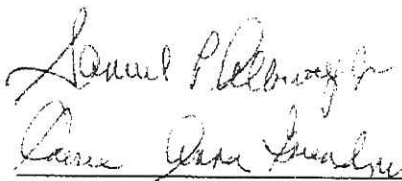
Sussex County Ordinance No. 862

IN WITNESS WHEREOF, the said General Partners of the party of the first part have hercunto set their hands and seals the day and year aforesaid.

Signature Page for
SAMUEL P. ALLOWAY, JR.

SIGNED, SEALED AND DELIVERED
in the presence of



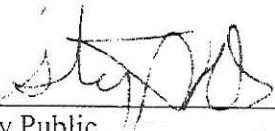


(SEAL)
SAMUEL P. ALLOWAY, JR. by his
Attorney in fact, Carrie Anna Grundner

STATE OF Delaware :
COUNTY OF Dunes : SS.

BE IT REMEMBERED, That on this 1st day of July,
2007, SAMUEL P. ALLOWAY, JR., by his Attorney in fact, Carrie Anna Grundner, by a Power
of Attorney recorded in Miscellaneous Book 880 at page 90 in the Office, aforesaid, party to this
indenture, known to me personally to be such, acknowledged before me this indenture to be his act
and deed.

GIVEN under my hand and seal of office, the day and year aforesaid.



Notary Public

Notary's Printed Name: STEPHEN P. ELLIS

Notary's Commission Expires: Stephen P. Ellis
Attorney
29 Dec. C. 34323

03413 243

Signature Page for
SAMUEL P. ALLOWAY, III

SIGNED, SEALED AND DELIVERED
in the presence of

David E. Liberman
SAMUEL P. ALLOWAY, III


STATE OF New Jersey
COUNTY OF Burlington
SS.

BE IT REMEMBERED, That on this 30th day of January,
2007, SAMUEL P. ALLOWAY, III, party to this indenture, known to me personally to be such,
acknowledged before me this indenture to be his act and deed.

GIVEN under my hand and seal of office, the day and year aforesaid.

Notary Public
James A. Sambucci
Notary's Printed Name: James A. Sambucci

Notary's Commission Expires: JAMES A. SAMBUCCI
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Feb 29, 2008



 (SEAL)
BRIAN E. ALLOWAY

STATE OF Idaho
COUNTY OF Boise

BE IT REMEMBERED, That on this 5th day of July, 2007, BRIAN E. ALLOWAY, party to this indenture, known to me personally to be such, acknowledged before me this indenture to be his act and deed.

GIVEN under my hand and seal of office, the 8 day and year aforesaid.

Notary Public

Notary's Printed Name: STEPHEN P. CULLEN

Notary's Commission Expires: September 1, 2015

503413 2245

TMP: 1-32-11-34
PHILLIPS FARM

ALL that certain piece, parcel and tract of land, lying and being situate in Broad Creek Hundred, Sussex County and the State of Delaware, fronting on the westerly right-of-way line of Route #485 and the northwesterly right-of-way line of Route #493, adjoining lands now or formerly of Heinrich Von Thenen, Steven D. Henry, Fred M. O'Neal, George T. Joseph, Jr., and Thomas W. Scott, being more particularly described as follows, to wit:

BEGINNING at a found iron pipe on the northwesterly right-of-way line of Route #493, twenty-five (25) feet from the centerline thereof, being the northeastern corner for lands of Heinrich Von Thenen; thence proceeding with said Von Thenen lands North 53° 19' 03" West 1,522.48 feet to a set iron pipe on line of lands of Steven D. Henry; thence running with said Henry lands North 33° 58' 28" East 461.595 feet to a found concrete monument; thence continuing with said Henry lands North 28° 16' 18" West, 240.33 feet to a set iron pipe on line of lands of Fred M. O'Neal; thence running with said O'Neal lands the following courses and distances:

1. North 40° 52' 47" East 794.04 feet to a set iron pipe;
2. North 03° 87' 53" West 277.82 feet to a set iron pipe;
3. South 82° 24' 50" East 1,017.75 feet to a newly set concrete monument;
4. South 79° 57' 54" East 543.16 feet to a set iron pipe at a corner for lands of George I. Joseph, Jr.;

thence running with said Joseph lands South 05° 56' 57" West 199.985 feet to a found concrete monument at a corner for lands of Thomas W. Scott; thence running with said Scott lands South 05° 58' 46" West 200.41 feet to a set iron pipe; thence continuing with said Scott lands South 80° 00' 22" East 199.81 feet to a point on the westerly right-of-way line of Route #485, said point being distant North 80° 00' 22" West 0.11 feet from a found concrete monument; thence running with said right-of-way line South 05° 54' 28" West 912.66 feet to a set iron pipe at a corner for lands of Daniel B. Lecates; thence running with said Lecates lands North 89° 48' 23" West 288.87 feet to a set iron pipe; thence continuing with said Lecates lands South 01° 38' 11" West 292.75 feet to a point on the aforementioned northwesterly right-of-way line of Route #493; thence running with said right-of-way line and deflecting left along a 1004.29 foot radius curve, the chord of which bears South 62° 17' 30" West 244.31 feet, an arc distance of 244.911 feet to a point of tangency; thence finally continuing with said right-of-way line South 55° 18' 20" West 665.76 feet to the place of beginning, containing 84.7779± acres of land.

BEING a part of the same lands conveyed to this Grantor by C & M Farms, Inc., by Deed dated December 9, 1988 in Deed Book 1616 at page 47.

This conveyance is subject to all prior conveyance of record, including the following:

Deed Book 1815 at page 318;
Deed Book 1831 at page 120;
Deed Book 1848 at page 102;
Deed Book 1897 at page 310;

Exhibits page 1

03413 247

TMP: 2-32-5-6
MCLAUGHLIN LOT

ALL that certain lot, piece or parcel of land situate, lying and being in Broad Creek Hundred, Sussex County, Delaware, lying on the southeastern side of Road No. 493, leading from Broad Creek to Bethel and being more particularly described as follows, to wit:

BEGINNING at a stake on the southeast side of Road No. 493, leading from Broad Creek to Bethel, being a corner for the lands herein conveyed and other lands now or formerly of Emory T. Sirman; thence with said Sirman land southeast $56\frac{1}{4}^{\circ}$ 200 feet to a stake; thence northeast $52\frac{1}{2}^{\circ}$ 187 feet to a concrete marker and lands now or formerly of R. T. Morgan; thence with said Morgan lands, the southeast side of Road No. 493, southwest 50° 256 feet to the stake and place of BEGINNING said to contain one (1) acre of land, more or less, as surveyed and plotted by Harold L. Cook in February 1969.

EXCEPTING THEREFROM the conveyance from John J. McLaughlin and Mary Anne McLaughlin to Coleman P. Wheatley and Mary Ellen Wheatley by deed dated July 25, 1990 recorded July 25, 1990 in Deed Book 1728, Page 325.

BEING the same lands conveyed to this Grantor by Deed of Mary Anne McLaughlin on December 15, 1998 in Deed Book 2346 at page 302.

TMP: 2-32-5-11
WHEATLEY, NEW HOME PARCEL

ALL that certain lot, piece or parcel of land situate, lying and being in Broad Creek Hundred, Sussex County and State of Delaware, being more particularly bounded and described according to a survey prepared by Thomas A. Temple, Jr., Registered Land Surveyor, dated October 7, 1991, as follows, to wit:

BEGINNING at a found concrete monument on the northerly right-of-way line of Road No. 78, marking a common corner for this land and lands now or formerly of Jade Run Sod Farm; thence, by and with the northerly right-of-way line of Road No. 78 North $56^{\circ} 38' 00''$ West, 575.35 feet to a found concrete monument, making a common corner for this land, the northerly right-of-way line of Road No. 78 and lands now or formerly of W. Dave Lambrose, *et al*; thence, by and with lands now or formerly of W. Dave Lambrose, *et al*, North $46^{\circ} 48' 05''$ East, 247.30 feet to a found concrete monument at a point marking a corner for lands now or formerly of W. Dave Lambrose, *et al*, and lands now or formerly of John J. McLaughlin, *et al*; thence, by and with the lands now or formerly of John H. McLaughlin, *et al*, North $52^{\circ} 16' 05''$ East, 113.50 feet to a found iron stob marking a common corner for this land, and lands now or formerly of John J. McLaughlin, *et al*; thence, by and with lands now or formerly of John J. McLaughlin, *et al*, North $40^{\circ} 59' 35''$ West, 198.03 feet to a found iron stob marking a common corner for this land, lands now or formerly of John J. McLaughlin, *et al*, and County Road 493; thence by and with a curve along Road No. 493, having an arc distance of 88.30 feet and a chord distance being North $50^{\circ} 38' 55''$ East, 88.25 feet to a found concrete monument, marking a common corner for this land, Road No. 493 and lands now or formerly of Harold M. Farmer; thence, by and with lands now or formerly of Harold M. Farmer South $36^{\circ} 44' 05''$ East, 200.23 feet to a found concrete monument at a point marking a corner for lands now or formerly of Harold M. Farmer and lands now or formerly of Sherman H. Hill, *et al*; thence, by and with lands now or formerly of Sherman H. Hill, *et al*, South $57^{\circ} 03' 45''$ East, 473.48 feet to a found concrete monument marking a common corner for this land, lands now or formerly of Sherman H. Hill, Jr., *et al*, and lands now or formerly of Jade Run Sod Farm of Delaware; thence, by and with lands now or formerly of Jade Run Sod Farm of Delaware, South $35^{\circ} 33' 35''$ West, 421.27 feet home, to the point and place of BEGINNING, said to contain 5.463± acres.

BEING the same lands conveyed to this Grantor by Deed of Coleman P. Wheatley, *et ux*, on October 14, 1991 in Deed Book 1809 at page 121.

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ALL THAT CERTAIN lot, piece or parcel of land, situate, lying and being in Broad Creek Hundred, Sussex County, Delaware, and as shown on a survey made by Miller-Lewis, Inc., Registered Delaware Land Surveyors, on January 13, 1999 and is more particularly described as follows:

BEGINNING at a concrete monument found at the intersection of the northeasterly right of way line of County Road 78 and the southeasterly right of way line of County Road 493, thence with the right of way line of County Road 493 North 46° 28' 05" East 128.60 feet to a point; thence with the aforesaid right of way and along a curve having a radius of 4,147.20 feet, a central angle of 00° 13' 07", an arc distance of 15.83 feet; a chord of North 46° 34' 39" East 15.83 feet to a concrete monument; thence South 56° 43' 56" East 200.95 feet to a concrete monument; thence South 46° 48' 05" West 144.54 feet to a concrete monument and the right of way of County Road 78; thence with the right of way of County Road 78 North 56° 45' 15" West 200.13 feet to the point of BEGINNING and said to contain 28,189± square feet of land.

BEING the same lands conveyed to this Grantor by Deed of William David Lambrose, et al, on January 28, 1999 in Deed Book 2359 at page 76.

TMP: 2-32-5-11.01
LAMBROSE LOT # 1
Southerly Lot

03413 249

03413 249

TMP: 2-32-5-11.02
LAMBROSE LOT # 2
Northerly Lot

ALL that certain tract of land lying and being situate in Broad Creek Hundred, Sussex County, Delaware, in accordance with a survey prepared by Miller-Lewis, Inc., Registered Delaware Land Surveyors dated January 13, 1999 and more particularly described as follows to wit:

BEGINNING at a concrete monument found on the southeasterly right-of-way line of Sussex County Road No. 493 (50 feet wide) said monument being situate a distance of 144.47 feet from the right-of-way line of Sussex County Road No. 78; thence, with the right-of-way line of Sussex County Road No. 493 and along a curve to the right having a radius of 4,147.20 feet, the central angle being $01^{\circ} 25' 15''$ the arc distance being 102.84 feet, along a chord bearing North $47^{\circ} 23' 50''$ East a distance of 102.84 feet to a found concrete monument; thence with Parcel No.6, South $56^{\circ} 48' 19''$ East a distance of 199.91 feet to a found concrete monument; thence with the lands of Jade Run Sod Farm of Delaware, South $46^{\circ} 48' 05''$ West a distance of 102.84 feet to a found concrete monument; thence with Parcel No. 11.01, North $56^{\circ} 43' 56''$ West a distance of 200.95 feet home to the point and place of BEGINNING said to contain 20,033± square feet of land.

BEING the same property conveyed unto the Grantor by Deed of William David Lambrose, *et al*, dated January 29, 1999 in Deed Book 2359 at page 74.

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03413 2251

TMP: 2-32-5-11.03
SIRMAN FARM

ALL that certain tract, piece and parcel of land, lying and being in Broad Creek Hundred, Sussex County, Delaware, fronting on the northeasterly side of County Road #78, and on the southeasterly side of County Road #493, adjoining lands of Gertrude P. Tindall, other lands of Coleman P. Wheatley, of James O. Hills, of Maurice E. Lewis, of Edward A. Montague, Jr., of Arthur T. Downes, of George K. Phillips, of Flossie S. Lynch, and of William Jonathan Sirman, and more particularly described as follows, to wit:

BEGINNING at a set concrete monument on aforementioned northeasterly right-of-way line of County Road #78, thirty (30) feet from the centerline thereof, and at the southwesterly corner of lands of Gertrude P. Tindall; thence proceeding along said right-of-way line of Road #78, North 56° 07' 54" West, 735.905 feet to a corner for residual lands of Coleman P. Wheatley, from which corner a found concrete monument bears South 36° 06' 32" West 0.45 feet; thence following said residual lands of Coleman P. Wheatley, the following two (2) courses and distances: (1) North 36° 06' 32" East 842.378 feet to a found concrete monument; and (2) North 45° 23' 04" West, 313.221 feet to a found concrete monument at a corner for lands of James O. Hills; thence running with said Hills lands, North 34° 49' 08" West, 199.909 feet to a found concrete monument on aforementioned southeasterly right-of-way line of Road #493, twenty-five (25) feet from the centerline thereof; thence proceeding with said right-of-way line of Road #493, the following two (2) courses and distances: (1) North 55° 18' 20" East 447.465 feet to a point of curvature; and (2) deflecting right along a 954.29 foot radius curve, the chord of which bears North 62° 40' 17" East, 244.694 feet; an arc distance of 245.369 feet to a found iron pipe at a corner for lands of Maurice E. Lewis; thence following line of said Lewis lands and lands of Edward A. Montague, Jr., South 42° 01' 19" East 424.841 feet to a set concrete monument; thence continuing with said Montague lands, South 80° 39' 51" East 242.883 feet to a set concrete monument in the centerline of a small ditch; thence running with said centerline of a ditch and continuing with lands of Edward A. Montague, Jr. and partly with lands of Arthur T. Downes, the following courses and distances:

1. South 04° 49' 03" West 133.898 feet;
2. South 04° 10' 58" West 30.465 feet;
3. South 34° 59' 05" East 50.011 feet;
4. South 46° 52' 09" East 130.756 feet;
5. South 71° 57' 52" East 220.385 feet to a corner for lands of George K. Phillips;

thence proceeding along said Phillips lands, South 03° 13' 12" West, 722.966 feet, passing over a found iron pipe at 5.903 feet, to a found well point at a corner for lands of Flossie S. Lynch; thence running with said Lynch lands, the following courses and distances:

1. North 85° 04' 46" West 375.799 feet to a set concrete monument;
2. South 33° 52' 06" West 383.00 feet to a set concrete monument at a corner for lands of William Jonathan Sirman;

thence proceeding along said Sirman lands and lands of Gertrude P. Tindall, North 56° 07' 54"

West, 225.00 feet to a found iron pipe at a corner for said Tindall lands; thence finally running along said Tindall lands, South 33° 52' 06" West, 291.664 feet to the place of beginning, containing 39.4586± acres of land as depicted on a survey prepared by Charles D. Murphy, Jr., PLS #291, on December 5, 1988, a copy of said survey being filed for record in the Office of the Recorder of Deeds, Georgetown, Sussex County, Delaware, in Plot Book 41, Page 19.

BEING a portion of the lands conveyed to this Grantor by Coleman P. Wheatley, et ux, by Deed dated December 9, 1988 in Deed Book 1616 at page 53. This Parcel is described at page 61.

2007 RELEASE UNDER E.O. 14176

Exhibits page 8

03413 2253

TMP: 2-32-11-3
HOPKINS FARM

ALL the certain piece, parcel and tract of land, lying and being situate in Broad Creek Hundred, Sussex County and the State of Delaware, adjoining lands now or formerly of Clarence T. Garrett, of Linton F. Truitt, Jr., of H & H Brand Farms, Inc., of Helen P. Marine, and of Twiford J. Eskridge, being more particularly described as follows, to wit:

BEGINNING at a found iron pipe at the centerline terminus of an eight (8) foot wide roadway, being the northwesterly corner for lands of Clarence T. Garrett, said point being distant the following courses and distances from a found railroad spike at the westerly right-of-way line of Main Street and the northerly right-of-way line of Community Lane, at eleven (11) feet wide:

1. North 63° 30' 45" West 270.856 feet to a found iron pipe, being the westerly terminus for Community Lane;
2. Continuing with terminus of Community Lane South 25° 45' 57" West 11.03 feet to a found iron pipe in the centerline of an eight (8) foot roadway;
3. Running with said roadway North 65° 58' 30" West 582.303 feet;

thence, proceeding from said beginning point with lands of Clarence T. Garrett, South 31° 38' 43" West 528.18 feet to a found concrete monument at a corner for lands of Linton F. Truitt, Jr.; thence running with said Truitt lands North 48° 24' 13" West 1,829.86 feet to a found concrete monument at a corner for lands of H & H Brand Farms, Inc.; thence, running with said H & H Brand Farms, Inc. [sic]; thence running with said H & H Brand Farms, Inc., lands North 48° 41' 01" East 1,414.165 feet to a found concrete monument at a corner for lands of Helen P. Marine; thence running with said Marine lands North 48° 41' 01" East 380.457 feet to a newly set concrete monument at a corner for lands of Twiford J. Eskridge; thence running with said Eskridge lands South 52° 54' 46" East 615.75 feet to a concrete monument at a corner for lands of H & H Brand Farms, Inc.; thence running with said lands of H & H Brand Farms, Inc. South 30° 52' 32" West 1,428.00 feet to a concrete monument; thence finally continuing with lands of H & H Brand Farms, Inc. South 51° 02' 06" East 626.00 feet to the place of beginning, containing 45.9515± acres of land.

BEING a portion of the lands conveyed to this Grantor by C & M Farms, Inc., by Deed dated December 9, 1988 in Deed Book 1616 at page 47.

TMP: 2-32-11-63
ESKRIDGE PARCEL

ALL THAT CERTAIN lot, piece or parcel of land, situate, lying and being partially in the Town of Bethel and partially in Sussex County, both in Broad Creek Hundred, Sussex County, Delaware, and as shown on a survey made by Charles D. Murphy, Jr., Registered Delaware Land Surveyor, on September 6, 1988 a copy of which is recorded in Plot Book 40 at page 223 and is more particularly described as follows:

BEGINNING at a concrete monument marking the southeast corner for lands now or formerly of Richard O. Eskridge on the northerly line of lands now or formerly of H & H Brand Farm, Inc., thence with said Eskridge lands the following courses and distances:

1. North 26° 54' 41" East 347.50 feet to a concrete monument;
2. North 54° 28' 58 " West 81.01 feet to a concrete monument at the southeasterly corner for lands now or formerly of David Huffman;

thence with Huffman's lands North 28° 26' 49" East 285.40 feet to a concrete monument on the southerly line of lands now or formerly of Coleman P. Wheatley; thence with Wheatley's land the following courses and distances:

1. South 49° 47' 14" East 163.29 feet;
2. North 37° 02' 40" East 119.905 feet;
3. South 49° 49' 27" East 713.80 feet;
4. North 38° 49' 07" East 380.40 feet;
5. South 14° 50' 21" East 842.25 feet;
6. North 78° 33' 04" West 976.51 feet to a concrete monument;
7. South 23° 13' 11" West 170.69 feet to a concrete monument,

a corner for the said H & H Brand Farm, Inc.'s, land; thence with H & H Brand Farm, Inc.'s, land, North 50° 24' 28" West 526.505 feet to the point of BEGINNING and said to contain 18.4833± acres of land.

BEING the same lands conveyed to this Grantor by Helen C. Eskridge by Deed dated October 4, 1988 and recorded in Deed Book 1601 at page 283.

03413 254

03413 2255

TMP: 2-32-11-65

WHEATLEY HOME FARM

n/s County Rt. 491

ALL that certain piece, parcel and tract of land, lying and being partly in the Town of Bethel and partly in Broad Creek Hundred, Sussex County, State of Delaware, fronting on the northerly side of County Road #491 (also known as High Street) on the southeasterly side of County Road #493, and the southwesterly side of County Road #78, adjoining other lands about to be conveyed to Samuel P. Alloway, lands of H & H Brand Farms, Inc., other lands of Samuel P. Alloway and lands of Harold E. Horne, and more particularly described as follows, to wit:

BEGINNING at a point on aforementioned northwesterly right-of-way line of County Road #491, twenty-five (25) feet from the centerline thereof, and at the southwest corner of lands about to be conveyed to Samuel P. Alloway by C & M Farms, Inc.; thence proceeding along said right-of-way line of Road #491 following courses and distances:

1. North 71° 19' 17" West 563.573 feet;
2. North 72° 07' 11" West 144.437 feet;
3. North 72° 50' 01" West 172.206 feet;
4. North 75° 06' 11" West 96.704 feet to a point on the westerly corporate limits of the Town of Bethel;

thence proceeding South 11° 54' 01" West 5.007 feet to a point which is twenty (20) feet from the centerline of High Street; thence proceeding along the northeasterly right-of-way line of High Street the following courses and distances:

1. North 75° 06' 11" West 51.203 feet;
2. North 77° 57' 46" West 141.076 feet;
3. North 78° 17' 41" West 76.300 feet;
4. North 79° 06' 57" West 360.332 feet to a set concrete monument at a corner for lands of H & H Brand Farms, Inc.;

thence following line of said lands of H & H Brand Farms, Inc., and other lands of Samuel P. Alloway North 23° 13' 11" East 681.193 feet to a found concrete monument at a corner for other lands of Samuel P. Alloway; thence continuing with said other lands of Samuel P. Alloway the following courses and distances:

1. South 78° 33' 04" East 976.514 feet;
2. North 14° 50' 21" West 842.448 feet;
3. South 38° 49' 07" West 380.404 feet;
4. North 49° 49' 27" West 713.803 feet;
5. South 37° 02' 40" West 119.905 feet;
6. North 49° 47' 14" West 163.289 feet to a found concrete monument at a corner for lands of Harold E. Horne;

thence running with said Horne lands the following courses and distances:

1. North 28° 33' 04" East 245.926 feet to a concrete monument;
2. North 28° 33' 40" East 9.942 feet to a concrete monument;
3. North 30° 51' 12" West 155.782 feet to a concrete monument on the
aforementioned northeasterly right-of-way line of County Road #493, twenty-five
(25) feet from the centerline thereof;

thence proceeding along said right-of-way line of Road #493, North 40° 56' 41" East 1,163.188 feet to the southwesterly right-of-way line of County Road #78, thirty (30) feet from the centerline thereof; thence following said right-of-way line of Road #78, South 56° 07' 54" East 2,001.00 feet to a corner for lands about to be conveyed to Samuel P. Alloway by C & M Farms, Inc.; thence running with said lands about to be conveyed to Samuel P. Alloway the following courses and distances:

1. South 32° 52' 06" West 2009.395 feet;
2. South 18° 07' 54" East 193.654 feet

to the place of BEGINNING containing 93.3746 acres of land more or less.

BEING a portion of the lands conveyed to this Grantor by Coleman P. Wheatley, *et ux*, by Deed dated December 9, 1998 in Deed Book 1616 at page 53. This Parcel is described on pages 55 and 56 of the foregoing Deed.

ALL THAT CERTAIN lot, piece or parcel of land, situate, lying and being in Broad Creek Hundred, Sussex County, Delaware, and being **PARCEL 'A'** as shown on a survey made by McCann, Inc., Registered Delaware Land Surveyors, on November 11, 1994, a copy of which is recorded in Plot Book 47 at page 232, which description is incorporated herein by reference and consisting of 4.4± acres of land.

BEING a portion of the same lands conveyed to this Grantor by Coleman P. Wheatley, *et ux*, by Deed dated December 9, 1988 and recorded in Deed Book 1616 at page 53. This Parcel is the remainder of the Parcel described at pages 58 and 59 of the foregoing Deed. [Glen R. Jones owns all of Parcel 'B' described in the foregoing Plot by virtue of two Deeds found in Deed Book 1822 at page 188 and page 191.]

803413 2257

TMP: 2-32-11-65.03
HOME FARM-PARCEL A
Remainder of land after sales

Remainder of land after sales

Remainder of land after sales

Remainder of land after sales

803413 2257

TMP: 2-32-11-66
HOME FARM
Graveyard Parcel

ALL that certain piece, parcel and tract of land, lying and being situate in Broad Creek Hundred, Sussex County, Delaware, fronting on the northerly right-of-way line of Route #491 and the southerly right-of-way line of Route #78, adjoining lands now or formerly of John W. Lawton, of Franklin A. Moore and of R.E.J., Inc. and of other lands to be conveyed to Samuel P. Alloway, being more particularly described as follows, to wit:

BEGINNING at a found concrete monument on the southerly right-of-way line of Route #78, thirty (30) feet from the centerline thereof, being the northwesterly corner for lands of John W. Lawton; thence proceeding with said Lawton lands South 31° 46' 47" West 199.50 feet to a set iron pipe; thence continuing with said Lawton lands South 55° 56' 54" East 200.00 feet to a found iron pipe at a corner for Franklin A. Moore; thence running with said Moore lands South 31° 48' 50" West 343.90 feet to a found iron pipe on line of lands of R.E.J., Inc.; thence running with said lands of R.E.J., Inc., South 48° 33' 39" West 836.80 feet to a set iron pipe on the northerly right-of-way line of Route #491; thence running with said right-of-way line the following courses and distances:

- 1. North 83° 00' 05" West 14.30 feet to a point of curvature;
- 2. Deflecting left along a 1428.074 foot radius curve, the chord of which bears North 89° 53' 07" West 342.33 feet, an arc distance of 343.16 feet to a point of tangency;
- 3. South 83° 13' 52" West 484.33 feet;
- 4. South 85° 09' 17" West 142.88 feet;
- 5. North 81° 35' 07" West 181.56 feet;
- 6. North 72° 51' 02" West 148.791 feet;
- 7. North 71° 19' 17" West 416.716 feet to a point at a corner for other lands about to be conveyed to Samuel P. Alloway;

thence running with said Alloway lands the following courses and distances:

- 1. North 18° 87' 54" West 193.654 feet;
- 2. North 32° 52' 06" East 2009.395 feet to a set iron pipe on the aforementioned southerly right-of-way line of Route #78;

thence, running with said right-of-way line South 56° 07' 54" East 1576.91 feet to the place of BEGINNING, containing 69.8875± acres of land.

BEING a portion of the same lands conveyed to this Grantor by C & M Farms, Inc., by Deed dated December 9, 1988 in Deed Book 1616 at page 47.

SUBJECT TO out conveyances of record of TMP 2-32-11-66.01, 66.02, 66.03, & 66.04.

RECEIVED

RECORDER OF DEEDS
JOHN F. BRADY
07 FEB -6 AM 9:45
SUSSEX COUNTY
DOC. SURCHARGE PAID

FEB 07 2007
ASSESSMENT DIVISION
OF SUSSEX COUNTY
Exhibits page 14

Town of Bethel
Realty Transfer Tax
Serial # 081
Amount \$
Date 2/6/07
By Stacie

LEASE AREA LEGAL DESCRIPTION

ALL THAT CERTAIN LEASE AREA, SITUATE IN BROAD CREEK HUNDRED, SUSSEX COUNTY, DELAWARE, LYING ADJACENT TO BUT NOT ON THE NORTHERN RIGHT OF WAY LINE ASSOCIATED WITH WOODLAND FERRY ROAD (SR 78) AND ADJACENT TO BUT NOT ON THE EASTERN RIGHT OF WAY LINE ASSOCIATED WITH BETHEL ROAD (SCR 493), BEING A PORTION OF SUSSEX TAX MAP 232-5.00-11.03 AND IS PARTICULARLY DESCRIBED AS FOLLOWS TO WIT:

BEGINNING AT THE POINT OF INTERSECTION BEING 305' NORTH OF THE SOUTHERN BOUNDARY LINE AND 24' EAST OF THE WESTERN BOUNDARY LINE, SAID POINT BEING FURTHER LOCATED AS N 40°35'23" E, 307.11' FROM A FOUND CONCRETE MONUMENT LOCATED ON THE NORTHERN RIGHT OF WAY LINE ASSOCIATED WITH WOODLAND FERRY ROAD (SR 78 - 60' WIDE), BEING THE SOUTHWESTERN MOST BOUNDARY CORNER ASSOCIATED WITH THE SUBJECT PARCEL, HEREAFTER REFERRED TO AS THE REMOTE POINT OF BEGINNING, THENCE LEAVING SAID POINT OF BEGINNING AND RUNNING THROUGH THE SUBJECT PARCEL ALONG THE FOLLOWING (6) COURSES AND DISTANCES, 1) N 36°06'28" E, A DISTANCE OF 1,195.16' TO A POINT, SAID POINT BEING S 34°26'04" E, A DISTANCE OF 282.62' FROM A FOUND CONCRETE MONUMENT ON THE EASTERN RIGHT OF WAY LINE ASSOCIATED WITH BETHEL ROAD (SCR 493 - 50' WIDE), SAID MONUMENT BEING THE NORTHWESTERN MOST BOUNDARY CORNER ASSOCIATED WITH THE SUBJECT PARCEL; THENCE CONTINUING, 2) S 46°52'09" E, A DISTANCE OF 867.05' TO A POINT; THENCE, 3) N 03°13'12" W, A DISTANCE OF 586.43' TO A POINT; THENCE, 4) N 85°04'46" W, A DISTANCE OF 373.72' TO A POINT; THENCE, 5) S 33°52'06" W, A DISTANCE OF 383.81' TO A POINT; THENCE, 6) N 56°07'54" W, A DISTANCE OF 900.61' TO A POINT AND PLACE OF BEGINNING, CONTAINING 25.012 ACRES OF LAND, BE THE SAME, MORE OR LESS

Solar Lease Area
Woodland Ferry – Bethel

ALL that certain lease area, situate in Broad Creek Hundred, Sussex County, Delaware, lying adjacent to but not on the northern right of way line associated with Woodland Ferry Road (SR 78) and adjacent to but not on the eastern right of way line associated with Bethel Road (SCR 493), being a portion of Sussex tax map 232-5.00-11.03 and is particularly described as follows to wit:

Beginning at the point of intersection being 305' north of the southern boundary line and 24' east of the western boundary line, said point being further located as N 40°35'23" E, 307.11' from a found concrete monument located on the northern right of way line associated with Woodland Ferry Road (SR 78 - 60' wide), being the southwestern most boundary corner associated with the subject parcel, hereafter referred to as the remote point of beginning, Thence leaving said point of beginning and running through the subject parcel along the following (6) courses and distances, 1) N 36°06'28" E, a distance of 1,195.16' to a point, said point being S 34°26'04" E, a distance of 282.62' from a found concrete monument on the eastern right of way line associated with Bethel Road (SCR 493 - 50' wide), said monument being the northwestern most boundary corner associated with the subject parcel; Thence continuing, 2) S 46°52'09" E, a distance of 867.05' to a point; Thence, 3) N 03°13'12" W, a distance of 586.43' to a point; Thence, 4) N 85°04'46" W, a distance of 373.72' to a point; Thence, 5) S 33°52'06" W, a distance of 383.81' to a point; Thence, 6) N 56°07'54" W, a distance of 900.61' to a point and place of beginning, containing 25.012 Acres of land, be the same, more or less.



STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
800 BAY ROAD
P.O. BOX 778
DOVER, DELAWARE 19903

NICOLE MAJESKI
SECRETARY

November 15, 2021

Mr. Jamie Whitehouse, Director
Sussex County Planning & Zoning
P.O. Box 417
Georgetown, DE 19947

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Community Power Group, LLC** proposed land use application, which we received on November 5, 2021. This application is for an approximately 39.45-acre parcel (Tax Parcel: 232-5.00-11.03). The subject land is located on the north side of Woodland Ferry Road (Sussex Road 78) about 800 feet east of the intersection with Bethel Road and on the east side of Bethel Road (Sussex Road 493) about 1,000 feet north of the intersection with Woodland Ferry Road. The subject land is currently zoned AR-1 (Agriculture Residential) and the applicant seeks a conditional use approval to build a community solar farm.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along Woodland Ferry Road from Bethel Road to Seaford Road (Sussex Road 13), is 1,545 vehicles per day. Due to the unavailability of 2019 count data on Bethel Road, the 2020 Delaware Vehicle Volume Summary count data will be used. The annual average daily traffic volume along Bethel Road from Seaford Road to Woodland Ferry Road (Sussex Road 78), is 2,351 vehicles per day.

Based on our review, we estimate that the above land use will generate fewer than 50 vehicle trips per day. This number of trips is below DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. DelDOT's regulations specify the minimum TIS warrants as 50 vehicle trips in any hour and/or 500 vehicle trips per day. Because the proposed land use would generate fewer than 50 vehicle trips per day, we consider the development's traffic impact to be **diminutive** in the context of our agreement with the County regarding land development coordination and we do not recommend that the applicant be required to perform a TIS for the subject application. DelDOT's description of this application as diminutive with regard to warranting a TIS does not mean that it is diminutive in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.



Mr. Jamie Whitehouse

Page 2 of 2

November 15, 2021

If the County approves this application, the applicant should be reminded that DelDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.

Please contact Ms. Annamaria Furmato, at (302) 760-2710, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:aff

cc: Community Power Group, LLC, Applicant
Elliot Young, Sussex County Planning & Zoning
David Edgell, Coordinator, Cabinet Committee on State Planning Issues
Todd Sammons, Assistant Director, Development Coordination
Scott Rust, South District Public Works Manager, Maintenance & Operations
Steve McCabe, Sussex County Review Coordinator, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Kevin Hickman, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
James Argo, South District Project Reviewer, Maintenance & Operations
Claudy Joinville, Project Engineer, Development Coordination
Annamaria Furmato, Project Engineer, Development Coordination

Jesse Lindenberg

From: Robinson, Samantha (DNREC) <Samantha.Robinson@delaware.gov>
Sent: Tuesday, March 22, 2022 11:22 AM
To: Jesse Lindenberg
Cc: Jamie Whitehouse
Subject: RE: Contact Form: Environmental Reviews re: Solar in Sussex County
Attachments: Sussex County Upcoming Solar Projects_032222.xlsx

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Good morning Jamie and Jesse,

Attached is your spreadsheet with upcoming solar projects and the species and habitat records we found at these project locations.

Please let us know if you have any questions.

Thanks,
Sam

Sam Robinson, Ph.D. (she/her)
Program Manager for Avian Conservation

Delaware Division of Fish and Wildlife
6180 Hay Point Landing Rd
Smyrna, DE 19977
Office: (302) 735-8667
Cell: (302) 505-2936



FILE COPY
2 sheets

Delaware Division of Fish & Wildlife

*We Bring You Delaware's Great Outdoors
through Science and Service*



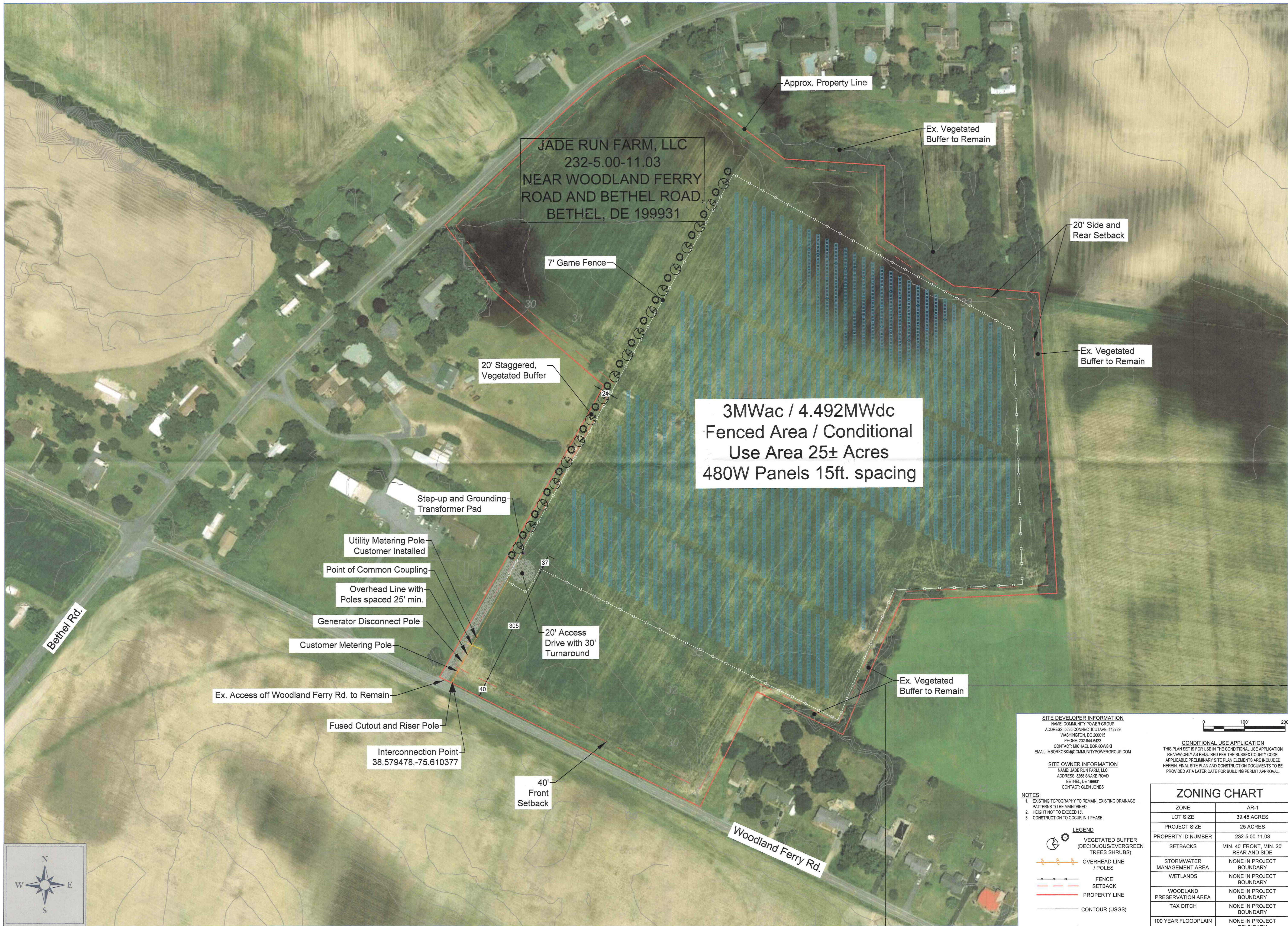
From: Jesse Lindenberg <jesse.lindenberg@sussexcountyde.gov>
Sent: Wednesday, March 16, 2022 9:52 AM
To: Robinson, Samantha (DNREC) <Samantha.Robinson@delaware.gov>
Subject: RE: Contact Form: Environmental Reviews re: Solar in Sussex County

Hello Sam,

Jamie asked me to collect a list of our upcoming solar project applications for you. I've attached an excel spreadsheet here for you. Please let me know if there is any other information you would like!

Thanks,
Jesse Lindenberg (they/he)
Planner I
Sussex County Government

Conditional Use Number	Tax Parcel # (s)	APPLICANT	911 Address or Road Name	Current Zoning	Proposed Use	Status/Notes	Application Rcvd Date	ER Project	DFW Species/Habitat Hits	Recommendations (in addition to standard solar comments)
2354	532-20.00-14.00, 433-6.00-18.00, 433-6.00-20.00, 433-6.00-26.00	Sussex CSG 1, LLC	8880 Old Racetrack Road	AR-1	Community Solar Facility		2/23/2022	NA	KWH Non-tidal coastal plain stream bordering W of parcel	Minimum 100 ft vegetated buffer
2353		Sussex CSG 2, LLC	34112 DuPont Blvd	AR-1/C-1	Community Solar Facility		2/23/2022	NA	KWH Non-tidal coastal plain stream bordering W of two parcels	Minimum 100 ft vegetated buffer
2348	432-8.00-11.00	TPE DE SU124, LLC	Sharptown Road	AR-1	Community Solar Facility		2/7/2022	NA	Protected Species: Bald Eagle Nest E of parcel, within 660 buffer. Latest status - empty. Protected Area: Within 1/2 mile of State Wildlife Management Area	Protected Species: Contact DFW Protected Area: The proposed project is within 1/2 mile of the boundary of Horeseys Pond, a State Wildlife Area managed by the Division of Fish and Wildlife, DNREC. The developer should consult with the Regional Wildlife Biologist, Rob Gano, at (302) 539-3160 to minimize potential negative impacts of the proposed project on State Wildlife Area lands.
2347	230-12.00-39.00	TPE DE SU94, LLC	North Old State Road	AR-1	Community Solar Facility		2/7/2022	NA	None	None
2346	332-7.00-19.00	TPE DE SU114, LLC	N RT 64/W RT 13	AR-1	Community Solar Facility		2/7/2022	NA	DEN and Freshwater forested wetlands on forested portion of parcel	Maintain current forested buffer
2344	135-22.00-23.00	Turning Point Energy	East Trap Pond Rd	AR-1	Community Solar Facility		1/18/2022	NA	KWH Non-tidal coastal plain stream passes through center of parcel	Minimum 100 ft vegetated buffer
2343	135-11.00-48.00	Turning Point Energy	Gravel Hill Rd	AR-1	Community Solar Facility		1/18/2022	NA	Potential mature forest and forested wetlands on forested portion of parcel	Avoid impacts to forested area and maintain buffer
2342	331-1.00-15.01	Turning Point Energy - SU07, LLC	Elks Rd	AR-1	Community Solar Facility		1/18/2022	DUFF 2021 Sussex County Solar Generation	Rare Species: Northern Lance (<i>Elliptio fisheriana</i> , S2), Alewife Floater (<i>Anodonta imbecilis</i> , S1) adjacent to site Habitat: KWH Non-tidal coastal plain stream adjacent to site Protected Area: Adjacent to State Wildlife Management Area	Rare Species: Impacts to water quality as result of removing the forested uplands and the site and encroaching on the wetland buffer could negatively impact these species. To minimize negative impacts, we recommend that natural habitats be conserved to the maximum extent practicable. Habitat: Minimum 100 ft vegetated buffer Protected Area: The proposed project is within 1/2 mile of the boundary of Hearn's Pond, a State Wildlife Area managed by the Division of Fish and Wildlife, DNREC. The developer should consult with the Regional Wildlife Biologist, Rob Gano, at (302) 539-3160 to minimize potential negative impacts of the proposed project on State Wildlife Area lands.
2337	230-26.00-39.00	Community Power Group, LLC	Beach Hwy	AR-1/C-1	Community Solar Facility		1/11/2022	NA	KWH Non-tidal coastal plain stream bordering E of parcel; Freshwater forested/shrub wetland bordering N of parcel	Minimum 100 ft vegetated buffer
2336	232-5.00-11.03	Community Power Group, LLC	Bethel Rd & Woodland Ferry Rd	AR-1	Community Solar Facility		1/11/2022	NA	KWH Non-tidal coastal plain stream bordering NE of parcel	Minimum 100 ft vegetated buffer
2328	230-13.00-121.00	Sunrise Solar	Clendaniel Pond Rd	AR-1	Community Solar Facility		11/24/2021	NA	DEN on NW portion of parcel	Maintain corridor
2298	130-3.00-246.00, 130-3.00-247.00, 130-3.00-247.02, 130-3.00-247.02, 100-6.00-75.00, 130-6.00-76.00, 130-6.00-92.00, 130-6.00-94.00, 130-6.00-95.00, 130-6.00-96.00, 130-6.00-97.00	Freeman Solar, LLC	Calhoun Road (S.C.R. 621)	AR-1, GR & MR	Solar Farm - to include 75 megawatts of alternate current as a photovoltaic electric generation facility	Introduced to County Council 8/24/21	7/7/2021	STAN 2021 Freeman Solar Project (Only included seven parcels)	KWH Non-tidal coastal plain stream	Minimum 100 ft vegetated buffer
2288	533-5.00-47.00	Broom Solar Partners	Frankford School Road	AR-1	Solar Farm	Introduced to County Council 7/13/21; Application heard by p&z 2/10/22. Recommended Approval on 3/10/22	6/1/2021	TRC 2020 Broom Solar Project	Freshwater forested/shrub wetlands bordering parcel	Minimum 100 ft vegetated buffer



JADE RUN FARM, LLC
232-5.00-11.03
NEAR WOODLAND FERRY
ROAD AND BETHEL ROAD,
BETHEL, DE 199931

3MWac / 4.492MWdc
Fenced Area / Conditional
Use Area 25± Acres
480W Panels 15ft. spacing

SITE DEVELOPER INFORMATION
NAME: COMMUNITY POWER GROUP
ADDRESS: 5636 CONNECTICUT AVE #42729
WASHINGTON, DC 20015
PHONE: 202-844-8423
CONTACT: MICHAEL BORKOWSKI
EMAIL: MBORKOWSKI@COMMUNITYPOWERGROUP.COM

SITE OWNER INFORMATION
NAME: JADE RUN FARM, LLC
ADDRESS: 6288 SNAKE ROAD
BETHEL, DE 199931
CONTACT: GLEN JONES

NOTES:

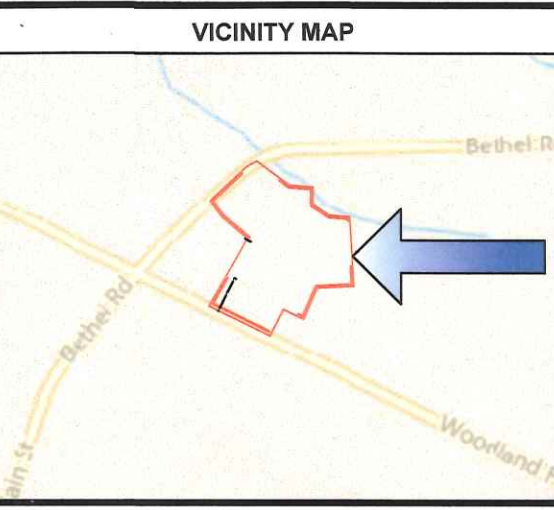
- EXISTING TOPOGRAPHY TO REMAIN. EXISTING DRAINAGE PATTERNS TO BE MAINTAINED.
- HEIGHT NOT TO EXCEED 16'
- CONSTRUCTION TO OCCUR IN 1 PHASE.

LEGEND

- VEGETATED BUFFER (DECIDUOUS/EVERGREEN TREES SHRUBS)
- OVERHEAD LINE / POLES
- FENCE SETBACK
- PROPERTY LINE
- CONTOUR (USGS)

CONDITIONAL USE APPLICATION
THIS PLAN SET IS FOR USE IN THE CONDITIONAL USE APPLICATION REVIEW ONLY AS REQUIRED PER THE SUSSEX COUNTY CODE. APPLICABLE PRELIMINARY SITE PLAN ELEMENTS ARE INCLUDED HEREIN. FINAL SITE PLAN AND CONSTRUCTION DOCUMENTS TO BE PROVIDED AT A LATER DATE FOR BUILDING PERMIT APPROVAL.

ZONING CHART	
ZONE	AR-1
LOT SIZE	39.45 ACRES
PROJECT SIZE	25 ACRES
PROPERTY ID NUMBER	232-5.00-11.03
SETBACKS	MIN. 40' FRONT, MIN. 20' REAR AND SIDE
STORMWATER MANAGEMENT AREA	NONE IN PROJECT BOUNDARY
WETLANDS	NONE IN PROJECT BOUNDARY
WOODLAND PRESERVATION AREA	NONE IN PROJECT BOUNDARY
TAX DITCH	NONE IN PROJECT BOUNDARY
100 YEAR FLOODPLAIN	NONE IN PROJECT BOUNDARY



PROJECT

Woodland Ferry Road Solar Facility: 3MWac

PROJECT ADDRESS
NEAR WOODLAND FERRY ROAD AND BETHEL ROAD SUSSEX COUNTY, DE 199931
232-5.00-11.03
ZONE: AR-1

REVISION LIST	
4/26/2022	REVISED SYSTEM SIZE

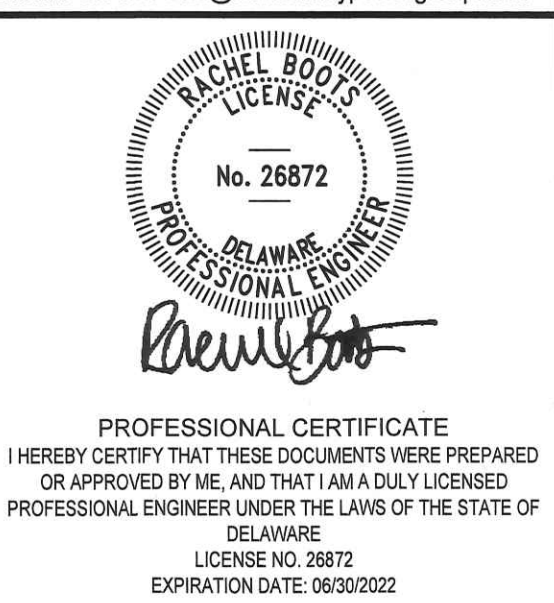
PROJECT INFORMATION	
Project Latitude	38.579478
Project Longitude	-75.610377
Utility Name	DELMARVA
Min. Ambient Temperature	0°C
Max. Ambient Temperature	40°C
Meter Number	OPEN
ARRAY 1	
Module Name	JINKO 535W
Inverter	SUNGROW 250
Tilt Angle	SAT
No. of Modules	8,397
DC String Length	27
No. of Strings	311

ARRAY 2	
Module Name	
Inverter	
Tilt Angle	
No. of Modules	
DC String Length	
No. of Strings	

ARRAY 3	
Module Name	
Inverter	
Tilt Angle	
No. of Modules	
DC String Length	
No. of Strings	



COMPANY CONTACT INFO
COMPANY NAME: Community Power Group
COMPANY ADDRESS: 5636 Connecticut Ave #42729 Washington, DC 20015
COMPANY PHONE: 202-844-8423
EMAIL: mborkowski@communitypowergroup.com

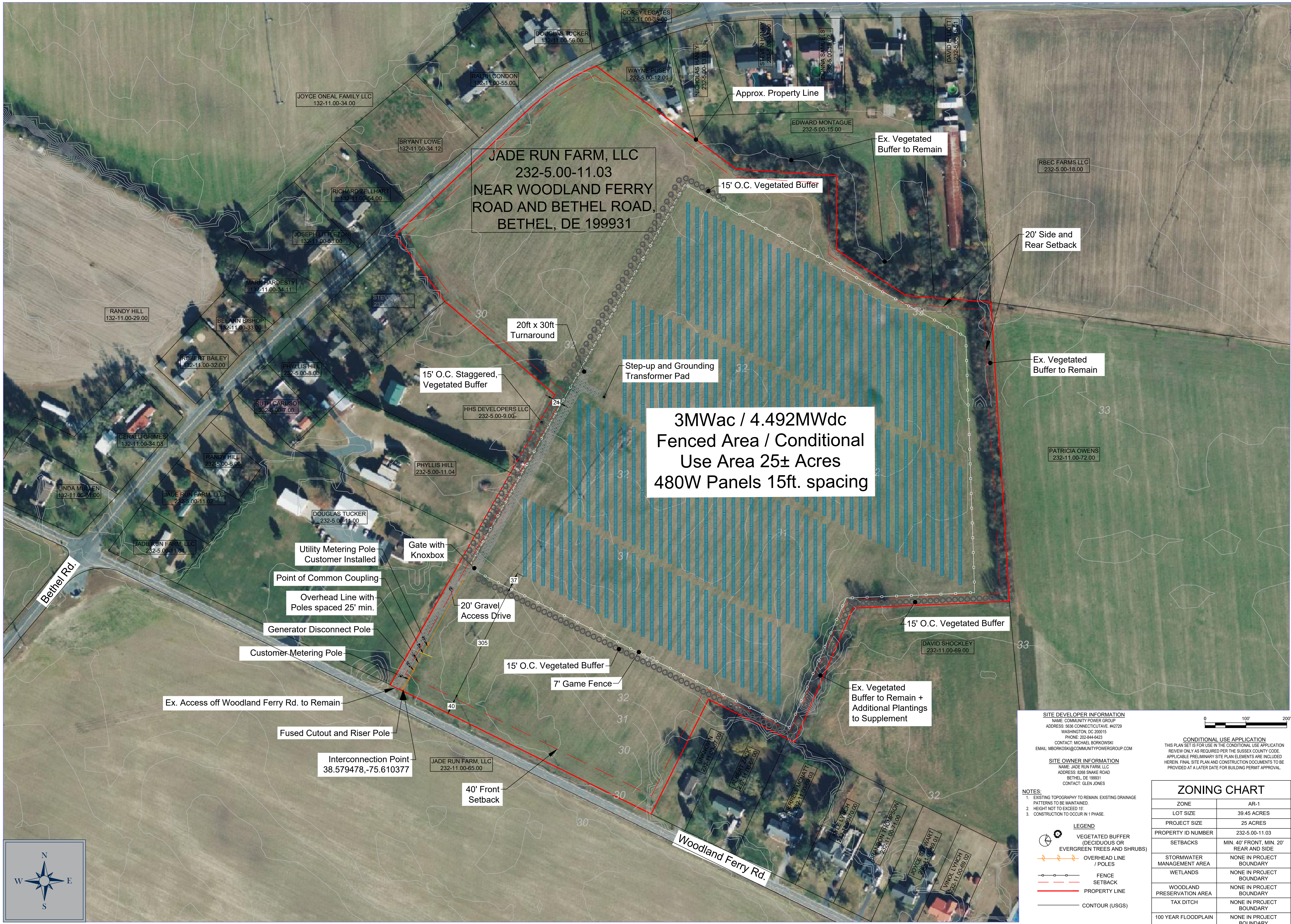


PROFESSIONAL CERTIFICATE
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF DELAWARE.
LICENSE NO. 26872
EXPIRATION DATE: 06/30/2022

SHEET NAME

CONDITIONAL USE PLAN C100

SCALE 1" = 100' DATE 11/8/2021



VICINITY MAP

PROJECT

Woodland Ferry Road Solar Facility: 3MWac

PROJECT ADDRESS

NEAR WOODLAND FERRY ROAD AND BETHEL ROAD
SUSSEX COUNTY, DE 199931
232-5.00-11.03
ZONE: AR-1

REVISION LIST

DATE	REVISION
4/26/2022	REVISED SYSTEM SIZE
10/26/2022	REVISED LANDSCAPE

PROJECT INFORMATION

Project Latitude	38.579478
Project Longitude	-75.610377
Utility Name	DELMARVA
Min. Ambient Temperature	0°C
Max. Ambient Temperature	40°C
Meter Number	OPEN

ARRAY 1

Module Name	JINKO 535W
Inverter	SUNGROW 250
Tilt Angle	SAT
No. of Modules	8,397
DC String Length	27
No. of Strings	311

ARRAY 2

Module Name	
Inverter	
Tilt Angle	
No. of Modules	
DC String Length	
No. of Strings	

ARRAY 3

Module Name	
Inverter	
Tilt Angle	
No. of Modules	
DC String Length	
No. of Strings	

COMPANY LOGO

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COMPANY PHONE: 202-844-6423
EMAIL: mborkowski@communitypowergroup.com

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LEGEND

- VEGETATED BUFFER (DECIDUOUS OR EVERGREEN TREES AND SHRUBS)
- OVERHEAD LINE / POLES
- FENCE
- SETBACK
- PROPERTY LINE
- CONTOUR (USGS)

NOTES:

- EXISTING TOPOGRAPHY TO REMAIN EXISTING DRAINAGE PATTERNS TO BE MAINTAINED.
- HEIGHT NOT TO EXCEED 15'.
- CONSTRUCTION TO OCCUR IN 1 PHASE.

ZONE

ZONE	AR-1
LOT SIZE	39.45 ACRES
PROJECT SIZE	25 ACRES
PROPERTY ID NUMBER	232-5.00-11.03
SETBACKS	MIN. 40' FRONT, MIN. 20' REAR AND SIDE
STORMWATER MANAGEMENT AREA	NONE IN PROJECT BOUNDARY
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TAX DITCH	NONE IN PROJECT BOUNDARY
100 YEAR FLOODPLAIN	NONE IN PROJECT BOUNDARY

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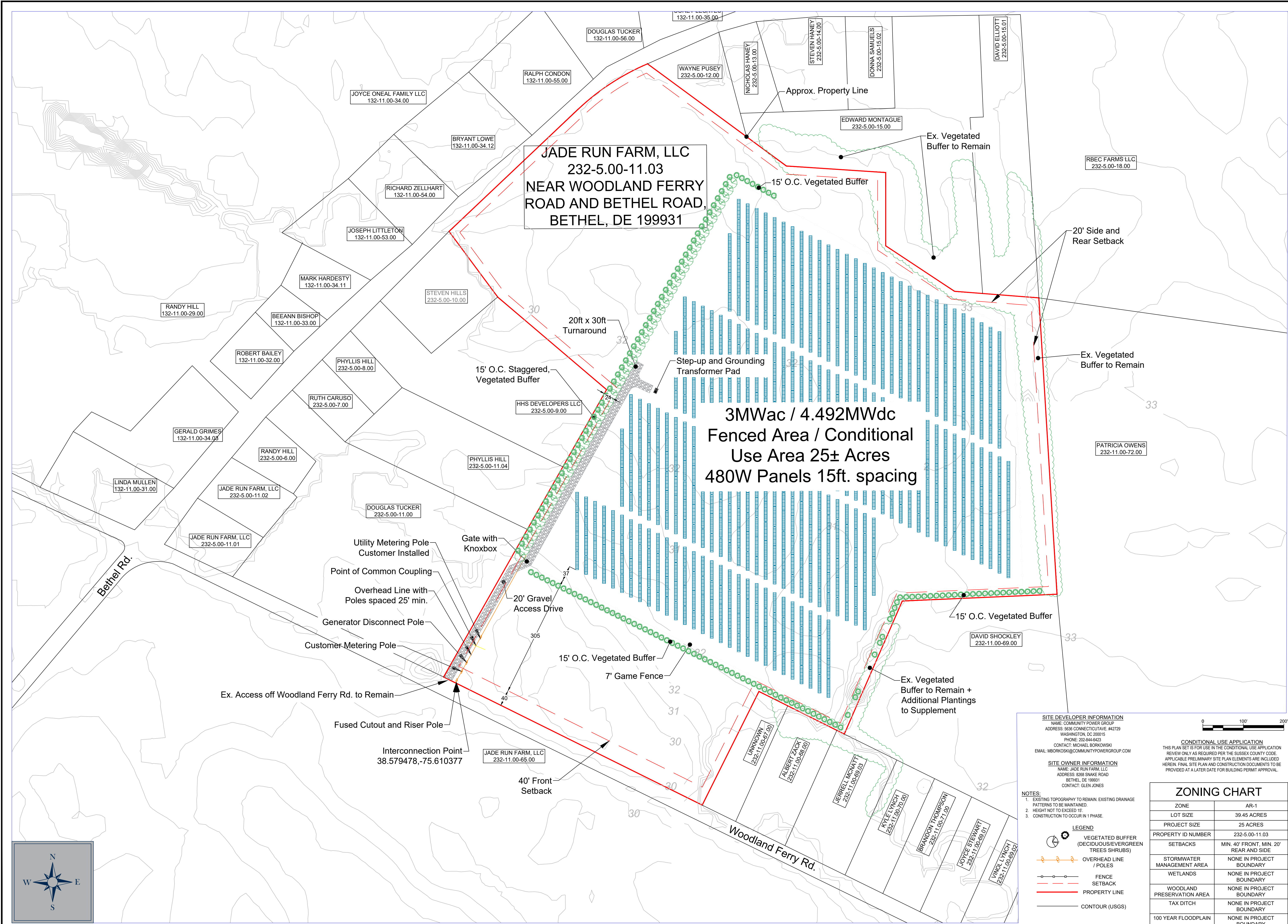
LICENSE NO. 26872
EXPIRATION DATE: 09/30/2022

SHEET NAME

CONDITIONAL USE PLAN C100

SCALE 1" = 100'

DATE 11/8/2021



VICINITY MAP

PROJECT

Woodland Ferry Road Solar Facility: 3MWac

PROJECT ADDRESS

NEAR WOODLAND FERRY ROAD AND BETHEL ROAD
SUSSEX COUNTY, DE 199931
232-5.00-11.03
ZONE: AR-1

REVISION LIST

DATE	REVISION
4/26/2022	REVISED SYSTEM SIZE
10/26/2022	REVISED LANDSCAPE

PROJECT INFORMATION

Project Latitude	38.579478
Project Longitude	-75.610377
Utility Name	DELMARVA
Min. Ambient Temperature	0°C
Max. Ambient Temperature	40°C
Meter Number	OPEN

ARRAY 1

Module Name	JINKO 535W
Inverter	SUNGROW 250
Tilt Angle	SAT
No. of Modules	8,397
DC String Length	27
No. of Strings	311

ARRAY 2

Module Name	
Inverter	
Tilt Angle	
No. of Modules	
DC String Length	
No. of Strings	

ARRAY 3

Module Name	
Inverter	
Tilt Angle	
No. of Modules	
DC String Length	
No. of Strings	

COMPANY LOGO

COMPANY CONTACT INFO

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COMPANY PHONE: 202-844-6423
EMAIL: mborkowski@communitypowergroup.com

NOTES:

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- OVERHEAD LINE / POLES
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- PROPERTY LINE
- CONTOUR (USGS)

SITE DEVELOPER INFORMATION

NAME: COMMUNITY POWER GROUP
ADDRESS: 5636 CONNECTICUT AVE. #42729 WASHINGTON, DC 20015
PHONE: 202-844-6423
CONTACT: MICHAEL BORKOWSKI
EMAIL: MBORKOWSKI@COMMUNITYPOWERGROUP.COM

SITE OWNER INFORMATION

NAME: JADE RUN FARM, LLC
ADDRESS: 8288 SNAKE ROAD BETHEL, DE 199931
CONTACT: GLEN JONES

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100 YEAR FLOODPLAIN	NONE IN PROJECT BOUNDARY

SCALE 1" = 100'

DATE 10/26/2022

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LICENSE NO. 26872
EXPIRATION DATE: 06/30/2022

SHEET NAME

CONDITIONAL USE PLAT C101

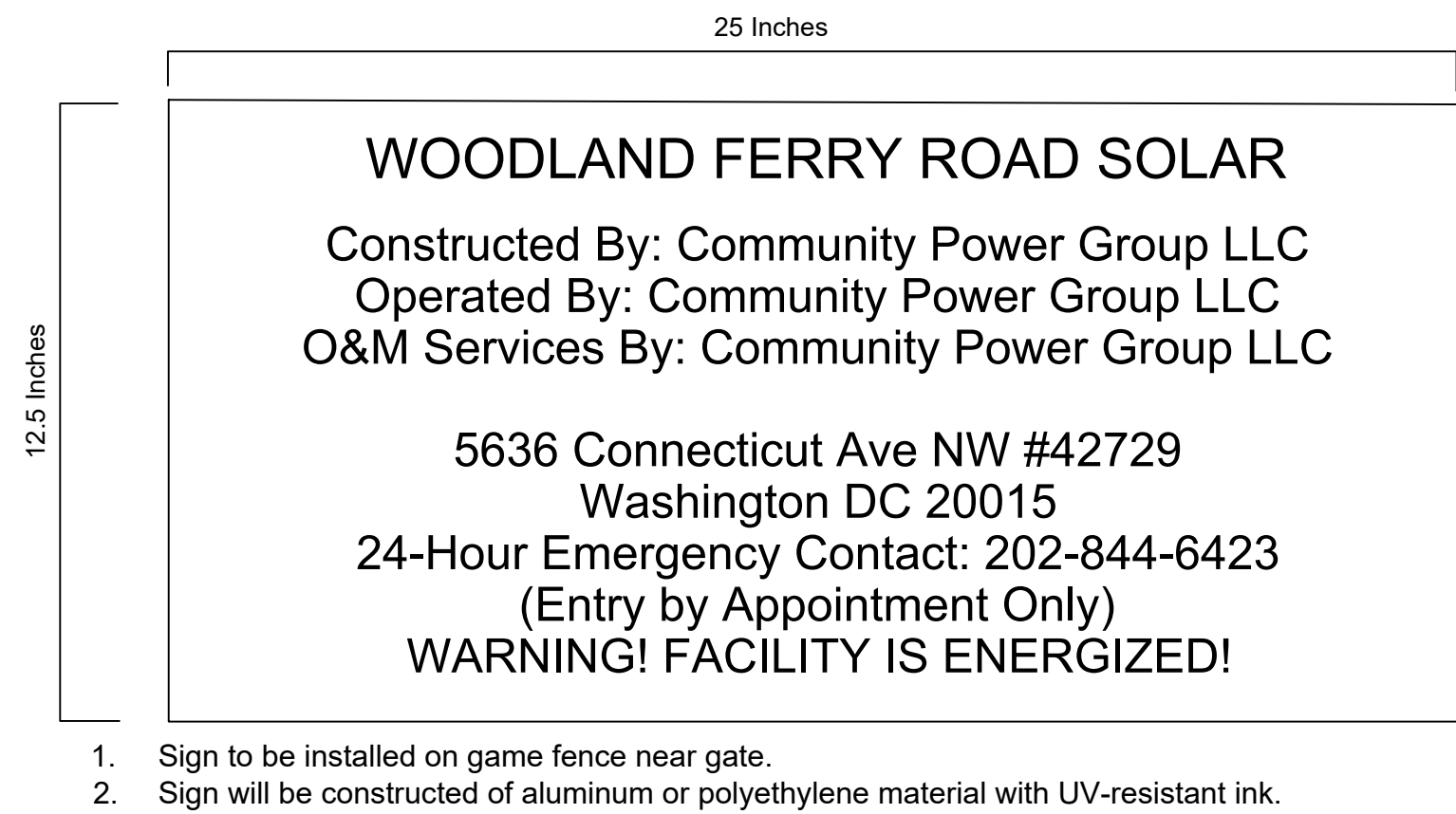
SUSSEX COUNTY STANDARD CONDITIONS

- A. No storage facilities shall be constructed on the site.
- B. Lighting on the facility will only consist of perimeter lighting, if needed, for security purposes. All lighting shall be downward screened so that it does not shine on neighboring properties or roadways.
- C. One unlighted sign, not to exceed 32 square feet in size, shall be permitted.
- D. The site shall be secured by fencing with a gate with a "Knox Box" to accommodate emergency access by the local fire company or other emergency responders.
- E. All of the grounds, including the area outside of the fence, shall be maintained so that it does not become overgrown.
- F. All national industry standards shall be followed in the construction of the project.
- G. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.

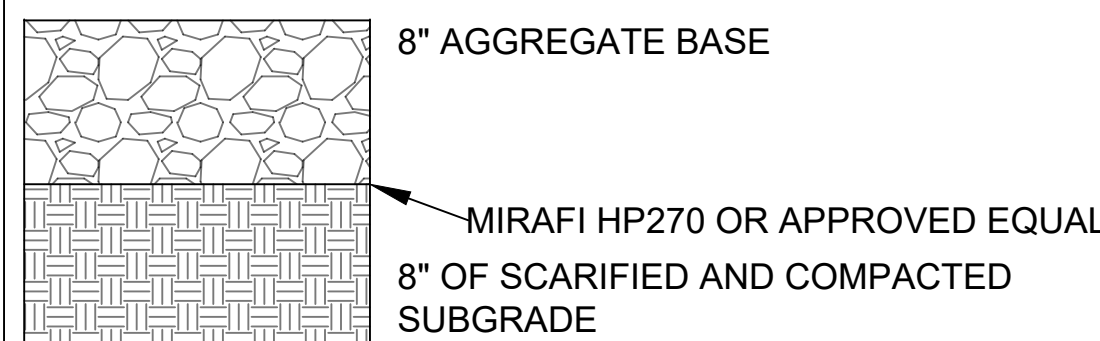
SUSSEX COUNTY STANDARD NOTES

1. The proposed facility is a public utility use under the Sussex County Zoning Code, and it meets the purposes of a Conditional Use in that it is of a public or semi-public character that is essential and desirable for the general convenience and welfare of Sussex County residents.
2. The proposed facility promotes Goal 7.3 of the Sussex County Comprehensive Plan which encourages the use of renewable energy options such as solar farms.
3. With the conditions imposed in this recommendation, the proposed use will not have any adverse impact on the neighboring or adjacent properties.
4. The proposed solar generation facility will not result in any noticeable increase in traffic on adjacent and neighboring roadways. There are no regular employees at the site, only periodic visits for inspections, maintenance, or repair of the solar panels.
5. No significant noise, dust or odor will be generated by the facility.

Fence Sign Detail



Access Road Detail

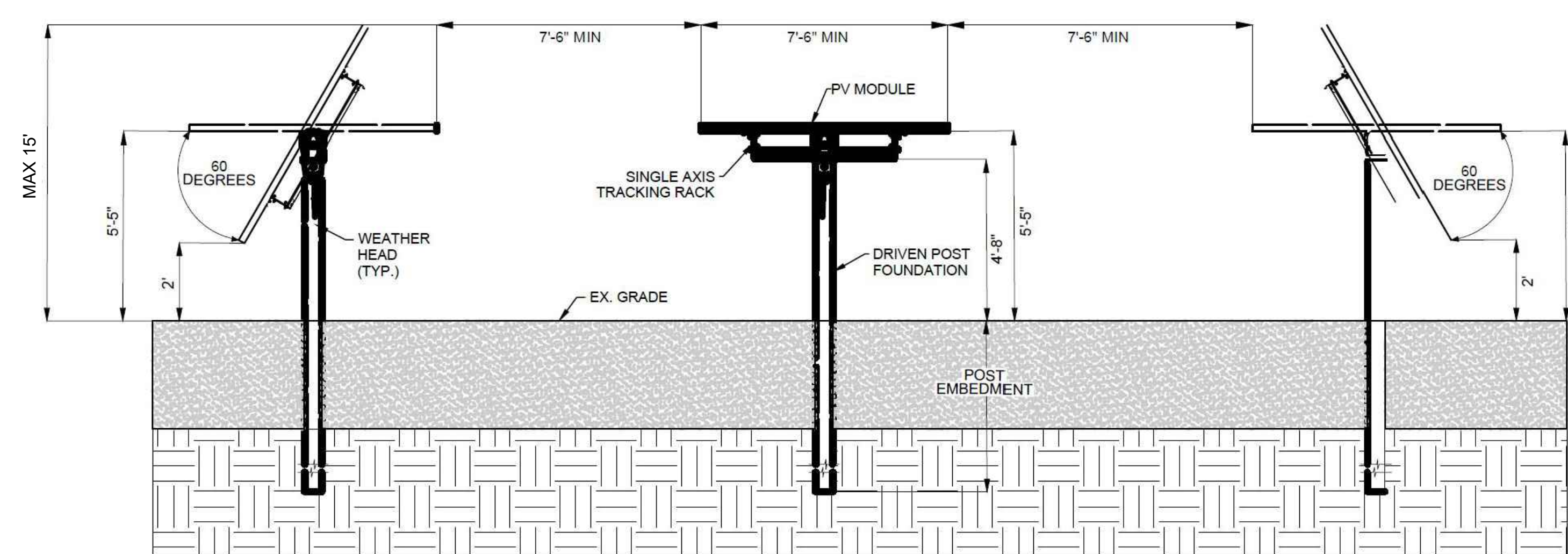
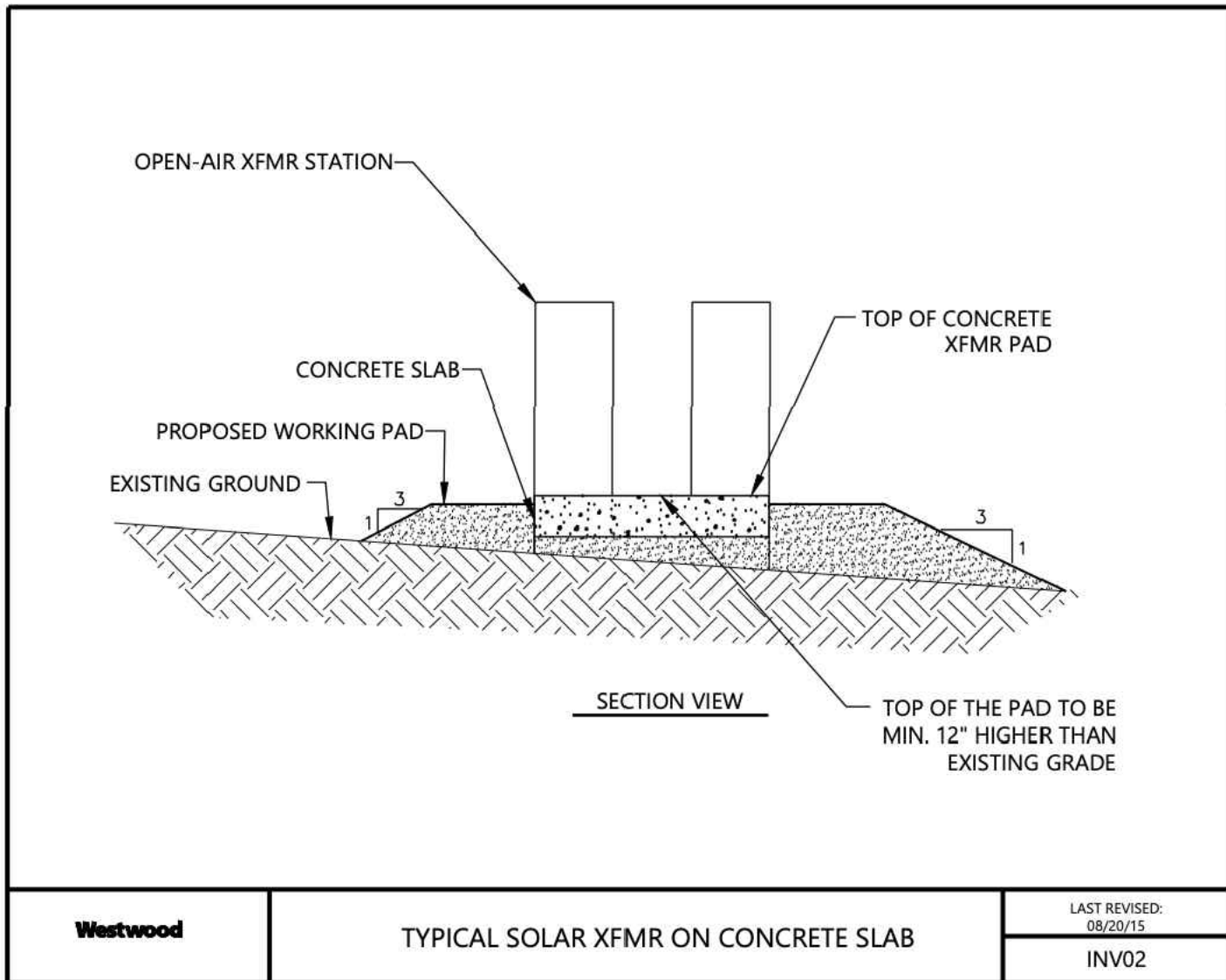
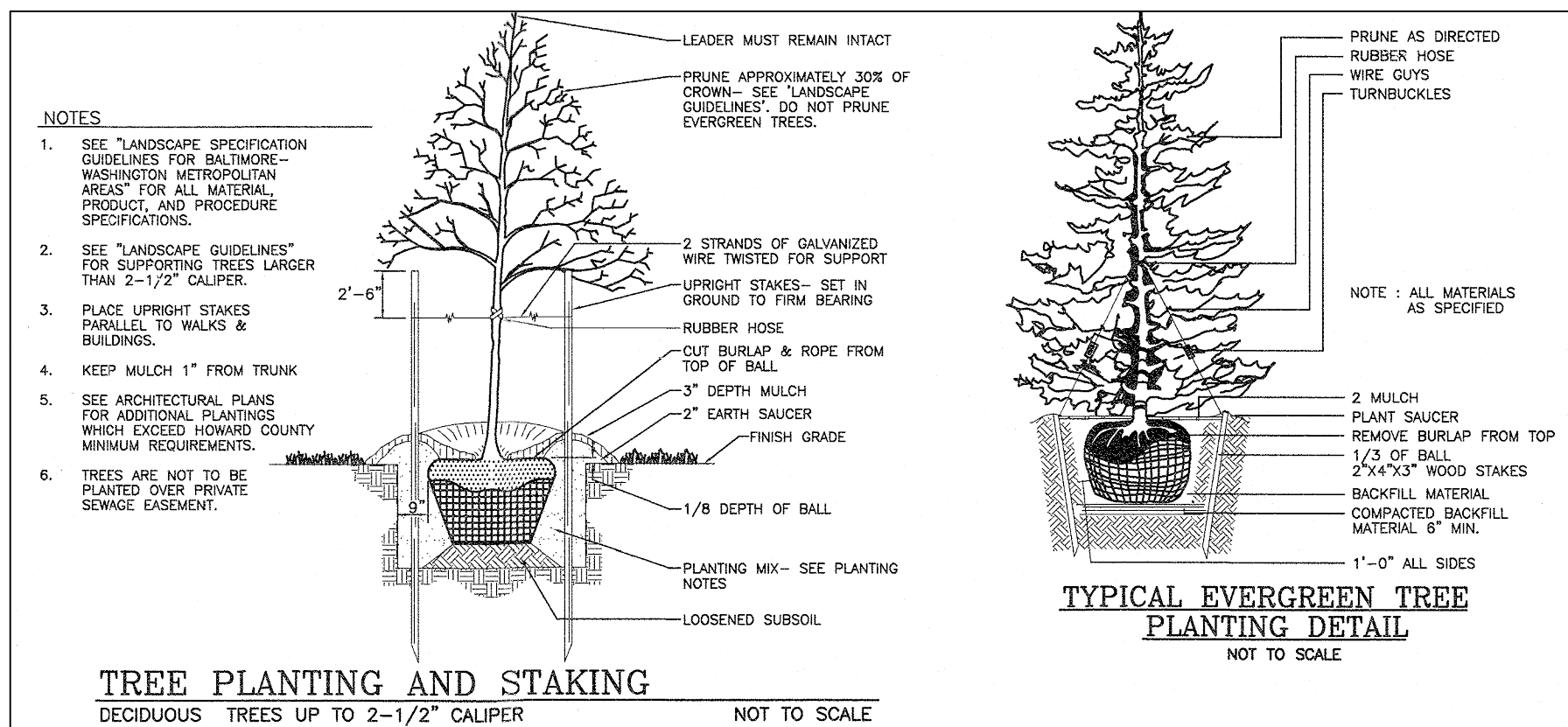


- NOTES:
1. STRUCTURAL SECTIONS SHOWN ARE THE MINIMUM THICKNESS REQUIREMENTS DURING NORMAL FIELD CONDITIONS. THE SECTIONS MAY NEED TO BE INCREASED BASED ON ACTUAL FIELD CONDITIONS AT THE TIME OF CONSTRUCTION. CONDITIONS INCLUDE BUT ARE NOT LIMITED TO CONSTRUCTION DURING UNUSUALLY WET PERIODS, OR IN LOW/WET AREAS.

POLLINATOR MIX - LOW GROWTH/LOW MAINTENANCE GRASS MIX

SEED MIX SHALL INCLUDE AT LEAST 40% NATIVE WILDFLOWER SEEDS AND THE REMAINDER SHALL BE NATIVE GRASS MIX.

1. SEEDING TO BE COMPLETED USING A DRILL SEED METHOD WHERE FEASIBLE WHERE DRILL SEEDING IS NOT FEASIBLE. THE APPLICATION OF SEED VIA ALTERNATE METHODS INCLUDING BUT NOT LIMITED TO, BROADCAST OR HYDROSEEDING.
2. BROADCAST SEEDING SHALL BE COMPLETED IF AMBIENT SOIL TEMPERATURE IS CONSISTENTLY 60 DEGREES F OR LOWER
3. IF NOT FROST SEEDING, DRILLING SHOULD OCCUR BETWEEN APRIL 1ST AND JUNE 1ST
4. THE CONTRACTOR SHALL NOT TILL OR FERTILIZE THE FIELDS, IF THE GROUND NEEDS TO BE TILLED, CONTRACTOR SHALL USE A VERTICAL PLOW



NOTE: Details shown for reference only. Construction details to be provided with site development plan and building permit documents.

VICINITY MAP

PROJECT

Woodland Ferry Road Solar Facility: 3MWac

PROJECT ADDRESS

NEAR WOODLAND FERRY ROAD AND BETHEL ROAD SUSSEX COUNTY, DE 199931
232-5.00-11.03
ZONE: AR-1

REVISION LIST

DATE	REVISION
4/26/2022	REVISED SYSTEM SIZE
10/26/2022	REVISED LANDSCAPE

PROJECT INFORMATION

Project Latitude	38.579478
Project Longitude	-75.610377
Utility Name	DELMARVA
Min. Ambient Temperature	0°C
Max. Ambient Temperature	40°C
Meter Number	OPEN

ARRAY 1

Module Name	JINKO 535W
Inverter	SUNGROW 250
Tilt Angle	SAT
No. of Modules	8,397
DC String Length	27
No. of Strings	311

ARRAY 2

Module Name	
Inverter	
Tilt Angle	
No. of Modules	
DC String Length	
No. of Strings	

ARRAY 3

Module Name	
Inverter	
Tilt Angle	
No. of Modules	
DC String Length	
No. of Strings	

COMPANY LOGO

COMPANY CONTACT INFO

COMPANY NAME: Community Power Group
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COMPANY PHONE: 202-844-6423
EMAIL: mborkowski@communitypowergroup.com

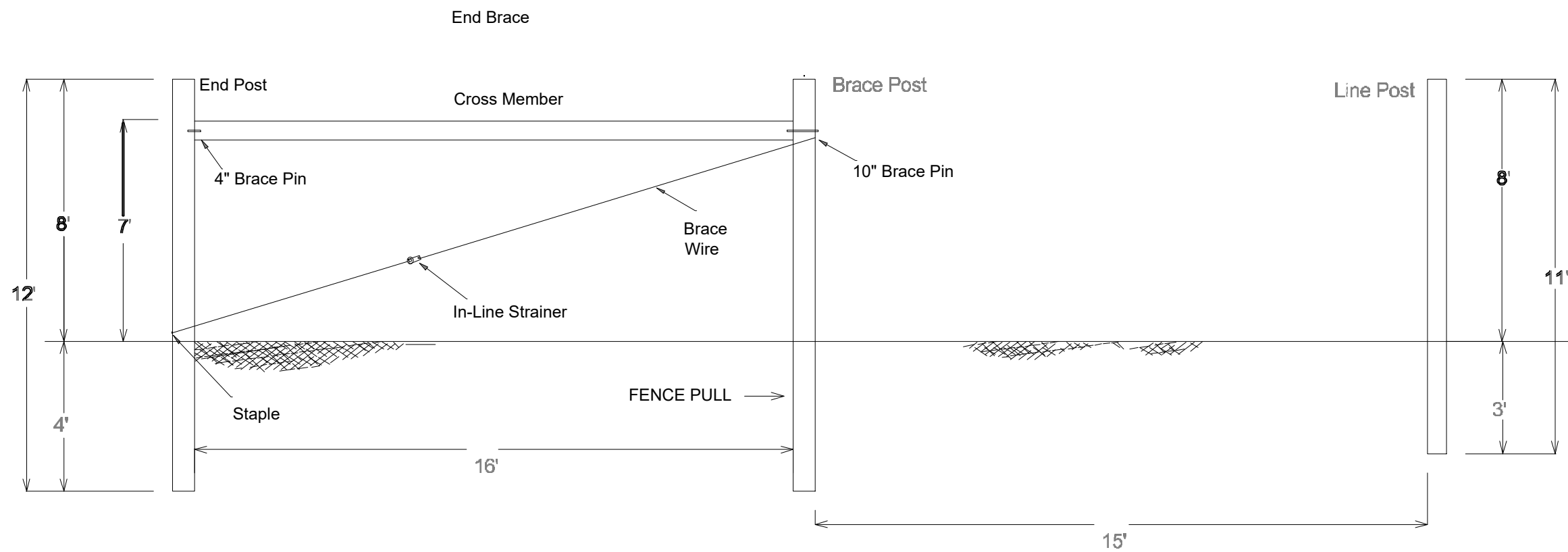
PROFESSIONAL CERTIFICATE

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LICENSE NO. 26872
EXPIRATION DATE: 06/30/2022

SHEET NAME

DETAILS AND NOTES C102

SCALE N.T.S. DATE 10/26/2022



End Brace Material Specifications		
Item	Quantity	Description
Brace Posts	2	12' x 7" Pressure Treated Wood Posts
Cross Members	1	16' x 5" Pressure Treated Wood Posts*
Brace Pins	1	1 / 2" x 4" Galvanized Pin
Brace Pins	2	1 / 2" x 10" Galvanized Pin
Brace Wire		Double Wrap 12 1 / 2 ga Class 3 High Tensile Wire
Wire Strainer	1	Ratchet Type Inline Strainer
Staples	2	1 3 / 4" Class 3 Double Barbed

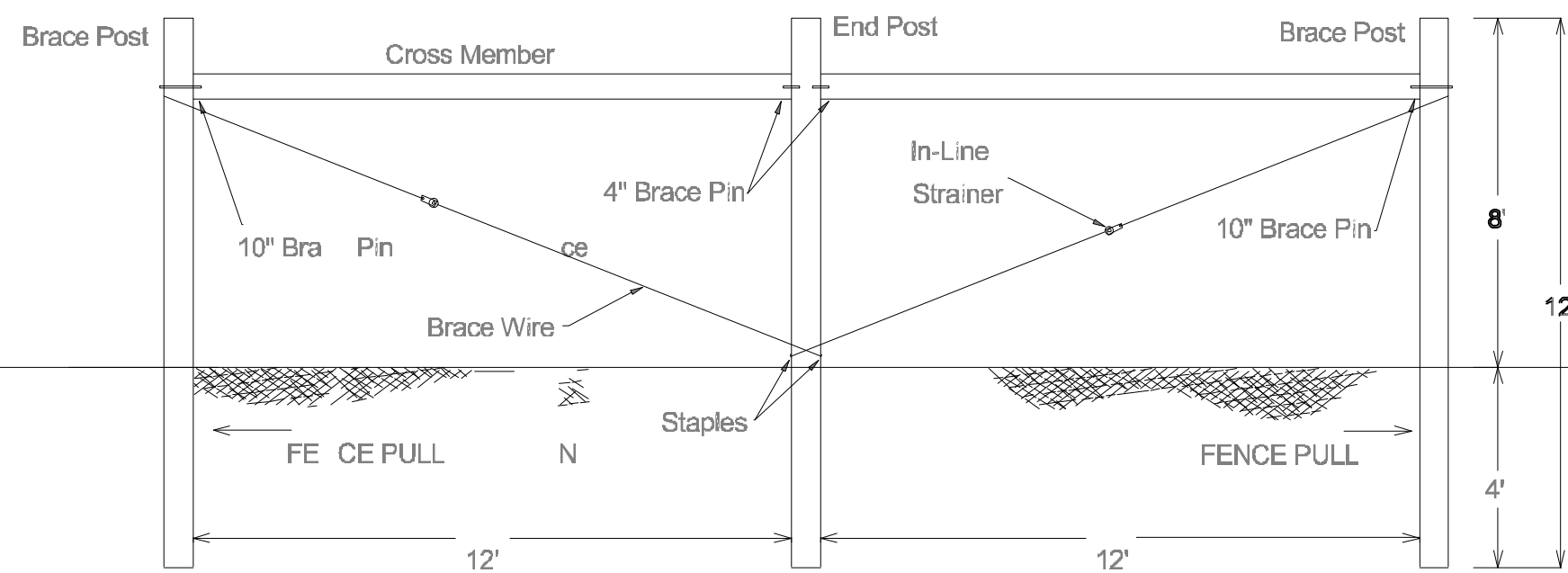
*2 3 / 8" Sch 40 Galvanized Pipe may also be used for Cross Members.

END BRACE CONSTRUCTION

1. DRIVE IN OR AUGER AND TAMP END POST TO DEPTH SHOWN IN DETAIL.
2. TIE OFF A GUIDE WIRE TO END POST AT GROUND LEVEL. PULL WIRE TO END POST OF NEXT BRACE AND TIE OFF AT GROUND LEVEL. SET ALL OTHER T-POSTS, LINE POSTS, BRACE POSTS AND END POSTS ALONG THIS GUIDE WIRE.
3. SET OTHER BRACE POST OF THE END BRACE AT A MINIMUM OF 16' FROM END POST.
4. TO ESTABLISH LOCATION OF CROSS MEMBER, MEASURE THE DISTANCE FROM THE BOTTOM OF FENCE FABRIC TO A POINT MIDWAY BETWEEN 2ND AND 3RD WIRE FROM THE TOP (APPROX. 67 1 / 2"). USING THIS MEASUREMENT, MARK THE INSIDE OF BOTH BRACE POSTS.
5. AT MARKINGS, DRILL A 1 / 2" HOLE 2" DEEP ON INSIDE OF END POST AND DRILL A 1 / 2" HOLE THROUGH THE OPPOSITE BRACE POST. SET 4" BRACE PIN AT END POST AND START 10" BRACE PIN IN BRACE POST.
6. DRILL PILOT HOLES IN ENDS OF CROSS MEMBER. SET ONE END OF CROSS MEMBER ON 4" PIN, THEN LIFT OPPOSITE END TO

- ALIGN WITH 10" PIN. USING A HAMMER, DRIVE THE 10" PIN INTO BRACE POST, LEAVING 1" EXPOSED FOR INSTALLATION OF BRACE WIRE.
7. DRIVE A BARBED STAPLE PARTIALLY IN AT GROUND LEVEL ON THE BACK SIDE OF END POST. HANG ANOTHER STAPLE OVER TOP LEG OF DRIVEN STAPLE TO PREVENT BRACE WIRE FROM BINDING AND BITING INTO END POST.
 8. GUIDE BRACE WIRE THROUGH DRIVEN STAPLE AND UP AND OVER 10" BRACE PIN, BACK DOWN THROUGH STAPLE AND OVER 10" PIN AGAIN. THIS IS THE DOUBLE WRAP FOR THE BRACE WIRE.
 9. INSTALL WIRE STRAINER ON BRACE WIRE ON OPPOSITE SIDE OF BRACE AWAY FROM STAY-TUFF. USE STRAINER TO TIGHTEN BRACE WIRE UNTIL BRACE POST MOVES ABOUT 1 / 4" AWAY FROM SOIL.

In-Line Brace



Line Post Specifications	
Line Posts	11' x 6" Pressure Treated Wood Posts

LINE POST CONSTRUCTION

1. SET LINE POSTS ALONG GUIDE WIRE USING A 15' SPACING.
2. USE 15' POST SPACING AS A GUIDELINE. IN ROUGH TERRAIN A CLOSER POSTS SPACING WILL BE REQUIRED.
3. A LINE POST SHOULD BE PLACED ON TOP OF HIPS AND IN BOTTOM OF ALL DIPS.

In-Line Brace Material Specifications		
Item	Quantity	Description
Brace Posts	3	12' x 7" Pressure Treated Wood Posts
Cross Members	2	12' x 6" Pressure Treated Wood Posts
Brace Pins	2	1 / 2" x 4" Galvanized Pin
Brace Pins	2	1 / 2" x 10" Galvanized Pin
Wire Strainer	2	Double Wrap 12 1 / 2 ga Class 3 High Tensile Wire
Wire Strainer	2	Ratchet Type Inline Strainer
Staples	4	1 3 / 4" Class 3 Double Barbed

*2 3 / 8" Sch 40 Galvanized Pipe may also be used for Cross Members.

IN-LINE BRACE CONSTRUCTION

1. DRIVE OR AUGER AND TAMP END POST ALONG GUIDE WIRE TO DEPTH SHOWN IN DETAIL.
2. SET BRACE POSTS ALONG GUIDE WIRE 12' ON EITHER SIDE OF END POST.
3. TO ESTABLISH LOCATION OF CROSS MEMBERS, MEASURE THE DISTANCE FROM THE BOTTOM OF FENCE FABRIC TO A POINT MIDWAY BETWEEN 2ND AND 3RD WIRE FROM THE TOP (APPROX. 67 1 / 2"). USING THIS MEASUREMENT, MARK THE INSIDE OF END POST AND BOTH BRACE POSTS.
4. AT MARKINGS, DRILL A 1 / 2" HOLE 2" DEEP ON BOTH SIDES OF END POST AND DRILL A 1 / 2" HOLE THROUGH BOTH BRACE POSTS. SET ONE 4" BRACE PIN IN EACH HOLE IN END POST AND START 10" BRACE PINS IN BRACE POSTS.
5. DRILL PILOT HOLES IN ENDS OF CROSS MEMBERS. SET ONE END OF CROSS MEMBER ON 4" PIN, THEN LIFT OPPOSITE END TO ALIGN WITH 10" PIN. USING A HAMMER, DRIVE THE 10" PIN INTO BRACE POST, LEAVING 1" EXPOSED FOR INSTALLATION OF BRACE WIRE. REPEAT THIS STEP FOR SECOND CROSS MEMBER.
6. DRIVE A BARBED STAPLE PARTIALLY IN AT GROUND LEVEL ON BOTH SIDES OF END POST. HANG ANOTHER STAPLE OVER TOP LEG OF EACH DRIVEN STAPLE TO PREVENT BRACE WIRE FROM BINDING AND BITING INTO END POST.
7. GUIDE BRACE WIRE THROUGH DRIVEN STAPLE AND UP AND OVER 10" BRACE PIN, BACK DOWN THROUGH STAPLE AND OVER 10" PIN AGAIN. THIS IS THE DOUBLE WRAP FOR THE BRACE WIRE. REPEAT THIS STEP FOR THE OTHER END OF THE IN-LINE BRACE.
8. INSTALL ONE WIRE STRAINER ON EACH BRACE WIRE ON OPPOSITE SIDE OF BRACE AWAY FROM STAY-TUFF FABRIC. USE STRAINERS TO TIGHTEN BRACE WIRES UNTIL BRACE POSTS MOVE ABOUT 1 / 4" AWAY FROM SOIL.

VICINITY MAP

PROJECT

Woodland Ferry Road Solar Facility: 3MWac

PROJECT ADDRESS

NEAR WOODLAND FERRY ROAD AND BETHEL ROAD SUSSEX COUNTY, DE 199931
232-5.00-11.03
ZONE: AR-1

REVISION LIST

4/26/2022	REVISED SYSTEM SIZE
10/26/2022	REVISED LANDSCAPE

PROJECT INFORMATION	
Project Latitude	38.579478
Project Longitude	-75.610377
Utility Name	DELMARVA
Min. Ambient Temperature	0°C
Max. Ambient Temperature	40°C
Meter Number	OPEN
ARRAY 1	
Module Name	JINKO 535W
Inverter	SUNGROW 250
Tilt Angle	SAT
No. of Modules	8,397
DC String Length	27
No. of Strings	311
ARRAY 2	
Module Name	
Inverter	
Tilt Angle	
No. of Modules	
DC String Length	
No. of Strings	
ARRAY 3	
Module Name	
Inverter	
Tilt Angle	
No. of Modules	
DC String Length	
No. of Strings	

COMPANY LOGO

COMPANY CONTACT INFO

COMPANY NAME: Community Power Group

COMPANY ADDRESS: 5636 Connecticut Ave #42729 Washington, DC 20015

COMPANY PHONE: 202-844-6423

EMAIL: mborkowski@communitypowergroup.com

PROFESSIONAL CERTIFICATE

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF DELAWARE

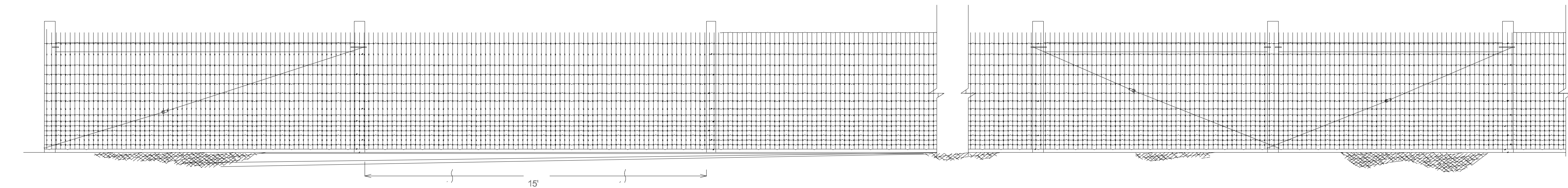
LICENSE NO. 26872

EXPIRATION DATE: 06/30/2022

SHEET NAME

FENCE DETAILS C103

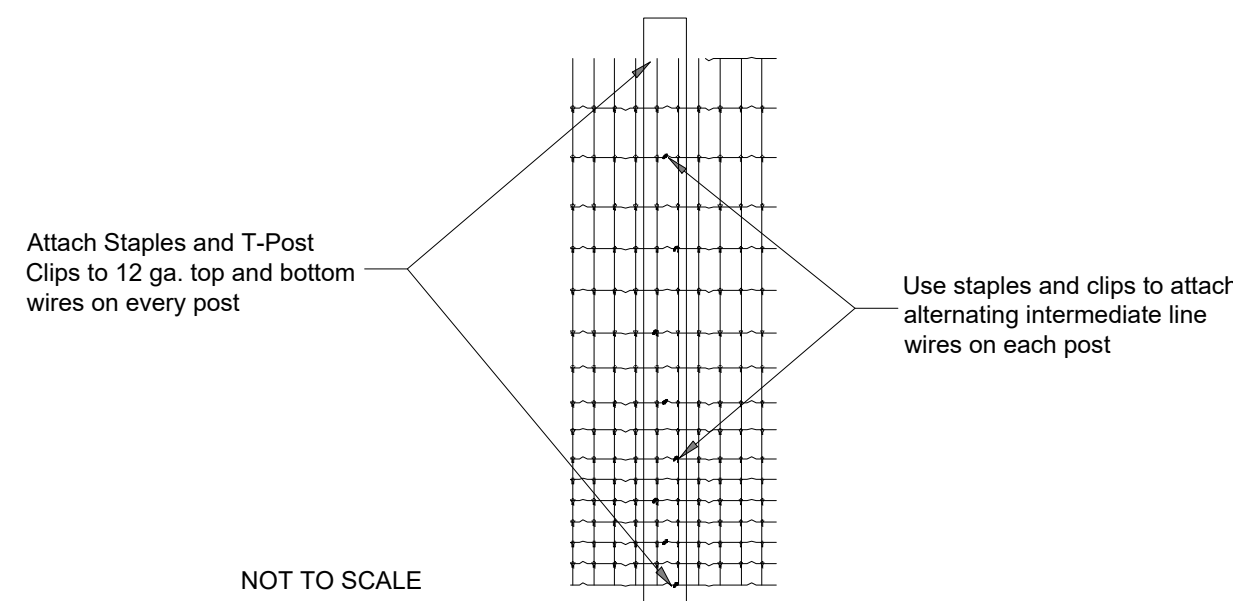
1 STAY-TUFF FENCE 1775-3 WOOD BRACE CONSTRUCTION
NOT TO SCALE



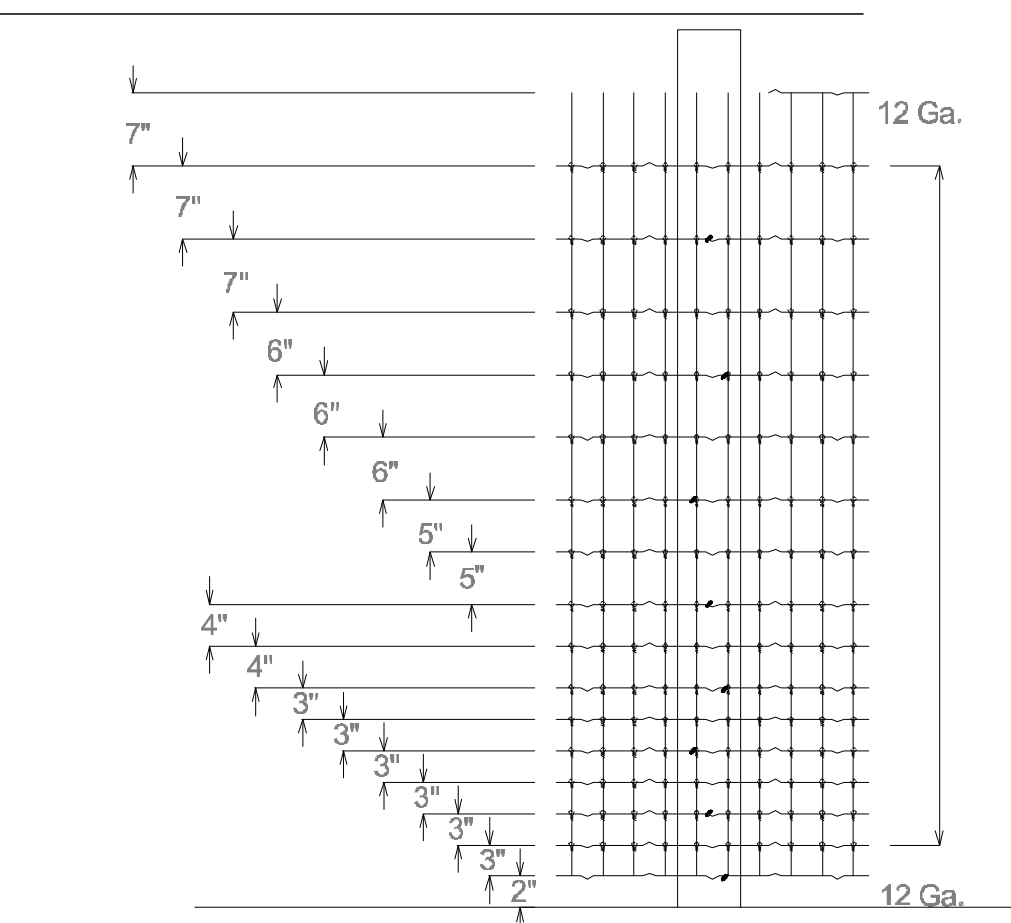
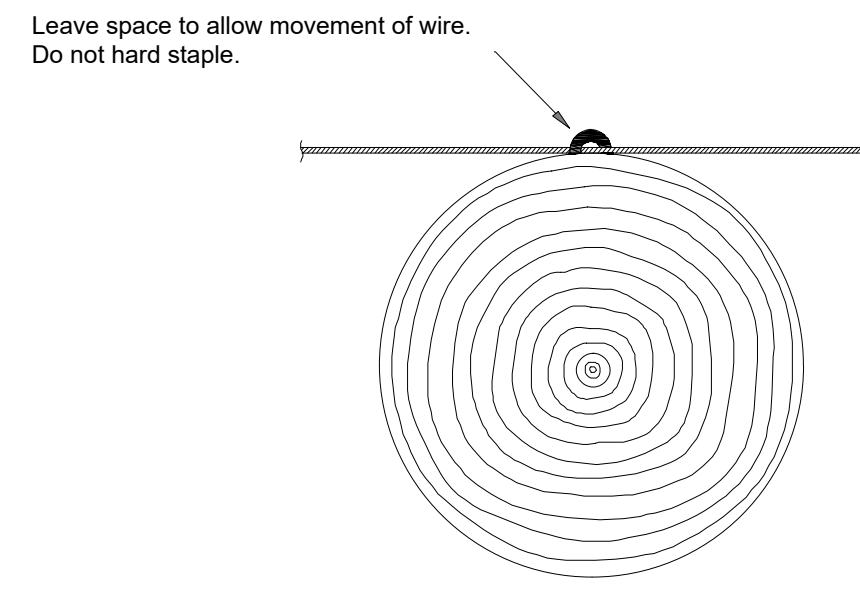
2 STAY-TUFF FENCE 1775-3 FIXED KNOT FENCE
NOT TO SCALE

GENERAL NOTES

1. ALL WOVEN WIRE FENCE FABRIC SHALL BE CONTINUOUS STAY FIXED KNOT JOINT STYLE FABRIC
2. DESIGN NO. 1775-3 AND SHALL MEET OR EXCEED ASTM A 116 FOR NO. 12 1 / 2 GRADE 175.
3. TOP AND BOTTOM LINE WIRES SHALL BE 12 GAGE GRADE 175 AND INTERMEDIATE LINE WIRES SHALL BE 12 1 / 2 GAGE GRADE 175. VERTICAL STAY WIRES SHALL BE 12 1 / 2 GAGE GRADE 125. KNOT WIRES SHALL BE 13 GAGE GRADE 60. ALL WIRES SHALL HAVE TYPE Z CLASS 3 COATING.
4. VERTICAL STAY WIRES SHOULD BE SPACED EVERY 3" AND HORIZONTAL LINE WIRES SHOULD BE SPACED AS SHOWN IN DETAIL.
5. INSTALL 1775-6 FABRIC SO THAT 3"x3" OPENINGS ARE ON BOTTOM.
6. ATTACH FENCE FABRIC ON INSIDE OF BRACES AND POSTS. FABRIC SHALL BE ATTACHED TO END OF POSTS OF END BRACES AND IN-LINE BRACES BY WRAPPING AND TIEING WIRE WITH A HIGH TENSILE SLIP KNOT.
7. TENSION FABRIC BY PULLING TO CENTER OF PULL USING STRETCHER BARS AND STRETCHER BAR PULLERS. TENSION FABRIC UNTIL TENSION CRIMPS ARE FLATTENED 25 TO 50% FROM ORIGINAL HEIGHT. DO NOT OVER TENSION.
8. SPLICES IN FABRIC SHALL BE MADE WITH 12 1 / 2 - 16 GAGE LONG CRIMP SLEEVES WITH STATED HOLDING STRENGTH OF 1500 LBS MINIMUM. SLEEVES SHOULD BE CRIMPED USING APPROVED CRIMP TOOL.
9. SLEEVES SHOULD BE CRIMPED WORKING FROM END CLOSEST TO THE KNOT OUTWARD AND COMPRESSED ALONG ENTIRE LENGTH OF SLEEVE.
10. FINISHED WIRE SPLICES SHALL NOT HAVE LOOSE WIRE TAILS EXTENDING MORE THAN 1 / 4" IN LENGTH.
11. FENCE SHALL GENERALLY FOLLOW THE CONTOUR OF THE GROUND. BOTTOM WIRE OF FENCE SHOULD BE NO MORE THAN 3" ABOVE GROUND LEVEL.
12. ATTACH FABRIC TO WOODEN POSTS USING 1 3 / 4" DOUBLE BARBED STAPLES. STAPLES SHALL BE MADE OF 8 GAGE CLASS 3 GALVANIZED WIRE AND SHALL BE DOUBLE BARBED.
13. STAPLE 12 GAGE TOP AND BOTTOM WIRES ON EACH POST AS SHOWN IN DETAIL. STAPLES SHALL BE DRIVEN INTO POSTS WITH THE TOP STAPLE LEG ANGLED TO THE RIGHT AS SHOWN. STAGGER STAPLES ACROSS WOODEN POSTS AS SHOWN IN DETAIL. STAPLES SHOULD NOT BE HARD DRIVEN AGAINST FENCE WIRE. LEAVE A 1 / 8" TO 1 / 4" GAP BETWEEN STAPLE AND FENCE WIRE TO ALLOW FOR WIRE MOVEMENT.
14. CONTRACTOR TO PROVIDE A 24" WIDE DOUBLE SWING GATE TO MATCH THE FENCE.

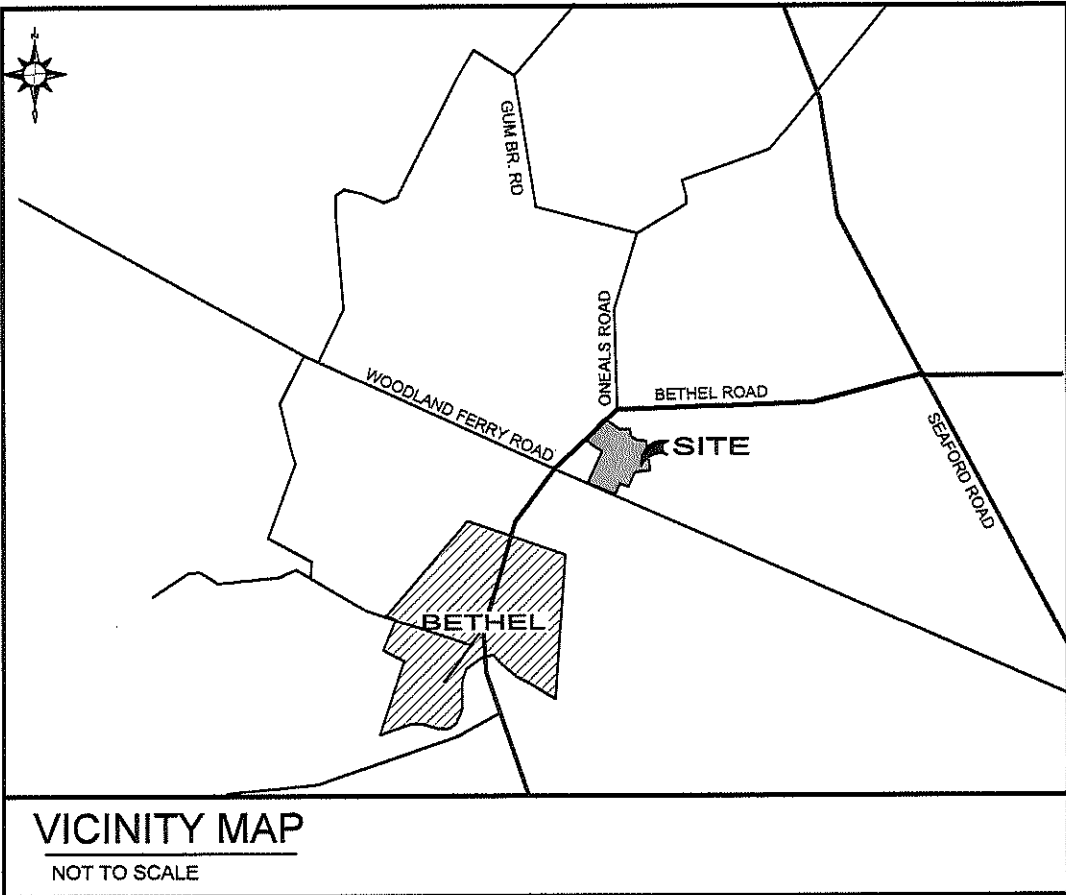


3 WIRE ATTACHMENT TO WOODEN POSTS
NOT TO SCALE



4 WIRE SPACING AND GAGES
NOT TO SCALE

NOTE: Details shown for reference only.
Construction details to be provided with site
development plan and building permit documents.



SITE DATA

OWNERS: JADE RUN FARM, LLC
8288 SHAKE RD
BETHEL, DELAWARE 19931

SURVEYOR: STEVEN M ADKINS LAND SURVEYING, LLC
212 E. FRONT STREET
LAUREL, DE 19956

TAX MAP: 232-5.00-11.03
DEED REF: BOOK 3413, PAGE 240
PLOT REF: BOOK 41, PAGE 19
LOT AREA: TOTAL: 38.451 ACRES
LEASE AREA: 25.012 ACRES

SEWER/WATER: PRIVATE
EXISTING LOT USE: AGRICULTURAL
PROPOSED LOT USE: AGRICULTURAL/SOLAR FARM

ZONING: AR-1
SETBACKS: FRONT B.R.L. = 40'
SIDE B.R.L. = 10'
REAR B.R.L. = 20'

LOCAL ROAD FRONTAGE: 735.91 FEET± (WOODLAND FERRY ROAD - SR-78)
692.82 FEET± (BETHEL ROAD - SCR 493)

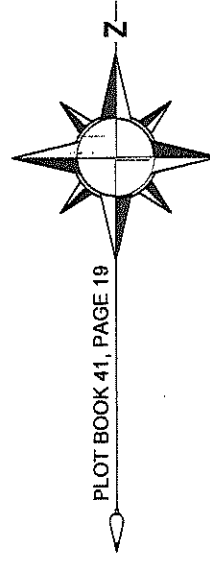
LEGEND

- CAPPED IRON ROD TO BE SET
- FOUND IRON PIPE
- POINT IN THE CENTERLINE OF A DITCH
- FOUND CONCRETE MONUMENT
- LEASE LINE
- TREE ON TOP OF PROPERTY CORNER

SURVEYOR'S CERTIFICATION

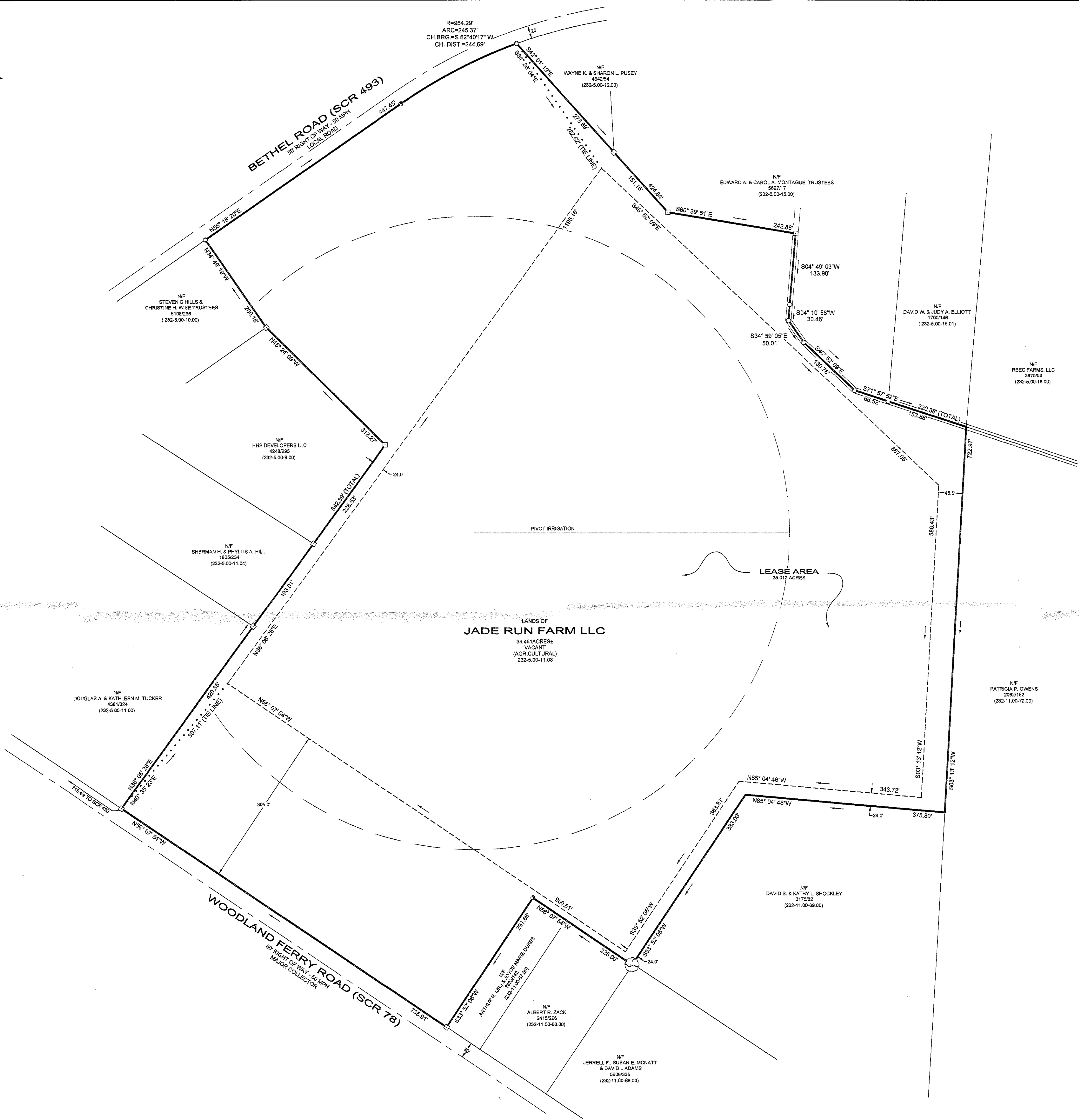
I, STEVEN M. ADKINS, HEREBY ATTEST THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF DELAWARE AND THAT THE INFORMATION SHOWN HEREON WAS PREPARED UNDER MY DIRECT SUPERVISION AND ADHERES TO THE LAND SURVEYING STANDARDS ESTABLISHED BY THE STATE OF DELAWARE.

STEVEN M. ADKINS
LS-700
DATE: 5/13/2022



NOTES

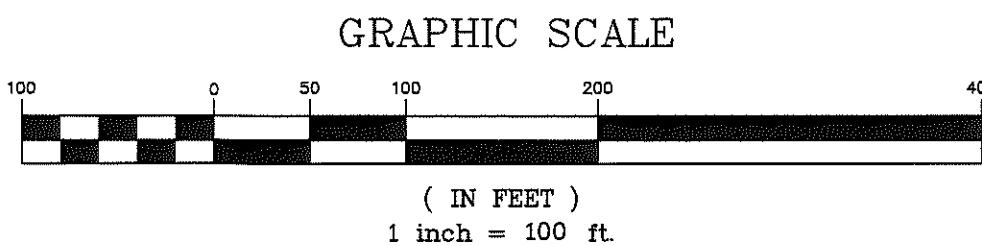
1. THE BOUNDARY INFORMATION SHOWN HEREON WAS DERIVED FROM THE LAND RECORDS OF SUSSEX COUNTY, DELAWARE AND IS SUPPORTED BY BOUNDARY MONUMENTS FOUND/LOCATED DURING OUR FIELD RUN LAND SURVEY.
2. A TITLE SEARCH WAS NEITHER REQUESTED NOR PREPARED FOR THE SUBJECT PARCEL SHOWN HEREON. THEREFORE, THIS PLAN DOES NOT VERIFY THE EXISTENCE OF ANY RIGHTS OF WAY OR EASEMENTS WHICH MAY AFFECT THIS PARCEL OTHER THAN THE INFORMATION SHOWN ON THIS PLAN.
3. A PORTION OF THE NORTHERN BOUNDARY LINE ASSOCIATED WITH THE SUBJECT PARCEL RUNS BY & WITH A SMALL DITCH GENERALLY ALONG THE BEARINGS AND DISTANCES SHOWN HEREON.
4. THE INTENT OF THIS LAND SURVEY IS TO DEPICT THE EXTERIOR BOUNDARY LINES ASSOCIATED WITH THE SUBJECT PARCEL (232-5.00-11.03) ACCORDING TO THE STANDARDS ESTABLISHED BY SUSSEX COUNTY AND THE STATE OF DELAWARE AND TO DEFINE THE SOLAR FARM LEASE AREA.



LEASE AREA LEGAL DESCRIPTION

ALL THAT CERTAIN LEASE AREA, SITUATE IN BROAD CREEK HUNDRED, SUSSEX COUNTY, DELAWARE, LYING ADJACENT TO BY NOT ON THE NORTHERN RIGHT OF WAY LINE ASSOCIATED WITH WOODLAND FERRY ROAD (SR 78) AND ADJACENT TO BUT NOT ON THE EASTERN RIGHT OF WAY LINE ASSOCIATED WITH BETHEL ROAD (SCR 493), BEING A PORTION OF SUSSEX TAX MAP 232-5.00-11.03 AND IS PARTICULARLY DESCRIBED AS FOLLOWS TO WIT:

BEGINNING AT THE POINT OF INTERSECTION BEING 305' NORTH OF THE SOUTHERN BOUNDARY LINE AND 24' EAST OF THE WESTERN BOUNDARY LINE, SAID POINT BEING FURTHER LOCATED AS N 40°35'23" E, 307.11' FROM A FOUND CONCRETE MONUMENT LOCATED ON THE NORTHERN RIGHT OF WAY LINE ASSOCIATED WITH WOODLAND FERRY ROAD (SR 78 - 60' WIDE), BEING THE SOUTHWESTERN MOST BOUNDARY CORNER ASSOCIATED WITH THE SUBJECT PARCEL, HEREFTER REFERRED TO AS THE REMOTE POINT OF BEGINNING, THENCE LEAVING SAID POINT OF BEGINNING AND RUNNING THROUGH THE SUBJECT PARCEL ALONG THE FOLLOWING (6) COURSES AND DISTANCES, 1) N 38°06'28" E, A DISTANCE OF 1,195.16' TO A POINT, SAID POINT BEING S 34°26'04" E, A DISTANCE OF 282.62' FROM A FOUND CONCRETE MONUMENT ON THE EASTERN RIGHT OF WAY LINE ASSOCIATED WITH BETHEL ROAD (SCR 493 - 50' WIDE), SAID MONUMENT BEING THE NORTHWESTERN MOST BOUNDARY CORNER ASSOCIATED WITH THE SUBJECT PARCEL, THENCE CONTINUING, 2) S 48°32'09" E, A DISTANCE OF 887.05' TO A POINT, THENCE, 3) N 02°13'12" W, A DISTANCE OF 586.43' TO A POINT, THENCE, 4) N 85°04'46" W, A DISTANCE OF 373.72' TO A POINT, THENCE, 5) S 33°52'08" W, A DISTANCE OF 383.81' TO A POINT, THENCE, 6) N 86°07'54" W, A DISTANCE OF 800.61' TO A POINT AND PLACE OF BEGINNING, CONTAINING 25.012 ACRES OF LAND, BE THE SAME, MORE OR LESS.



PROJECT #: 2022023.00		DATE: 05/13/2022
SCALE: 1" = 100'		DRAWN BY: S.M.A.
TITLE: SOLAR LEASE AREA		DRAWING NUMBER: LEASE-1

SOLAR FARM LEASE AREA
FOR THE BENEFIT OF
COMMUNITY POWER GROUP
WOODLAND FERRY ROAD &
BETHEL ROAD
BROAD CREEK HUNDRED
SUSSEX COUNTY, DELAWARE

STEVEN M. ADKINS
Land Surveying, LLC
212 E. Front Street
Laurel, DE 19956
(302) 875-3555 - Office

Conditional Use Permit Application

Woodland Ferry Road Solar

Bethel, Delaware



Applicant:

Community Power Group, LLC
5636 Connecticut Ave #42729
Washington, DC 20015

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STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
800 BAY ROAD
P.O. BOX 778
DOVER, DELAWARE 19903

NICOLE MAJESKI
SECRETARY

November 15, 2021

Mr. Jamie Whitehouse, Director
Sussex County Planning & Zoning
P.O. Box 417
Georgetown, DE 19947

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Community Power Group, LLC** proposed land use application, which we received on November 5, 2021. This application is for an approximately 39.45-acre parcel (Tax Parcel: 232-5.00-11.03). The subject land is located on the north side of Woodland Ferry Road (Sussex Road 78) about 800 feet east of the intersection with Bethel Road and on the east side of Bethel Road (Sussex Road 493) about 1,000 feet north of the intersection with Woodland Ferry Road. The subject land is currently zoned AR-1 (Agriculture Residential) and the applicant seeks a conditional use approval to build a community solar farm.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along Woodland Ferry Road from Bethel Road to Seaford Road (Sussex Road 13), is 1,545 vehicles per day. Due to the unavailability of 2019 count data on Bethel Road, the 2020 Delaware Vehicle Volume Summary count data will be used. The annual average daily traffic volume along Bethel Road from Seaford Road to Woodland Ferry Road (Sussex Road 78), is 2,351 vehicles per day.

Based on our review, we estimate that the above land use will generate fewer than 50 vehicle trips per day. This number of trips is below DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. DelDOT's regulations specify the minimum TIS warrants as 50 vehicle trips in any hour and/or 500 vehicle trips per day. Because the proposed land use would generate fewer than 50 vehicle trips per day, we consider the development's traffic impact to be **diminutive** in the context of our agreement with the County regarding land development coordination and we do not recommend that the applicant be required to perform a TIS for the subject application. DelDOT's description of this application as diminutive with regard to warranting a TIS does not mean that it is diminutive in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.

Section A - DeIDOT Service Level Request Form

Mr. Jamie Whitehouse
Page 2 of 2
November 15, 2021

If the County approves this application, the applicant should be reminded that DelDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.

Please contact Ms. Annamaria Fumato, at (302) 760-2710, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:aff

cc: Community Power Group, LLC, Applicant
Elliot Young, Sussex County Planning & Zoning
David Edgell, Coordinator, Cabinet Committee on State Planning Issues
Todd Sammons, Assistant Director, Development Coordination
Scott Rust, South District Public Works Manager, Maintenance & Operations
Steve McCabe, Sussex County Review Coordinator, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Kevin Hickman, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
James Argo, South District Project Reviewer, Maintenance & Operations
Claudy Joinville, Project Engineer, Development Coordination
Annamaria Fumato, Project Engineer, Development Coordination

Section B - Application for Conditional Use Permit

Section C - Project Overview

C.1 General Overview

The Community Power Group, LLC ("CPG") is developing a 4MW community solar farm located near the intersection of Bethel Road and Woodland Ferry Road in Laurel, DE in Sussex County ("County"). The project has been designed to meet the required setbacks and zoning requirements for the AR-1 zone. Included in this application is a Decommissioning Plan and a Glare Study, which determined no glare associated with this proposed project.



General Information:

- Parcel Address: Near the intersection of Bethel Road and Woodland Ferry Road in Laurel, DE
- Sussex County Parcel ID: 232-5.00-11.03
- Total parcel size: 39.45 acres
- Solar Project Size: 4 MWs AC (~25-acre facility)
- Solar Project Coordinates: 38.579478, -75.610377
- Parcel District: Agricultural-Residential 1 (AR-1)

C.2 Site Plan

See image below for reference. Full size Conditional Use Plan provided with this application.



C.3 Site Characteristics

The solar array area will be enclosed by a game fence, and the field area under the array will be covered with pollinator-friendly ground-cover. Emergency and maintenance access will be provided with an access road that leads to the array entrance. CPG has conducted a glare analysis of this project through ForgeSolar, an FAA analysis tool for determining glare from a solar array, and it was concluded that no glare will be produced from this solar array. The project will also be decommissioned upon the end of the facility's life (approximately 25-30 years). Please see the Decommissioning Plan for more information regarding the terms of decommissioning of the solar array.

CPG used the Information for Planning and Consultation (IPaC) desktop review tool from the U.S. Fish and Wildlife Service to identify if any critical habitats exist on site for threatened and endangered species. It was determined that there are no critical habitats within the project area. The project area was also reviewed by the U.S. Fish and Wildlife Service Chesapeake Bay Ecological Services Field Office, and the species list stated that there were no critical habitats and no refuge lands or fish hatcheries within the project area. Please see Attachment III to read more.



This property does not contain any wetlands, and we do not intend to develop upon any wetlands. The site does not contain any historic properties and the project does not physically impact any historic properties on the national register according to the Delaware Division of Historical and Cultural Affairs National Register-Listed Properties' online mapper.

C.4 Zoning Standards

§ 115-22 *Conditional Uses* provides for the conditional use standards for public utilities or public service uses, generating or treatment plants, as defined in § 115-4 *Definitions and Word Usage*. See Section D for a full breakdown of this project's code compliance.

C.5 Interconnection

Community Power Group has submitted an application with Delmarva Power & Light Co. on November 1st, 2021 and expects to have the full interconnection study completed by April 2022.

Section D - Compliance with Standards

D.1 - Conditional Use Compliance

Sussex County provides a complete code of ordinances for Conditional Use Permits in AR-1 (Agricultural Residential-1) districts. Solar Farms currently require a Conditional Use permit within any Zoning District of Sussex County.

A solar photovoltaic system falls under the definition provided in § 115-4 *Definitions and Word Usage* for a Public Utility Service. It reads as follows, "The generation, transmission, and/or distribution of electricity, gas, steam, communications, and water; the collection and treatment of sewage and solid waste; and the provision of mass transit to the public." A Public Utility Service Facility also applies to a solar photovoltaic system, and its definition states that it applies to, "any use or structure associated with the provision of utility services." This solar farm project has been developed as a community solar generation facility and therefore, meets the definition of a Public Utility Service/Service Facility.

Per the recommendations of the Sussex County Council Planning and Zoning Department and the definitions set forth in the Sussex County zoning ordinance codes, CPG shall comply with any applicable standards set forth in pursuit of a Conditional Use Permit (CUP).

D.2 - AR-1 Agricultural Residential 1 District Compliance

Article IV: AR-1 and AR-2 Agricultural Residential Districts

§ 115-19 Purpose

The purpose of these districts is to provide for a full range of agricultural activities and to protect agricultural lands, as one of the county's most valuable natural resources, from the depreciating effect of objectionable, hazardous and unsightly uses. They should also protect established agricultural operations and activities. These districts are also intended for protection of watersheds, water resources, forest areas and scenic values and, at the same time, to provide for low-density single-family residential development, together with such churches, recreational

facilities and accessory uses as may be necessary or are normally compatible with residential surroundings. The AR regulations seek to prevent untimely scattering of more-dense urban uses, which should be confined to areas planned for efficient extension of public services.

§ 115-22 Conditional uses

Conditional Uses in an AR-1 District are provided in this section stating, "Public utilities or public service uses, buildings, generating or treatment plants, pumping or regulator stations or substations, but not telephone central offices," may be permitted as a conditional use when approved in accordance with the provisions of this chapter.

§ 115-25 Height, Area, & Bulk Requirements

C. Minimum yard requirements. Minimum yard requirements set forth for AR-1 and AR-2 districts are as follows; Depth of front yard: 40 feet, Width of side yard: 15 feet, Depth of rear yard: 20 feet, Minimum lot width: 100 feet; Minimum area: 20,000 square feet; Minimum depth: 100 feet.

The proposed project has a front setback of 345 feet from property line to fence and a minimum of 20 feet side and rear yard setbacks as shown on the Site Plan. The lot width is greater than 100 feet. The proposed project is well within the minimum yard requirements of this section, and there are no buildings/dwellings proposed for this project.

D. Maximum height requirements. Maximum height requirements set forth for AR-1 and AR-2 districts shall be 42 feet.

The proposed solar facility and associated fencing will not exceed 15 feet in height at any location.

The following table was used to design the site layout: Zoning 115 Attachment 1: General Table of Height, Area and Bulk Requirements:

<https://ecode360.com/attachment/SU1223/SU1223-115a%20Table%20I.pdf>

§ 115-173 Preliminary site plan

A preliminary site plan complying with the requirements of Article XXVIII shall accompany an application for approval of a conditional use under this Article, together with such information as may be required for a determination of the nature of the proposed use and its effect on the Comprehensive Plan, the neighborhood and surrounding properties. Procedures for approval of a conditional use and approval and amendment of site plans are contained in Article XXVIII.

Please see Conditional Use Plan as included with this application.

Section E - Attachments



Attachment I - Site Plans

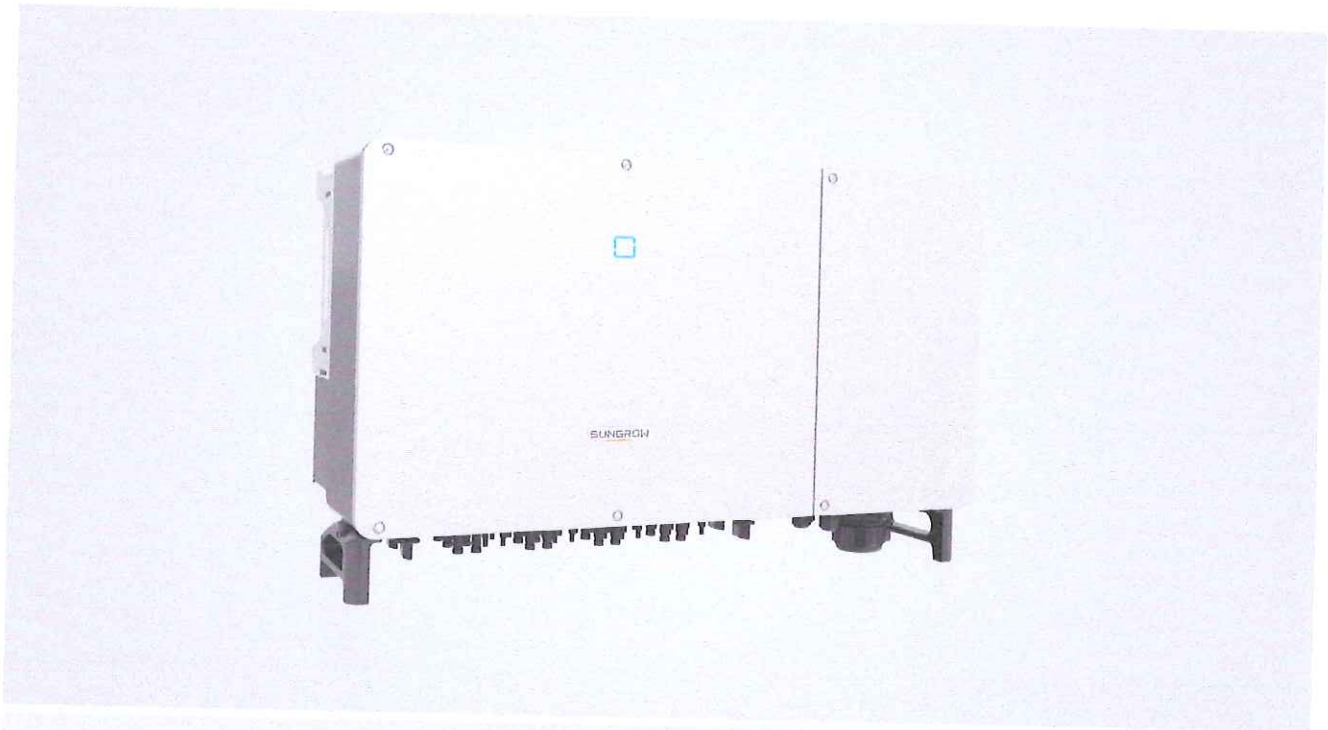


Attachment II - System Components

SG250HX-US

Multi-MPPT String Inverter for 1500 Vdc System

SUNGROW
Clean power for all



HIGH YIELD

- 12 MPPTs with max. efficiency 99%
- Compatible with bifacial module
- Built-in Anti-PID and PID recovery function



LOW COST

- Compatible with Al and Cu AC cables
- DC 2 in 1 connection enabled
- Power line communication (PLC)
- Reactive power at night function



SMART O&M

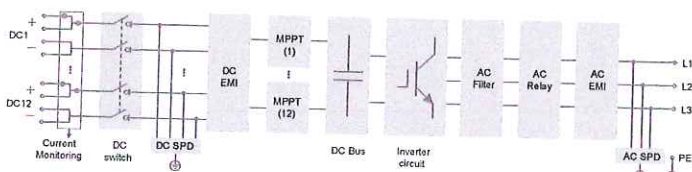
- Touch free commissioning and remote firmware upgrade
- Online IV curve scan and diagnosis*
- Fuse free design with smart string current monitoring



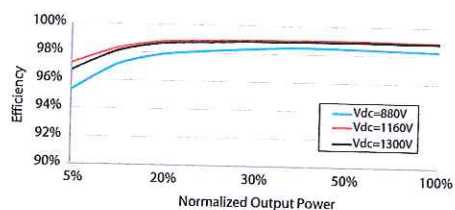
PROVEN SAFETY

- Integrated Arc fault circuit protection
- NEMA 4X protection and C5 anti-corrosion grade
- Type II SPD for both DC and AC

CIRCUIT DIAGRAM



EFFICIENCY CURVE



Type designation	SG250HX-US
Input (DC)	
Max. PV input voltage	1500 V
Min. PV input voltage / Startup input voltage	600 V / 600 V
Nominal PV input voltage	1080 V
MPP voltage range	600 V – 1500 V
MPP voltage range for nominal power	860 V – 1300 V
No. of independent MPP inputs	12
Max. PV input current	26 A * 12
Max. DC short-circuit current	50 A * 12
Output (AC)	
AC output power	250 kVA @ 30 °C / 225 kVA @ 40 °C / 200 kVA @ 50 °C
Max. AC output current	180.5 A
Nominal AC voltage	3 / PE, 800 V
AC voltage range	680 – 880V
Nominal grid frequency / Grid frequency range	50 Hz / 45 – 55 Hz, 60 Hz / 57 – 63 Hz
THD	< 3 % (at nominal power)
DC current injection	< 0.5 % In
Power factor at nominal power / Adjustable power factor	> 0.99 / 0.8 leading – 0.8 lagging
Feed-in phases / connection phases	3 / 3
Efficiency	
Max. efficiency	99.0 %
CEC efficiency	98.5 %
Protection	
DC reverse connection protection	Yes
AC short circuit protection	Yes
Leakage current protection	Yes
Grid monitoring	Yes
Ground fault monitoring	Yes
DC switch	Yes
AC switch	No
Arc fault circuit interrupter (AFCI)	Yes
PV String current monitoring	Yes
Reactive power at night function	An-ti PID or PID recovery
PID protection	DC Type II and AC Type II
Overvoltage protection	
General Data	
Dimensions (W*H*D)	1051 * 660 * 363 mm (41.4" * 26" * 14.3")
Weight	99 kg (218.25 lbs)
Isolation method	Transformerless
Ingress protection rating	NEMA 4X
Night power consumption	< 2 W
Operating ambient temperature range	-30 to 60 °C (-22 to 140 °F)
Allowable relative humidity range (non-condensing)	0 – 100 %
Cooling method	Smart forced air cooling
Max. operating altitude	5000 m (> 4000 m derating) 16404 ft (> 13123 ft derating)
Display	LED, Bluetooth+APP
Communication	RS485 / PLC
DC connection type	Amphenol UTX (Max. 6 mm² 10AWG)
AC connection type	OT / DT terminal (Max. 300 mm² 600 Kcmil)
Compliance	UL1741, UL1741SA, IEEE1547, IEEE1547.1, CSA C22.2 107.1-01-2001, FCC Part15 Sub-part B Class A Limits, California Rule 21,UL 1699B
Grid Support	Reactive power at night function, LVRT, HVRT, active & reactive power control and power ramp rate control, Volt/Watt, Frequency/Watt

*: Only compatible with Sungrow logger and iSolarCloud

TR Bifacial 72M 515-535 Watt

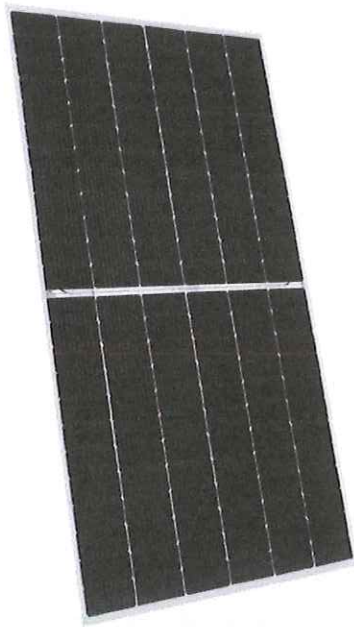
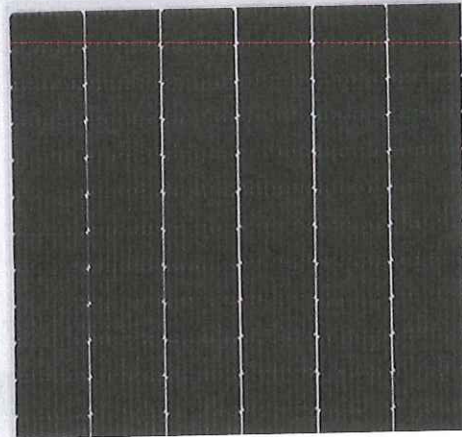
Tiling Ribbon (TR) Technology

Positive power tolerance of 0~+3%

ISO9001:2015, ISO14001:2015, ISO45001:2018
certified factory

IEC61215, IEC61730 certified product

TIGER Pro



KEY FEATURES



TR technology + Half Cell

TR technology with Half cell aims to eliminate the cell gap to increase module efficiency (bi-facial up to 21.16%)



MBB instead of 5BB

MBB technology decreases the distance between bus bars and finger grid line which is benefit to power increase.



Higher lifetime Power Yield

2% first year degradation,
0.45% linear degradation



Best Warranty

12 year product warranty,
30 year linear power warranty



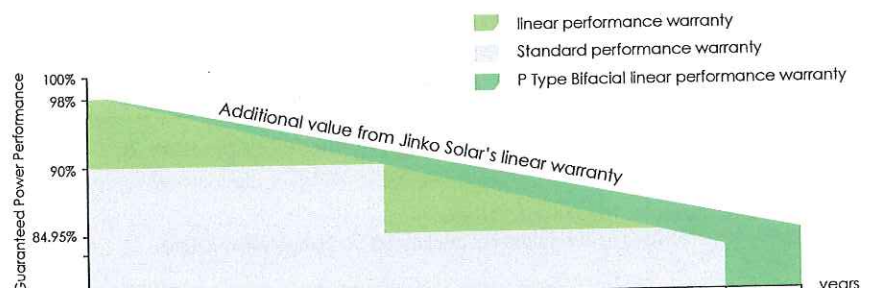
Strengthened Mechanical Support

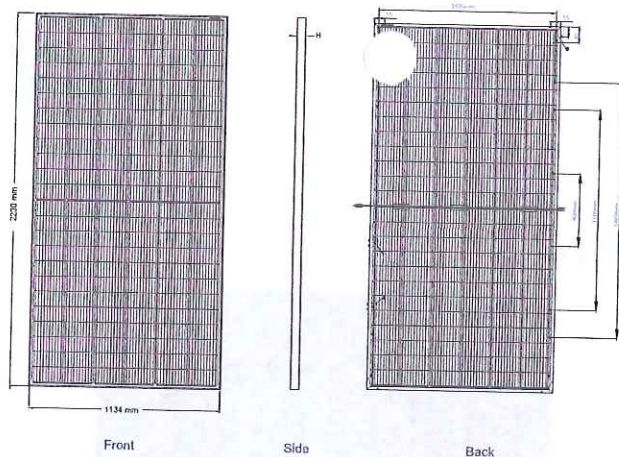
5400 Pa snow load, 2400 Pa wind load



LINEAR PERFORMANCE WARRANTY

12 Year Product Warranty • 30 Year Linear Power Warranty
0.45% Annual Degradation Over 30 years

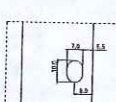
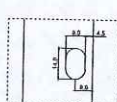
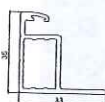




Front

Side

Back



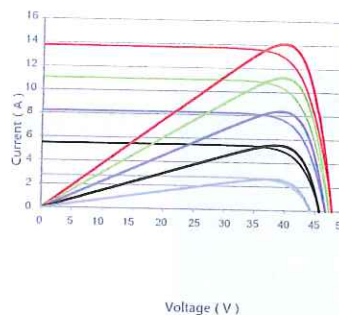
Length: $\pm 2\text{mm}$
Width: $\pm 2\text{mm}$
Height: $\pm 1\text{mm}$
Row Pitch: $\pm 2\text{mm}$

Packaging Configuration

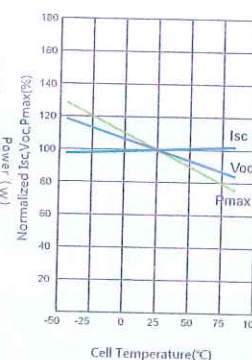
(Two pallets = One stack)

31pcs/pallets, 62pcs/stack, 620pcs/ 40'HQ Container

Current-Voltage & Power Curves (515W)



Temperature Dependence of I_{sc} , V_{oc} , P_{max}



Mechanical Characteristics

Cell Type	P type Mono-crystalline
No. of cells	144 (2x72)
Dimensions	2230x1134x35mm (87.80x44.65x1.38 inch)
Weight	28.9 kg (63.71 lbs)
Front Glass	3.2mm, Anti-Reflection Coating, High Transmission, Low Iron, Tempered Glass
Frame	Anodized Aluminium Alloy
Junction Box	IP68 Rated
Output Cables	TUV 1x4.0mm ² (+): 290mm, (-): 145mm or Customized Length

SPECIFICATIONS

Module Type	JKM515M-7TL4-TV		JKM520M-7TL4-TV		JKM525M-7TL4-TV		JKM530M-7TL4-TV		JKM535M-7TL4-TV	
	SCT	NOCT	SCT	NOCT	SCT	NOCT	SCT	NOCT	SCT	NOCT
Maximum Power (Pmax)	515Wp	383Wp	520Wp	387Wp	525Wp	391Wp	530Wp	394Wp	535Wp	398Wp
Maximum Power Voltage (Vmp)	40.08V	37.27V	40.22V	37.42V	40.36V	37.56V	40.49V	37.70V	40.63V	37.84V
Maximum Power Current (Imp)	12.85A	10.28A	12.93A	10.34A	13.01A	10.40A	13.09A	10.46A	13.17A	10.52A
Open-circuit Voltage (Voc)	48.58V	45.85V	48.72V	45.99V	48.86V	46.12V	48.99V	46.24V	49.13V	46.37V
Short-circuit Current (Isc)	13.53A	10.93A	13.61A	10.99A	13.69A	11.06A	13.77A	11.12A	13.85A	11.19A
Module Efficiency STC (%)	20.37%		20.56%		20.76%		20.96%		21.16%	
Operating Temperature(°C)	-40°C~+85°C									
Maximum system voltage	1500VDC (IEC)									
Maximum series fuse rating	25A									
Power tolerance	0~+3%									
Temperature coefficients of Pmax	-0.35%/°C									
Temperature coefficients of Voc	-0.28%/°C									
Temperature coefficients of Isc	0.048%/°C									
Nominal operating cell temperature (NOCT)	45±2°C									
Refer. Bifacial Factor	70±5%									

BIFACIAL OUTPUT-REAR SIDE POWER GAIN

		541Wp	546Wp	551Wp	557Wp	562Wp
5%	Maximum Power (P_{max})	541Wp	546Wp	551Wp	557Wp	562Wp
	Module Efficiency STC (%)	21.38%	21.59%	21.80%	22.01%	22.21%
15%	Maximum Power (P_{max})	592Wp	598Wp	604Wp	610Wp	615Wp
	Module Efficiency STC (%)	23.42%	23.65%	23.87%	24.10%	24.33%
25%	Maximum Power (P_{max})	644Wp	650Wp	656Wp	663Wp	669Wp
	Module Efficiency STC (%)	25.46%	25.70%	25.95%	26.20%	26.45%

* STC: Irradiance 1000W/m² Cell Temperature 25°C

AM=1.5

NOCT: Irradiance 800W/m² Ambient Temperature 20°C

AM=1.5

Wind Speed 1m/s

Attachment III - Environmental Reviews

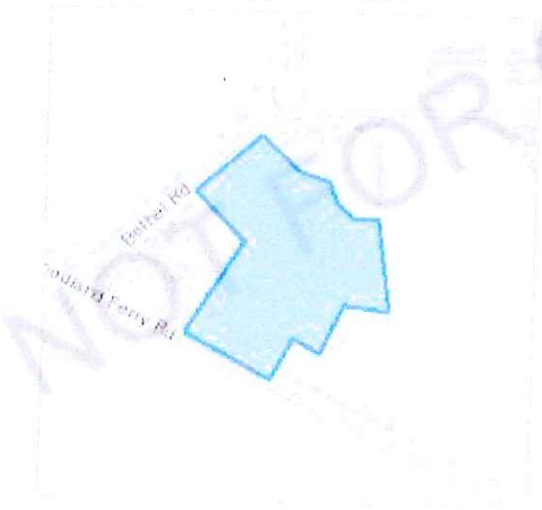
IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

Sussex County, Delaware



Local office

Chesapeake Bay Ecological Services Field Office

☎ (410) 573-4599

📠 (410) 266-9127

177 Admiral Cochrane Drive
Annapolis, MD 21401-7307

<http://www.fws.gov/chesapeakebay/>

<http://www.fws.gov/chesapeakebay/endsppweb/ProjectReview/Index.html>

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act requires Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i>	Candidate

Wherever found

This species only needs to be considered if the following condition applies:

- The monarch is a candidate species and not yet listed or proposed for listing. There are generally no section 7 requirements for candidate species (FAQ found here: <https://www.fws.gov/savethemonarch/FAQ-Section7.html>).

No critical habitat has been designated for this species.

<https://ecos.fws.gov/ecp/species/9743>

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>

- Nationwide conservation measures for birds

<http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasu>

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME

BREEDING SEASON (IF A BREEDING SEASON IS INDICATED FOR A BIRD ON YOUR LIST, THE BIRD MAY BREED IN YOUR PROJECT AREA SOMETIME WITHIN THE TIMEFRAME SPECIFIED, WHICH IS A VERY LIBERAL ESTIMATE OF THE DATES INSIDE WHICH THE BIRD BREEDS ACROSS ITS ENTIRE RANGE. "BREEDS ELSEWHERE" INDICATES THAT THE BIRD DOES NOT LIKELY BREED IN YOUR PROJECT AREA.)

Bald Eagle *Haliaeetus leucocephalus*

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

<https://ecos.fws.gov/ecp/species/1626>

Breeds Oct 15 to Aug 31

Blue-winged Warbler *Vermivora pinus*

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Breeds May 1 to Jun 30

Prothonotary Warbler *Protonotaria citrea*

Breeds Apr 1 to Jul 31

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Wood Thrush *Hylocichla mustelina*

Breeds May 10 to Aug 31

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (🟡)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (I)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range for example, 33 to 64 surveys.

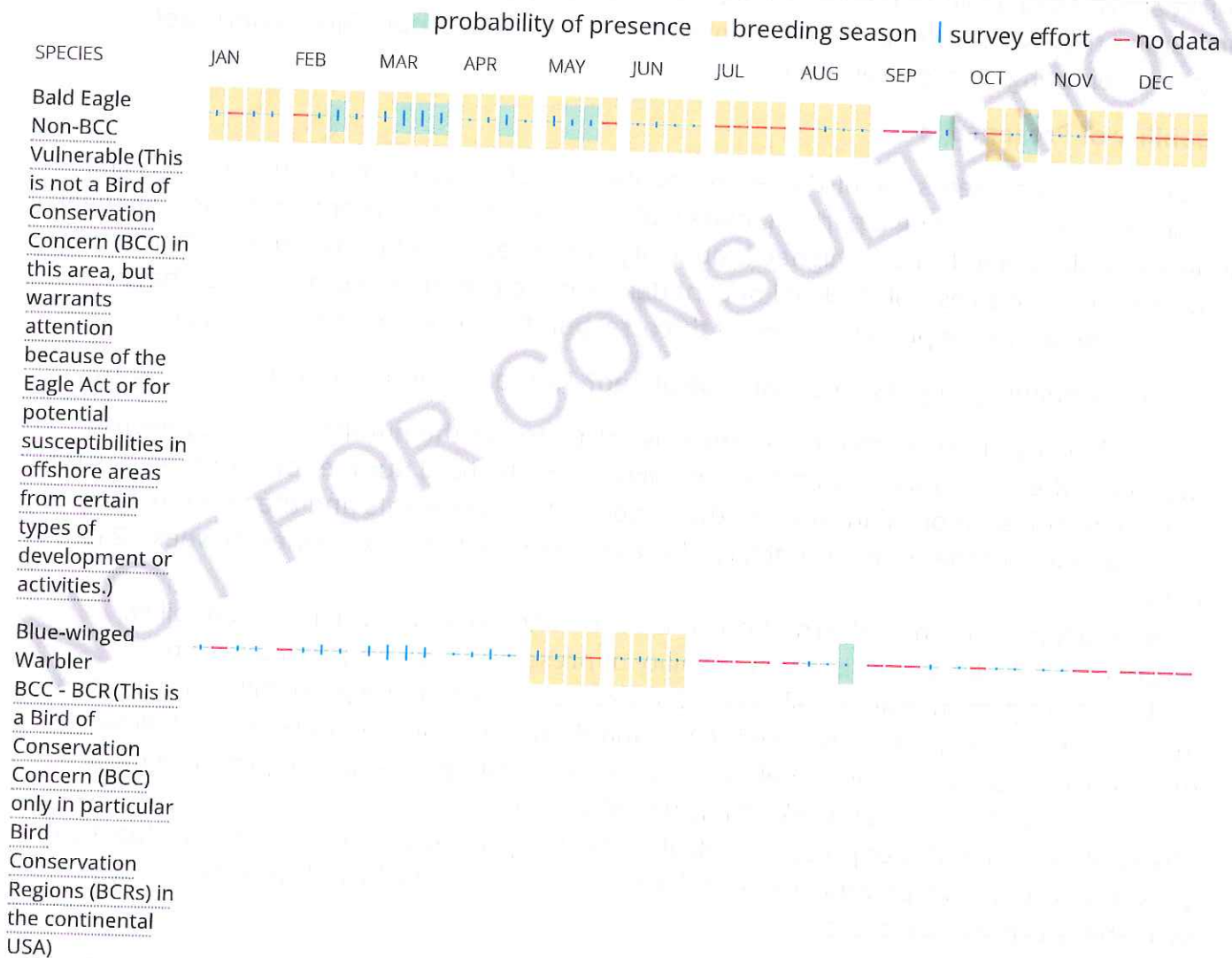
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (-)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Prothonotary
Warbler
BCC Rangewide
(CON) (This is a
Bird of
Conservation
Concern (BCC)
throughout its
range in the
continental USA
and Alaska.)

Wood Thrush
BCC Rangewide
(CON) (This is a
Bird of
Conservation
Concern (BCC)
throughout its
range in the
continental USA
and Alaska.)

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects and that have been identified as warranting special attention because they are a BCC species in that area, are [Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPAC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern \(BCC\)](#) that are of concern throughout their range anywhere within the USA including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands; 2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and 3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impact and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternatively, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information for additional information on marine bird tracking data, see the [Living Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Facilities

Wildlife refuges and fish hatcheries

REFUGE AND FISH HATCHERY INFORMATION IS NOT AVAILABLE AT THIS TIME

Wetlands in the National Wetlands Inventory

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

WETLAND INFORMATION IS NOT AVAILABLE AT THIS TIME

This can happen when the National Wetlands Inventory (NWI) map service is unavailable, or for very large projects that intersect many wetland areas. Try again, or visit the [NWI map](#) to view wetlands at this location.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A

margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Chesapeake Bay Ecological Services Field Office

177 Admiral Cochrane Drive

Annapolis, MD 21401-7307

Phone: (410) 573-4599 Fax: (410) 266-9127

<http://www.fws.gov/chesapeakebay/>

<http://www.fws.gov/chesapeakebay/endsppweb/ProjectReview/Index.html>

In Reply Refer To:

Consultation Code: 05E2CB00-2022-SLI-0253

Event Code: 05E2CB00-2022-E-00658

Project Name: Woodland Ferry Road Solar

November 04, 2021

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. This species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at:

<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>;

<http://www.towerkill.com>; and

<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

[http://](http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html)

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Wetlands

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Chesapeake Bay Ecological Services Field Office

177 Admiral Cochrane Drive

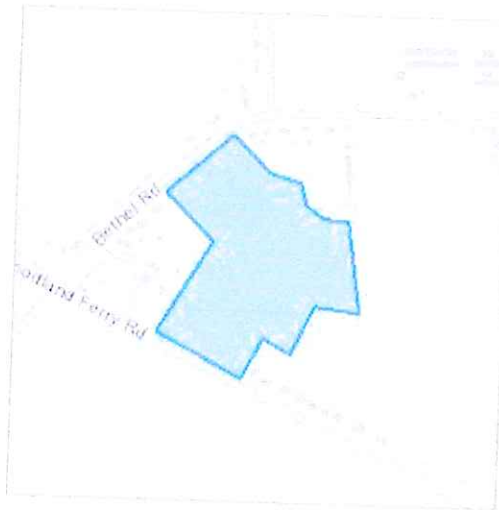
Annapolis, MD 21401-7307

(410) 573-4599

Project Summary

Consultation Code: 05E2CB00-2022-SLI-0253
Event Code: Some(05E2CB00-2022-E-00658)
Project Name: Woodland Ferry Road Solar
Project Type: POWER GENERATION
Project Description: 4MW Community solar farm
Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@38.58122815,-75.60753111852836,14z>



Counties: Sussex County, Delaware

Endangered Species Act Species

There is a total of 1 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Insects

NAME

STATUS

Monarch Butterfly *Danaus plexippus*

Candidate

No critical habitat has been designated for this species.

This species only needs to be considered under the following conditions:

- The monarch is a candidate species and not yet listed or proposed for listing. There are generally no section 7 requirements for candidate species (FAQ found here: <https://www.fws.gov/savethemonarch/FAQ-Section7.html>).

Species profile: <https://ecos.fws.gov/ecp/species/9743>

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Wetlands

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

WETLAND INFORMATION WAS NOT AVAILABLE WHEN THIS SPECIES LIST WAS GENERATED.
PLEASE VISIT [HTTPS://WWW.FWS.GOV/WETLANDS/DATA/MAPPER.HTML](https://www.fws.gov/wetlands/data/mapper.html) OR CONTACT THE FIELD OFFICE FOR FURTHER INFORMATION.



U.S. Fish and Wildlife Service

National Wetlands Inventory

Woodland Ferry Road Solar



November 2, 2021

Wetlands

- | | | | | | |
|--|--------------------------------|--|-----------------------------------|--|----------|
| | Estuarine and Marine Deepwater | | Freshwater Emergent Wetland | | Lake |
| | Estuarine and Marine Wetland | | Freshwater Forested/Shrub Wetland | | Other |
| | | | Freshwater Pond | | Riverine |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.



Attachment IV - Decommissioning Plan

Attachment IV - Decommissioning Plan

Attachment IV - Decommissioning Plan

Attachment IV - Decommissioning Plan

Attachment IV - Decommissioning Plan

Woodland Ferry Road Solar
Decommissioning Plan

November 2021

Prepared For:
Sussex County, DE





1. Executive summary

The Woodland Ferry Road Solar Farm is proposed to be a 4 Megawatt (MW) solar energy conversion system located near the intersection of Bethel Road and Woodland Ferry Road in Laurel, DE. The facility will use solar photovoltaic technology and a single axis tracking racking system. The project will cover approximately 25 acres. As noted in this report the estimated cost of decommissioning the system is \$144,250. These amounts do not include the salvage value of the components, which has been provided in a separate document.

2. Project information

Solar Project Address:	Near the intersection of Bethel Road and Woodland Ferry Road in Laurel, DE
Parcel ID:	232-5.00-11.03
Solar Project Size:	up to 4 MWs AC (~25 acre facility)
Solar Project Type:	Community Solar
Land Agreement:	Solar Lease Agreement with Jade Run Farm

3. Decommissioning of the Solar Facility

At the time of decommissioning, the installed components will be removed, reused, disposed of, and recycled, where possible. The Facility Site will be restored to a state similar to its pre-construction condition. All removal of equipment will be done in accordance with any applicable regulations and manufacturer recommendations. All applicable permits will be acquired.

3.1 Equipment Dismantling and Removal

Generally, the decommissioning of a Solar Facility proceeds in the reverse order of the installation.

1. The Solar Facility shall be disconnected from the utility power grid.
2. PV modules shall be disconnected, collected, and disposed at an approved solar module recycler or reused / resold on the market. Although the PV modules will not be cutting edge technology at the time of decommissioning, they are estimated to still produce 80% of the original electricity output at year 25 and add value for many years.
3. All aboveground and underground electrical interconnection and distribution cables shall be removed and disposed off-site by an approved facility.
4. Galvanized steel PV module support and racking system support posts shall be removed and disposed off-site by an approved facility.
5. Electrical and electronic devices, including transformers and inverters shall be removed and disposed off-site by an approved facility.
6. Concrete foundations shall be removed and disposed off-site by an approved facility.
7. Fencing shall be removed and will be disposed off-site by an approved facility.

3.2 Environmental Effects

Decommissioning activities, particularly the removal of project components could result in environmental effects similar to those of the construction phase. Mitigation measures similar to those employed during the construction phase of the Solar Facility will be implemented. These will remain in place until the site is stabilized in order to mitigate erosion and silt/sediment runoff and any impacts on the significant natural features or water bodies located adjacent to the Facility Site.

Road traffic will temporarily increase due to the movement of decommissioning crews and equipment. There may be an increase in particulate matter (dust) in adjacent areas during the decommissioning phase. Decommissioning activities may lead to temporary elevated noise levels from heavy machinery and an increase in trips to the project location. Work will be undertaken during daylight hours and conform to any applicable restrictions.

3.3 Site Restoration

Through the decommissioning phase, the Facility Site will be restored to a state similar to its pre-construction condition. All project components will be removed. Rehabilitated lands may be seeded with a low-growing species such as clover to help stabilize soil conditions, enhance soil structure, and increase soil fertility.

3.4 Managing Materials and Waste

During the decommissioning phase a variety of excess materials and wastes will be generated. Most of the materials used in a Solar Facility are reusable or recyclable and some equipment may have manufacturer take-back and recycling requirements. Any remaining materials will be removed and disposed of off-site at an appropriate facility. CPG will establish policies and procedures to maximize recycling and reuse and will work with manufacturers, local subcontractors, and waste firms to segregate material to be disposed of, recycled, or reused.

CPG will be responsible for the logistics of collecting and recycling the PV modules and to minimize the potential for modules to be discarded in the municipal waste stream.

3.5 Decommissioning During Construction or Abandonment Before Maturity

In case of abandonment of the Solar Facility during construction or before its 25 year maturity, the same decommissioning procedures as for decommissioning after ceasing operation will be undertaken and the same decommissioning and restoration program will be honored, in as far as construction proceeded before abandonment. The Solar Facility will be dismantled, materials removed and disposed, the soil that was removed will be graded and the site restored to a state similar to its pre-construction condition.

3.6 Decommissioning Notification

Decommissioning activities may require the notification of stakeholders given the nature of the works at the Facility Site. The local municipality in particular will be notified prior to commencement of any decommissioning activities. Six months prior to decommissioning, CPG will update their list of stakeholders and notify appropriate municipalities of decommissioning activities.

4. Management of Excess Materials and Waste

Material / Waste	Means of Managing Excess Materials and Waste
PV panels	If there is no possibility for reuse, the panels will either be returned to the manufacturer for appropriate disposal or will be transported to a recycling facility where the glass, metal and semiconductor materials will be separated and recycled.
Metal array mounting racks and steel supports	These materials will be disposed off-site at an approved facility.
Transformers and substation components	The small amount of oil from the transformers will be removed on-site to reduce the potential for spills and will be transported to an approved facility for disposal. The substation transformer and step-up transformers in the inverter units will be transported off-site to be sent back to the manufacturer, recycled, reused, or safely disposed off-site in accordance with current standards and best practices.
Inverters, fans, fixtures	The metal components of the inverters, fans and fixtures will be disposed of or recycled, where possible. Remaining components will be disposed of in accordance with the standards of the day.
Gravel (or other granular)	It is possible that the municipality may accept uncontaminated material without processing for use on local roads, however, for the purpose of this report it is assumed that the material will be removed from the project location by truck to a location where the aggregate can be processed for salvage. It will then be reused as fill for construction. It is not expected that any such material will be contaminated.
Geotextile	It is assumed that during excavation of the aggregate, a large portion of

fabric	the geotextile will be “picked up” and sorted out of the aggregate at the aggregate reprocessing site. Geotextile fabric that is remaining or large pieces that can be readily removed from the excavated aggregate will be disposed of off-site at an approved disposal facility.
Concrete inverter/transformer Foundations	Concrete foundations will be broken down and transported by certified and licensed contractors to a recycling or approved disposal facility.
Cables and wiring	The electrical line that connects the substation to the point of common coupling will be disconnected and disposed of at an approved facility. Support poles, if made of untreated wood, will be chipped for reuse. Associated electronic equipment (isolation switches, fuses, metering) will be transported off-site to be sent back to the manufacturer, recycled, reused, or safely disposed off-site in accordance with current standards and best practices.
Fencing	Fencing will be removed and recycled at a metal recycling facility.
Debris	Any remaining debris on the site will be separated into recyclables/residual wastes and will be transported from the site and managed as appropriate.

5. Costs of decommissioning

The costs below are the current estimated costs to decommission a 4 MWac Solar Facility, based on guidance from consulting engineering firms and estimates from the Delaware solar market. The salvage values of valuable recyclable materials (aluminum, steel, copper, etc) are not factored into the below costs. The scrap value will be determined on current market rates at the time of salvage.

Tasks	Estimated Cost (\$)
Remove Panels	\$4,920
Dismantle Racks	\$24,680
Remove and Load Electrical Equipment	\$3,680
Break up Concrete Pads	\$3,000
Remove Racks	\$15,600



Remove Cable	\$13,000
Remove Ground Screws and Power Poles	\$27,680
Remove Fence	\$9,840
Grading	\$8,000
Seed Disturbed Areas	\$520
Truck to Recycling Center	\$5,600
Total	\$91,600

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FORGESOLAR GLARE ANALYSIS

Project: **Woodland Ferry**

Site configuration: **Woodland Ferry Road V2-temp-2**

Analysis conducted by michael borkowski (mborkowski247@gmail.com) at 18:49 on 19 Nov, 2021.

U.S. FAA 2013 Policy Adherence

The following table summarizes the policy adherence of the glare analysis based on the 2013 U.S. Federal Aviation Administration Interim Policy 78 FR 63276. This policy requires the following criteria be met for solar energy systems on airport property:

- No "yellow" glare (potential for after-image) for any flight path from threshold to 2 miles
- No glare of any kind for Air Traffic Control Tower(s) ("ATCT") at cab height.
- Default analysis and observer characteristics (see list below)

ForgeSolar does not represent or speak officially for the FAA and cannot approve or deny projects. Results are informational only.

COMPONENT	STATUS	DESCRIPTION
Analysis parameters	PASS	Analysis time interval and eye characteristics used are acceptable
2-mile flight path(s)	N/A	No flight paths analyzed
ATCT(s)	N/A	No ATCT receptors designated

Default glare analysis parameters and observer eye characteristics (for reference only):

- Analysis time interval: 1 minute
- Ocular transmission coefficient: 0.5
- Pupil diameter: 0.002 meters
- Eye focal length: 0.017 meters
- Sun subtended angle: 9.3 milliradians

FAA Policy 78 FR 63276 can be read at <https://www.federalregister.gov/d/2013-24729>

SITE CONFIGURATION

Analysis Parameters

DNI: peaks at 1,000.0 W/m²
 Time interval: 1 min
 Ocular transmission
 coefficient: 0.5
 Pupil diameter: 0.002 m
 Eye focal length: 0.017 m
 Sun subtended angle: 9.3
 mrad
 Site Config ID: 61486.10895



PV Array(s)

Name: PV array 1
 Axis tracking: Single-axis rotation
 Tracking axis orientation: 180.0°
 Tracking axis tilt: 0.0°
 Tracking axis panel offset: 0.0°
 Max tracking angle: 52.0°
 Resting angle: 52.0°
 Rated power: 4000.0 kW
 Panel material: Smooth glass without AR coating
 Reflectivity: Vary with sun
 Slope error: correlate with material



Vertex	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
1	38.580302	-75.610066	28.65	8.00	36.65
2	38.583036	-75.608371	29.67	8.00	37.67
3	38.581946	-75.605818	30.26	8.00	38.26
4	38.580336	-75.605689	32.18	8.00	40.18
5	38.580252	-75.606740	30.83	8.00	38.83
6	38.579363	-75.607213	29.75	8.00	37.75

Route Receptor(s)

Name: Bethel Road

Path type: Two-way

Observer view angle: 50.0°

Note: Route receptors are excluded from this FAA policy review. Use the 2-mile flight path receptor to simulate flight paths according to FAA guidelines.



Vertex	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
1	38.578077	-75.615884	28.20	5.00	33.20
2	38.583545	-75.609404	30.82	5.00	35.82
3	38.584049	-75.608331	31.55	5.00	36.55
4	38.584284	-75.597645	33.52	5.00	38.52

Name: Woodland Ferry Road

Path type: Two-way

Observer view angle: 50.0°

Note: Route receptors are excluded from this FAA policy review. Use the 2-mile flight path receptor to simulate flight paths according to FAA guidelines.



Vertex	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
1	38.581349	-75.615431	28.38	5.00	33.38
2	38.576501	-75.602749	31.94	5.00	36.94

GLARE ANALYSIS RESULTS

Summary of Glare

PV Array Name	Tilt	Orient	"Green" Glare	"Yellow" Glare	Energy
	(°)	(°)	min	min	kWh
PV array 1	SA	SA	0	0	12,250,000.0
	tracking	tracking			

Total annual glare received by each receptor

Receptor	Annual Green Glare (min)	Annual Yellow Glare (min)
Bethel Road	0	0
Woodland Ferry Road	0	0

Results for: PV array 1

Receptor	Green Glare (min)	Yellow Glare (min)
Bethel Road	0	0
Woodland Ferry Road	0	0

Route: Bethel Road

0 minutes of yellow glare

0 minutes of green glare

Route: Woodland Ferry Road

0 minutes of yellow glare

0 minutes of green glare

Assumptions

"Green" glare is glare with low potential to cause an after-image (flash blindness) when observed prior to a typical blink response time.

"Yellow" glare is glare with potential to cause an after-image (flash blindness) when observed prior to a typical blink response time.

Times associated with glare are denoted in Standard time. For Daylight Savings, add one hour.

Glare analyses do not account for physical obstructions between reflectors and receptors. This includes buildings, tree cover and geographic obstructions.

Several calculations utilize the PV array centroid, rather than the actual glare spot location, due to V1 algorithm limitations. This may affect results for large PV footprints. Additional analyses of array sub-sections can provide additional information on expected glare.

The subtended source angle (glare spot size) is constrained by the PV array footprint size. Partitioning large arrays into smaller sections will reduce the maximum potential subtended angle, potentially impacting results if actual glare spots are larger than the sub-array size.

Additional analyses of the combined area of adjacent sub-arrays can provide more information on potential glare hazards. (See previous point on related limitations.)

Glare locations displayed on receptor plots are approximate. Actual glare-spot locations may differ.

Glare vector plots are simplified representations of analysis data. Actual glare emanations and results may differ.

The glare hazard determination relies on several approximations including observer eye characteristics, angle of view, and typical blink response time. Actual results and glare occurrence may differ.

Hazard zone boundaries shown in the Glare Hazard plot are an approximation and visual aid based on aggregated research data. Actual ocular impact outcomes encompass a continuous, not discrete, spectrum.

Refer to the Help page at www.forgesolar.com/help/ for assumptions and limitations not listed here.



Attachment VI - Deed

Woodland Ferry Road Solar
Decommissioning Plan

November 2022

Prepared For:
Sussex County, DE



1. Executive summary

The Woodland Ferry Road Solar Farm is proposed to be a 4 Megawatt (MW) solar energy conversion system located near the intersection of Bethel Road and Woodland Ferry Road in Laurel, DE. The facility will use solar photovoltaic technology and a single axis tracking racking system. The project will cover approximately 25 acres.

2. Project information

Solar Project Address:	Near the intersection of Bethel Road and Woodland Ferry Road in Laurel, DE
Parcel ID:	232-5.00-11.03
Solar Project Size:	up to 4 MWs AC (~25 acre facility)
Solar Project Type:	Community Solar
Land Agreement:	Solar Lease Agreement with Jade Run Farm

3. Decommissioning of the Solar Facility

At the time of decommissioning, the installed components will be removed, reused, disposed of, and recycled, where possible. The Facility Site will be restored to a state similar to its pre-construction condition. All removal of equipment will be done in accordance with any applicable regulations and manufacturer recommendations. All applicable permits will be acquired.

3.1 Equipment Dismantling and Removal

Generally, the decommissioning of a Solar Facility proceeds in the reverse order of the installation.

1. The Solar Facility shall be disconnected from the utility power grid.
2. PV modules shall be disconnected, collected, and disposed at an approved solar module recycler or reused / resold on the market. Although the PV modules will not be cutting edge technology at the time of decommissioning, they are estimated to still produce 80% of the original electricity output at year 25 and add value for many years.
3. All aboveground and underground electrical interconnection and distribution cables shall be removed and disposed off-site by an approved facility.
4. Galvanized steel PV module support and racking system support posts shall be removed and disposed off-site by an approved facility.
5. Electrical and electronic devices, including transformers and inverters shall be removed and disposed off-site by an approved facility.
6. Concrete foundations shall be removed and disposed off-site by an approved facility.
7. Fencing shall be removed and will be disposed off-site by an approved facility.

3.2 Environmental Effects

Decommissioning activities, particularly the removal of project components could result in environmental effects similar to those of the construction phase. Mitigation measures similar to those employed during the construction phase of the Solar Facility will be implemented. These will remain in place until the site is stabilized in order to mitigate erosion and silt/sediment runoff and any impacts on the significant natural features or water bodies located adjacent to the Facility Site.

Road traffic will temporarily increase due to the movement of decommissioning crews and equipment. There may be an increase in particulate matter (dust) in adjacent areas during the decommissioning phase. Decommissioning activities may lead to temporary elevated noise levels from heavy machinery and an increase in trips to the project location. Work will be undertaken during daylight hours and conform to any applicable restrictions.

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CPG will be responsible for the logistics of collecting and recycling the PV modules and to minimize the potential for modules to be discarded in the municipal waste stream.

3.5 Decommissioning During Construction or Abandonment Before Maturity

In case of abandonment of the Solar Facility during construction or before its 25-year maturity, the same decommissioning procedures as for decommissioning after ceasing operation will be undertaken and the same decommissioning and restoration program will be honored, in as far as construction proceeded before abandonment. The Solar Facility will be dismantled, materials removed and disposed, the soil that was removed will be graded and the site restored to a state similar to its pre-construction condition.

3.6 Decommissioning Notification

Decommissioning activities may require the notification of stakeholders given the nature of the works at the Facility Site. The local municipality in particular will be notified prior to commencement of any decommissioning activities. Six months prior to decommissioning, CPG will update their list of stakeholders and notify appropriate municipalities of decommissioning activities.

4. Management of Excess Materials and Waste

Material / Waste	Means of Managing Excess Materials and Waste
PV panels	If there is no possibility for reuse, the panels will either be returned to the manufacturer for appropriate disposal or will be transported to a recycling facility where the glass, metal and semiconductor materials will be separated and recycled.
Metal array mounting racks and steel supports	These materials will be disposed off-site at an approved facility.
Transformers and substation components	The small amount of oil from the transformers will be removed on-site to reduce the potential for spills and will be transported to an approved facility for disposal. The substation transformer and step-up transformers in the inverter units will be transported off-site to be sent back to the manufacturer, recycled, reused, or safely disposed off-site in accordance with current standards and best practices.
Inverters, fans, fixtures	The metal components of the inverters, fans and fixtures will be disposed of or recycled, where possible. Remaining components will be disposed of in accordance with the standards of the day.
Gravel (or other granular)	It is possible that the municipality may accept uncontaminated material without processing for use on local roads, however, for the purpose of this report it is assumed that the material will be removed from the project location by truck to a location where the aggregate can be processed for salvage. It will then be reused as fill for construction. It is not expected that any such material will be contaminated.
Geotextile fabric	It is assumed that during excavation of the aggregate, a large portion of the geotextile will be “picked up” and sorted out of the aggregate at the aggregate reprocessing site. Geotextile fabric that is remaining or large

	pieces that can be readily removed from the excavated aggregate will be disposed of off-site at an approved disposal facility.
Concrete inverter/transformer Foundations	Concrete foundations will be broken down and transported by certified and licensed contractors to a recycling or approved disposal facility.
Cables and wiring	The electrical line that connects the substation to the point of common coupling will be disconnected and disposed of at an approved facility. Support poles, if made of untreated wood, will be chipped for reuse. Associated electronic equipment (isolation switches, fuses, metering) will be transported off-site to be sent back to the manufacturer, recycled, reused, or safely disposed off-site in accordance with current standards and best practices.
Fencing	Fencing will be removed and recycled at a metal recycling facility.
Debris	Any remaining debris on the site will be separated into recyclables/residual wastes and will be transported from the site and managed as appropriate.

5. Costs of decommissioning

The costs below are the current estimated costs to decommission a 4 MWac Solar Facility, based on guidance from consulting engineering firms and estimates from the Delaware solar market. The salvage values of valuable recyclable materials (aluminum, steel, copper, etc) are not factored into the below costs. The scrap value will be determined on current market rates at the time of salvage.

Tasks	Estimated Cost (\$)
Remove Panels	\$4,920
Dismantle Racks	\$24,680
Remove and Load Electrical Equipment	\$3,680
Break up Concrete Pads	\$3,000
Remove Racks	\$15,600
Remove Cable	\$13,000

Remove Ground Screws and Power Poles	\$27,680
Remove Fence	\$9,840
Grading	\$8,000
Seed Disturbed Areas	\$520
Truck to Recycling Center	\$5,600
Total	\$91,600
Total w/ Escalation at Year 25	\$116,377.80

6. Financial Assurance

Options for financial assurance include trust fund, cash escrow, letter of credit, surety bond, or insurance. Apart from a force majeure event, it is extraordinarily unlikely that the cost to remove a solar facility would approach the salvage value of the equipment, thereby decreasing the risk of abandonment and thus per the best practices as outlined by the Weldon Cooper Center's *Decommissioning Utility-Scale Solar Facilities: Financial Best Practices for Virginia Localities* (2022), a phased financial assurance plan is proposed as follows:

1. Prior to construction, the facility owner will provide evidence of liability insurance for the Facility. Per the Weldon Cooper Center's *Decommissioning Utility-Scale Solar Facilities: Financial Best Practices for Virginia Localities* (2022) by Irene Cox, page 39 states that, "If the locality desires access to decommissioning security prior to the site's construction, sufficient assurance can be accessed by requiring the project owner to provide evidence of liability insurance for the facility. This avoids levying a cost-prohibitive financial assurance condition on the developer while simultaneously protecting the locality against abandonment in the solar project's early life." It is of CPG's opinion that this is a fair requirement applicable to projects in Delaware as well.
2. The facility owner will post the estimated decommissioning amount in twenty percent increments every five years, beginning on the fifth anniversary of the commercial operation date (Cox 39-40).
 - a. Five years after the commercial operation date, the owner will provide a financial surety in the amount of 20% of the escalated decommissioning cost estimate.
 - b. Ten years after the commercial operation date, the owner will provide an additional 20% increment to bring the total to 40%.
 - c. Fifteen years after the commercial operation date, the owner will provide an additional 20% to bring the total to 60% of the estimated decommissioning cost

less the facility's salvage value, subject to the exception that the security amount factoring salvage shall be no less than 40% of the estimated cost of decommissioning.

- d. Twenty years after the commercial operation date, the owner will provide an additional 20% to bring the total to 80% of the estimated decommissioning cost less the facility's salvage value, but the security amount factoring salvage shall be no less than 60% of the estimated cost of decommissioning.
- e. Twenty-five years after the initial security posting, the owner will provide the final 20% to equal 100% of the estimated decommissioning cost less the facility's salvage value, but the security amount factoring salvage shall be no less than 70% of the estimated cost of decommissioning.

These phased deposits provide the locality with the security of access to most of the decommissioning surety prior to the project's half-life without requiring the burdens of financial assurance early in the project.

References

Cox, Irene. "Decommissioning Utility-Scale Solar Facilities." *University of Virginia - Weldon Cooper Center for Public Service, Energy Transition Initiative Webpage*, Aug. 2022, energytransition.coopercenter.org/reports/decommissioning-utility-scale-solar-facilities.

JAMIE WHITEHOUSE, AICP
DIRECTOR OF PLANNING & ZONING
(302) 855-7878 T
(302) 854-5079 F
jamie.whitehouse@sussexcountyde.gov



Sussex County

DELAWARE
sussexcountyde.gov

PLEASE NOTE

This paperless packet is published on the County's website for convenience purposes, and only includes information received up to the close of business on the day before a public hearing. Documents received after this, or documents submitted during the public hearing are not uploaded to the Paperless Packet. The legal record is the paper record maintained in the Offices of the Planning & Zoning Department.



COUNTY ADMINISTRATIVE OFFICES
2 THE CIRCLE | PO BOX 417
GEORGETOWN, DELAWARE

PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN
KIM HOEY STEVENSON, VICE-CHAIRMAN
R. KELLER HOPKINS
J. BRUCE MEARS
HOLLY J. WINGATE



Sussex County

DELAWARE
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, MRTPI, AICP
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET

Planning Commission Public Hearing Date: November 17th, 2022

Application: CU 2325 David Blank Campground

Applicant: David & Sandra Blank
37509 Mahogany Street
Ocean View, DE 19970

Owner: David & Sandra Blank
37509 Mahogany Street
Ocean View, DE 19970

Site Location: Located on the north side of Jay Patch Road (S.C.R. 376A),
approximately 0.5-miles southeast of the intersection of Jay Patch Road
and Pepper Road (S.C.R. 376).

Current Zoning: Agricultural Residential (AR-1) Zoning District

Proposed Use: Year-round campground

Comprehensive Land
Use Plan Reference: Developing Area

Councilmanic
District: Mr. Hudson

School District: Indian River School District

Fire District: Selbyville Fire Co.

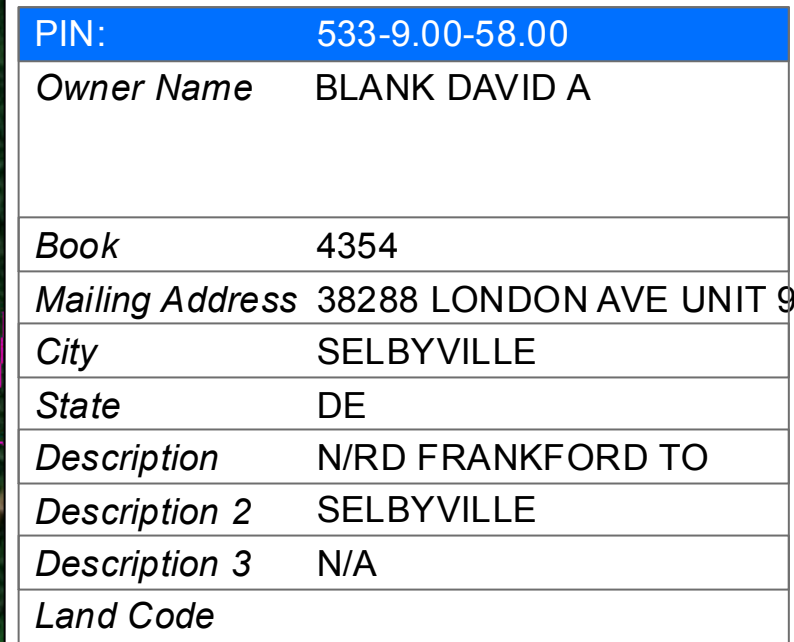
Sewer: On-site septic

Water: On-site Well

Site Area: 30.76

Tax Map ID.: 533-9.00-58.00

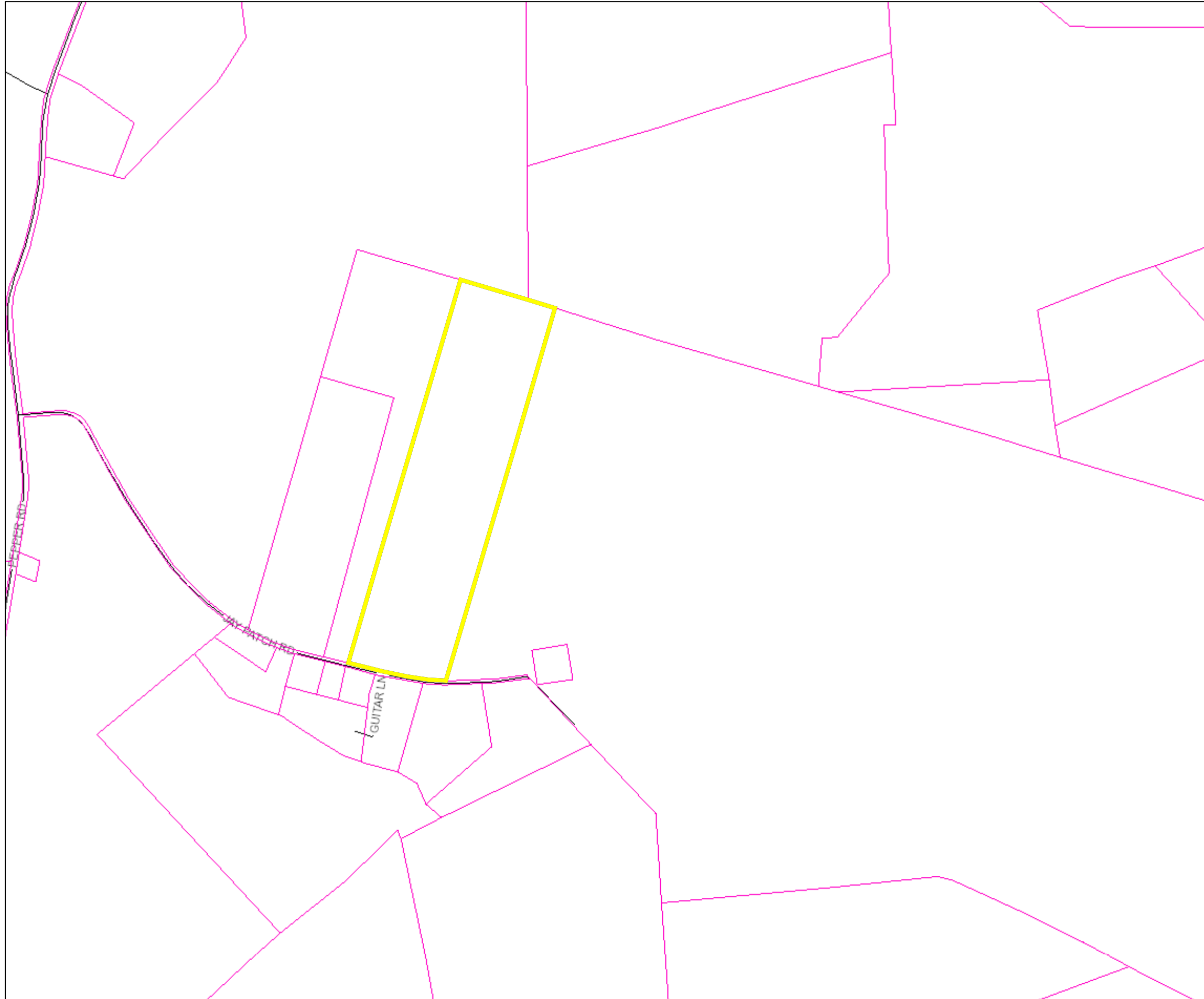




County Boundaries



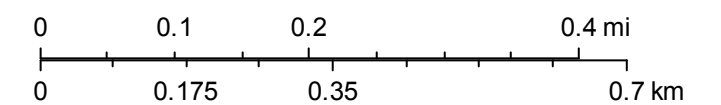
Sussex County



PIN:	533-9.00-58.00
Owner Name	BLANK DAVID A
Book	4354
Mailing Address	38288 LONDON AVE UNIT 9
City	SELBYVILLE
State	DE
Description	N/RD FRANKFORD TO
Description 2	SELBYVILLE
Description 3	N/A
Land Code	

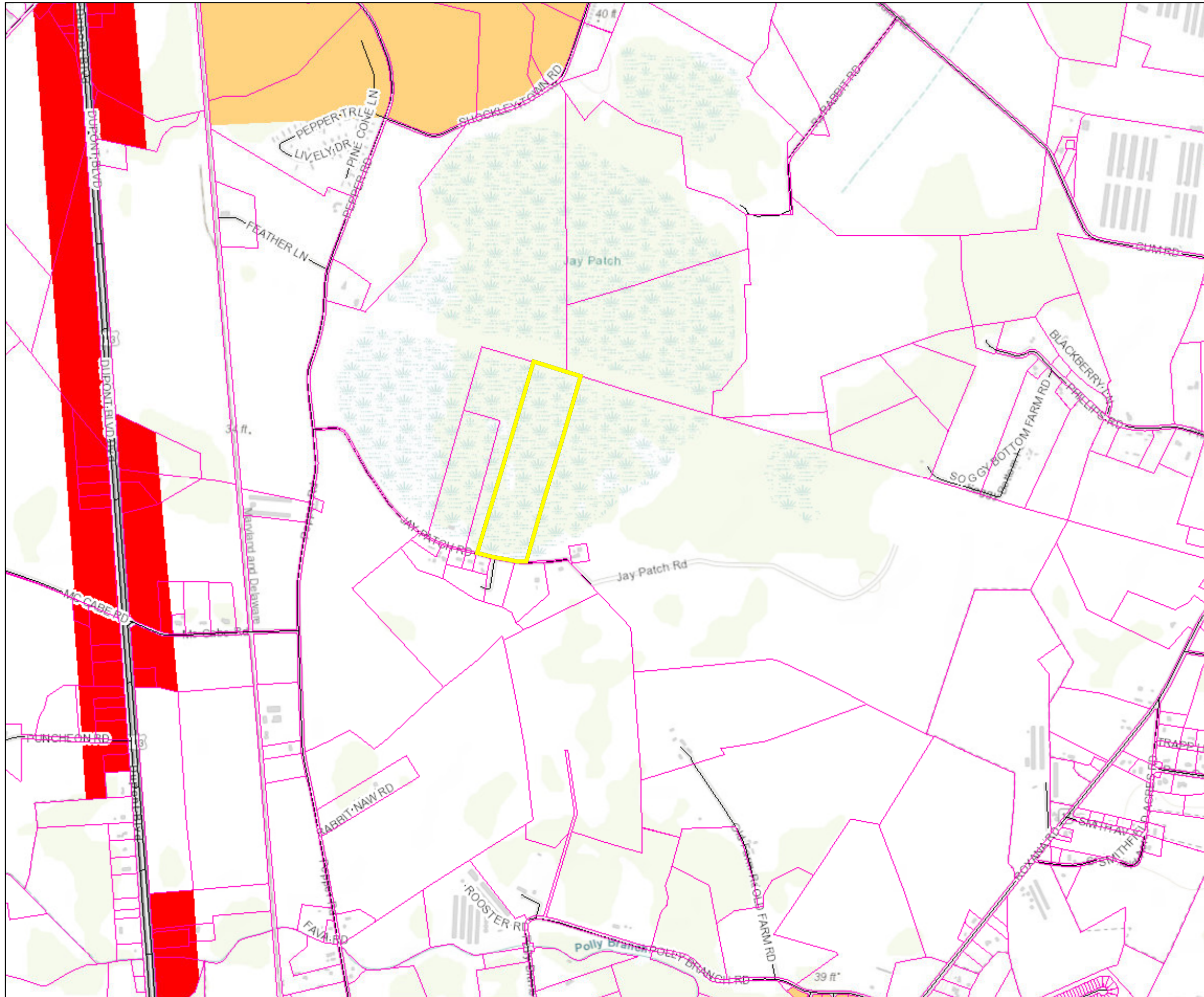
- polygonLayer**
Override 1
- polygonLayer**
Override 1
- Tax Parcels
 - Streets
 - County Boundaries

1:9,028





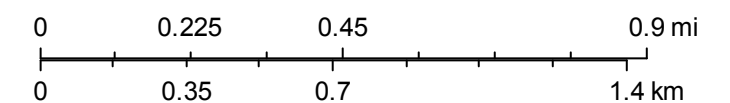
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Land Code	

polygonLayer
Override 1
polygonLayer
Override 1
Tax Parcels
Streets

1:18,056



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Sussex County

DELAWARE
sussexcountye.gov

Memorandum

To: Sussex County Planning and Zoning Commission Members
From: Mr. Elliott Young, Planner I
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant
Date: November 7, 2022
RE: Staff Analysis for CU 2325 David Blank

The purpose of this memo is to provide background and analysis for the Planning and Zoning Commission to consider as a part of Application CU 2325 for David Blank to be reviewed during the November 17th, 2022, Planning and Zoning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for Tax Parcel: 533-9.00-58.00, to allow for a campground, to be located off Jay Patch Road (S.C.R. 376A), Selbyville, Delaware. The property is lying on the north side of Jay Patch Road (S.C.R. 376A), approximately 0.50-miles southeast of the intersection of Jay Patch Road and Pepper Road (S.C.R. 376). The parcel consists of 30.77-acres +/-.

Comprehensive Plan Analysis

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use Map in the plan indicates that the parcel has a designation of "Developing Area." The adjoining parcels to the north, west, and east also have a Future Land Use Map designation of "Developing Area", one adjoining parcel to the northeast has the Future Land Use Map designation of "Coastal Area". The parcels to the south, across Jay Patch Road (S.C.R. 376A) also have a Future Land Use Map designation of "Developing Area".

As outlined within the 2018 Sussex County Comprehensive Plan, The Developing Areas are newer, emerging growth areas that demonstrate the characteristics of developmental trends. Most of the proposed Developing Areas are adjacent to municipalities, within or adjacent to potential future annexation areas of a municipality, or adjacent to Town Centers. – A range of housing types are appropriate in Developing Areas, including single family homes, townhouses, and multi-family units. In selected areas and at appropriate intersections, commercial uses should be allowed. A variety of office uses would be appropriate in many areas. Portions of the Developing Areas with good road access and few nearby homes should allow for business and industrial parks. Appropriate mixed-use development should also be allowed. In doing so, careful mixtures of homes with light commercial and institutional uses can be appropriate to provide for convenient services and to allow people to work close to home (Sussex County Comprehensive Plan, 4-14).



Zoning Information

The subject property is zoned Agricultural Residential (AR-1) District. All adjacent properties to the north, west, and east of the subject property are zoned Agricultural Residential (AR-1) District. The parcels to the south of the subject property, on the opposite side of Jay Patch Road (S.C.R. 376A), are also zoned Agricultural Residential (AR-1) District.

Existing Conditional Uses within the Vicinity of the Subject Property

Though there are several existing Conditional Uses in the area, since 2011, there has been zero (0) Conditional Use application within a one (1) mile radius of the application site.

Based on the analysis provided, the Conditional Use to allow for a campground, could be considered as being consistent with the surrounding land use, zoning, and uses, subject to considerations of scale and impact.

CU# 2325

File #: _____

202116778

Planning & Zoning Commission Application Sussex County, Delaware

Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph. 302-854-5079 fax

Type of Application: (please check applicable)

Conditional Use ☒

Zoning Map Amendment ☐

Site Address of Conditional Use/Zoning Map Amendment

Jay Patch Road, Selbyville, DE 19975 (533-9.00-58.00)

Type of Conditional Use Requested:

Campground For Mobile Campers, Tents, Camp Trailers,
Towing Vans and the Like

Tax Map #: 533-9.00-58.00

Size of Parcel(s): 30.76

Current Zoning: AR-1

Proposed Zoning: _____

Size of Building: _____

Land Use Classification: AG/RS

Water Provider: well

Sewer Provider: Raised septic

Applicant Information

Applicant Name: David A. Blank & Sandra W. Blank

Applicant Address: 37509 Mahogany Street

City: Ocean View

State: DE

Zip Code: 19970

Phone #: 443-852-0188

E-mail: DABLANK@ATT.NET

Owner Information

Owner Name: David A. Blank & Sandra W. Blank

Owner Address: 37509 MAHOGANY ST.

City: Ocean View

State: DE

Zip Code: 19970

Phone #: _____

E-mail: DABLANK@ATT.NET

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: _____

Agent/Attorney/Engineer Address: _____

City: _____

State: _____

Zip Code: _____

Phone #: _____

E-mail: _____

Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

- ☒ Completed Application
- ☒ Provide eight (8) copies of the Site Plan or Survey of the property
 - o Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
 - o Provide a PDF of Plans (may be e-mailed to a staff member)
 - o Deed or Legal description
- ☒ Provide Fee \$500.00
- ☐ Optional - Additional information for the Commission/Council to consider (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.
- ☒ Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.
- ☒ DeIDOT Service Level Evaluation Request Response
- ☐ PLUS Response Letter (if required)

The undersigned hereby certifies that the forms, exhibits, and statements contained in any papers or plans submitted as a part of this application are true and correct.

I also certify that I or an agent on my behalf shall attend all public hearing before the Planning and Zoning Commission and the Sussex County Council and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future needs, the health, safety, morals, convenience, order, prosperity, and general welfare of the inhabitants of Sussex County, Delaware.

Signature of Applicant/Agent/Attorney

Deird A. Blum

Date: 11/11/2021

Signature of Owner

Deird A. Blum

Date: 11/11/2021

For office use only:

Date Submitted: _____

Fee: \$500.00 Check #: _____

Staff accepting application: _____

Application & Case #: _____

Location of property: _____

Subdivision: _____

Date of PC Hearing: _____

Recommendation of PC Commission: _____

Date of CC Hearing: _____

Decision of CC: _____

Sussex County, DE
Treasury
P.O. Box 601
Georgetown, DE 19947
Welcome

33021018-0153 Lindsey S 11/16/2021 03:18PM

PERMITS / INSPECTIONS

CONDITIONAL USE - FEE

2021 Item: 202116778|Z010 500.00

500.00

Subtotal 500.00

Total 500.00

CHECK 500.00

Check Number 0328

Change due 0.00

Paid by: DAVID AND SANDRA BLANK

DAVID A. BLANK
SANDRA W. BLANK
11/16/21
Sussex County
Five hundred + 00/100
\$500.00
DAVID A. BLANK
SANDRA W. BLANK
202116778
Sandra W. Blank

Thank you for your payment

Sussex County, DE COPY
DUPLICATE RECEIPT

CU# 2325

File #: _____

202116778

Planning & Zoning Commission Application Sussex County, Delaware

Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph. 302-854-5079 fax

Type of Application: (please check applicable)

Conditional Use ☒

Zoning Map Amendment ☐

Site Address of Conditional Use/Zoning Map Amendment

Jay Patch Road, Selbyville, DE 19975 (533-9.00-58.00)

Type of Conditional Use Requested:

Campground for Mobile Campers, Tents, Camp Trailers,
Towing Vans and the Like

Tax Map #: 533-9.00-58.00 Size of Parcel(s): 30.76

Current Zoning: AR-1 Proposed Zoning: _____ Size of Building: _____

Land Use Classification: AG/RS

Water Provider: well Sewer Provider: Raised septic

Applicant Information

Applicant Name: David A. Blank & Sandra W. Blank

Applicant Address: 37509 Mahogany Street

City: Ocean View State: DE Zip Code: 19970

Phone #: 443-852-0188 E-mail: DABLANK@ATT.NET

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Owner Name: David A. Blank & Sandra W. Blank

Owner Address: 37509 MAHOGANY ST.

City: Ocean View State: DE Zip Code: 19970

Phone #: _____ E-mail: DABLANK@ATT.NET

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: _____

Agent/Attorney/Engineer Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ E-mail: _____

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Signature of Applicant/Agent/Attorney

Deird A. Blum

Date: 11/11/2021

Signature of Owner

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Date: 11/11/2021

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Date of CC Hearing: _____

Decision of CC: _____

Sussex County, DE
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P.O. Box 601
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Welcome

33021018-0153 Lindsey S 11/16/2021 03:18PM

PERMITS / INSPECTIONS

CONDITIONAL USE - FEE

2021 Item: 202116778|Z010 500.00

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Subtotal 500.00

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Check Number 0328

Change due 0.00

Paid by: DAVID AND SANDRA BLANK

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202116778 Sandra W. Blank

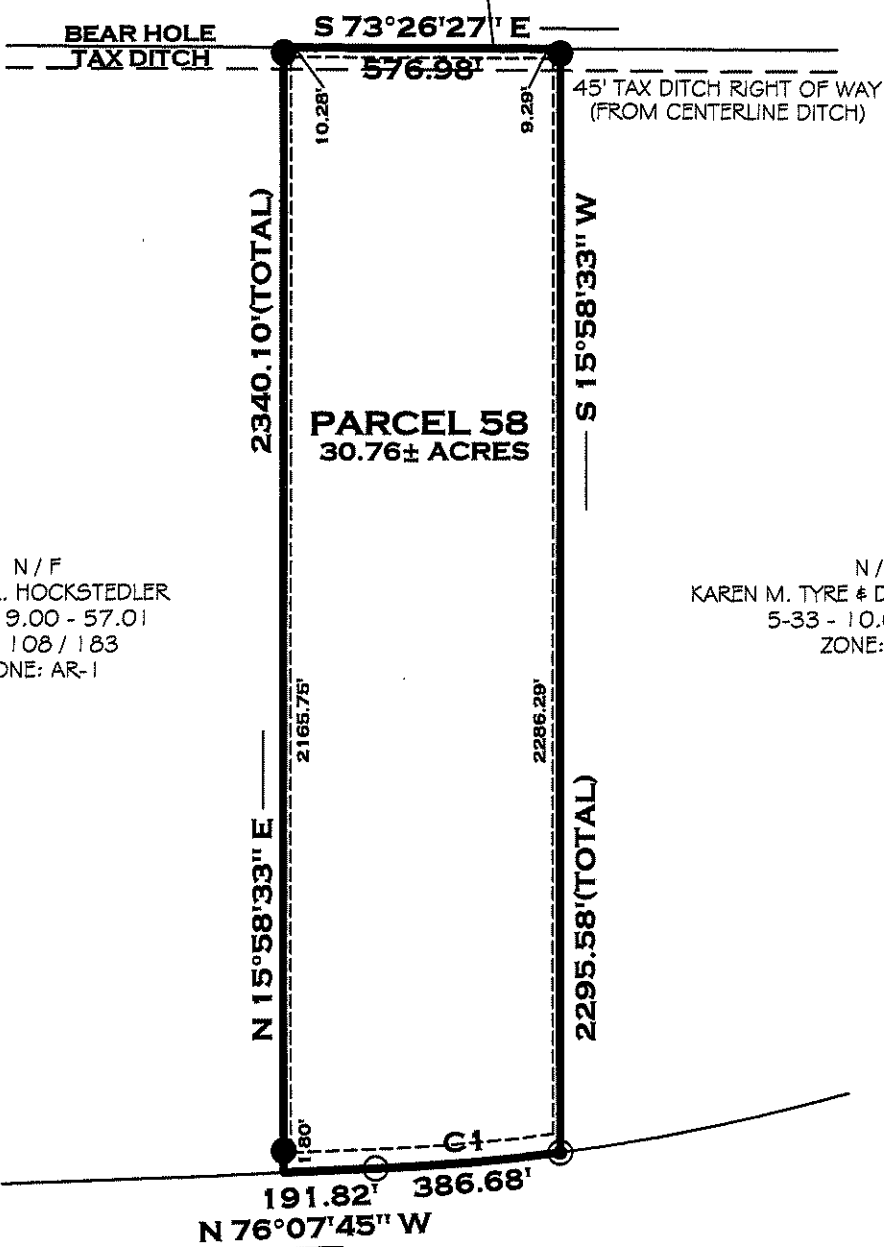
Thank you for your payment

Sussex County, DE COPY
DUPLICATE RECEIPT



N / F
PEPPER FAMILY LLC.
5-33 - 9.00 - 45.01
D.B. 2541 / 1193
ZONE: AR-1

N / F
MCCABE ENTERPRISES INC.
5-33 - 10.00 - 2.00
ZONE: AR-1



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	4285.00'	386.62'	386.55'	N 78°42'52" W

BOUNDARY SURVEY

SCALE: 1" = 400'

NOTES

- SITE NOTES:**
1. CLASSIFICATION OF SURVEY: SUBURBAN
 2. ZONE: AR-1
 3. BUILDING SETBACK LINES (BSL)
FRONT 40'
SIDE 15'
REAR 20'
 - ALL SETBACKS ARE THE RESPONSIBILITY OF THE HOME OWNER AND/OR GENERAL CONTRACTOR. SETBACKS SHOWN AS PER SUSSEX COUNTY & MAY DIFFER FROM THE HOME OWNERS ASSOCIATION (HOA) SETBACKS. ANY USER OF SAID INFORMATION IS URGED TO DIRECTLY CONTACT THE LOCAL AGENCY AND HOA, IF APPLICABLE, TO VERIFY IN WRITING ALL SETBACKS & REQUIREMENTS.
 4. NO TITLE REPORT WAS PROVIDED FOR OUR USE, THEREFORE THIS BOUNDARY SURVEY IS SUBJECT TO ANY ENCUMBRANCES, RESTRICTIONS, EASEMENTS, AND/OR RIGHTS OF WAY THAT MIGHT BE REVEALED BY A THOROUGH TITLE SEARCH.
 5. THE PURPOSE OF THIS SURVEY IS TO CREATE TWO CAMPS SITES ON THE LANDS OF DAVID A. & SANDRA W. BLANK.
 6. PER SUSSEX COUNTY, THE PERCENTAGE OF WETLANDS OF THE PROPERTY IS 86% NO WETLANDS DELINEATION WAS PERFORMED.
 7. SITE IS ZONED X, PER FEMA ISSUED FLOOD MAP 10005C0630J DATED 01/06/2005.
 8. TOTAL OPEN SPACE ON THE SITE IS 1.8 ACRES MORE OR LESS.
 9. TAX MAP: 5-33-9.00-58.00
 10. DEED REF: 4354 / 1

LAND SURVEYOR CERTIFICATION

I, BRADLEY A. ABBSHER, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION, AND IN MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD SURVEYING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

Bradley A. Abbsher
BRADLEY A. ABBSHER
PROFESSIONAL LAND SURVEYOR # 735

11/10/21
DATE

LEGEND

- IRON PIPE FOUND
- ⊙ IRON ROD & CAP TO BE SET
- UNMARKED POINT
- ☼ PROPOSED LIGHT POLE
- EX. PROPERTY LINE AND/OR R.O.W. LINE
- - - EX. CENTERLINE OF ROAD
- - - 50' INGRESS/EGRESS EASEMENT
- - - 50' LANDSCAPE BUFFER
- x34.6 EXISTING SPOT ELEVATION



LANDS N / F
RACHEL L. HOCKSTEDLER
5-33 - 9.00 - 57.01
P.D. 108 / 1183
ZONE: AR-1

WOODED AREA = 29.0 ACRES +/-

NOTE:
WELL AND SEPTIC SYSTEM LOCATION, TYPE,
AND SIZE ARE APPROXIMATE AND SHOWN
FOR REFERENCE PURPOSES ONLY.

LANDS N / F
KAREN M. TYRE & DIANNE M. MEGEE
5-33 - 10.00 - 9.00
ZONE: AR-1

LANDSCAPE NOTE:
-EXISTING TREES TO REMAIN IN THE 50' BUFFER
-ALONG EASTERN PROPERTY LINE, LARGE PINE TREES
TO BE PLANTED

JAY PATCH ROAD 30' RIGHT OF WAY

SITE PLAN

SCALE: 1" = 50'

L=386.68'
R=4285.00'
C=386.55'
B=N 78°42'52" W

TAX MAP #	5-33-9.00-58.00
STATE	DELAWARE
COUNTY	SUSSEX
HUNDRED	BALTIMORE
TOWN	- - -
SUBDIVISION	- - -
LOT	- - -
DEED REF.	4354 / 1
PLAT REF.	- - -
DRAWN BY	MCS
DATE	11/09/2021
REVISED	- - -
SCALE	AS SHOWN
SURVEY #	DE - 01954

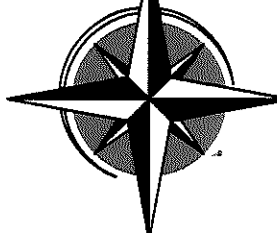
SITE / LANDSAPING PLAN

BLANK'S JAY PATCH ROAD CAMPGROUND

FOR
DAVID A. & SANDRA W. BLANK

JAY PATCH ROAD, SELBYVILLE, DE. 19975

TRUE NORTH



LAND SURVEYING

118 ATLANTIC AVENUE, SUITE 202
OCEAN VIEW, DE 19970
DE 302-539-2488
MO: 410-430-5095
WEB: TRUENORTHLS.COM

October 31, 2022

Planning & Zoning Office

PO Box 417

Georgetown, DE 19947

REF: C/U 2325 David & Sandra Blank

RECEIVED

NOV 03 2022

SUSSEX COUNTY
PLANNING & ZONING

Ladies and Gentlemen:

I am writing to strongly oppose a conditional use of in an AR-1 Agricultural Residential District for a campground applied for by David & Sandra Blank. The property in question lies on the northeast side of Jay Patch Road.

My objection is based on the following:

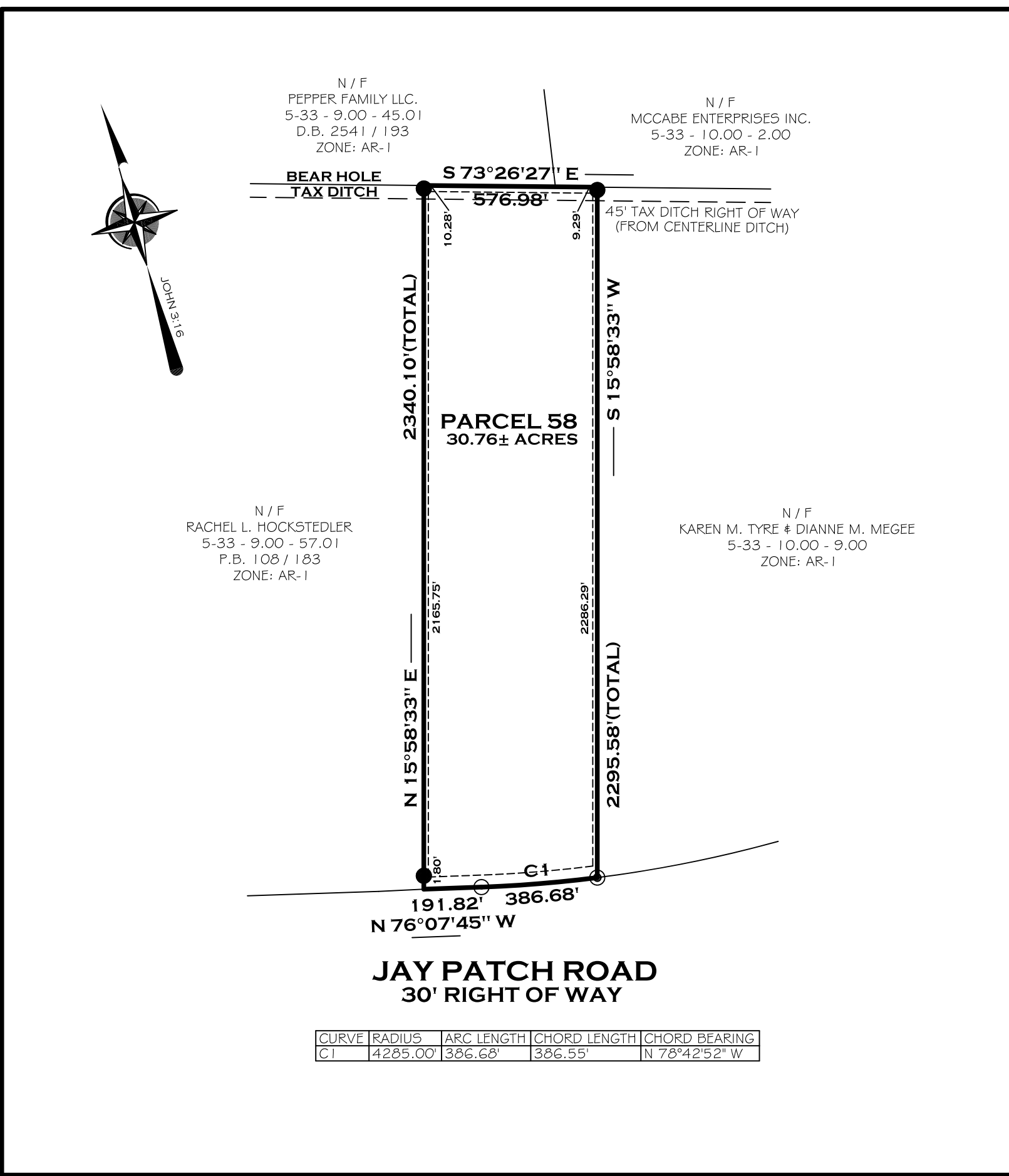
- 1) My family has owned property here on Jay Patch Road for generations and my mother and I have lived at 30340 Jay Patch Road for over 40 years. She is now in her late eighties and spends most days alone while I'm at work. Until the subject of this campground came up, she has been content to be there alone. The idea of have a changing group of strangers directly across the roadway from our front door has her upset and scared. This is unacceptable to make her feel this way at her advanced age.
- 2) Jay Patch Road is a narrow. While this might allow for normal sized vehicles to safely pass larger vehicles pulling camping trailers or wide travel homes would inhibit normal passage and possibly create unsafe conditions. This might require one vehicle to have to pull over either into a field or on some other persons property to allow the other vehicle to pass.
- 3) Jay Patch Road is a dead-end road, all vehicles must enter from Pepper Road. As mentioned above this road is narrow which would not allow driven or pulled travel homes to turn around if they go beyond the Blank's drive, thus either requiring the driver to attempt to make a turn at the end of Jay Patch Road or back up.
- 4) This property is in an AR -1 district and allowing a commercial business is not desirable. This type of business would have people arriving at different times thus upsetting the normal peace and quiet we have experienced and desire to maintain. While plans show camping sites that doesn't limit what could be allowed in the open area behind the two sites.

For the reasons stated above I encourage you to deny the conditional use requested by David & Sandra Blank.

With regards,



Hugh David Stephens



BOUNDARY SURVEY

SCALE: 1" = 400'

NOTES

- CLASSIFICATION OF SURVEY: SUBURBAN
- ZONE: AR-1
- BUILDING SETBACK LINES (BSL)
 - FRONT 40'
 - SIDE 15'
 - REAR 20'
- ALL SETBACKS ARE THE RESPONSIBILITY OF THE HOME OWNER AND/OR GENERAL CONTRACTOR. SETBACKS SHOWN AS PER SUSSEX COUNTY & MAY DIFFER FROM THE HOME OWNERS ASSOCIATION (HOA) SETBACKS. ANY USER OF SAID INFORMATION IS URGED TO DIRECTLY CONTACT THE LOCAL AGENCY AND HOA, IF APPLICABLE, TO VERIFY IN WRITING ALL SETBACKS & REQUIREMENTS.
- NO TITLE REPORT WAS PROVIDED FOR OUR USE. THEREFORE THIS BOUNDARY SURVEY IS SUBJECT TO ANY ENCUMBRANCES, RESTRICTIONS, EASEMENTS, AND/OR RIGHTS OF WAY THAT MIGHT BE REVEALED BY A THOROUGH TITLE SEARCH.
- THE PURPOSE OF THIS SURVEY IS TO CREATE TWO CAMPS SITES ON THE LANDS OF DAVID A. & SANDRA W. BLANK.
- PER SUSSEX COUNTY: THE PERCENTAGE OF WETLANDS OF THE PROPERTY IS 86%. NO WETLANDS DELINEATION WAS PERFORMED.
- SITE IS ZONED X. PER FEMA ISSUED FLOOD MAP 16085C0630 DATED 01/06/2005.
- TOTAL OPEN SPACE ON THE SITE IS 1.8 ACRES MORE OR LESS.
- TAX MAP: 5-33-9.00-58.00
- DEED REF: 4354 / 1
- SITE ADDRESS - JAY PATCH ROAD, SELBYVILLE, DE 19975
- OWNERS / APPLICANT - DAVID & SANDRA BLANK 38288 LONDON AVENUE, SELBYVILLE, DE 19975
- INTENDED USE - CONDITIONAL USE CAMPGROUND AND FAMILY RESIDENCE AS THE CAMPGROUND MANAGER'S RESIDENCE AND OFFICE.
- PRIVATE WATER AND SEPTIC.
- MAXIMUM HEIGHT OF BUILDING 22 FEET.
- PROPOSED BUILDING - MANUFACTURED HOME
- PROPOSED BUILDING - NOT PROTECTED BY AUTOMATIC SPRINKLERS.
- ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS.

EXISTING CONDITION NOTES:

- ELEVATIONS ARE BASED ON...
- THIS SITE IS ZONED AR-1
- PER MEASURED/GS DATA OBTAINED FROM THE DELAWARE DEPARTMENT OF TRANSPORTATION THERE ARE NO WETLANDS ON SITE.
- STORMWATER WILL BE HANDLED BY THE NATURAL DRAINAGE LOCATED ON SITE.

DEMOLITION NOTES:

- EXCEPT FOR SMALL SCRUB TREES LOCATED IN AREA OF PROPOSED RAISED SEPTIC MOUND, THERE WILL BE NO OTHER WASTE MATERIALS OR REMOVAL OF WASTE MATERIALS.
- EXCEPT FOR THE AREA SELECTED FOR PROPOSED RAISED SEPTIC SYSTEM, THERE WILL BE NO OTHER SITE CLEARING.
- SITE CLEARING IN AREA OF PROPOSED RAISED SEPTIC SYSTEM WILL INCLUDE, BUT IS NOT LIMITED TO:
 - 1.1. PROTECTING EXISTING SMALL TREES.
 - 1.2. CLEAR AND GRUB ALL SMALL TREES IN AREA OF PROPOSED RAISED SEPTIC MOUND.
 - 1.3. TOPSOIL STRIPPING AND TEMPORARY STOCKPILING ON SITE FOR REAPPLICATION AS COVERING FOR RAISED SEPTIC SYSTEM
 - 1.4. DISPOSE OF ALL SMALL TREES CLEARED FROM THE AREA OF PROPOSED RAISED SEPTIC SYSTEM.
- ALL CLEARED SMALL TREES SHALL BE REMOVED FROM THE SITE FOR SAFE, LEGAL, OFF-SITE DISPOSAL.

SEQUENCE OF CONSTRUCTION:

- FIVE (5) DAYS PRIOR TO ANY TREE CLEARING, TOPSOIL CLEARING, SEPTIC MOUND MATERIAL ADDITION, CAMPGROUND ENTRANCE ENLARGEMENT, OR PREPARATION FOR FOUNDATIONS FOR THE INTEGRATED CAMPGROUND CAMPGROUND MANAGER'S RESIDENCE & TOILET/WASHROOM, THE SUSSEX CONSERVATION DISTRICT WILL BE NOTIFIED IN WRITING TO SCHEDULE A PRE-CONSTRUCTION MEETING.
- TREE CLEARING, TOPSOIL CLEARING, BASED MOUND CONSTRUCTION AND PLUMBING WORK FOR THE SEPTIC SYSTEM WILL BE DONE FIRST.
- CAMPGROUND ENTRANCE ENLARGEMENT WORK TO SATISFY THE COMBINATION OF SUSSEX COUNTY CONDITIONAL USE REQUIREMENTS AND FIRE MARSHAL REQUIREMENTS WILL BE CONDUCTED SECOND.
- ELECTRICAL WIRING WILL BE RUN UNDERGROUND TO CAMP SITES #1 AND #2 (NOTE THAT THESE ARE LEVEL GRASS COVERED OPEN FIELDED SITES AND ARE THIS ALREADY IN PLACE).
- THE FOUNDATIONS FOR THE INTEGRATED CAMPGROUND CAMPGROUND MANAGER'S RESIDENCE/OFFICE & TOILET/WASHROOM WILL BE PREPARED FOR THE PLACEMENT OF PRE-MANUFACTURED STRUCTURES.
- PRE-MANUFACTURED STRUCTURES FOR CAMPGROUND MANAGER'S RESIDENCE/OFFICE & TOILET/WASHROOM WILL BE PLACED ON PREPARED FOUNDATIONS.
- THE CAMPGROUND MANAGER'S RESIDENCE/OFFICE & TOILET/WASHROOM WILL BE CONNECTED TO THE RAISED SEPTIC SYSTEM PLUMBING.
- ELECTRICAL WIRING WILL BE RUN UNDERGROUND TO THE CAMPGROUND MANAGER'S RESIDENCE/OFFICE & TOILET/WASHROOM AND HOOKED UP.

LAND SURVEYOR CERTIFICATION

I, BRADLEY A. ABSHER, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION, AND IN MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD SURVEYING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

BRADLEY A. ABSHER
PROFESSIONAL LAND SURVEYOR # 735

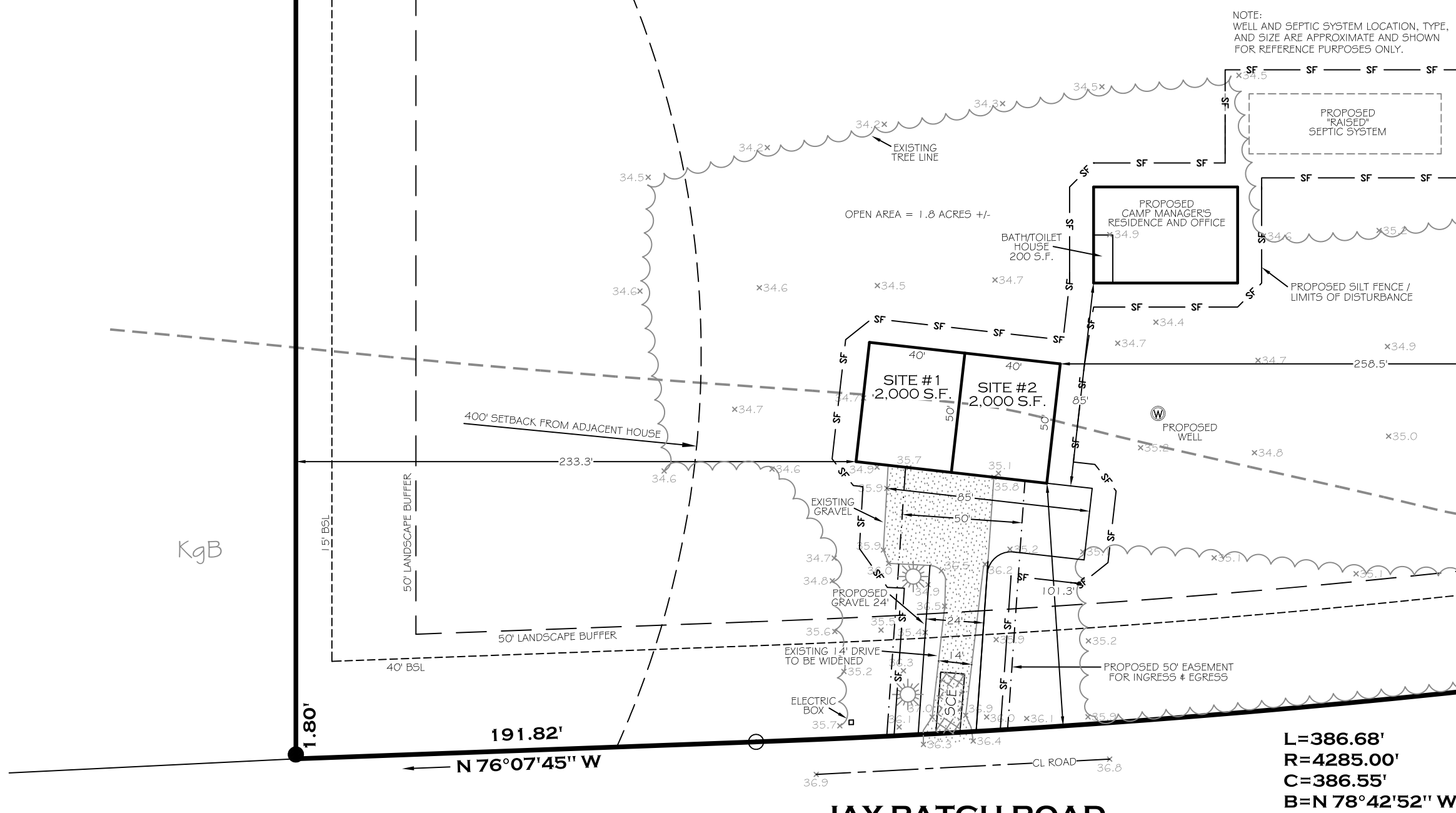
7/11/11
DATE

LEGEND

- IRON PIPE FOUND
- IRON ROD & CAP TO BE SET
- UNMARKED POINT
- PROPOSED LIGHT POLE
- EX. PROPERTY LINE AND/OR R.O.W. LINE
- EX. CENTERLINE OF ROAD
- 50' INGRESS/EGRESS EASEMENT
- 50' LANDSCAPE BUFFER
- EXISTING SPOT ELEVATION



LANDS N/F
RACHEL L. HOCKSTEDLER
5-33 - 9.00 - 57.01
P.B. 108 / 163
ZONE: AR-1



SYMBOL	SITE SOILS
KgB	Kie-Galloway complex, 0 to 5% slopes
BhA	Berryland mucky loamy sand, 0 to 2% slopes
MuA	Mullica-Berryland complex 0 to 2% slopes

JAY PATCH ROAD 30' RIGHT OF WAY

SITE PLAN SCALE: 1" = 50'

LIMIT OF DISTURBANCE		AREA S.F.
ITEM		
RAISED SEPTIC SYSTEM		4,453
ENTRANCE AND FIRELANE EXPANSION		7,462
CAMPGROUND MANAGER'S RESIDENCE / OFFICE & TOILET / WASHROOM		10,767

EXISTING AREA BREAKDOWN		
ITEM	S.F.	ACRES
BUILDING	0	0
GRASS	1,337,335	30.70
GRAVEL ENTRANCE	2,743	0.063
TOTAL AREA	1,340,078	30.76

PROPOSED AREA BREAKDOWN		
ITEM	S.F.	ACRES
BUILDING	2,000	0.046
GRASS	1,334,687	30.64
GRAVEL ENTRANCE	3,391	0.078
TOTAL AREA	1,340,078	30.76

TAX MAP #	5-33-9.00-58.00
STATE	DELAWARE
COUNTY	SUSSEX
HUNDRED	BALTIMORE
TOWN	- - -
SUBDIVISION	- - -
LOT	- - -
DEED REF.	4354 / 1
PLAT REF.	- - -
DRAWN BY	MCS
DATE	12 / 06 / 2021
SHEET	1 OF 1
SCALE	AS SHOWN
SURVEY #	DE - 01954

SITE / EROSION AND SEDIMENT CONTROL PLAN

BLANK'S JAY PATCH ROAD CAMPGROUND

FOR
DAVID A. & SANDRA W. BLANK

JAY PATCH ROAD, SELBYVILLE, DE. 19975



STANDARD AND SPECIFICATIONS FOR ESC FOR MINOR DEVELOPMENT

Definition: Guidelines for controlling erosion and sediment during the development of relatively small sites.



Purpose: To prevent soil from eroding from a site and damaging adjacent properties or degrading nearby watercourses.

Conditions Where Practice Applies: This standard was primarily developed for sites that qualify for the issuance of a Standard Plan and which therefore lack detailed Erosion & Sediment Control Plans. However, the guidelines may also be applicable for controlling individual lots within larger sites having such plans.

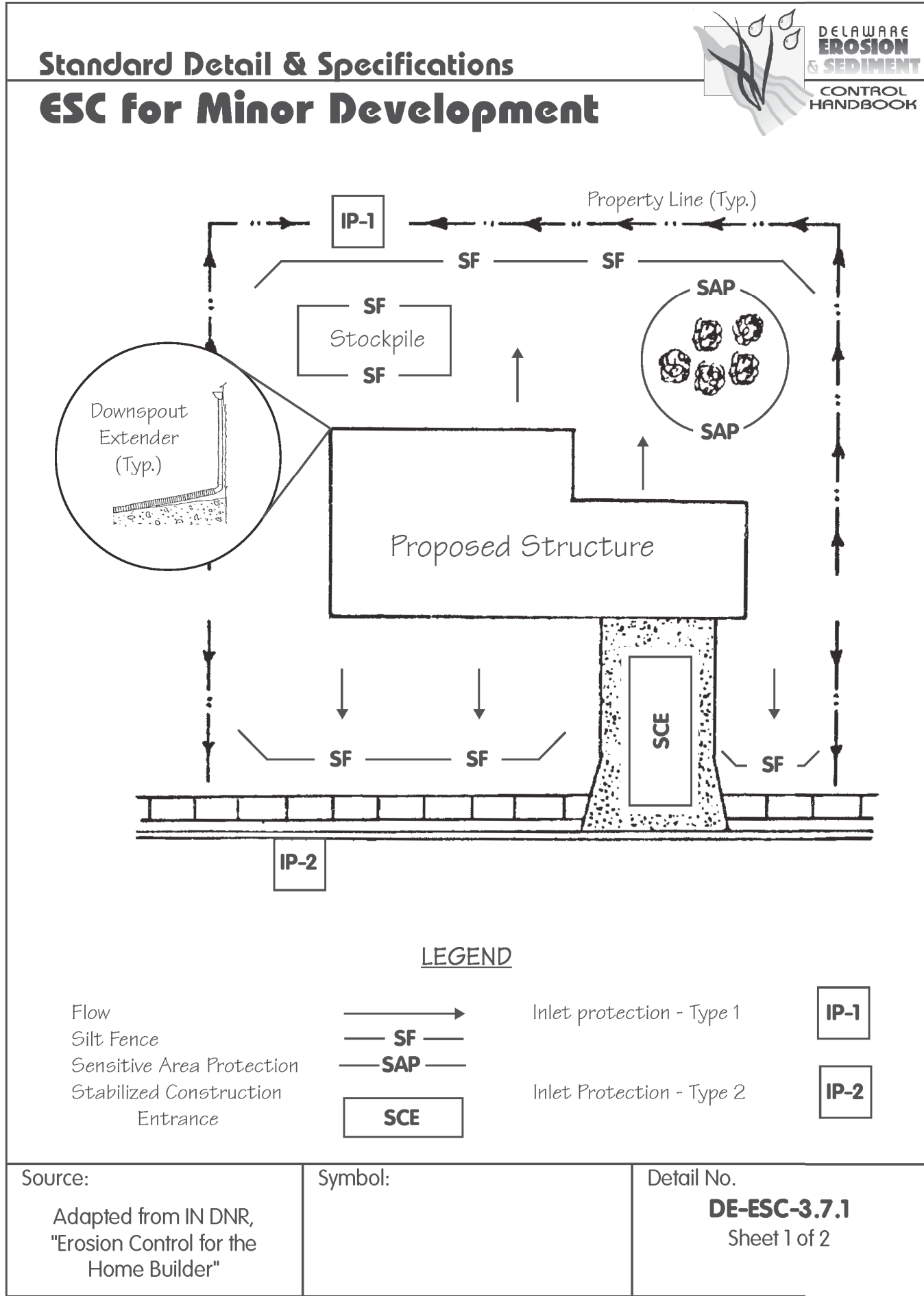
Planning Considerations:

Erosion control is important on any building site regardless of its size. Usually, the principles and methods for controlling erosion and reducing off-site sedimentation are relatively simple and inexpensive. The following are four basics to be followed when developing a building site.

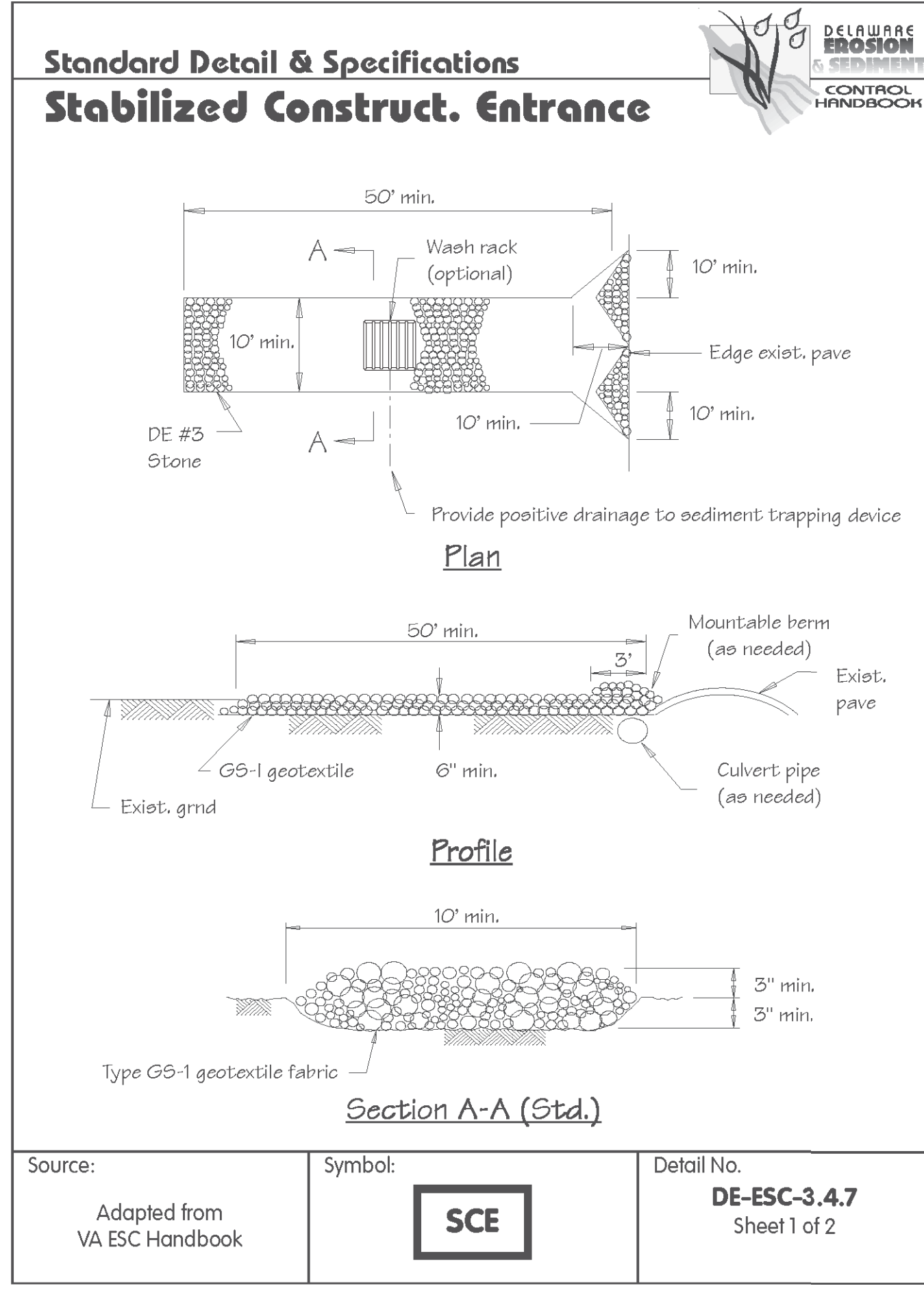
- Evaluate the site.** Inventory and evaluate the resources on the lot before building. Location of structures should be based, in large part, on the lot's natural features. Identify trees that you want to save and vegetation that will remain during construction. Also identify areas where you want to limit construction traffic. Wherever possible, preserve existing vegetation to help control erosion and off-site sedimentation.
- Select and install erosion/sediment control practices.** Determine the specific ones needed, and install them before clearing the site. Among the more commonly used practices are vegetative stabilization, silt fence, stabilized construction entrances, and runoff inlet protection.
- Develop a practice maintenance program.** Maintenance of all practices is essential for them to function properly. They should be inspected twice a week and after each rainfall event. When a problem is identified, repair the practice immediately. Also, any sediment that is tracked onto the street must be scraped and deposited in a stable area. Do not flush sediment from the street with water.
- Revegetate the site.** Do so as soon as possible. A well-maintained lot has a higher sale potential.

3.7.1 - 1

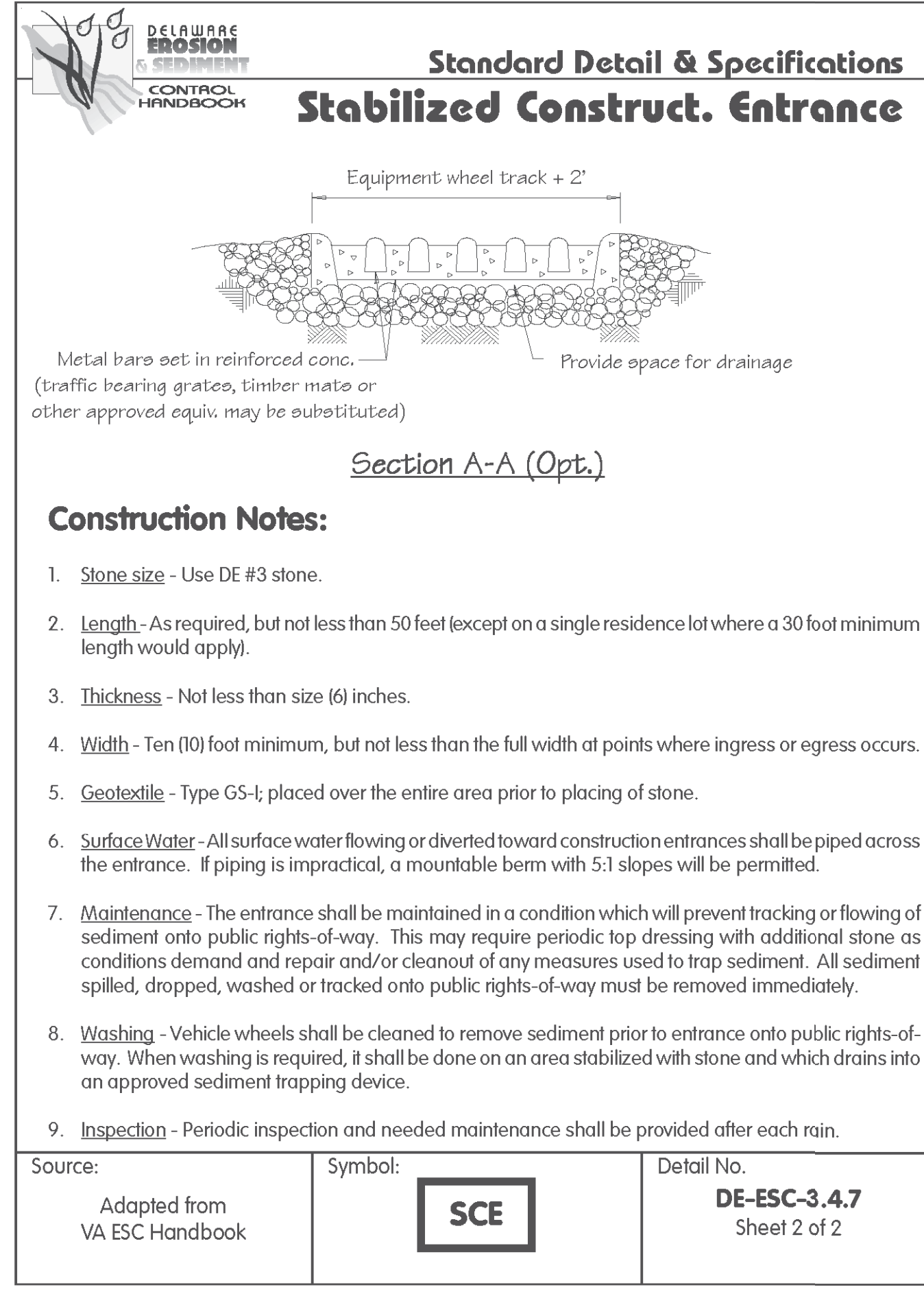
Effective February 2019



Effective February 2019



Effective February 2019



Effective February 2019

Guidelines for Building Lot Drainage

The best time to provide for adequate lot drainage is before construction begins. With proper planning, most drainage problems can be avoided. Correcting a problem after it occurs is usually much more difficult and costly. The following are some guidelines to ensure good lot surface and subsurface drainage.

1. Surface drainage

- Position the structure a minimum of 18 inches above street level.
- Divert storm water runoff away from the structure by grading the lawn in accordance with local building code requirements.
- Construct side and rear yard swales to take surface water away from the structure.
- Avoid filling in existing drainage channels and roadside ditches, since that could result in wetness problems on someone else's property and/or damage to adjacent road surfaces.

2. Subsurface drainage

- Provide an outlet for foundation or footer drains and for general lot drainage by using storm sewers (where allowed), or obtain drainage easements if you must cross adjoining properties.
- If an existing field drainage tile is accidentally cut, assume that it carries water even if currently dry; therefore, reroute it (using the equivalent pipe size) around the structure or septic field, then reconnect it.

Construction Sequence for Building Site Erosion Control Practices

It is important to note that the following construction sequence is meant to be for illustrative purposes only and may not be applicable for all building lots. An individual plan should be developed for specific site conditions which preclude the use of this standard.

1. Evaluate the site.

Before construction, evaluate the entire site, marking for protection any important trees and associated rooting zones, unique areas to be preserved, on-site septic system absorption fields, and vegetation suitable for filter strips, especially in perimeter areas.

a. Identify vegetation to be saved

Select and identify the trees, shrubs, and other vegetation that you want to save (see "Vegetative Filter Strips" under Step 2).

b. Protect trees and sensitive areas

To prevent root damage, do not grade, burn, place soil piles, or park vehicles near trees or in areas marked for preservation. Place plastic mesh or snow fence barriers around the trees' drip line to protect the area below their branches. Place a physical barrier, such as plastic fencing, around the area designated for a septic system absorption field (if applicable).

3.7.1 - 2

Effective February 2019

2. Install perimeter erosion and sediment controls.

Identify the areas where sediment-laden runoff could leave the construction site, and install perimeter controls to minimize the potential for off-site sedimentation. It's important that perimeter controls are in place before any other earth-moving activities begin.

- Protect down-slope areas with vegetative filter strips. On slopes of less than 6 percent, preserve a 20 to 30 foot wide vegetative buffer strip around the perimeter of the property, and use it as a filter strip for trapping sediment. Do not mow filter strip vegetation shorter than 4 inches.
- Protect down-slope areas with silt fence. Use silt fencing along the perimeter of the lot's downslope side(s) to trap sediment.
- Restrict all lot access to a stabilized entrance to prevent vehicles from tracking mud onto roadways.
- Protect storm drain inlets. Install inlet protection on nearby storm drain inlets.

3. Prepare the site for construction.

Prepare the site for construction and for installation of utilities. Make sure all contractors (especially the excavating contractor) are aware of areas to be protected.

4. Salvage and stockpile the topsoil/subsoil

Remove topsoil (typically the upper 4 to 6 inches of soil material) and stockpile. Remove subsoil and stockpile separately from the topsoil. Locate the stockpiles away from any downslope street, driveway, stream, lake, wetland, ditch, or drainage way. Immediately after stockpiling, temporary-seed the stockpiles with annual rye and/or place silt fence around the perimeter of the piles.

5. Build the structure(s) and install the utilities.

Construct the home and install the utilities; also install the sewage disposal system and drill the water well (if applicable); then consider the following.

6. Install downspout extenders

Downspout extenders are highly recommended as a means of preventing lot erosion from roof runoff. Add the extenders as soon as the gutters and downspouts are installed. Be sure the extenders have a stable outlet, such as the street, sidewalk, or a well vegetated area.

7. Maintain the control practices.

- Maintain all erosion and sediment control practices until construction is completed and the lot is stabilized.
- Inspect the control practices a minimum of twice a week and after each storm event, making any needed repairs immediately. Toward the end of each work day, sweep or scrape up any soil tracked onto roadways. Do not flush areas with water. By the end of the next work day after a storm event, clean up any soil washed off-site.

3.7.1 - 3

Effective February 2019

TAX MAP # 5-33-9 00-58 00	SITE DETAILS		<div><div>TRUE NORTH</div><div>LAND SURVEYING</div><div>35380 ATLANTIC AVENUE MILLSVILLE, DE 19967 DE 302-639-2488 WEB: TRUE-NORTH-ILS.COM</div></div>
STATE DELAWARE			
COUNTY SUSSEX	BLANK'S JAY PATCH ROAD CAMPGROUND		
HUNDRED BALTIMORE			
TOWN - - -	FOR DAVID A. & SANDRA W. BLANK		
SUBDIVISION - - -			
LOT - - -	JAY PATCH ROAD, SELBYVILLE, DE. 19975		
DEED REF. 4354 / 1			
PLAT REF. - - -			
DRAWN BY MCS			
DATE 12 / 06 / 2022			
SHEET 2 OF 3			
SCALE AS SHOWN			
SURVEY # DE - 01954			



8. **Revegetate the building site.**

Immediately after all outside construction activities are completed, stabilize the lot with sod or seed and straw mulch.

- a. *Redistribute the stockpiled subsoil and topsoil.*

Spread the stockpiled subsoil to rough grade. Spread the stockpiled topsoil to a depth of 4 to 6 inches over roughgraded areas. Fertilize and lime according to soil test results or recommendations of a seed supplier or a professional landscaping contractor.

- b. *Seed or sod bare areas.*

Contact local seed suppliers or professional landscaping contractors for recommended seeding mixtures and rates. Follow recommendations of a professional landscaping contractor for installation of sod. Water newly seeded/sodded areas every day or two to keep the soil moist. Less watering is needed once grass is 2 inches tall.

- c. *Mulch newly seeded areas.*

Spread straw mulch on newly seeded areas, using 1 to 2 bales of straw per 1,000 square feet. On flat or gently sloping land, anchor the mulch by crimping it 2 to 4 inches into the soil or use a tackifier (adhesive binder). On steep slopes, anchor the mulch with netting or tackifiers. An alternative to anchored mulch would be the use of erosion control blankets.

9. **Remove remaining temporary control measures.**

Once the sod and/or vegetation is well established, remove any remaining temporary erosion and sediment control practices, such as:

- a. *Downspout extenders.* (Or shorten to outlet onto the vegetated areas, allowing for maximum infiltration).
- b. *Storm drain inlet protection measures.*
- c. *Silt fence.*

Reference:

Indiana Dept. of Natural Resources, Division of Soil Conservation, "Erosion Control for the Home Builder" (1/96)

3.7.1 - 4

Effective February 2019



Standard Detail & Specifications
Vegetative Stabilization

PERMANENT SEEDING AND SEEDING DATES												
Seeding Mixtures		Seeding Rate ¹	Optimum Seeding Dates ²							Remarks		
Mix No.	Certified Seed ³		O = Optimum Planting Period A = Acceptable Planting Period									
			Coastal Plain							Piedmont	All ⁴	
Well Drained Soils		lb/ac	lb/1000 sq ft	2/1-4/20	5/1-8/14	8/15-10/31	3/1-4/20	5/1-7/31	8/1-10/31	H031-2/1		
1	Tall Fescue	140	3.0								Add 100 lbs./ac Winter Rye	Good erosion control mix Tolerant of low fertility soils Lowgrasses very difficult to mow; Germinates only in hot weather
	Weeping Lovegrass	10	0.23	A	O	A	A	O	A			
2	Deerpoke Fescue	30	0.69								Add 100 lbs./ac Winter Rye	Good erosion control mix Tolerant of low fertility soils Good wildlife cover and food
	Common Lespedeza ⁵ inoculated	15	0.35									
3	Tall Fescue (Turf-Type) or Strong Creeping Red Fescue or Perennial Ryegrass	50	1.15	O	A	O	O	A	O	Add 100 lbs./ac Winter Rye		Good erosion control mix Tall Fescue for droughty conditions. Creeping Red Fescue for heavy shade. Flatpea to suppress woody vegetation.
	plus Flatpea ⁶	15	0.34									
4	Strong Creeping Red Fescue Kentucky Bluegrass Perennial Ryegrass or Redtop	100	2.3	O	A	O	O	A	O	Add 100 lbs./ac Winter Rye		Suitable waterway mix. Canada Bluegrass more drought tolerant. Use Redtop for increased drought tolerance.
	plus White Clover ⁷	70	1.61									
5	Switchgrass ⁸ or Coastal Panicgrass Big Bluestem Little Bluestem Indian Grass	10	0.23		O				O			Native warm-season mixture. Tolerant of low fertility soils. Drought tolerant. Poor shade tolerance. N fertilizer discouraged - weeds
		5	0.11									
6	Tall Fescue (turf-type) (Blend of 3 cultivars)	150	3.5	O	A	O	O	A	O			Managed filter strip for nutrient uptake.
7	Tall Fescue Ry. Bluegrass (Blend) Perennial Ryegrass	160	3.6	O	A	O	O	A	O			Three cultivars of Kentucky Bluegrass. Traffic tolerant.
8	Big Bluestem ⁹ Indian Grass ¹⁰ Little Bluestem ¹¹ Creeping Red Fescue plus one of: Partridge Pea Bush Clover Wild Indigo Showy Tick-Trefoil	10	0.23	O	A			O	A			All species are native. Indian Grass and Bluestem have fluffy seeds. Plant with a specialized native seed drill. Creeping Red Fescue will provide erosion protection while the warm season grasses get established.
		9	0.18									
		30	0.69									
		5	0.11									
		3	0.07									
		2	0.05									

NOTE: Alternative seed mixes may be used with prior approval from the Department or Delegated Agency.

Source:	Symbol:	Detail No.
Delaware ESC Handbook		DE-ESC-3.4.3 Sheet 2 of 4

Effective February 2019

Standard Detail & Specifications
Vegetative Stabilization



PERMANENT SEEDING AND SEEDING DATES (cont.)												
Seeding Mixtures		Seeding Rate ¹		Optimum Seeding Dates ²							Remarks	
				O = Optimum Planting Period A = Acceptable Planting Period								
Mix No.	Certified Seed ³			Coastal Plain			Piedmont		Alt ⁴			
	Poorly Drained Soils	lb/ac	lb/1000 sq ft	2/1-4/20	5/1-8/14	8/15-10/31	3/1-4/20	5/1-7/31	8/1-10/31	10/31-2/1		
8	Redtop Creeping Bentgrass Sheep Fescue Rough Bluegrass	75 35 30 45	1.72 0.8 0.69 1	O A O A	O A O A	O A O A	O A O A	O A O A		Add 100 lbs./ac. Winter Rye	Quick stabilization of disturbed sites and waterways	
10	Reed Canarygrass ⁵	10	0.23	A			O	A	O		Good erosion control, wildlife cover and wetland revegetation.	
Residential Lawns												
11	Tall Fescue Perennial Ryegrass Kentucky Bluegrass Blend	100 25 30	2.3 0.57 0.69								High value, high maintenance, light traffic, irrigation necessary. Well drained soils, full sun.	
12	Tall Fescue Perennial Ryegrass Sheep Fescue	100 25 25	2.3 0.57 0.67								Moderate value, low maintenance, traffic tolerant.	
13	Creeping Red Fescue Chewings Fescue Rough Bluegrass Kentucky Bluegrass	50 50 20 40	1.15 1.15 0.4 0.4	O A O A	O A O A	O A O A	O A O A	O A O A			Shade tolerant, moderate traffic tolerance, moderate maintenance.	
14	Creeping Red Fescue Rough Bluegrass or Chewings Fescue	50 80	1.15 2.1	O A							Shade tolerant, moisture tolerant.	
15	K-31 Tall Fescue	150	3.5	O	A	O	O	A	O		Monoculture, but performs well alone in lawns. Discouraged.	

1. When hydroseeding is the chosen method of application, the total rate of seed should be increased by 25%.
2. Winter seeding requires 3 tons per acre of straw mulch. Planting dates listed above are average for Delaware. These dates may require adjustment to reflect local conditions.
3. All seed shall meet the minimum purity and minimum germination percentages recommended by the Delaware Department of Agriculture. The maximum % of weed seeds shall be in accordance with Section 1, Chapter 24, Title 3 of the Delaware Code.
4. Cool season species may be planted throughout summer if soil moisture is adequate or seeded area can be irrigated.
5. All leguminous seed must be inoculated.
6. Warm season grass mix and Reed Canary Grass cannot be mowed more than 4 times per year.
7. Warm season grasses require a soil temperature of at least 50 degrees in order to germinate, and will remain dormant until then.

NOTE: Alternative seed mixes may be used with prior approval from the Department or Delegated Agency.

Source:	Symbol:	Detail No.
Delaware ESC Handbook		DE-ESC-3.4.3 Sheet 3 of 4

Effective February 2019



Standard Detail & Specifications
Vegetative Stabilization

Construction Notes:

1. Site Preparation
- a. Prior to seeding, install needed erosion and sediment control practices such as diversions, grade stabilization structures, berms, dikes, grassed waterways, and sediment basins.
- b. Final grading and shaping is not necessary for temporary seedings.

2. Seedbed Preparation

It is important to prepare a good seedbed to insure the success of establishing vegetation. The seedbed should be well prepared, loose, uniform, and free of large clods, rocks, and other objectionable material. The soil surface should not be compacted or crusted.

3. Soil Amendments
- a. Lime - Apply liming materials based on the recommendations of a **soil test** in accordance with the approved nutrient management plan. If a nutrient management plan is not required, apply dolomitic limestone at the rate of 1 to 2 tons per acre. Apply limestone uniformly and incorporate into the top 4 to 6 inches of soil.
- b. Fertilizer - Apply fertilizer based on the recommendations of a **soil test** in accordance with the approved nutrient management plan. If a nutrient management plan is not required, apply a formulation of 10-10-10 at the rate of 600 pounds per acre. Apply fertilizer uniformly and incorporate into the top 4 to 6 inches of soils.

4. Seeding

- a. For **temporary stabilization**, select a mixture from **Sheet 1**. For a **permanent stabilization**, select a mixture from **Sheet 2** or **Sheet 3** depending on the conditions. Alternative seed mixes may be used with prior approval from the Department or Delegated Agency.
- b. Apply seed uniformly with a broadcast seeder, drill, cultipacker seeder or hydroseeder. All seed will be applied at the recommended rate and planting depth.
- c. Seed that has been broadcast should be covered by raking or dragging and then **lightly** tamped into place using a roller or cultipacker. If hydroseeding is used and the seed and fertilizer is mixed, they will be mixed on site and the seeding shall be done immediately and without interruption.

5. Mulching

All mulching shall be done in accordance with detail **DE-ESC-3.4.5**.

Source:	Symbol:	Detail No.
Delaware ESC Handbook		DE-ESC-3.4.3 Sheet 4 of 4

Effective February 2019



Standard Detail & Specifications
ESC for Minor Development

Construction Notes:

1. Evaluate the Site.
- a. Identify Vegetation To Be Saved
- b. Protect Trees and Sensitive Areas
2. Install Perimeter Erosion And Sediment Controls.
- a. Protect down-slope areas with vegetative filter strips.
- b. Protect down-slope areas with silt fence.
- c. Restrict all lot access to stabilized construction entrance to prevent vehicles from tracking mud onto roadways.
- d. Install inlet protection on nearby storm drain inlets.
3. Prepare the Site for Construction.
4. Salvage and Stockpile the Topsoil/Subsoil
5. Build the Structure(s) and Install the Utilities.
6. Install Downspout Extenders
7. Maintain the Control Practices.
- a. Maintain all erosion and sediment control practices until construction is completed and the lot is stabilized.
- b. Inspect the control practices a minimum of twice a week and after each storm event, making any needed repairs immediately.
8. Revegetate the Building Site.
- a. Redistribute the stockpiled subsoil and topsoil.
- b. Seed or sod bare areas.
- c. Mulch newly seeded areas.
9. Remove Remaining Temporary Control Measures.

Source:	Symbol:	Detail No.
Adapted from IN DNR, "Erosion Control for the Home Builder"		DE-ESC-3.7.1 Sheet 2 of 2

Effective February 2019

TAX MAP #	5-33-9-00-58-00	<h1>SITE DETAILS</h1>	
STATE	DELAWARE		
COUNTY	SUSSEX		
HUNDRED	BALTIMORE		
TOWN	- - -	<h2>BLANK'S JAY PATCH ROAD CAMPGROUND</h2>	
SUBDIVISION	- - -		
LOT	- - -		
DEED REF.	4354 / 1		
PLAT REF.	- - -	<h3>FOR DAVID A. & SANDRA W. BLANK</h3>	
DRAWN BY	MCS		
DATE	12 / 06 / 2022		
SHEET	3 OF 3		
SCALE	AS SHOWN	<h3>JAY PATCH ROAD, SELBYVILLE, DE. 19975</h3>	
SURVEY #	DE - 01954		



TRUE NORTH

LAND SURVEYING

35380 ATLANTIC AVENUE
MILLVILLE, DE 19967
DE 302-539-2498
WEB: TRUEORTH.S.COM



Sussex Conservation District
23181 Shortly Road
Georgetown, DE 19947
302-856-2105

<https://www.sussexconservation.org>

APPLICATION FOR STANDARD PLAN APPROVAL
**NON-RESIDENTIAL CONSTRUCTION WITH
LESS THAN 1.0 ACRE DISTURBED**

Applicability Criteria

1. The disturbed area for construction of the improvements will not exceed 1.0 acre.
2. Within the disturbed area, the pre-development land use is not classified as forest.
3. For project site locations within an area previously managed for stormwater quantity and quality under an approved Sediment and Stormwater Plan, the post construction condition meets the original stormwater design criteria.
4. For project site locations within an area previously unmanaged for stormwater quantity and quality under an approved Sediment and Stormwater Plan, one of the following is met:
 - a. Comparison of the existing parcel curved number (CN) based upon the Department's 2017 aerial photography to the proposed CN for the parcel after non-residential construction results in less than one whole number change in the CN, OR
 - b. No new impervious area is proposed as a result of construction.

Site Information

Project Name: Blank's Jay Patch Road Campground
Site Location: Jay Patch Rd, Selbyville, DE 19975
Previous Plan Name: N/A
Previous Plan Approval Number: N/A
Tax Parcel ID: 5-33-9.00-58.00

Parcel Total Acres (nearest 0.1ac): 30.76 acres
Disturbed Acres (nearest 0.1ac): 22,682 sq. ft
Proposed Impervious Area (square feet): 18,229 sq. ft
Wooded area to be cleared: _____
Pre CN: — Post CN: —

Applicant Information

Owner: David Blank
Mailing Address: 38288 London Ave Unit 9
Selbyville, DE 19975
Owner Phone: 443-852-0188
Owner Email: DABLANK@ATT.NET

Applicant: DAVID BLANK
Mailing Address: 38288 London Ave Unit 9
Selbyville, DE 19975
Applicant Phone: 443-852-0188
Applicant Email: DABLANK@ATT.NET

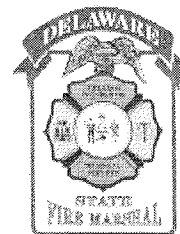
Approval Information (for office use only)

Approval # 2022-1265 Fee Paid: \$ 575.00
Approved by: [Signature] Approval Date: 12/21/22
Title: Program Manager Expiration Date: 12/21/2027



OFFICE OF THE STATE FIRE MARSHAL
Technical Services

22705 Park Avenue
Georgetown, DE 19947



SFMO PERMIT – SHALL BE POSTED ON JOBSITE UNTIL FINAL INSPECTION

Plan Review Number: 2022-04-212635-MJS-01

Tax Parcel Number: 533-9.00-58.00

Status: Approved as Submitted

Date: 01/05/2023

Project

Blank's Jay Patch Road Campground

Jay Patch Road

Blank's Jay Patch Rd Campground

Selbyville DE 19975

Scope of Project

Number of Stories:

Square Footage:

Construction Class:

Fire District: 88 - Selbyville Volunteer Fire Co

Occupant Load Inside:

Occupancy Code:

Applicant

David Blank
38288 London Ave Unit 9
Selbyville, DE 19975


This office has reviewed the plans and specifications of the above described project for compliance with the Delaware State Fire Prevention Regulations, in effect as of the date of this review.

A Review Status of "Approved as Submitted" or "Not Approved as Submitted" must comply with the provisions of the attached Plan Review Comments.

Any Conditional Approval does not relieve the Applicant, Owner, Engineer, Contractor, nor their representatives from their responsibility to comply with the plan review comments and the applicable provisions of the Delaware State Fire Prevention Regulations in the construction, installation and/or completion of the project as reviewed by this Agency.

A final inspection is required.

This Plan Review Project was prepared by:


John Colpo

Fire Protection Specialist

FIRE PROTECTION PLAN REVIEW COMMENTS

Plan Review Number: 2022-04-212635-MJS-01

Tax Parcel Number: 533-9.00-58.00

Status: Approved as Submitted

Date: 01/05/2023

PROJECT COMMENTS

- 1002 A** This project has been reviewed under the provisions of the Delaware State Fire Prevention Regulations (DSFPR) ADOPTED September 1, 2021. The Delaware State Fire Prevention Regulations are available on our website at www.statefiremarshal.delaware.gov. These plans were not reviewed for compliance with the Americans with Disabilities Act (ADA). These plans were not reviewed for compliance with any Local, Municipal, nor County Building Codes.
- 1010 A** The following water for fire protection requirements apply: NONE. On-Site Wells Proposed. this site meets Water Flow Table 1. therefore the provisions of NFPA 1142 shall apply to this site (DSFPR Regulation 702, Chapter 6, Section 3). Since wells are proposed for this site, no additional requirements will be made by this Agency for water for fire protection.
- 1180 A** This report reflects site review only. It is the responsibility of the applicant and owner to forward copies of this review to any other agency as required by those agencies.
- 1501 A** If there are any questions about the above referenced comments please feel free to contact the Fire Protection Specialist who reviewed this project. Please have the plan review number available when calling about a specific project. When changes or revisions to the plans occur, plans are required to be submitted, reviewed, and approved.

JAMIE WHITEHOUSE, AICP
DIRECTOR OF PLANNING & ZONING
(302) 855-7878 T
(302) 854-5079 F
jamie.whitehouse@sussexcountyde.gov



Sussex County

DELAWARE
sussexcountyde.gov

PLEASE NOTE

This paperless packet is published on the County's website for convenience purposes, and only includes information received up to the close of business on the day before a public hearing. Documents received after this, or documents submitted during the public hearing are not uploaded to the Paperless Packet. The legal record is the paper record maintained in the Offices of the Planning & Zoning Department.



COUNTY ADMINISTRATIVE OFFICES
2 THE CIRCLE | PO BOX 417
GEORGETOWN, DELAWARE

PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN
KIM HOEY STEVENSON, VICE-CHAIRMAN
R. KELLER HOPKINS
J. BRUCE MEARS
HOLLY J. WINGATE



Sussex County

DELAWARE
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, MRTPI, AICP
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET

Planning Commission Public Hearing Date: November 17th, 2022

Application: CU 2327 Howard L. Ritter & Sons, Inc.

Applicant: Howard L. Ritter & Sons, Inc.
330 Market Street
Lewes, DE 19958

Owner: Howard L. Ritter & Sons, Inc.
330 Market Street
Lewes, DE 19958

Site Location: Located on the southwest side of Plantations Road (Rt. 1D),
approximately 0.18 mile southeast of Robinsonville Road (S.C.R. 277)

Current Zoning: Agricultural Residential (AR-1) Zoning District

Proposed Use: Expansion of the non-conforming borrow pit to include outdoor
processing and recycling (grinding, crushing, storage and sale) of
tree/yard waste and concrete as well as sales and storage of stone,
mulch, soil, and related outdoor products

Comprehensive Land
Use Plan Reference: Coastal Area

Councilmanic
District: Mr. Hudson

School District: Cape Henlopen School District

Fire District: Lewes Fire Co.

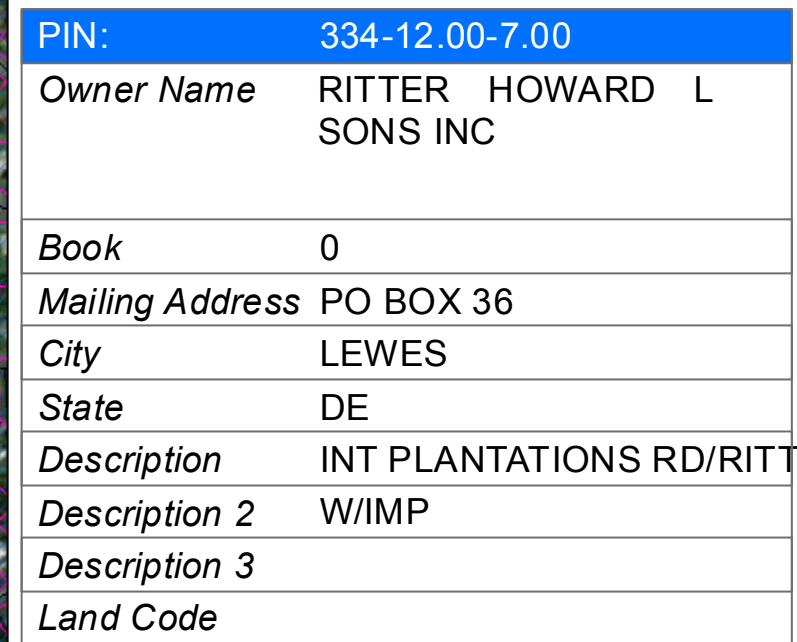
Sewer: On-site septic

Water: On-site Well

Site Area: 50.90

Tax Map ID.: 334-12.00-7.00

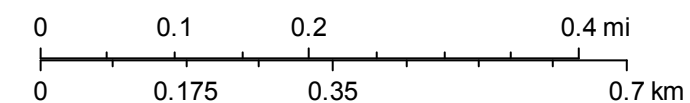




- Legend**

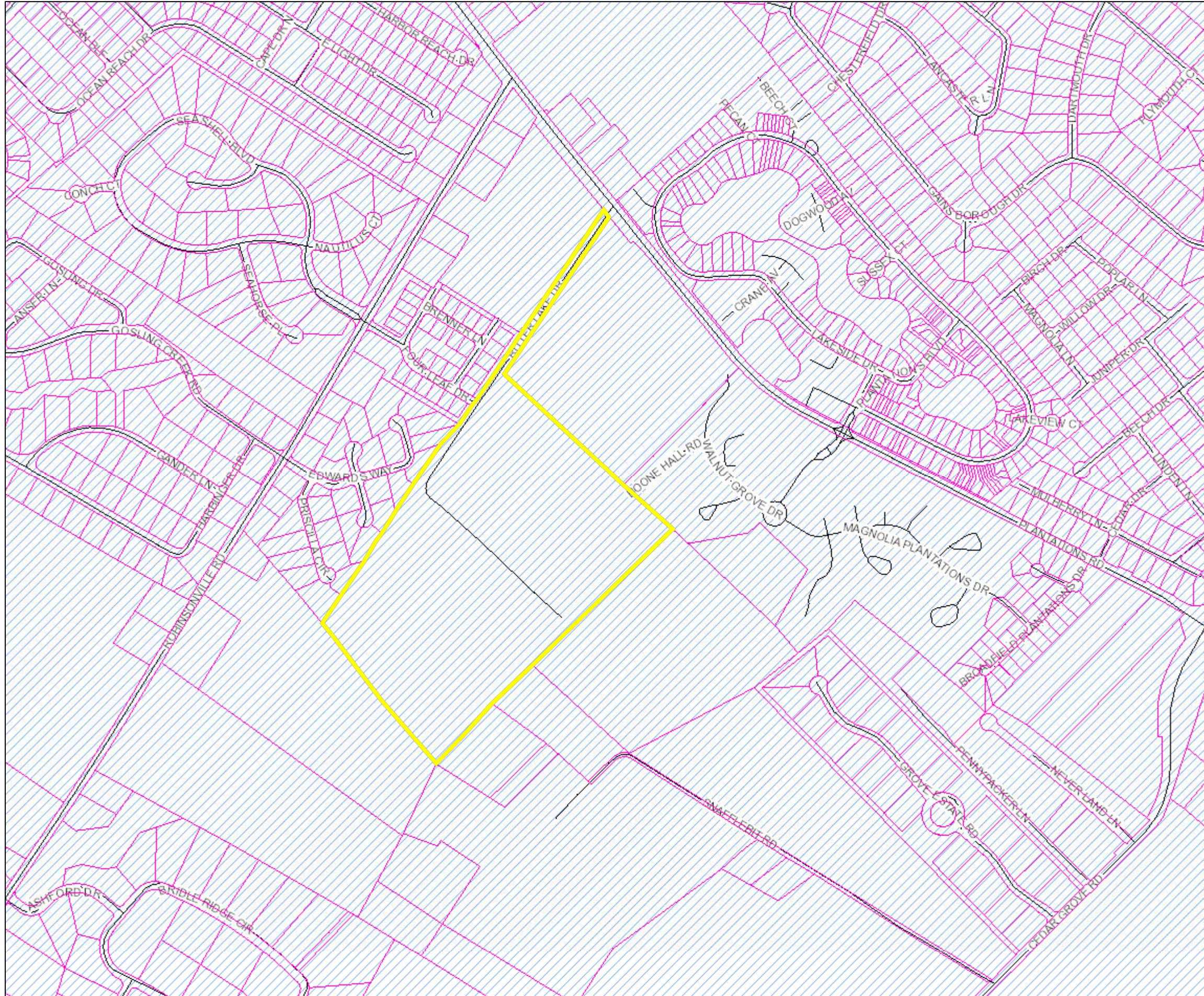
 - HOA Maintained** (Green dashed line)
 - Pipe - DeIDOT** (Grey solid line)
 - Pipe - Tax Ditch** (Blue solid line)
 - Pipe - Private** (Yellow solid line)
 - Pond Feature** (Green dashed line)
 - Special Access ROW** (Black line with cross-ticks)
 - Extent of Right-of-Way** (Yellow dashed line)
 - Municipal Boundaries** (Red solid line)
 - TID** (Blue dashed line)
 - polygonLayer** (Black solid line)
 - Override 1** (Black solid line)
 - Tax Parcels** (Pink dashed line)
 - Streets** (Black solid line)
 - County Boundaries** (Yellow dashed line)
 - Tax Ditch Segments** (Blue solid line)
 - DeIDOT Maintained** (Red solid line)

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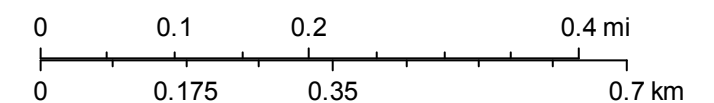
Sussex County

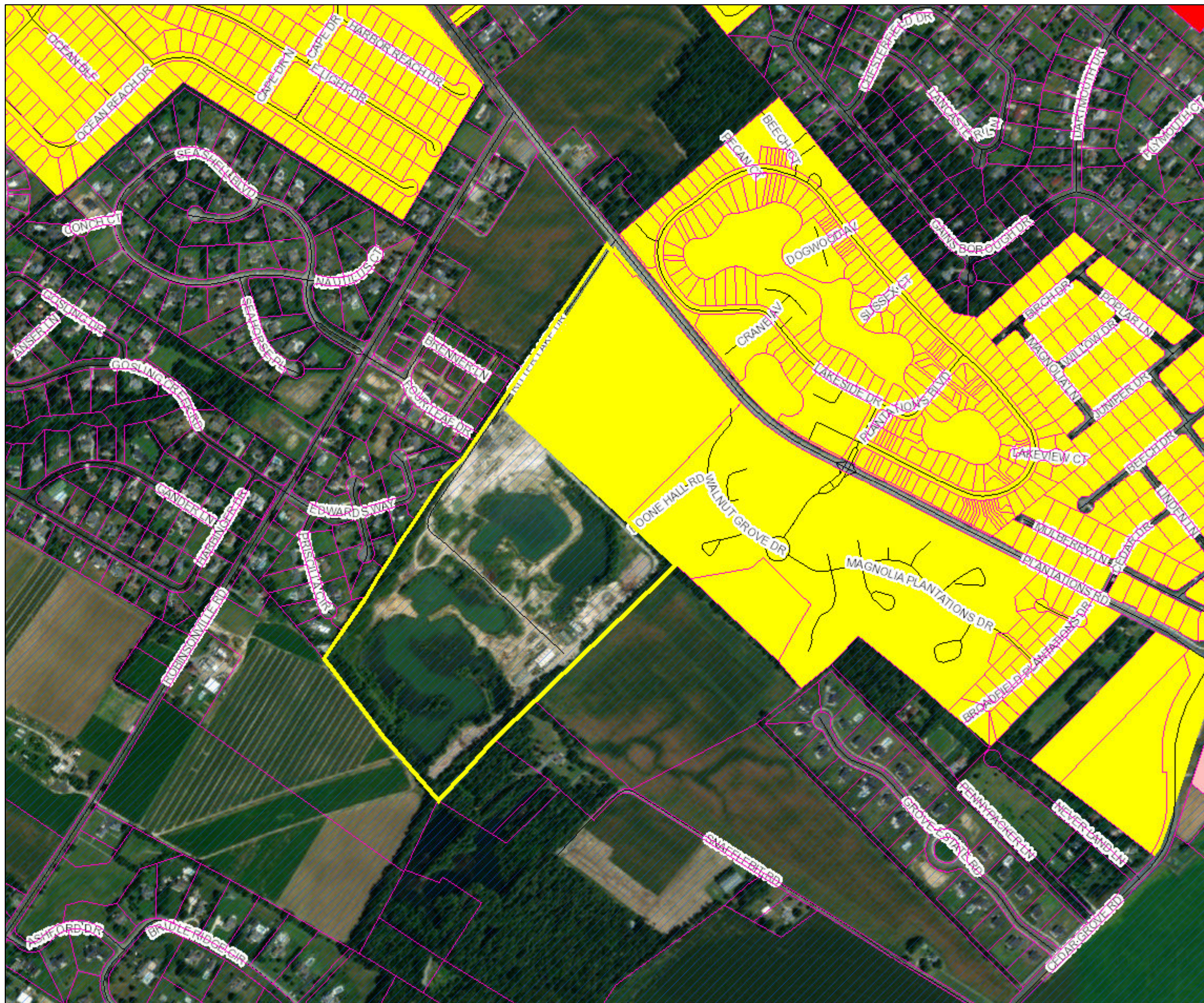


PIN:	334-12.00-7.00
Owner Name	RITTER HOWARD L SONS INC
Book	0
Mailing Address	PO BOX 36
City	LEWES
State	DE
Description	INT PLANTATIONS RD/RITT
Description 2	W/IMP
Description 3	
Land Code	

polygonLayer	HOA Maintained
Override 1	Pipe - DeIDOT
polygonLayer	Pipe - Tax Ditch
Override 1	Pipe - Private
Tax Parcels	Pond Feature
Streets	Special Access ROW
County Boundaries	Extent of Right-of-Way
Tax Ditch Segments	Municipal Boundaries
Tax Ditch Channel	TID
DeIDOT Maintained	

1:9,028





PIN:	334-12.00-7.00
Owner Name	RITTER HOWARD L SONS INC
Book	0
Mailing Address	PO BOX 36
City	LEWES
State	DE
Description	INT PLANTATIONS RD/RITT
Description 2	W/IMP
Description 3	
Land Code	

polygonLayer

Override 1

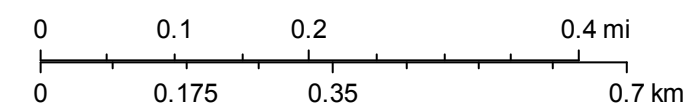
polygonLayer

Override 1

⋮ Tax Parcels

— Streets

1:9,028



JAMIE WHITEHOUSE, AICP MRTPI
PLANNING & ZONING DIRECTOR
(302) 855-7878 T
(302) 854-5079 F
jamie.whitehouse@sussexcountye.gov



Sussex County

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Memorandum

To: Sussex County Planning Commission Members
From: Mrs. Christin Scott, Planner II
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant
Date: November 10th, 2022
RE: Staff Analysis for C/U 2327 Howard L. Ritter & Sons, Inc.

This memo is to provide background and analysis for the Planning Commission to consider as a part of application C/U 2327 Howard L. Ritter & Sons, Inc. to be reviewed during the November 17th, 2022, Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for Tax Parcel 334-12.00-7.00 to allow the continued sales and storage of stone, mulch, soil, and related outdoor products at the property with the existing, non-conforming borrow pit. The property is lying on the southwest side of Plantations Road (Rt. 1D), approximately 0.18-mile southeast of Robinsonville Road (S.C.R. 277). The property is located at 33508 Ritter Lake Road, Lewes. The property consists of 50.90 acres +/-.

Comprehensive Plan Analysis

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map in the plan indicates that the subject property has a land use designation of "Coastal Area." All surrounding properties to the north, south, east, and west of the subject site contain the Future Land Use Map designation of "Coastal Area."

As outlined in the 2018 Sussex County Comprehensive Plan, Coastal Areas are areas that can accommodate development provided that special environmental concerns are addressed. A range of housing types should be permitted in Coastal Areas, including single-family homes, townhouses, and multi-family units. Retail and office uses are appropriate, but larger shopping centers and office parks should be confined to selected locations with access along arterial roads. Appropriate mixed-use development should all be allowed. In doing so, careful mixtures of homes with light commercial, office and institutional uses can be appropriate to provide for convenient services and to allow people to work close to home. Major new industrial uses are not proposed in these areas. (Sussex County Comprehensive Plan, 4-15).

Zoning Information

The 2018 Sussex County Comprehensive Plan outlines Zoning Districts by their applicability to each Future Land Use category. Under Table 4.5-2 "Zoning Districts Applicable to Future Land



Use Categories,” the Agricultural Residential (AR-1) District is listed as an Applicable Zoning District within the “Coastal Area.” (Sussex County Comprehensive Plan, 4-25).

The adjacent parcels to the south, east and west of the subject property are all zoned Agricultural Residential (AR-1) District. The adjacent parcel to the north of the subject property is zoned Medium Residential (MR) District.

Existing Conditional Uses within the Vicinity of the Subject Site

Since 2011, there have been twenty-nine (29) Conditional Use applications within a 1-mile radius of the application site. A spreadsheet has been provided below.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use to allow the continued sales and storage of stone, mulch, soil, and other related outdoor products at the property with the existing, non-conforming borrow pit, subject to considerations of scale and impact, could be considered as being consistent with the land use, area zoning and surrounding uses.

Conditional Use Number	APPLICANT	Current Zoning	Proposed Use	P&Z Decision	P&Z Decision Date	CC Decision Date	CC Decision	Ordinance Number
1868	Old Towne Pointe, L.L.C.	AR-1	pharmacy/community service	Recommended Denial	2/25/2011	5/24/2011	Approved	2196
1928	Devin Rice	AR-1	Storage of Equipment and a Home Office	Recommended Approval	5/10/2012	5/15/2012	Approved	2256
1951	Jack Lingo Asset Management	AR-1	RV resort and campground	Recommended Approval	8/22/2013	12/9/2014	Denied	
1967	Tidewater Environmental Services	MR	Wastewater treatment plant to treat offsite waste			10/1/2013	Denied	
2012	Ocean Atlantic Communities (Covered Bridge Trails)	MR	Multi-family - Townhouses and Condo Units	Recommended Approval	4/9/2015	12/15/2015	Approved	2430
2024	Stockley Materials, LLC	AR-1	Commerical landscaping materials, storage and sales	Recommended Approval	8/13/2015	9/15/2015	Approved	2417
2034	Beachfire Brewery Co., LLC	AR-1	Restaurant and Brewery	Recommended Approval	12/10/2015	3/8/2016	Approved	2438
2033	BDRP, LLC	MR	Multi-family Dwelling Structures (Duplexes)	Recommended Denial	12/10/2015	2/12/2016	Withdrawn	
2064	R & K Partners	AR-1	medical offices	Recommended Approval	2/9/2017	3/7/2017	Approved	2484
2073	Delmarva Power & Light Co.	C-1	Expansion to an existing electrical station	Recommended Approval	2/23/2017	3/7/2017	Approved	2486
2067	Stockley Materials, LLC	AR-1	Landscaping material sales and storage	Recommended Approval	2/23/2017	4/11/2017	Approved	2492
2069	Rudolph Joseph Johnson	AR-1	Workout Studio	Recommended Approval	3/23/2017	4/25/2017	Approved	2494
2106	MDI Investment Group, LLC (C/O Doug Compher)	MR	multi-family (52 townhouses)	Recommended Approval	12/14/2017	3/20/2018	Approved	2566
2132	Dorothy Darley	AR-1	Hair Studio	Recommended Approval	6/14/2018	7/31/2018	Approved	2590
2149	Covered Bridge Trails, LLC	MR	Amended Condition of Approval of CU 2012	Recommended Approval	6/28/2018	7/24/2018	Approved	2588
2137	John W. Ford	AR-1	professional offices	Recommended Approval	7/26/2018	7/31/2018	Approved	2592
2179	Joseph & Patricia Prettyman	AR-1/C-1	multi-family, storage facility, lawn mower repair business, public stable and riding lessons	Recommended Approval	7/18/2019	8/13/2019	Approved	2674
2184	Linda Ann Yupco-Connors	GR	office with equipment storage	Recommended Denial	4/25/2019	11/12/2019	Denied	
2188	Donovan's Painting and Drywall, LLC	AR-1	contractor's office with storage	Recommended Approval	10/10/2019	10/29/2019	Approved	2686
2190	Steven & Helene Falcone	AR-1	Office	Recommended Approval	10/10/2019	1/7/2020	Approved	2699
2209	Matthew C. Hete	MR	Multi-Family (14 Units)	Recommended Denial	7/9/2020	7/28/2020	Denied	
2237	Sam Warrington II	AR-1	Outside Boat & RV Storage	Recommended Approval	10/22/2020	12/1/2020	Approved	2756
2252	Delaware Electric Co-Op	MR	Substation	Recommended Approval	5/27/2021	7/13/2021	Approved	2788
2281	Susan Riter	AR-1	Borrow Pit	Withdrawn	6/8/2021	6/8/2021	Withdrawn	
2261	What Is Your Voice, Inc.	AR-1	Use Existing Garage for Office uses and one-story pole building for rental storage facilities (4 units) in connection w/ Applicant's non-profit corporation	Recommended Approval	8/26/2021	9/14/2021	Approved	2800
2262	Matthew Hete	AR-1	Multi-family (4-units)	Recommended Approval	10/13/2021	11/16/2021	Approved	2812
2313	John Ford	AR-1	Realty Office	Recommended Approval	8/25/2022	9/20/2022	Approved	2885
2316	Lighthouse Construction, LLC	AR-1	Office Building	Recommended Approval	9/8/2022	9/27/2022	Approved	2888
2321	Coastal Construction, LLC	AR-1	Kitch/Bathroom Showroom	Recommended Denial	10/27/2022			

File #: CW 2327
202117065

Planning & Zoning Commission Application
Sussex County, Delaware

Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph. 302-854-5079 fax

RECEIVED

OCT 24 2022

Type of Application: (please check applicable)

Conditional Use ☒ **AMENDED**

Zoning Map Amendment ☐

SUSSEX COUNTY
PLANNING & ZONING

A conditional use to allow the continued sales and storage of stone, mulch, soil and related outdoor products at the property with the existing, nonconforming borrow pit.

Site Address of Conditional Use/Zoning Map Amendment

33508 Ritter Lake Road, Lewes, DE 19958

Type of Conditional Use Requested:

~~Expansion of an existing, nonconforming borrow pit to include outdoor processing and recycling (grinding, crushing, storage and sale) of tree/yard waste and concrete as well as sales and storage of stone, mulch, soil and related outdoor products.~~

Tax Map #: 334-12.00-7.00

Size of Parcel(s): 50.90 acres

Current Zoning: AR-1

Proposed Zoning: AR-1

Size of Building: See Site Plan

Land Use Classification: Coastal Area on the 2045 Future Land Use Map

Water Provider: Private

Sewer Provider: Private

Applicant Information

Applicant Name: Howard L. Ritter & Sons, Inc.

Applicant Address: 330 Market Street

City: Lewes

State: DE

Zip Code: 19958

Phone #: (302) 245-0636

E-mail: susanritter2@hotmail.com

Owner Information

Owner Name: same as applicant

Owner Address: _____

City: _____

State: _____

Zip Code: _____

Phone #: _____

E-mail: _____

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: David C. Hutt, Esquire | Morris James LLP

Agent/Attorney/Engineer Address: 107 W. Market Street

City: Georgetown

State: DE

Zip Code: 19947

Phone #: (302) 856-0015

E-mail: dhutt@morrisjames.com



This Deed, made this

27th day of November in the year of
our LORD one thousand nine hundred and seventy-nine.

BETWEEN, ELSIE D. ANGLIN and JOHN F. ANGLIN, her husband,
of R.D. 2, Box 266, Lewes, Delaware 19958, parties of the first part,

- AND -

HOWARD L. RITTER AND SONS, INC., a corporation of the State of Delaware,
of R.D. 1, Box 50, Lewes, Delaware 19958, party of the second part.

Witnesseth, That the said parties of the first part, for and in consideration of
the sum of-----\$150,000.00-----lawful money of the United
States of America, the receipt whereof is hereby acknowledged, hereby grant
and convey unto the said party of the second part,

ALL THAT CERTAIN Lot, piece and
parcel of land situate, lying and being in Lewes and Rehoboth Hundred, Sussex
County, State of Delaware, and lying on the Southwestern right of way line of
County Road #275, being more particularly described as follows, to wit: BE-
GINNING at a concrete monument, said concrete monument being located on
the Southwestern right of way of County Road #275, a corner for these lands
and lands now or formerly of Elsie D. Anglin; thence turning and running South
42° 13' 41" West 1,112.58 feet to a concrete monument; thence turning and running
South 36° 52' 06" East 1305.31 feet to a concrete monument; thence turning and
running by and along a common boundary line with these lands and lands now or
formerly of Alvin F. Reed and the Commissioners of Rehoboth South 54° 00' 26"
West 1907.72 feet to a concrete monument; thence turning and running by and
along a common boundary line with these lands and lands now or formerly of
Blanche M. Joseph North 30° 19' 31" West 994.63 feet to a field stone; thence
turning and running by and along lands now or formerly of Eliza R. Wilson and
lands now or formerly of James L. Edwards North 42° 24' 42" East 2054.68
feet to a pipe; thence continuing North 42° 13' 41" East 889.55 feet to a pipe;
thence turning and running by and along the Southwestern right of way of County
Road #275 South 30° 40' 00" East 52.31 feet, home to the place of beginning,
and said to contain 50.9013 acres of land, be the same more or less, as surveyed
by Miller Lewis, Inc., Registered Surveyors, on November 12th, 1979.

BEING a part of the lands conveyed to Lawrence G. Summerlin and Elsie D. Summerlin, his wife, by Deed of William D. Burton and Sallie M. Burton, his wife, said Deed dated May 12th, 1947, and filed for record in the Office of the Recorder of Deeds, in and for Sussex County, Delaware in Deed Book 370, page 357. The said Lawrence G. Summerlin died Intestate on or about April 15th, 1948, at which time the above property became vested in his widow, Elsie D. Summerlin, by right of survivorship. The said Elsie D. Summerlin remarried John F. Anglin and is now known as Elsie D. Anglin. And being lands reconveyed to Elsie Summerlin Anglin by deed of St. of Del., dated 12/1/85 in Deed Bk. 769 Pg. 21.

IT IS EXPRESSLY agreed and understood by and between
the parties hereto that the property above-conveyed cannot be used at any time for
a landfill, dump, or related use.

LAW OFFICES OF
Maull & Maull, P.A.
EAST MARKET STREET
GEORGETOWN, DELAWARE 19947

RECEIVED

NOV 22 2021

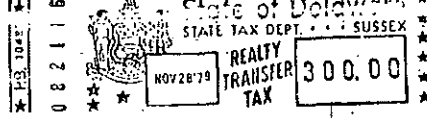
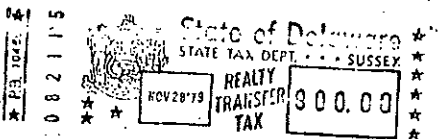
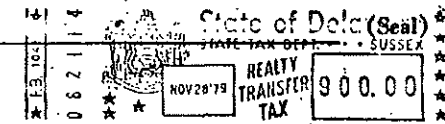
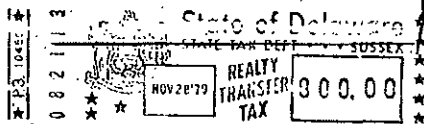
SUSSEX COUNTY
PLANNING & ZONING

In Witness Whereof, The said parties of the first part have hereunto set their hands and seals, the day and year aforesaid.

SIGNED, SEALED, DELIVERED,
and Witnessed in the presence of

[Signature]
[Signature]

Elsie D. Anglin (Seal)
John F. Anglin (Seal)



STATE OF DELAWARE,
SUSSEX

County, ss.

BE IT REMEMBERED, that on this 27th day of November in the year of our Lord one thousand nine hundred and seventy-nine, personally came before me, a Notary Public in and for the State and County aforesaid, ELSIE D. ANGLIN and JOHN F. ANGLIN, her husband,

Parties to this Indenture, known to me personally to be such, and acknowledge this Indenture to be their Deed.

GIVEN under my hand and Seal of Office, the day and year aforesaid.

PURCHASERS REPORT MADE
DAY OF Nov 1979
ASSESSMENT DIVISION OF SUSSEX COUNTY

RECEIVED
MARY ANN MCCABE
Nov 28 11 36 AM '79
RECORDER OF DEEDS
SUSSEX COUNTY

LAW OFFICES OF
Maull & Maull, P.A.
EAST MARKET STREET
GEORGETOWN, DELAWARE 19647

Carroll L. Williamson
Notary Public



McC. Christie
12/19/79



STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
800 BAY ROAD
P.O. BOX 778
DOVER, DELAWARE 19903

NICOLE MAJESKI
SECRETARY

May 4, 2021

Mr. Jamie Whitehouse, Director
Sussex County Planning & Zoning
P.O. Box 417
Georgetown, DE 19947

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Susan Ritter** proposed land use application, which we received on April 21, 2021. This application is for an approximately 50.9- acre parcel (Tax Parcels: 334-12.00-7.00). The subject land is located on Ritter Lake Drive south of Plantation Road (Sussex Road 275). The subject land is currently zoned AR-1 (Agriculture Residential) and the applicant seeks a conditional use approval for the expansion of an existing non-conforming borrow pit to include outdoor processing (including crushing) of aggregates, Portland cement, storage and sale of stone, mulch and soil.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along Plantation Road (Sussex Road 275) from Cedar Grove Road to Beaver Dam Road (Sussex Road 18A), is 10,907 vehicles per day.

Based on our review, we estimate that the above land use will generate fewer than 50 vehicle trips per day. This number of trips is below DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. DelDOT's regulations specify the minimum TIS warrants as 50 vehicle trips in any hour and/or 500 vehicle trips per day. Because the proposed land use would generate fewer than 50 vehicle trips per day, we consider the development's traffic impact to be **diminutive** in the context of our agreement with the County regarding land development coordination and we do not recommend that the applicant be required to perform a TIS for the subject application. DelDOT's description of this application as diminutive with regard to warranting a TIS does not mean that it is diminutive in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.

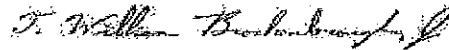
If the County approves this application, the applicant should be reminded that DelDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.



Mr. Jamie Whitehouse
Page 2 of 2
May 4, 2021

Please contact Ms. Annamaria Furmato, at (302) 760-2710, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:afm

cc: Susan Ritter, Applicant
Russell Warrington, Sussex County Planning & Zoning
David L. Edgell, Coordinator, Cabinet Committee on State Planning Issues
Todd Sammons, Assistant Director, Development Coordination
Scott Rust, South District Public Works Manager, Maintenance & Operations
Steve McCabe, Sussex County Review Coordinator, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Kevin Hickman, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
James Argo, South District Project Reviewer, Maintenance & Operations
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination
Annamaria Furmato, Project Engineer, Development Coordination

**SUSSEX COUNTY ENGINEERING DEPARTMENT
UTILITY PLANNING & DESIGN REVIEW DIVISION
C/U & C/Z COMMENTS**

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **10/25/2022**

APPLICATION: **CU 2327 Howard L. Ritter & Sons, Inc.**

APPLICANT: **Howard L. Ritter & Sons, Inc.**

FILE NO: **NPCA-5.03**

TAX MAP &
PARCEL(S): **334-12.00-7.00**

LOCATION: **Located on the southwest side of Plantations Road (Rt. 1D), approximately 0.18 mile southeast of Robinsonville Road (SCR 277).**

NO. OF UNITS: **Expansion of the non-conforming borrow pit to include outdoor processing and recycling (grinding, crushing, storage and sale) of tree/yard waste and concrete as well as sales and storage of stone, mulch, soil and related outdoor products.**

GROSS
ACREAGE: **50.90**

SYSTEM DESIGN ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: **2**

SEWER:

(1). Is the project in a County operated and maintained sanitary sewer and/or water district?

Yes ☐

No ☒

a. If yes, see question (2).

b. If no, see question (7).

(2). Which County Tier Area is project in? **Tier 2**

(3). Is wastewater capacity available for the project? **Yes** If not, what capacity is available? **N/A.**

(4). Is a Construction Agreement required? **Yes** If yes, contact Utility Engineering at (302) 855-7717.

(5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **N/A.** Is it likely that additional SCCs will be required? **N/A**

If yes, the current System Connection Charge Rate is **Unified \$6,600.00** per EDU. Please contact **Christine Fletcher** at **302-855-7719** for additional information on charges.

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **Yes**

☒ Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.

- (7). Is project adjacent to the Unified Sewer District? **Yes**

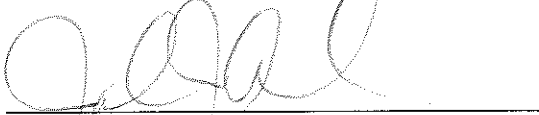
- (8). Comments: **Click or tap here to enter text.**

- (9). Is a Sewer System Concept Evaluation required? **Choose an item.**

- (10). Is a Use of Existing Infrastructure Agreement Required? **Choose an item.**

- (11). **All residential roads must meet or exceed Sussex County minimum design standards.**

UTILITY PLANNING & DESIGN REVIEW APPROVAL:



John J. Ashman
Sr. Manager of Utility Planning & Design Review

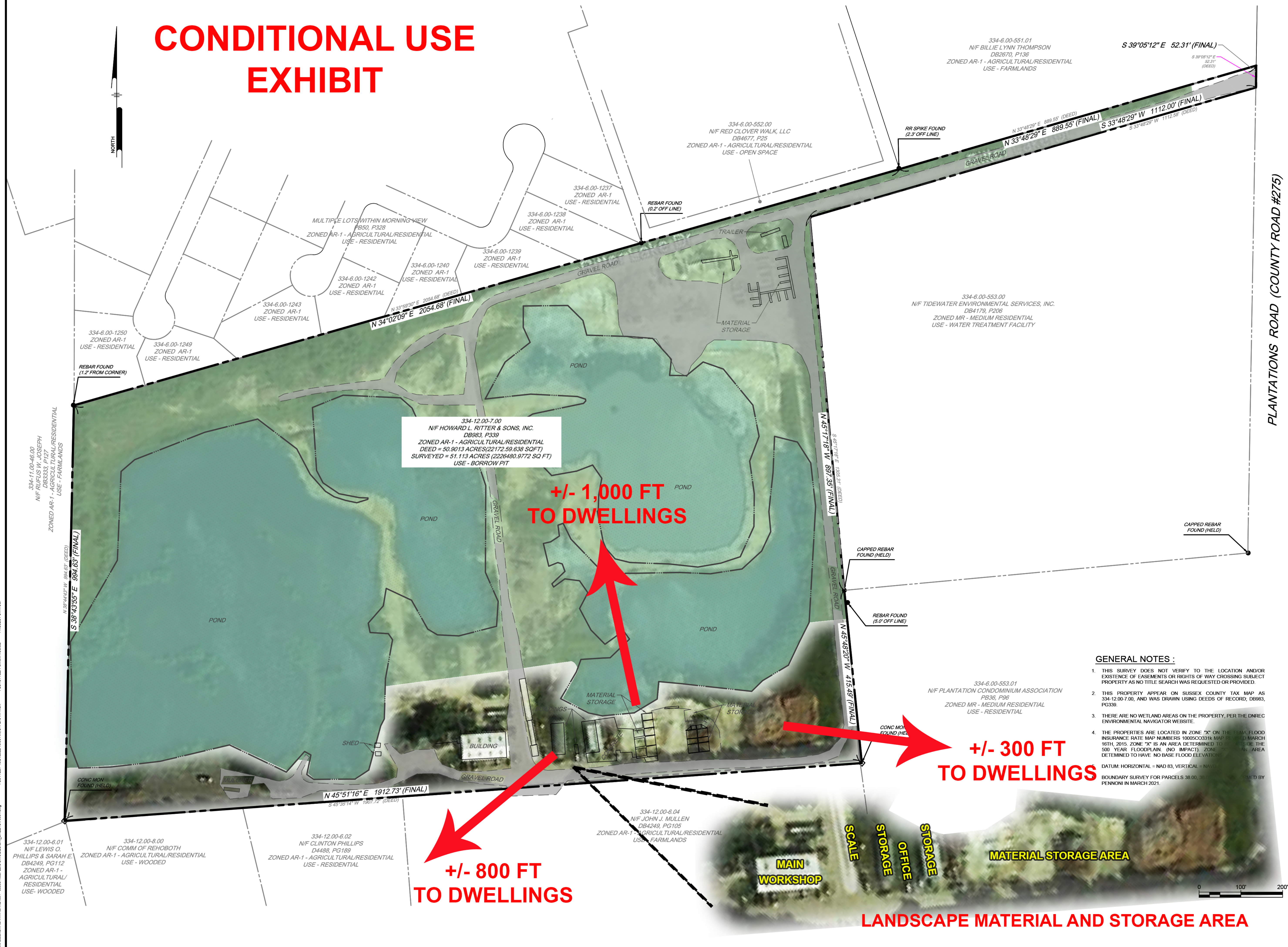
Xc: Hans M. Medlarz, P.E.
Lisa Walls
Christine Fletcher

Policy for Extending District Boundaries

1. Property owner (developer) and/or his representative shall make a request to the Utility Planning Division for a Sewer System Concept Evaluation.
2. Property owner (developer) and/or his representative shall meet with the applicable planning and zoning agency to determine if zoning is appropriate for the development being planned.
3. With appropriate zoning, property owner (developer) and/or his representative shall send a letter (with appropriate application fee as listed below) requesting the Sussex County Council to consider extending the water and/or sanitary sewer district boundaries. (Sussex County Code)

Application Fees	
Less than 2 acres	\$500.00
2.1 -9.99 acres	\$750.00
10 - 150.00 acres	\$1,500.00
Greater than 150.00 acres	\$2,500.00

4. The Sussex County Engineering Department shall present, for Sussex County Council's consideration, posting of notices for the proposed extension of the district boundaries.
5. The Sussex County Council approves posting notices for the proposed extension of the boundaries. (If approval to post the notices is not given, the appropriate fee is refunded.)
6. Within ninety days of the posting of the notices, the Sussex County Council approves/disapproves extending the boundaries.
7. The Sussex County Council approves/disapproves of the extension of the water and/or sanitary sewer pipelines under the appropriate Sussex County Ordinance.



Pennoni

PENNONI ASSOCIATES INC.
18072 Davidson Drive
Milton, DE 19968
T 302.684.8030 F 302.684.8054

**ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR
AND OWNER MUST BE NOTIFIED OF ANY
DISCREPANCIES BEFORE PROCEEDING WITH WORK**

LANDS N/F OF HOWARD L. RITTER & SONS, LLC

33508 RITTER LAKE ROAD
LEWES AND REHOBOTH HUNDERED, LEWES, DELAWARE 19958
BOUNDARY AND LOCATION PLAN

PART AND LOCATION
TM# 334-12.00-7.00

T.A. CHANCE, LTD
16815 ISLAND FARM ROAD
MILTON, DE 19968

[illegible]

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PROJECT	TACHN21001
DATE	2021-04-07
DRAWING SCALE	1"=100'
DRAWN BY	KBE
APPROVED BY	AMD

V0001

SHEET 1 OF 1

HOWARD L RITTER & SONS LLC

CASE NO. CU 2327

OWNER:

HOWARD L. RITTER & SONS, LLC
P.O. BOX 36
LEWES, DE 19958

LEGAL:

MORRIS JAMES LLP
107 W. MARKET STREET
GEORGETOWN, DE 19947
DAVID C. HUTT, ESQUIRE

PLANNER/ENGINEER/SURVEYOR:

PENNONI
18072 DAVIDSON DRIVE
MILTON, DE 19968
MARK H. DAVIDSON, PRINCIPAL LAND PLANNER
ALAN DECKTOR, PE., ENV SP
ERIC WAHL, RLA
JOHN W. HAUPT, PLS

ENVIRONMENTAL:

PENNONI
MARC CHARTIER, PG, LSRP
JOHN-THOMAS GRAUPENSPERGER, PWS

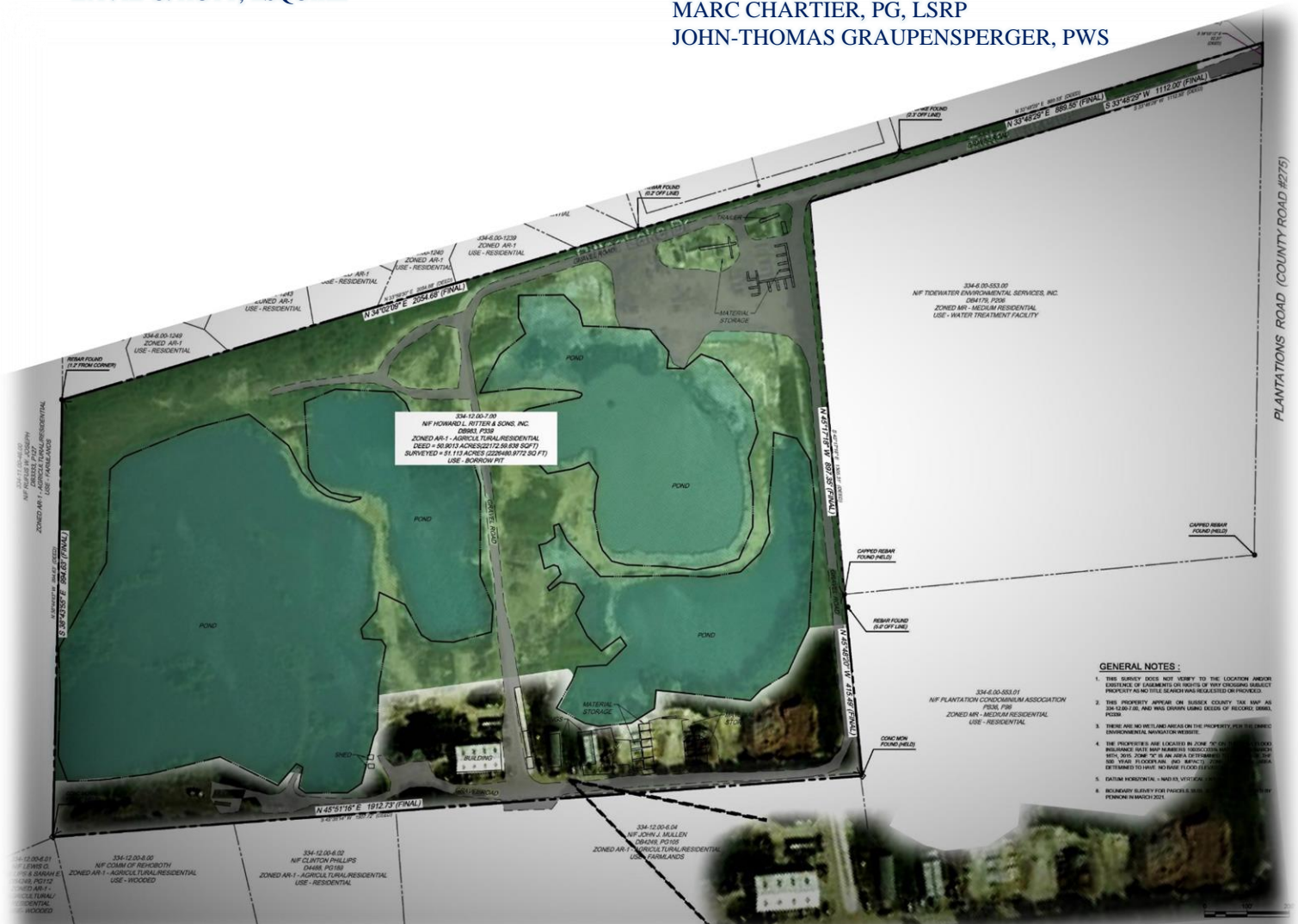


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	b. DEED DB983 PG339	
	c. BOUNDARY AND LOC SURVEY	
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Mark H. Davidson / Vice President

Principal Land Planner/Office Director

EDUCATION

University of Delaware; Civil Engineering,
(1986-1990)

Land Surveying, Delaware Technical &
Community College (1984-1986) and
Wastewater Microbiology Diploma
(1997)

Land Planning, Institute for Public
Administration (2006)

CERTIFICATIONS

DNREC Class A Percolation Tester & Class
B Septic Designer, (DE #2418)

Sediment & Stormwater Management,
Responsible Personnel, DE (#8760) and
MD (#4914)

DNREC Certified Construction Reviewer:
DE (#1270)

Delaware Notary

TRAININGS

Hydrology, Delaware TR-20 (1993)

Reducing Flood Hazard in Coastal
Development (1996)

Law for Managers/Supervisors (1999)

State and Federal Laws (2000)

Advanced Real Estate Law in Delaware
(2002)

Land Conservation and Historic
Preservation (2003)

Land Surveying Business Diploma (1998)

Project Manager Training I, Pennoni
(2015)

PROFESSIONAL AFFILIATIONS

National Onsite Wastewater Recycling
Association

Delaware Onsite Wastewater Recycling
Association

American Planning Association

American Institute of Certified Planners

HONORS/AWARDS

Association of Professionals
Philanthropy, Brandywine Chapter
Fundraising Nominee (2014)

Notable Networker Award, BNI (2013)

EXPERIENCE SUMMARY

Mark H. Davidson serves as Vice President of Pennoni and Office Director for our Southern Delaware, Milton Office. Mark also serves as the Principal Land Planner for Pennoni. He has over 35-years of past experience in Surveying, Engineering, Consulting, Construction and Land Planning. For 12-years he owned a professional engineering, surveying, land planning, environmental and consulting firm that provided professional consulting and design in land planning for residential, industrial, institutional, municipal and commercial applications to a wide range of clients in Delaware and Maryland. Mr. Davidson's project experience includes land development planning, surveying, engineering, environmental design and permitting; construction and project consulting, management and inspection; water resource consulting, management and inspection and municipal consulting, planning and inspection for residential, industrial, institutional, municipal and commercial applications.

Mark is a past director of the Delaware Onsite Wastewater Recycling Association as well as a member of the American Planning Association, American Institute of Certified Planners and has served in the past as a committee member of Delaware Low Impact Development Roundtable Committee, Delaware Pollution Control Strategy Committee, Delaware Sediment & Stormwater Regulatory Advisory Committee, and the Delaware Technical & Community College A/E Curriculum Committee. Past Board Member for the On Site Septic Advisory Board for the State of Delaware. He was also nominated for the Brandywine Chapter Association of Fundraising Professionals Philanthropy Award and has won the BNI Notable Networker Award.

Along with all the experience and education stated and with many years of combined experience in Surveying, Engineering, Consulting and Land Planning, he has been responsible for providing consulting, layout and design in surveying, engineering and land planning for residential, industrial, institutional, municipal and commercial applications to a wide range of clients in Delaware, Maryland, Virginia and West Virginia. He has project managed, studied, planned, surveyed, designed and engineered sustainable, master-planned communities, commercial and urban redevelopment projects, and the public infrastructure that supports them.

Mark has provided nationwide land planning consulting services to a variety of clientele to help coordinate project startups as well as final construction consulting services when it came to commercial, residential, industrial, municipal, educational and community land planning. Provided additional consulting in civil/site engineering, stormwater management, erosion and sediment control, wastewater collection and disposal, transportation, and environmental. Market areas practiced; Delaware, Maryland, West Virginia, Virginia, North Carolina, South Carolina, North Dakota, Puerto Rico, Canada and Panama.

Additional Project experience includes cutting edge design and technology as well as value engineering and construction to help clients through the ever-changing market including but not limited to solar voltaic and wind generation projects.



TAB 1

APPLICATION

File #: _____

Planning & Zoning Commission Application

Sussex County, Delaware

Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph. 302-854-5079 fax

Type of Application: (please check applicable)

Conditional Use ☒ **AMENDED**

Zoning Map Amendment _____

A conditional use to allow the continued sales and storage of stone, mulch, soil and related outdoor products at the property with the existing, nonconforming borrow pit.

Site Address of Conditional Use/Zoning Map Amendment

33508 Ritter Lake Road, Lewes, DE 19958

Type of Conditional Use Requested:

~~Expansion of an existing, nonconforming borrow pit to include outdoor processing and recycling (grinding, crushing, storage and sale) of tree/yard waste and concrete as well as sales and storage of stone, mulch, soil and related outdoor products.~~

Tax Map #: 334-12.00-7.00

Size of Parcel(s): 50.90 acres

Current Zoning: AR-1

Proposed Zoning: AR-1

Size of Building: See Site Plan

Land Use Classification: Coastal Area on the 2045 Future Land Use Map

Water Provider: Private

Sewer Provider: Private

Applicant Information

Applicant Name: Howard L. Ritter & Sons, Inc.

Applicant Address: 330 Market Street

City: Lewes

State: DE

Zip Code: 19958

Phone #: (302) 245-0636

E-mail: susanritter2@hotmail.com

Owner Information

Owner Name: same as applicant

Owner Address: _____

City: _____

State: _____

Zip Code: _____

Phone #: _____

E-mail: _____

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: David C. Hutt, Esquire | Morris James LLP

Agent/Attorney/Engineer Address: 107 W. Market Street

City: Georgetown

State: DE

Zip Code: 19947

Phone #: (302) 856-0015

E-mail: dhutt@morrisjames.com



Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

✓ **Completed Application**

✓ **Provide eight (8) copies of the Site Plan or Survey of the property**

- Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
- Provide a PDF of Plans (may be e-mailed to a staff member)
- Deed or Legal description

✓ **Provide Fee \$500.00**

___ **Optional - Additional information for the Commission/Council to consider** (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.

___ **Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.**

✓ **DeIDOT Service Level Evaluation Request Response**

___ **PLUS Response Letter** (if required)

The undersigned hereby certifies that the forms, exhibits, and statements contained in any papers or plans submitted as a part of this application are true and correct.

I also certify that I or an agent on my behalf shall attend all public hearing before the Planning and Zoning Commission and the Sussex County Council and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future needs, the health, safety, morals, convenience, order, prosperity, and general welfare of the inhabitants of Sussex County, Delaware.

Signature of Applicant/Agent/Attorney

Date: 11/22/2021

Signature of Owner

Date: 10-6-21

For office use only:

Date Submitted: _____

Fee: \$500.00 Check #: _____

Staff accepting application: _____

Application & Case #: _____

Location of property: _____

Subdivision: _____

Date of PC Hearing: _____

Recommendation of PC Commission: _____

Date of CC Hearing: _____

Decision of CC: _____

3202

BOOK 983 PAGE 339

This Deed, made this

27th day of November in the year of
our LORD one thousand nine hundred and seventy-nine.

BETWEEN, ELSIE D. ANGLIN and JOHN F. ANGLIN, her husband,
of R.D. 2, Box 266, Lewes, Delaware 19958, parties of the first part,

- AND -

HOWARD L. RITTER AND SONS, INC., a corporation of the State of Delaware,
of R.D. 1, Box 50, Lewes, Delaware 19958, party of the second part.

Witnesseth, That the said parties of the first part, for and in consideration of
the sum of-----\$150,000.00-----lawful money of the United
States of America, the receipt whereof is hereby acknowledged, hereby grant
and convey unto the said party of the second part,

ALL THAT CERTAIN Lot, piece and
parcel of land situate, lying and being in Lewes and Rehoboth Hundred, Sussex
County, State of Delaware, and lying on the Southwestern right of way line of
County Road #275, being more particularly described as follows, to wit: BE-
GINNING at a concrete monument, said concrete monument being located on
the Southwestern right of way of County Road #275, a corner for these lands
and lands now or formerly of Elsie D. Anglin; thence turning and running South
42° 13' 41" West 1,112.58 feet to a concrete monument; thence turning and running
South 36° 52' 06" East 1305.31 feet to a concrete monument; thence turning and
running by and along a common boundary line with these lands and lands now or
formerly of Alvin F. Reed and the Commissioners of Rehoboth South 54° 00' 26"
West 1907.72 feet to a concrete monument; thence turning and running by and
along a common boundary line with these lands and lands now or formerly of
Blanche M. Joseph North 30° 19' 31" West 994.63 feet to a field stone; thence
turning and running by and along lands now or formerly of Eliza R. Wilson and
lands now or formerly of James L. Edwards North 42° 24' 42" East 2054.68
feet to a pipe; thence continuing North 42° 13' 41" East 889.55 feet to a pipe;
thence turning and running by and along the Southwestern right of way of County
Road #275 South 30° 40' 00" East 52.31 feet, home to the place of beginning,
and said to contain 50.9013 acres of land, be the same more or less, as surveyed
by Miller Lewis, Inc., Registered Surveyors, on November 12th, 1979.

BEING a part of the lands conveyed to Lawrence G. Summerlin and Elsie D. Summerlin, his wife, by Deed of William D. Burton and Sallie M. Burton, his wife, said Deed dated May 12th, 1947, and filed for record in the Office of the Recorder of Deeds, in and for Sussex County, Delaware in Deed Book 370, page 357. The said Lawrence G. Summerlin died Intestate on or about April 15th, 1948, at which time the above property became vested in his widow, Elsie D. Summerlin, by right of survivorship. The said Elsie D. Summerlin remarried John F. Anglin and is now known as Elsie D. Anglin. And being lands reconveyed to Elsie Summerlin Anglin by deed of St. of Del., dated 12/1/85 in Deed Bk. 769, page 21.

IT IS EXPRESSLY agreed and understood by and between
the parties hereto that the property above-conveyed cannot be used at any time for
a landfill, dump, or related use.

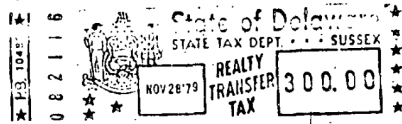
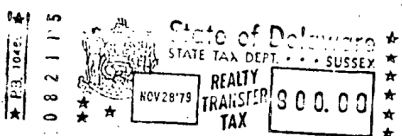
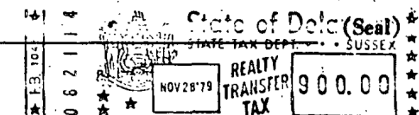
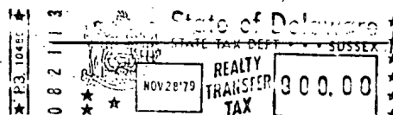
LAW OFFICES OF
Mauli & Mauli, P.A.
EAST MARKET STREET
GEORGETOWN, DELAWARE 19947

In Witness Whereof, The said parties of the first part have hereunto set their hands and seals, the day and year aforesaid.

SIGNED, SEALED, DELIVERED,
and Witnessed in the presence of

[Signature]
[Signature]

x *Elsie D. Anglin*, (Seal)
Elsie D. Anglin
John F. Anglin, (Seal)
John F. Anglin
(Seal)



STATE OF DELAWARE,
SUSSEX

County, ss.

BE IT REMEMBERED, that on this 27th day of November in the year of our Lord one thousand nine hundred and seventy-nine, personally came before me, a Notary Public in and for the State and County aforesaid, ELSIE D. ANGLIN and JOHN F. ANGLIN, her husband,

Parties to this Indenture, known to me personally to be such, and acknowledge this Indenture to be their Deed.

GIVEN under my hand and Seal of Office, the day and year aforesaid.

PURCHASERS REPORT MADE
29th DAY OF Nov 1979
ASSESSMENT DIVISION OF SUSSEX COUNTY

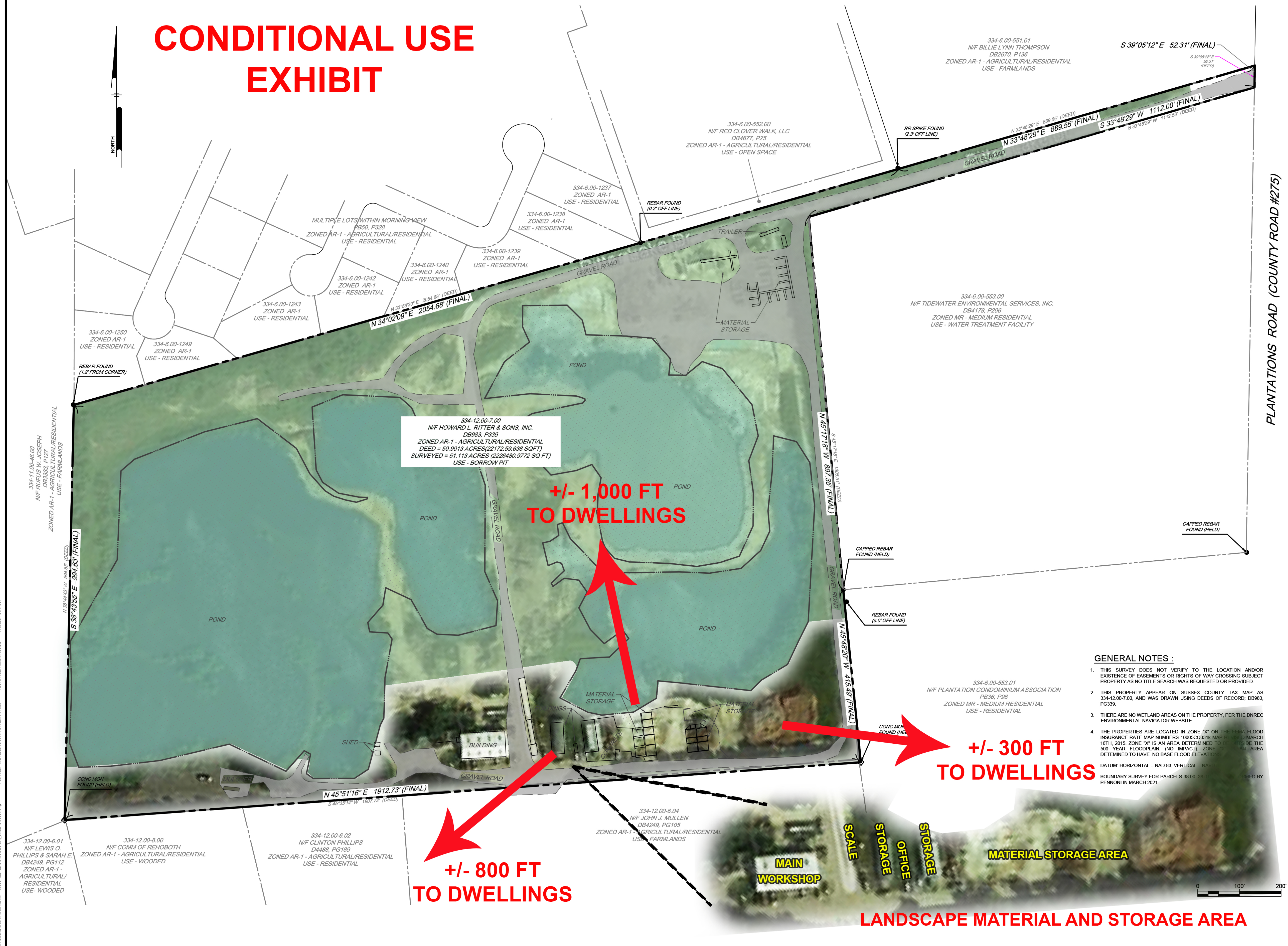
Carol E. Williamson
Notary Public

RECEIVED
MARY ANN MCCABE
Nov 28 11 36 AM '79
RECORDER OF DEEDS
SUSSEX COUNTY

LAW OFFICES OF
Maull & Maull, P.A.
EAST MARKET STREET
GEORGETOWN, DELAWARE 19947



Elle. Maull
12/19/79



Pennoni

PENNONI ASSOCIATES INC.
18072 Davidson Drive
Milton, DE 19968
T 302.684.8030 F 302.684.8054

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AND OWNER MUST BE NOTIFIED OF ANY
DISCREPANCIES BEFORE PROCEEDING WITH WORK

LANDS N/F OF HOWARD L. RITTER & SONS, LLC

33508 RITTER LAKE ROAD
LEWES AND REHOBOTH HUNDRED, LEWES, DELAWARE 19958

BOUNDARY AND LOCATION PLAN

TM# 334-12.00-7.00

T.A. CHANCE, LTD
16815 ISLAND FARM ROAD
MILTON, DE 19968

[illegible]

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PROJECT	TACHN21001
DATE	2021-04-07
DRAWING SCALE	1"=100'
DRAWN BY	KBE
APPROVED BY	AMD


V0001

SHEET 1 OF 1

TAB 2


MAPS



1	2021 Orthophoto		<div data-bbox="1133 1843 1219 1892" data-label="Image"></div> Subject Parcel <div data-bbox="1133 1898 1219 1946" data-label="Image"></div> Other Tax Parcels
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTTR22001		




Surdex Corp




2	2017 Orthophoto		<div><div></div> Subject Parcel</div> <div><div></div> Other Tax Parcels</div>
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTTR22001		



Digital Aerial Solutions, LLC


3	2012 Orthophoto		<div><div></div> Subject Parcel</div> <div><div></div> Other Tax Parcels</div>
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTTR22001		




4	2007 Orthophoto		<div data-bbox="1128 1837 1474 1953"> <div> Subject Parcel</div> <div> Other Tax Parcels</div> </div>
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTTR22001		




EarthData International of Maryland

5	2002 Orthophoto		<div> <div></div> Subject Parcel </div> <div> <div></div> Other Tax Parcels </div>
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTTR22001		




6	1997 Orthophoto		<div><div></div> Subject Parcel</div> <div><div></div> Other Tax Parcels</div>
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTTR22001		




7	1992 Orthophoto		<div><div></div> Subject Parcel</div> <div><div></div> Other Tax Parcels</div>
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTTR22001		




8	1989 Orthophoto		<div><div></div> Subject Parcel</div> <div><div></div> Other Tax Parcels</div>
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTTR22001		




9	1977 Orthophoto		<div><div></div> Subject Parcel</div> <div><div></div> Other Tax Parcels</div>
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTTR22001		




10	1968 Orthophoto		<div><div></div> Subject Parcel</div> <div><div></div> Other Tax Parcels</div>
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTTR22001		




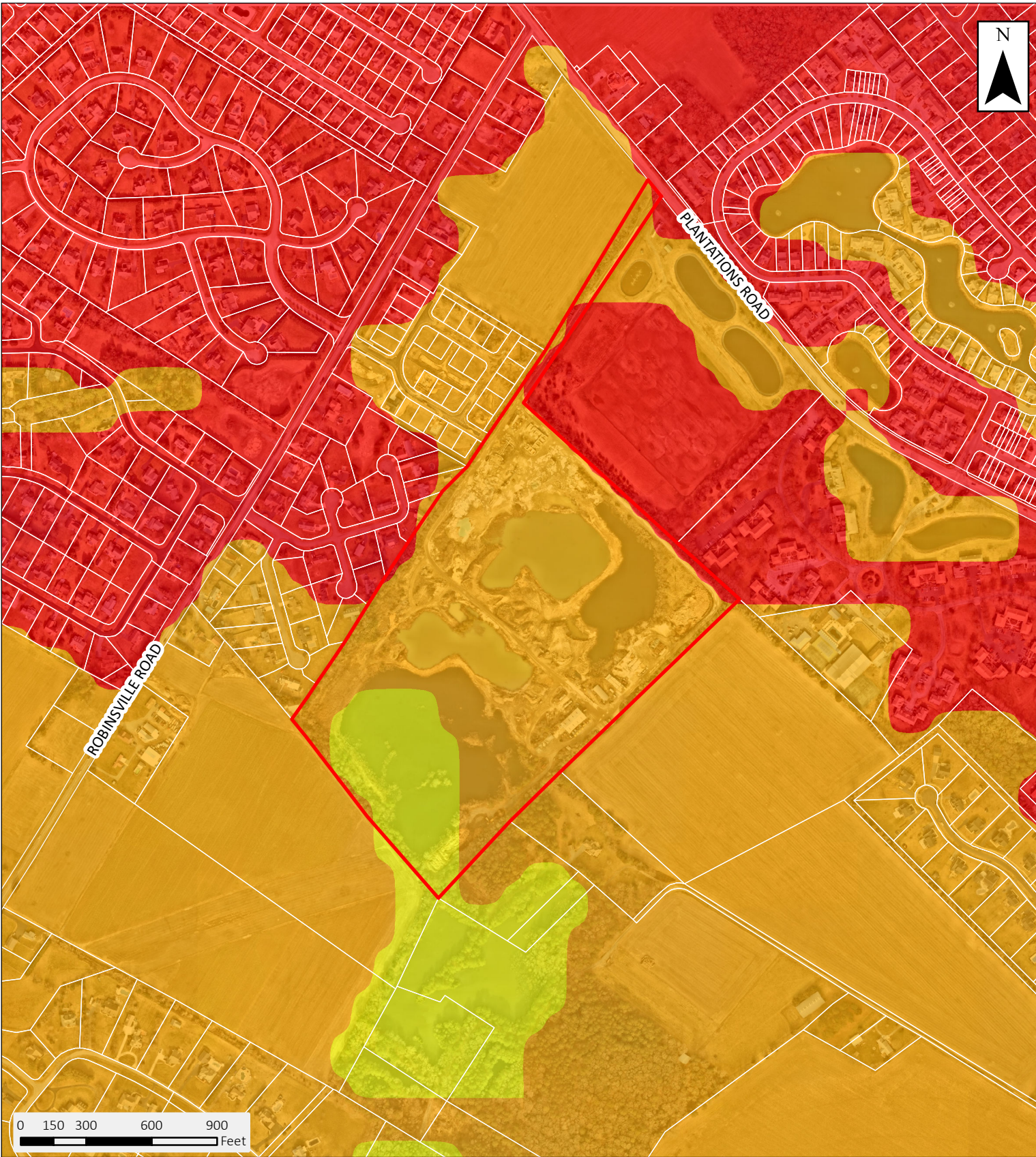
11	1961 Orthophoto		<div><div></div> Subject Parcel</div> <div><div></div> Other Tax Parcels</div>
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	HRTTR22001		




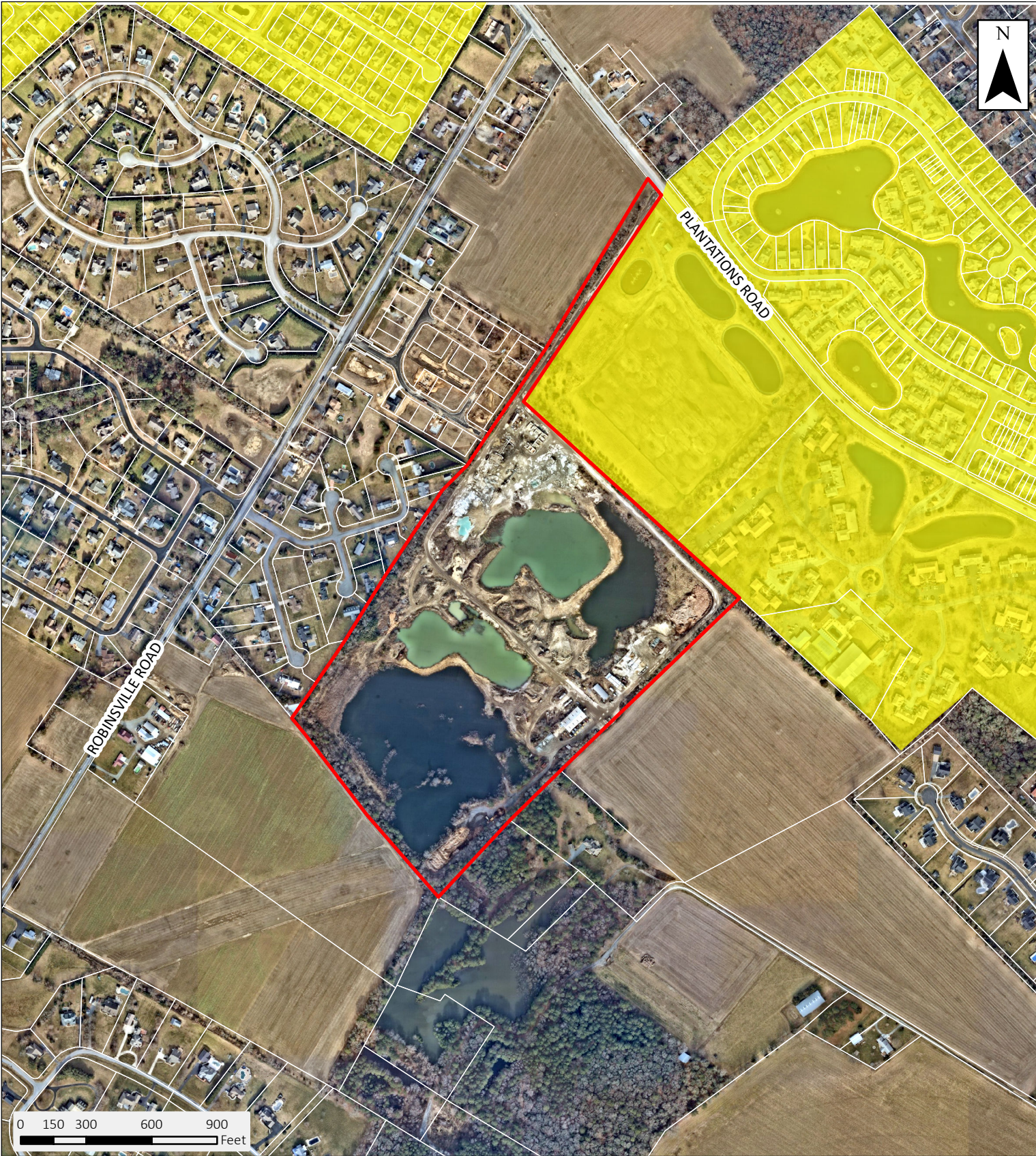
12	1954 Orthophoto		<div><div></div> Subject Parcel</div> <div><div></div> Other Tax Parcels</div>
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTTR22001		




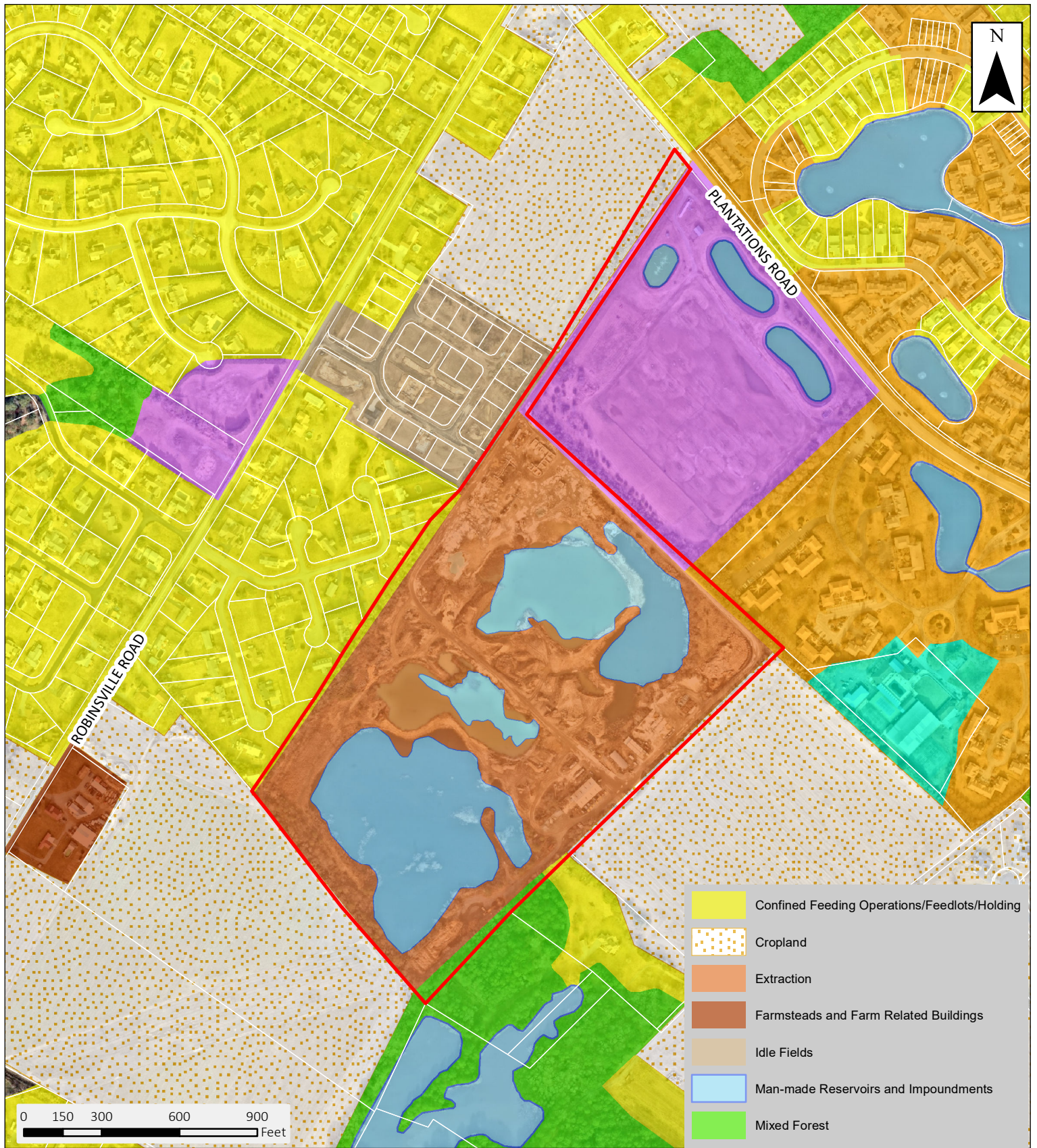
13	1937 Orthophoto		<div><div></div> Subject Parcel</div> <div><div></div> Other Tax Parcels</div>
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTTR22001		




14	2020 State Strategies & Investment Levels		<div><div>Level 1</div><div>Level 2</div><div>Level 3</div></div>
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTR22001		

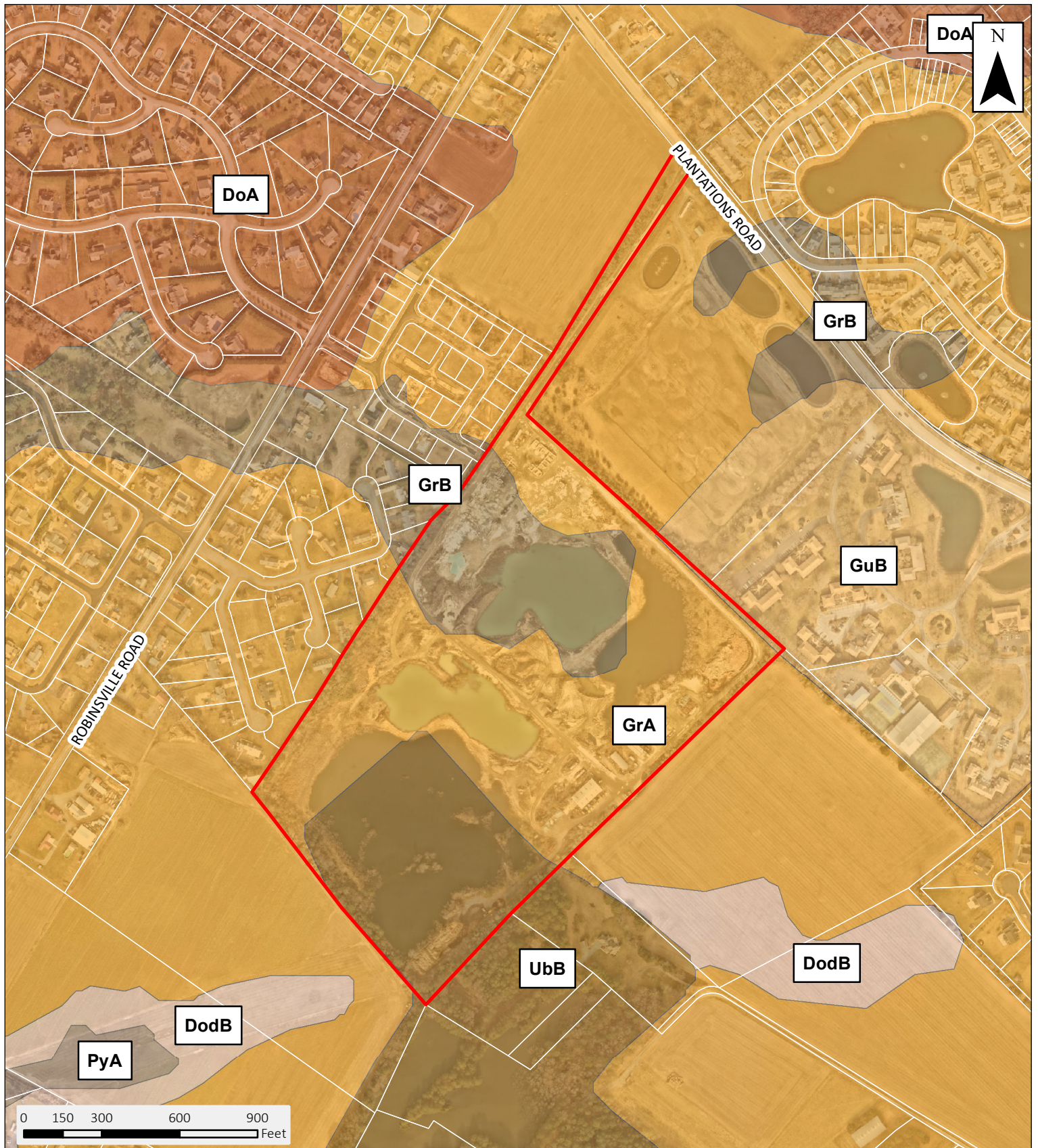



15	County Zoning Map		<div><div>AR-1 (Unshaded)</div><div>MR</div></div>
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTTR22001		





- Confined Feeding Operations/Feedlots/Holding
- Cropland
- Extraction
- Farmsteads and Farm Related Buildings
- Idle Fields
- Man-made Reservoirs and Impoundments
- Mixed Forest
- Multi Family Dwellings
- Other Urban or Built-up Land
- Recreational
- Single Family Dwellings

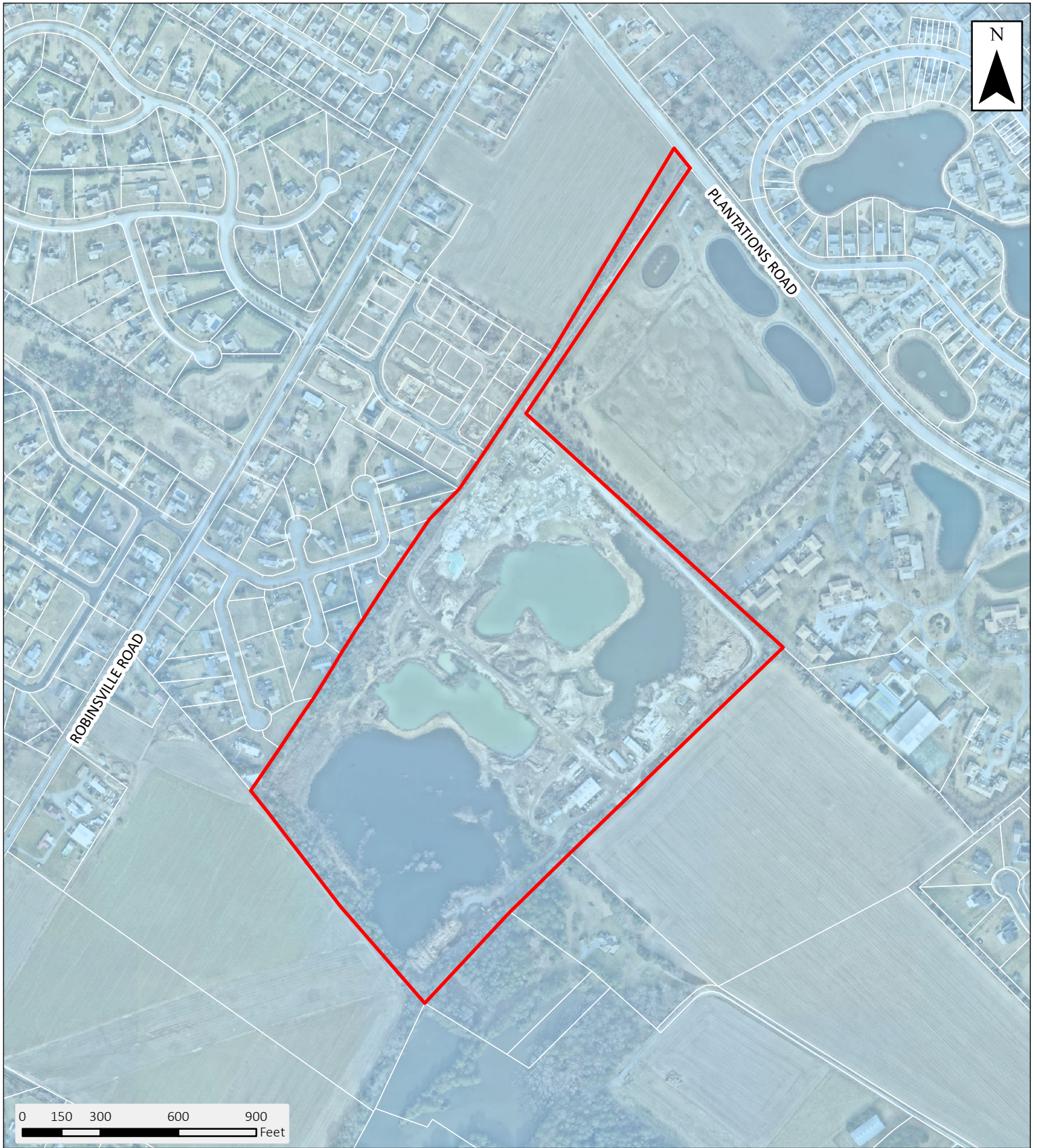
16	2020 Land Use Land Cover	
	Lands N/F Howard L. Ritter & Sons, L.L.C.	
	HRTTR22001	




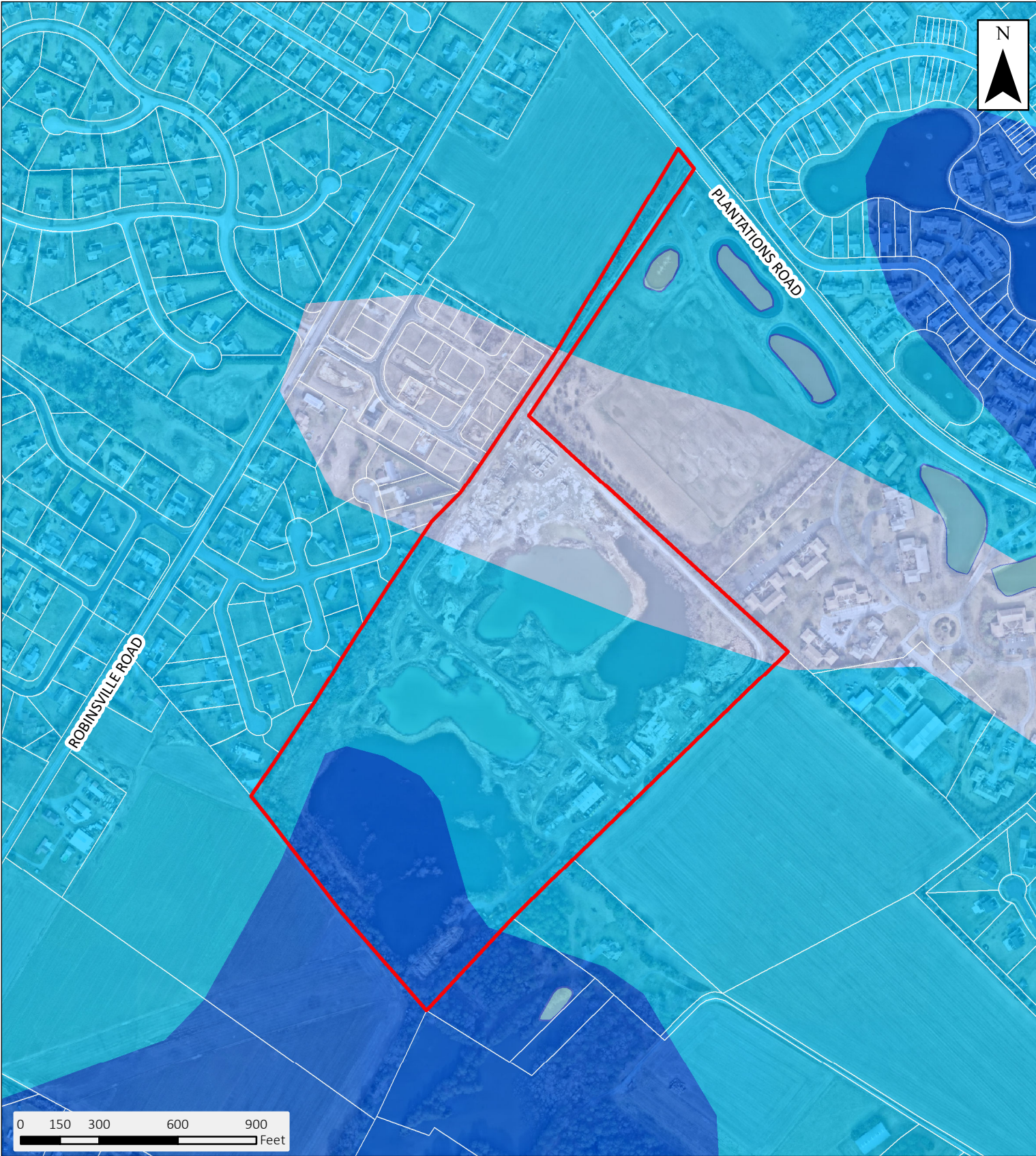
17	NRCS Soils Mapping			Soil Types:
	Lands N/F Howard L. Ritter & Sons, L.L.C.			GrA - Greenwich loam, Group B
	HRTTR22001			GrB - Greenwich loam, Group B GuB - Greenwich-Urban land complex, Group B UbB - Udorthents borrow area, Group C




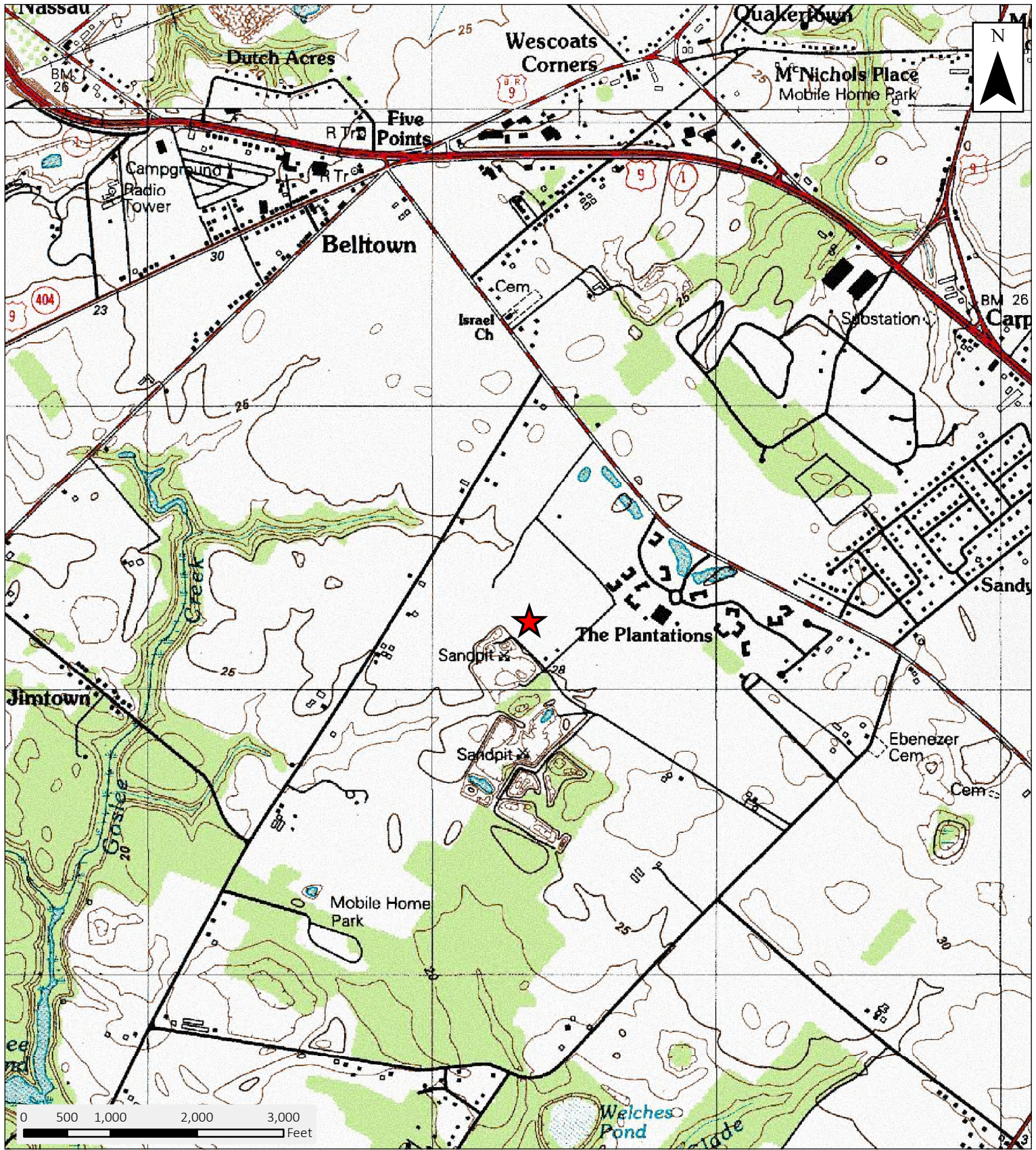
18	State Wetlands Mapping		 DNREC Wetlands
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTTR22001		




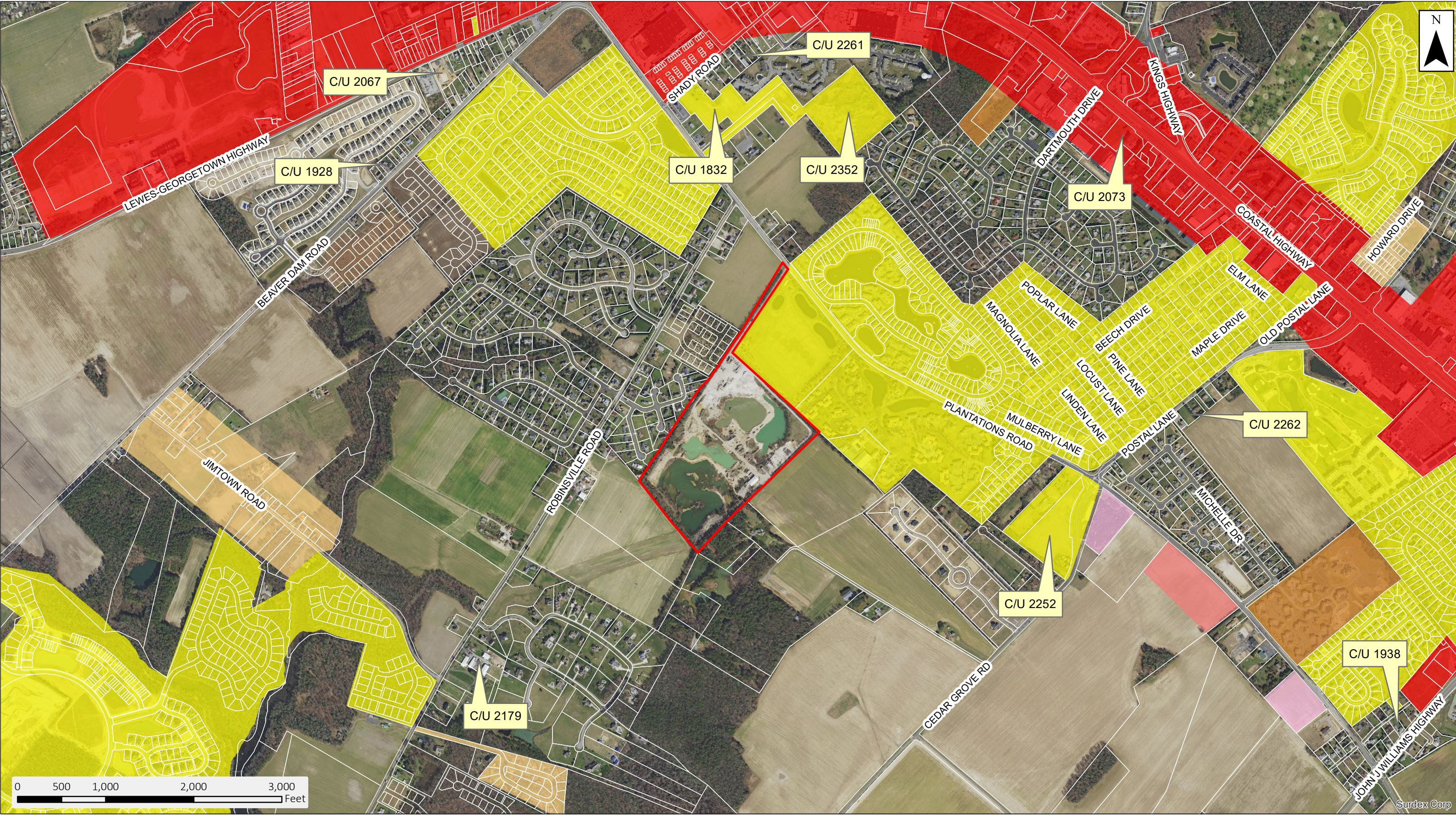
19	FEMA Floodplain Mapping		<div><div></div>Zone X</div> <p>Flood Map Reference: 10005C0331K (3/16/15)</p>
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTR22001		



20	Groundwater Recharge Potential		<div><div>Excellent</div><div>Good</div><div>Fair</div><div>Water Area</div></div>
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTR22001		




21	USGS Topographic Map		
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTTR22001		



22	Approved Area Conditional Use Applications			
	Lands N/F Howard L. Ritter & Sons, L.L.C.			
	HRTTR22001			



23	2022 Aerial Image		<div><div></div> Subject Parcel</div> <div><div></div> Other Tax Parcels</div>
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTTR22001		



Christin Scott

From: Kenneth Sunnergren <ksunnergren@cvcde.com>
Sent: Thursday, November 3, 2022 9:21 AM
To: Planning and Zoning
Subject: CU2327 Howard L. Ritter& sons, Inc. Sand and gravel

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Attn: Jamie Whitehouse, Director

Dear Sir,

I've lived in this community for 25 years and made it my home. Over this time I've made substantial property improvement. Howard L. Ritter and Sons has been very helpful to achieving these improvements and sold me different types of stone that I've used to beautify my property. I'm grateful that this business is available to me. Moreover, I've been into the sand quarry to inspect his products over the years and see the number of people who work at his facility and are provided good jobs. This business is an economic engine for our community and shouldn't be impeded but helped to grow and prosper. People who built their homes nearby knew they moving near a sand quarry and stone distribution center. They did so willingly and perhaps now want to push out a successful business because its inconvenient for them. Shame on them. I'm asking you to support HL Ritter and Sons application for the conditional land use permit and help keep this business open.

Sincerely,

Kenneth Sunnergren
!8605 Pettyjohn Rd.
Georgetown, De

RECEIVED

NOV 03 2022

SUSSEX COUNTY
PLANNING & ZONING

SUPPORT EXHIBIT

Christin Scott

From: harry@belowbookauto.com
Sent: Thursday, November 3, 2022 8:24 AM
To: Planning and Zoning
Subject: CU 2327 Howard L. Ritter & Sons, Inc. Sand & Gravel

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I would like to express my concerns for what has happened to the Ritter family , We have been in business for 30 plus years and have watched the greed and growth of the surrounding areas. Ritter sand and gravel should be able to continue doing business as usual and not be shut down for the convience of some developer ? Do the right thing an allow them to continue their family business that has been in the area long before the greed took over > Its time the county stands up for their own people who have been loyal residents for decades . Lets not make the ritters another Statistic>

Harry Sheing Owner

BELOW BOOK

Auto Sales & Service Center

1608 Savannah Rd
Lewes, DE 19958
302-645-5999
302-645-2217 (FAX)
harry@belowbookauto.com
www.belowbookauto.com

SUPPORT EXHIBIT

RECEIVED

NOV 03 2022

SUSSEX COUNTY
PLANNING & ZONING

Christin Scott

From: Will Emmert <willemmert@gmail.com>
Sent: Thursday, November 3, 2022 7:51 AM
To: Planning and Zoning
Subject: CU 2327 Howard L. Ritter and Sons, Inc. Sand and Gravel

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To Whom It May Concern,

The Ritter Family has been an integral part of the local business community here in Sussex County for decades. As a local family we have done business with them for SEVERAL generations. The Ritters have supplied materials that are of major importance to our community and their yard is well located to serve our area! My Family and I, and our entire core group of business partners wholly support the Ritters and their local business.

Please consider granting their conditional use application in November so that we can continue to use their services for many more generations!

Respectfully,

Will Emmert
18637 Robinsonville Road
Lewes, De 19958

RECEIVED

NOV 03 2022

SUSSEX COUNTY
PLANNING & ZONING

SUPPORT EXHIBIT

Christin Scott

From: Julie R <jaryder74@gmail.com>
Sent: Thursday, November 3, 2022 6:08 AM
To: Planning and Zoning
Subject: CU 2327 Howard L. Ritter & Sons, Inc. Sand & Gravel

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Jamie Whitehouse, Director
Sussex County Planning & Zoning Office
2 The Circle
P.O. Box 417
Georgetown, DE 19947

I am writing in support of Howard L. Ritter & Sons, Inc. staying in operation as they have been since 1975. The impact of turning our back on a local business who has contributed to the growth and prosperity of the town for decades, is a travesty. I believe in putting smart and safe practices in place for the environment, which they have done. We can not allow a loyal, local business to be diminished due to greedy development agencies that have no clue what the people of Lewes, DE hold dear.

I appreciate you taking the time to consider this letter of support.

J. Ryder

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NOV 03 2022

SUSSEX COUNTY
PLANNING & ZONING

SUPPORT EXHIBIT

RECEIVED

SEP 23 2022

SUPPORT EXHIBIT

SUSSEX COUNTY
PLANNING & ZONING

September 20, 2022

Sussex County Planning and Zoning
2 The Circle
Georgetown, DE. 19947

Dear Sirs,

I am writing to you today in support of Conditional Use Permit Application Ritter
CU# 2327.

My wife and I are residents of the Villages at Five Points. We have been living in
VOFP for almost 5 years. When we purchased our property we were aware of
Atlantic Concrete on Old Orchard Road. We spent time in the community prior
to purchasing our property. We did hear the operations at the concrete plant,
but we decided that the noise level was acceptable. And so we purchased our
home in the VOFp.

Late last year we became aware of the situation at Howard Ritter and Sons Inc.
And that the concrete recycling was going to move to Atlantic Concrete. The
additional noise from the recycling operation is far louder than from the concrete
operations. The noise from hammering and crushing can be heard throughout
the VOFp. The crushing operations begin at 7AM and can, on some days, go on
for the entire day.

We need to do all that we can to return the concrete recycling operation back to
the Ritter site as quickly as possible.

Sincerely yours,

Michael and Rosemarie Jacob

33046 West Falling Creek Street

Lewes, DE. 19958

203-747-2393

From: Rick Resing <Rick_Resing@hotmail.com>
Sent: Friday, September 16, 2022 2:09 PM
To: Planning and Zoning
Subject: Howard Ritter & Sons Permit Application Ritter CU#2327 / Atlantic Concrete Company

Categories: Christin

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TO: Sussex County Planning and Zoning

FROM: Rick Resing & Craig Forte, homeowners residing at 33106 N. Village Loop Unit, 1303, Lewes, DE 19958

We are emailing you to express our support of (and urge you to approve) the pending Howard L. Ritter & Sons Permit Application Ritter CU#2327 when this comes up at your November 7, 2022 meeting. The sound coming from the Atlantic Concrete Company is extremely loud, and has affected the quality of life for all residents in The Village of Five Points since they began doing the break up and removal of concrete at this location in the past year.

Thank you for your consideration.

Best regards,

Rick Resing & Craig Forte
678-699-3864

RECEIVED

SUPPORT EXHIBIT Sept. 15, 2022

SEP 19 2022

Planning & Zoning Commission
SUSSEX COUNTY
PLANNING & ZONING

Re: Conditional Use Permit Application Ritter CU# 2327

We live in the Villages of Five Points and although our property is a block removed from the houses that back up to the trail that is between our neighborhood and Atlantic Concrete, the sound of them pounding and breaking up concrete - from the early morning hours - is unbelievable. Then, walking on our exercise trail, it's impossible to talk, or even listen to something through ear buds, the sound is so loud.

This type of activity does not belong so close to so many county residents who are trying to enjoy the homes they worked so hard to purchase.

Please grant Ritter's application to move this activity to the Plantation Rd location, where it affects fewer people and is more convenient for the people who use it.

Thank you for your consideration,

Nancy & Joseph Sakaduski
33289 W. Edgemoor St.
Lewes, DE 19758

RECEIVED

SEP 19 2022

SUSSEX COUNTY
PLANNING & ZONING

SUPPORT FOR
HOWARD L RITTER & SONS INC SAND & GRAVEL
PERMIT # CU 2327

I am a native local born in 1956. I not only used the Ritter's resources for my personal use but also for my business. Howard L Ritter & Sons has been in business for as long as I can remember. They are a local, honest & reliable, family run business that provided a convenient source of sand, fill dirt, topsoil, stone, etc for local businesses as well as homeowners. When Ritter's were forced to stop providing some of their services, it created a hardship for the local community and businesses alike. Everyone now had to search for a lesser convenient and more expensive source. Let us not forget the effect and hardship this has had on their business as well as their financial bottom line.

Howard L Ritter & Sons has operated their business at the same location since 1975 without any previous issues. I fully support them and ask that this Conditional Use Permit be approved without restrictions or further delays.

Sincerely,



Sharon Hart
And
UtiliSite, Inc.

RECEIVED

NOV 1 2022

SUSSEX COUNTY
PLANNING & ZONING

SUPPORT EXHIBIT

SUPPORT FOR
HOWARD L RITTER & SONS INC SAND & GRAVEL
Permit # CU 2327

Howard L Ritter & Sons has been a local, honest & reliable, family run business that has provided a convenient source of sand, fill dirt, topsoil, stone, etc for local businesses as well as homeowners. When Ritter's were forced to stop providing some of the services, it created a hardship for the local community and businesses alike. Everyone had to search for a lesser convenient and more expensive sources. Let us not forget the effect and hardship this has had on Ritter's business as well as their financial bottom line.

Howard L Ritter & Sons has operated their business at the same location since 1975 without any previous issues. I fully support them and ask that this conditional Use Permit be approved without restrictions or further delays.

Sincerely,


Craig Walls

RECEIVED

NOV 1 2022

SUSSEX COUNTY
PLANNING & ZONING

SUPPORT EXHIBIT

SUPPORT FOR
HOWARD L RITTER & SONS INC SAND & GRAVEL
Permit # CU 2327

Howard L Ritter & Sons has been a local, honest & reliable, family run business that has provided a convenient source of sand, fill dirt, topsoil, stone, etc for local businesses as well as homeowners. When Ritter's were forced to stop providing some of the services, it created a hardship for the local community and businesses alike. Everyone had to search for a lesser convenient and more expensive sources. Let us not forget the effect and hardship this has had on Ritter's business as well as their financial bottom line.

Howard L Ritter & Sons has operated their business at the same location since 1975 without any previous issues. I fully support them and ask that this conditional Use Permit be approved without restrictions or further delays.

Sincerely,

Charles Warrington

A handwritten signature in black ink, appearing to read "Chas W", followed by a long horizontal flourish line.

RECEIVED

NOV 1 2022

SUSSEX COUNTY
PLANNING & ZONING

SUPPORT EXHIBIT

Christin Scott

From: garrisritter <garrisritter@comcast.net>
Sent: Tuesday, November 1, 2022 3:52 PM
To: Planning and Zoning
Subject: Fwd: CU 2327 / Howard L. Ritter & Sons, Inc.
Attachments: CU 2327 (1).docx

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

I would like to express my support for Howard Ritter & Sons, who are applying for a 'conditional land use permit.' at hearing in November

----- Original Message -----

Subject: CU 2327 / Howard L. Ritter & Sons, Inc.
From: Ritter Susan <susanritter2@hotmail.com>
Sent: Thursday, October 27, 2022, 1:27 PM
To: garrisritter@comcast.net
CC:

Please consider sending an email or letter to Planning & Zoning in support of keeping our business open. Please make sure to include the CU # and our name in the subject line.

We appreciate your support!

RECEIVED

NOV 1 2022

SUSSEX COUNTY
PLANNING & ZONING

SUPPORT EXHIBIT

Ann Lepore

From: George Merrick <george@jacklingo.com>
Sent: Thursday, November 3, 2022 11:19 AM
To: Planning and Zoning
Subject: CU2327//ATTENTION

SUPPORT EXHIBIT

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Sussex County Planning And Zoning,

This letter is to all on the board at Sussex County Planning and Zoning. As a resident and business owner for five decades I can attest to the positive impact that the Ritter family has had in coastal Sussex for as long as they have run their owned and operated business. For decades the Ritters have supplied builders, developers and individual residents with all things sand, gravel and fill related. As well as providing the services that the Ritter men and their employees are famous for. The Ritters integrity and honesty has spoken for itself. You do not do business in Sussex County for many decades without these traits.

There should be no questions in the decision as to when and or if the Ritters should be allowed to do business as usual. With Planning And Zoning's diligent work in providing homes for our new citizens in record numbers the demand for the Ritters expertise has never been greater.

Surely a local family owned and operated business has top priority and takes precedence. We in the Real Estate Industry here in Sussex County urge you see to a positive decision and get this family back to doing what they have done for decades and without further delay.

Thank you for your work that you do for the Business Owners and the residents of Sussex County. We look forward to having Ritters back up and operating.

Sincerely George [B.Merrick/george@jacklingo.com](mailto:george@jacklingo.com) 3024627288

Maritime Merchant Seaman, Captain George B. Merrick. 100 Gross Tons,

Sent from Mail for Windows

Christin Scott

From: Sarah casalvera <grambosbiz@gmail.com>
Sent: Friday, November 4, 2022 12:04 PM
To: Planning and Zoning
Subject: CU 2327 Howard L. Ritter & Sons, Inc. Sand & Gravel

Categories: Christin

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I am in full support of the reopening and continued operation of Howard L Ritter and sons for their retail operations.

They have been serving our community for many years, long before the developers started to take over Sussex County, and should be allowed to continue with their family business!

Please grant this conditional use permit #2327 to them as requested.

Thank you,

Sarah Casalvera
Lewes, DE 19958

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NOV 04 2022

SUSSEX COUNTY
PLANNING & ZONING

SUPPORT EXHIBIT

Christin Scott

From: John Zacharias <jzacharias@psre.com>
Sent: Friday, November 4, 2022 11:23 AM
To: Planning and Zoning
Subject: Howard L. Ritter and Sons

Categories: Christin

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Dear Planning and Zoning and to whom it may concern,

I have lived in Lewes, Delaware my whole life. Around me, I have seen this area grow exponentially. Locals like the Ritter family are the backbone of this thriving area of the county. Like many of us who are local to the area, we pride ourselves on the success and prosperity of our respective towns. The Ritter family has been in business for decades. They too love this area and their living and well-being relies on their business much like any other entrepreneur in the area. To have their business taken from them in these uncertain times in our global economy is not only irresponsible, it is downright immoral.

As one of the best up and coming young professionals in this part of the county, I welcome sustainable growth. My professional is a service to people who want to buy and sell homes, but not at the expense of someone's livelihood. My clients choose where to buy homes with my professional assistance and in their own due diligence of the location and surrounding area. Howard Ritter and Sons should not be the detractor or misanthropist, but rather a mainstay in our community. It is small businesses like their company that built Sussex County. I am a strong believer in growth and progress, however let us remember the people who made us who we are today.

My father was a builder for 40 years in Lewes. His blood, sweat and tears were the spirit of entrepreneurship much like the Ritters. He had a dream and an idea to service the community much like Howard Ritter and Sons. To have had my father's business being shut down would have taken food out of my mouth and a roof over my head growing up. Instead, his dream inspired me to be the man I am today. I give back to my community and will be an inspiration for generations to come. So you see, Sussex County is more than just developments and houses. It is a community of good people who have that same dream.

I ask all of you, please, don't shut this business down due to a few home owners who can't see logic past their ego and dollar signs that can't get past their own greed.

I trust you all will make the right decision,

John



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NOV 04 2022

SUSSEX COUNTY
PLANNING & ZONING
1

SUPPORT EXHIBIT

Ann Lepore

From: jamesriordan444@gmail.com
Sent: Thursday, November 3, 2022 5:20 PM
To: Planning and Zoning
Subject: CU 2327 Howard I. Ritter & Sons, Inc. Snad & Gravel

SUPPORT EXHIBIT

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From the desk of : James Riordan

To whom it may concern,

I submit a "no objection" to the Ritter organization to continue operations with regard to the selling of imported gravel/stone, and other bulk items.

Sand removed from their property creates minimal noise and environmental impact.

In light of their willingness to not renew the cement recycling plant I see no harm and recommend a 'conditional use permit'.

This business has contributed greatly to the development of the area and provides a valuable service.

Cordially,

James Riordan

Ann Lepore

From: roy fitzgerald <jeryfitz@gmail.com>
Sent: Thursday, November 3, 2022 4:59 PM
To: Planning and Zoning
Subject: CU Howard L.Ritter & Sons, Inc. Sand and Gravel CU 2327

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As a concerned local citizen I am writing in support of and in opposition for the need for a conditional land use permit for the above file concerning HL Ritter and Sons, long term supplier of community needs, commercial and govenmental.

Sincerely, Roy Fitzgerald, 9 Massachusetts Ave.,Lewes, DE 19958

Opposition
Exhibit

Opposition
Exhibit

Opposition
Exhibit

SUPPORT EXHIBIT

Ann Lepore

From: HARRY FAUST <hoornkill@comcast.net>
Sent: Sunday, November 6, 2022 10:46 AM
To: Planning and Zoning
Subject: ritter property C/V 2327

SUPPORT EXHIBIT

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I am in favor of planning and zoning granting a conditional use permit for the Ritter business. The Ritter business has been operating for many years and continues to service the community. How long are we going to allow developers close our hard working businesses that have contributed so much to our community? Thank you for the opportunity to express my support for the Ritter and they be awarded the conditional land use permit. Janet Faust

RECEIVED

NOV 07 2022

SUSSEX COUNTY
PLANNING & ZONING

Ann Lepore

From: JR Christophe <rehomo@hotmail.com>
Sent: Sunday, November 6, 2022 5:58 AM
To: Planning and Zoning
Subject: CU 2327 Howard L Ritter & Sons, Inc. Sand & Gravel

SUPPORT EXHIBIT

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To The Sussex County Government:

Sussex County has long been a haven for peace and quiet, a refuge from the fast pace of today's world. Many of us have lived or moved here and restored homes and honored local businesses.

That being said, and in reference to the above hearing, we support Howard Ritter Sand and Gravel and deplore the attempt by developers to close it down. These developers claim they cannot sell their houses because of the noise of the plant. The plant has been here since 1947. Didn't the developers take the plant into account, or is their product so unsalable in this historic housing boom that they are simply blaming Howard Ritter & Sons for their poor performance? It is time to support our local businesses even more than in the past. The beautiful Sussex County we love is in danger of being swallowed up by greed and overdevelopment. Unequivocally, we support Howard Ritter & Sons, Inc. Sand & Gravel

Merle McCann, M.D.

Jared Christopher, R.N.

336 Market St

Lewes DE 19948

Sent from Mail for Windows

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NOV 07 2022

SUSSEX COUNTY
PLANNING & ZONING

Ann Lepore

From: Karen Wexler <kbwexler@hotmail.com>
Sent: Monday, November 7, 2022 12:26 PM
To: Planning and Zoning
Subject: CU 2327 Howard L. Ritter & Sons, Inc. Sand & Gravel

SUPPORT EXHIBIT

Categories: Christin

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Please acknowledge my request that you do whatever is in your power to keep the Ritter Sand & Gravel functioning. I have been a resident for 34 years and feel that the plant should not be closed to make room for more high density development.

Sincerely,
Karen Wexler
323 Market St.
Lewes, DE 19958

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NOV 07 2022

SUSSEX COUNTY
PLANNING & ZONING

Ann Lepore

From: Don Long <dscottlg@msn.com>
Sent: Monday, November 7, 2022 9:44 AM
To: Planning and Zoning
Subject: CU 2327 - Support for Howard L. Ritter & Sons, Inc.

SUPPORT EXHIBIT

Categories: Christin

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RE: CU 2327 - Howard L. Ritter & Sons, Inc.

We support the application by Howard L. Ritter & Sons, Inc. for a conditional use permit and support the company to remain in business.

Howard I. Ritter and Sons, Inc. has been operating in the same location since 1975. The business consists of the excavation of a borrow pit, which has been in continuous operation since the 1950's, and the retail sale of the fill dirt that is excavated on site. In addition to fill dirt, the company also sells driveway and construction stone, landscaping stone, mulch and top soil. The company has played an integral role in the development of the local infrastructure and has worked with many government agencies and local businesses.

Thank you for your consideration.

Sincerely,

Don Long
Terri Lottmann
Lewes, DE.

dscottlg@msn.com

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NOV 07 2022

SUSSEX COUNTY
PLANNING & ZONING

Ann Lepore

From: nancyfaye@willowoak.net
Sent: Monday, November 7, 2022 12:18 PM
To: Planning and Zoning
Cc: 'Rowlad Bradley'
Subject: Re: CU 2327 Howard L. Ritter & Sons, Inc. Sand & Gravel application for conditional approval

SUPPORT EXHIBIT

Categories: Christin

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To the Sussex County Planning & Zoning Office
Jamie Whitehouse, Director

We are writing to voice our support for the CU 2327 Howard L. Ritter & Sons, Inc. Sand & Gravel application for a conditional land use permit.

It is vital that this company be able to continue supplying Delaware local businesses, agencies, and residents with construction and landscaping materials as it has for the past 47 years. This business is critical for the success of many infrastructure and construction projects currently underway. We ask that you approve the application without delay.

Thank you,
Nancyfaye Autenzio
Rowland Bradley
Lewes, DE

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NOV 07 2022

SUSSEX COUNTY
PLANNING & ZONING

Ann Lepore

From: carole gibson <carolegbsn309@gmail.com>
Sent: Thursday, November 3, 2022 11:57 AM
To: Planning and Zoning
Subject: In reference to CU 2327 Howard L. Ritter & Sons, Inc, Sand & Gravel. I support in keeping their business open. Carole Gibson 34315 Beech Drive Lewes De.19958

SUPPORT EXHIBIT

Categories: Christin

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Ann Lepore

From: Jeff Gibson <jgibson@cbanker.com>
Sent: Thursday, November 3, 2022 2:31 PM
To: Planning and Zoning
Subject: CU 2327 Howard L. Ritter & Sons, Inc. Sand & Gravel

SUPPORT EXHIBIT

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Dear Sussex County Planning & Zoning:

I am writing this email in support of the Conditional Land Use Permit for Howard L. Ritter & Sons sand and gravel business. This 47-year-old business has been an integral part of the growth and development of the Lewes-Rehoboth Beach area. In addition to providing employment opportunities for locals, they have supplied materials for local, county, and state agencies, construction companies, landscaping companies, and private homeowners as some of the thousands of customers they have served.

As a Sussex County real estate salesperson, I feel it is a disgrace when a real estate developer purchases farmland next to a local business, then does everything in their power to shut that business down to improve their property values and increase their struggling home construction sales. Homebuyers moving to this area and their agents need to be aware of and support neighboring small businesses.

With these remarks, I urge the members of the Planning and Zoning Committee to vote in favor of granting the Conditional Land Use Permit to Howard L. Ritter & Sons, so they may continue operating their business and serving our local community. Thank you.

Sincerely,
Jeffery H. Gibson, MBA, REALTOR®
Sussex County Real Estate Professional
and Delaware Licensed Sales Agent



SUPPORT EXHIBIT

CUSTOM INGROUND FIBERGLASS POOLS
115 Savannah Rd., Lewes, DE 19958

**** Your Hardscaping & Swimming Pool Specialists! ****
Phone (302) 645-1922

November 2, 2022

Jamie Whitehouse, Director
Sussex County Planning & Zoning Office
2 The Circle
P.O. Box 417
Georgetown, DE 19947

RE: CU 2327 Howard L. Ritter & Sons, Inc. Sand & Gravel

Dear Mr. Whitehouse,

We are long-time residents and business owners in Sussex County, and we are writing to express our full support of Howard L. Ritter & Sons, Inc. Sand & Gravel to continue their operations at their location off Plantation Road, as they have for over 45 years.

Many local homeowners as well as hardscaping and landscaping companies, such as ours, have benefitted from being able to purchase topsoil, fill dirt, construction & landscaping stone and mulch from Ritter.

We feel as though Howard L. Ritter & Sons, Inc. Sand & Gravel operation is an asset to our community and we recommend moving forward with the approval of their application for a conditional use permit.



Sincerely,

Richard H. D. & Jennifer X Bell
Jennifer & Richard Bell

SUPPORT FOR H.L. RITTER & SONS, INC.

Howard L. Ritter & Sons, Inc. is a sand and gravel business that has been operating in the same location off of Plantation road since 1975. The business consists of the excavation of a borrow pit, which has been in continuous operation since the 1950's, and the retail sale of the fill dirt that is excavated on site. In addition to fill dirt, our company also sells driveway and construction stone, landscaping stone, mulch and top soil. After being in business for 47 years, we have recently been informed by Sussex County Planning and Zoning that we need to apply for a "conditional land use permit" in order to continue selling materials that are not sourced on-site. We have been obtaining these materials from the same distributors for decades. Our company has played an integral role in the development of our local infrastructure, and we have supported many local businesses and agencies throughout the years. We count local, county and state agencies such as DNREC and Sussex County Council, construction companies, landscaping companies, and private homeowners as just some of the thousands of customers that we have served, and want to continue to serve in the future.

In accordance with Planning & Zoning's directive, we have applied for the conditional land-use permit and have a public hearing scheduled for the end of November. We are asking you to kindly submit a letter to the P & Z office stating your support in keeping our business open so we can continue to serve our customers.

The County has assigned our application for a conditional land use permit the following file number:

CU 2327 Howard L. Ritter & Sons, Inc. Sand & Gravel *PLEASE MAKE SURE TO INCLUDE THIS INFO IN THE SUBJECT LINE*****

Written Comments can be sent to:

Jamie Whitehouse, Director

Sussex County Planning & Zoning Office

2 The Circle

P.O. Box 417

Georgetown, DE 19947

EMAILS can be sent to: pandz@sussexcountytde.gov

WE APPRECIATE YOUR SUPPORT!!!

RECEIVED

NOV 09 2022

SUSSEX COUNTY

PLANNING & ZONING

*I am in support of CU2327
This sand and gravel business
has been family owned and
operated for over 47 years.
The conditional land use
permit will allow them to
give back to the community,
businesses, employee's jobs
and support county and state
agencies, all this has been
taken away. There are hard
working people who deserve
to prosper and offer job
opportunity for others and
make this a business again.*

Thank you

*Johnny Gibson
Deep Branch Road
Georgetown De.
19947*

Amy Hollis

From: Bradley Cowen <cowenb@me.com>
Sent: Monday, November 7, 2022 4:07 PM
To: Planning and Zoning
Cc: cowenb@me.com
Subject: Fwd: CU 2327 Howard T. Ritter & Sons, Inc. Sand & Gravel

SUPPORT EXHIBIT

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

To whom it may concern,

I am in full support of the reopening and continued operation of Howard L Ritter and sons for their retail operations.

They have been serving our community for many years, long before the developers started to take over Sussex County, and should be allowed to continue with their family business!

Please grant this conditional use permit #2327 to them as requested.

Thank you,

Brad Cowen

Lewes, DE

Jamie Whitehouse

From: Bob D <bdegen2001@aol.com>
Sent: Tuesday, November 8, 2022 11:28 AM
To: Jamie Whitehouse
Subject: CU 2327

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Just wanted to express my **approval** for the concrete crusher near my home. I have no problem with the occasional noise it makes. It had been there for years until the developer of Maritima decided to build next to a quarry and then shut down a business that had been operating for a long time. I think we call that "greed". It was also very unfair to use political connections to stop a business that had been operating to the benefit of many others.
I say - let them re-open. I don't mind it at all.
What I DO mind is the developer soliciting in my neighborhood (which is illegal) to get folks to try to prevent this business from re-opening.

PROV 3:5-6

Bob Degen



RECEIVED

NOV 09 2022

SUSSEX COUNTY
PLANNING & ZONING

Jamie Whitehouse

From: Mike Bono Gmail <mabono65@gmail.com>
Sent: Tuesday, November 8, 2022 12:53 PM
To: Jamie Whitehouse
Subject: Cement Crusher in Lewes

SUPPORT EXHIBIT

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I support the the crusher, I live at 156 Lakeside Drive, Lewes in Plantations East.
Mike Bono

Sent from my iPad

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SUSSEX COUNTY
PLANNING & ZONING

SUPPORT EXHIBIT

H. Douglas (Doug) Adams, PhD
33504 West Hunters Run.
Lewes DE 19958

RECEIVED

SEP 26 2022

SUSSEX COUNTY
PLANNING & ZONING

Sussex County Planning and Zoning Commission
PO Box 417
Georgetown, DE 19947

s

Dear Commissioners:

I am writing to ask you to approve the Conditional Use Permit Application Ritter CU#2327.

This long established Sussex County family and company provided services which we desperately need.

Please support them in resuming their yard waste and concrete recycling operations.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'H. Douglas' with a stylized flourish at the end.

H. Douglas (Doug) Adams PhD

SUPPORT EXHIBIT

Hilda Chaski Adams, MPH
33012 West Falling Creek St.
Lewes DE 19958

RECEIVED

SEP 26 2022

SUSSEX COUNTY
PLANNING & ZONING

Sussex County Planning and Zoning Commission
PO Box 417
Georgetown, DE 19947

Dear Commissioners:

I am writing in support of the Conditional Use Permit Application Ritter CU#2327.

Permitting Ritter and Sons to recommence yard waste and concrete recycling will help our environment, reduce the number of large trucks on our congested roads and reduce landscaping and construction costs by eliminating the need to drive to Georgetown (or farther) to recycle usable materials.

Thank you for considering my request.

Sincerely,



Hilda Chaski Adams, MPH

Jamie Whitehouse

From: Kris Carper <kriscarper@gmail.com>
Sent: Monday, October 17, 2022 2:08 PM
To: Jamie Whitehouse
Subject: Opposition to concrete crusher CU 2327

Opposition
Exhibit

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Jamie Whitehouse,

I am writing you to oppose the special use exception for concrete crushing CU 2327. I am a resident in Maritima, the neighborhood next to the Ritter site. The health detriments of producing crystalline silica are crucial to our community and the surrounding communities. The environmental toll is also a concern, polluting the air and water. The concrete crusher was operating illegally for years and should not be allowed to start up again. The Ritter site was to move sand and gravel. They were never zoned to crush concrete. As you are well aware Sussex county and it's growth of communities and residents should inevitably cause the concrete crushing to move out to more rural areas where people are not residing. Approving this special use exception in the middle of 1000's of people residing and vacationing, putting their lives and health in danger would be ridiculous. I hope you really consider this.

Thank you for your time,

Kris Carper

FILE COPY

Jamie Whitehouse

From: dal booth <dalbooth9@gmail.com>
Sent: Wednesday, October 12, 2022 11:25 AM
To: Jamie Whitehouse
Subject: RITTER CONCRETE CRUSHER

**Opposition
Exhibit**

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Dear Sir,

Please be sure to include in your determination of Ritter and Sons Inc. Concrete Crusher operation, the Health issues that are and will affect the nearby residents if the Concrete crushing is allowed to continue legally,

Health Concerns

The science absolutely confirms that crystalline silica leads to an increased risk of developing serious silica related diseases, including:

Silicosis, an incurable lung disease

Lung Cancer

COPD

Kidney Disease

Thank you for being a considerate and responsible overseer,
Dalvert D. Booth
dalbooth9@gmail.com

FILE COPY

Jamie Whitehouse

From: Jeff Boxer <totdoc_2000@yahoo.com>
Sent: Monday, September 26, 2022 9:47 PM
To: Jamie Whitehouse
Subject: Concrete Crusher

Opposition
Exhibit

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To: Mr. Whitehouse

I wanted to voice my opposition to Conditional Use Application 2327 by Howard L. Ritter & Sons, Inc. It is not safe to operate an Industrial Concrete Crusher adjacent to residential subdivisions. I am a pediatrician who takes care of several children who live very close to where the crusher would be. The potential negative effects of the concrete dust on the health of these children is worrisome. I am also very concerned about the health of many others, especially older adults and children, who live near the site where the crusher would be operating.

Thank you very much for your consideration in this matter.

Jeffrey J. Boxer, MD
Beacon Pediatrics
Rehoboth Beach, DE 19971

Jamie Whitehouse

From: Sara Watson & Robert Watson <noreply@forms.email>
Sent: Wednesday, November 9, 2022 9:55 AM
To: Jamie Whitehouse
Subject: Contact Form: CU # 2327 Industrial Concrete Crusher

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Name: Sara Watson & Robert Watson

Email: pearls1106@gmail.com

Phone: 302-827-4197

Subject: CU # 2327 Industrial Concrete Crusher

Message: We say "NO" to this proposal CU # 2327 Concrete Crusher. This does not belong in any residential areas, mainly because the health hazards that it can cause, along with the noise pollution. Please don't let this pass. Maybe they should put this in their back yard. We were born and raised in Delaware and it saddens me to see what has been done to Sussex County. They just care about the money not peoples lives. So again PLEASE don't let this happen. Thank you. God bless..

Jamie Whitehouse

From: stephen letendre <sletendre1@gmail.com>
Sent: Wednesday, November 9, 2022 10:33 AM
To: Jamie Whitehouse
Subject: Cu 2327.....NO

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As a resident of Lewes, I cannot believe you are actually considering approving an "Exception" to allow a concrete crusher in the Lewes area. As a former environmental engineer, I can tell you that this is a nasty, loud, dusty, and highly invasive industrial industry and should not be located anywhere near a residential area, and with all the open country in Sussex County I don't understand why it can't be located much further outside populated areas. I say NO to this mess. Thx. Steve

Jamie Whitehouse

From: jshaye@cox.net
Sent: Thursday, November 3, 2022 11:40 AM
To: Jamie Whitehouse
Subject: CU 2327

Opposition
Exhibit

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I oppose CU 2327. I reside at 31253 Temple Rd. Lewes, DE 19958

Thank you!
Janet Shaye

Jamie Whitehouse

From: Gail Gormley <gail.m.gormley@gmail.com>
Sent: Wednesday, November 2, 2022 11:51 AM
To: Jamie Whitehouse
Subject: PLEASE : Vote no CU #2327

Opposition
Exhibit

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I live in the Woods Cove Community on Plantations Rd. We MUST keep our community free from industrial projects like the proposed Concrete Crusher. I will be at the hearing on 11/17/2022.

Gail Gormley
18940 Shore Pointe Ct, Rehoboth Beach, DE 19971

Jamie Whitehouse

From: Richard Lello <Richielello@yahoo.com>
Sent: Wednesday, November 9, 2022 10:57 AM
To: Jamie Whitehouse
Subject: CU # 2327

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Dear Mr. Whitehouse:

As a resident of Lewes, I am opposed to CU # 2327 which would allow the zoning change from AR-1 to HI-1. The removal of agriculture zoning will continue to cause great harm to the county which has seen continued deterioration and loss of available tillable land to housing developers. In addition, the health risks and pollution from this concrete crusher operation will have a significant negative effect on the local economy and tourism. You were elected to protect and improve the county and you should uphold that responsibility. Please vote no to CU# 2327 to protect the citizens, environment, historical beauty and economy of Lewes.

Regards

Dr Craig Lello

Jamie Whitehouse

From: Eli Ramos <eli_amos@verizon.net>
Sent: Tuesday, November 8, 2022 5:02 PM
To: Jamie Whitehouse
Subject: CU#2327

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Mr. Whitehouse,

Thank you for the opportunity to voice my opinion on the matter of CU#2327. I this is going to be allowed on the facility currently on Plantation road (sand & stone) then definitely NO. I live East of this facility 1/2 mile. This process would release matter into our water basin wells. There are 25 families who be affected (as well as others). If this toxic substance reaches our wells and it effects us and our families a lawsuit will be launched that would hurt this company and anyone who is party to it. I don't think anyone wants this. It is a bad idea; health, economic, politicaly unwise.

RECEIVED
NOV 09 2022
SUSSEX COUNTY
PLANNING & ZONING

Jamie Whitehouse

From: JAMES Flower <flower3jr@comcast.net>
Sent: Tuesday, November 8, 2022 4:48 PM
To: Jamie Whitehouse
Subject: CU 2327 opposed

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>
> I would like to go on recorded as being opposed to CU#2327 to approving an Industrial Concrete Crushed in Lewes.
>
> James E Flower
> 33088 Bay Terrace
> Lewes DE 19958

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SUSSEX COUNTY
PLANNING & ZONING

Jamie Whitehouse

From: Carey Albrecht <careyalbrecht@gmail.com>
Sent: Friday, November 4, 2022 5:37 PM
To: Jamie Whitehouse
Subject: Opposition to CU #2327

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Good evening,

I wanted to voice my vehement opposition to CU #2327 (Hazardous concrete crusher in Lewes). As a resident of the Governors community, I am very concerned about the health and environmental hazards this would bring to our area, as well as noise issues.

Thank you for your consideration,
Carey Albrecht

Sent from my iPhone

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NOV 09 2022

SUSSEX COUNTY
PLANNING & ZONING

Amy Hollis

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Wednesday, November 9, 2022 1:16 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Wednesday, November 9, 2022 - 1:15pm

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NOV 09 2022

SUSSEX COUNTY
PLANNING & ZONING

Name: Ed Hennessy
Email address: hennessyejh@gmail.com
Phone number: 302-530-8261
Subject: oppose ordinance CU 2327

Message: I oppose an ordinance to grant a conditional use of the Ritter property in Lewes off Plantations Rd. This property is running a heavy industrial business that may include concrete crushing. This use does not comply with AR-1 zoning and, as a resident in the area, I oppose heavy industrial use of his land. Condos in our community on Plantations Rd get covered with potentially toxic dust blowing from heavy equipment and stirred up by truck traffic. There is an increase of traffic on Plantations Rd in summer with visitors, we are concerned about their safety when sharing the road with heavy industrial trucks. These concerns will result in lowered home values.

Opposition
Exhibit

Jamie Whitehouse

From: Edward Hennessy <hennessy@dtcc.edu>
Sent: Wednesday, November 9, 2022 12:50 PM
To: Jamie Whitehouse
Subject: No to CU 2327 Ritter

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SUSSEX COUNTY
PLANNING & ZONING

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Mr. Whitehouse,

I sent an email 11/8/22 that stated I did not oppose Mr. Ritter's sale of stone, etc. but I reviewed the public notice and see that his property is zoned for Agriculture. How can he run an Industrial business on AR-1?

I oppose an ordinance to grant a conditional use of the land when it is surrounded by residential properties. The condos in Plantations get coated with the dust from heavy truck traffic and other heavy industrial use activities. An "exception" is not appropriate because of the dangerous dust, heavy traffic and lowered values of residential properties.

Please consider my opposition.

Thank you,

Edward Hennessy
20404 Oakney St.
Lewes, DE 19958

Jamie Whitehouse

From: Sandy Hennessy <shen407@gmail.com>
Sent: Wednesday, November 9, 2022 1:04 PM
To: Jamie Whitehouse
Subject: NO to CU#2327 Industrial concrete crusher in AR-1 district

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SUSSEX COUNTY
PLANNING & ZONING

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Mr. Whitehouse

A Hearing for the Ritter Corporation is scheduled for November 17 in their attempt to allow a hazardous concrete crusher in an AR-1 district for a permit for conditional use. I oppose it because from my property, I have seen much heavy duty truck traffic and dust from industrial crushing blowing towards my home from Ritter's construction site.

Sandra Hennessy
10 Crane Ave, Lewes, DE 19958
302-530-4450

Jamie Whitehouse

From: Ronald Zabriskie <ronaldzabriskie@comcast.net>
Sent: Wednesday, November 9, 2022 11:56 AM
To: Jamie Whitehouse
Subject: CU#2327

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NOV 09 2022

SUSSEX COUNTY
PLANNING & ZONING

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

My name is Ronald J. Zabriskie and I live in Lewes in the Henlopen Landing development.

I and my wife are opposed to the CU #2327 proposal to have hazardous concrete crusher in Lewes.

I've had lung cancer twice. The top lobe of my right lung was removed in 2006 and the bottom lobe of my left lung was removed in 2018. With a lung capacity of 60% I have difficulty breathing already and the dust and toxic gases from the concrete crushing would be a significant health hazard to me.

Please deny this request and say NO.

Thank you

Ronald J. Zabriskie

32854 Inlet Way , Lewes DE 19958

302 682 0538

Sent from my iPhone

Jamie Whitehouse

From: Margaret White <penny10s@icloud.com>
Sent: Wednesday, November 9, 2022 8:40 AM
To: Jamie Whitehouse
Subject: CU 2327

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Please Vote NO to this proposal, we are coping with overbuilding in Lewes!
I'm sure a suitable location can be found in HI-1 district!!
Thank you
Margaret White
Lewes,DE 19958

Sent from my iPhone

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NOV 09 2022
SUSSEX COUNTY
PLANNING & ZONING

Jamie Whitehouse

From: Tagrid Maher <tagmaher@yahoo.com>
Sent: Monday, November 7, 2022 8:05 AM
To: Jamie Whitehouse
Cc: tagmaher@yahoo.com; tbirdfrancis@yahoo.com
Subject: SAY NO TO CU#2327
Attachments: Say No to CU#2327.pdf

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Good Morning, Mr. Whitehouse,

Please accept this email to urge Sussex County Planning & Zoning Commission to DECLINE the issuance of the Conditional USE Application #2327 as we understand that the Concrete Rushing activities and required machinery is Zoned Heavy Industrial (HI-1) which is right next to residential areas (literally behind our future home) in the Maritima Community. We understand that other communities are affected as well. These other communities are Henlopen Landing, Plantations, and Morning Glory.

It was just brought to our attention, as we didn't know before buying our lot in Maritima on the corner of Lucky Charm Lane and Four Leaf Lane, that the applicant (Howard L. Ritter & sons Inc.) of this Notice of Intent has many environmental offences that that has not been addressed with resulting potential future harm to the surrounding residential areas.

We will be attending the Public Hearing on Thursday, November 17, 2022 at 5:00PM to show our opposition to the issuance fo the CU#2327.

Respectfully Yours,
Tagrid Maher
Concetta Francis

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NOV 09 2022

SUSSEX COUNTY
PLANNING & ZONING

OPPOSE HAZARDOUS CONCRETE CRUSHER IN LEWES, DE

SAY NO TO CU # 2327

Printed Name	Signature	Address (Street, City, State, Zip Code)	Phone/Email	Date
CONCETTA M. FRANCIS	Concetta M Francis	Lucky Charm Lane Lot #10 Lewes DE 19958 Maritima Community	304-479-5927 tbirdfrancis @yahoo.com	11/7/22
Tagrid Maher	Tagrid Maher	Lucky Charm Lane Lot #10 Lewes, DE 19958 Maritima Community	304-479-6117 tagmaher@yahoo.com	11/7/22

Opposition
Exhibit

September 15, 2022



DUNNE
LAW OFFICES, P.C.

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SEP 22 2022

SUSSEX COUNTY
PLANNING & ZONING

Jamie Whitehouse
Director, Sussex County Planning & Zoning Office
2 The Circle
P.O. Box 417
Georgetown, DE 19947

Industrial Concrete Crusher / Conditional Use Application # 2327
33508 Ritter Lake Dr, Lewes, DE 19958 / Closed Borrow Pit

Dear Director Whitehouse:

I moved to Lewes, Delaware with my family and four children to enjoy the clean, fresh coastal air and beautiful landscape.

Unfortunately, that dream unexpectedly changed for the worse when I found out my neighbor, a Closed Borrow Pit (CBP) was operating an illegal **Industrial Concrete Crusher** and generating revenue from concrete washout. Concrete washout has a PH of 12, which makes it as caustic as Drano, another environmental hazard right next door.

At my request, DNREC shut down this illegal operation in early 2021 for lack of permitting. Undeterred, the owners filed a **Conditional Use Application # 2327** on November 22, 2021.

I fear for my new born baby who was born on January 4, 2022, as her lungs are only developing and breathing in this cancerous crystalline silica can only lead to respiratory illness. I also fear for my elderly neighbors, many of whom are 55 - 85 years old (Plantations; Henlopen Landing; Morning Glory; Maritima).

I do not think that Lewes, Delaware is the ideal location for an **Industrial Concrete Crusher**, nor do I think that the owners of this CBP are environmental stewards given the the following:

On 01-07-21, DNREC conducted an Inspection Report and indicated the following maintenance issues: 1) Absence of spill response kits in close proximity to ground storage tanks; 2) Cracks in secondary containment structures; 3) Fifty-five gallon drums leaking oily substances; and 4) Issues with concrete washout areas.

On 03-18-21, Ms. Ritter, the owner of the CBP stated that an industrial discharge to Goslee Creek occurred, which is underneath my property located at 16460 Four Leaf Drive, Lewes, DE.

1515 Market Street, Suite 1200 • Philadelphia, PA 19102

TEL 215.551.7109 • FAX 215.525.9721

stephen@dunnlawoffices.com • www.dunnlawoffices.com



DUNNE
LAW OFFICES, P.C.


Lastly, the DNREC Environmental Crimes Unit Files indicates that CBP owners have engaged in dumping (2008); release (2019); discharge (2020); materials handling (2020); and failed to maintain proper permitting for industrial activities (2021).

The science is abundantly clear that crystalline silica leads to an increased risk of developing serious silica-related diseases, including:

- Silcosis, an incurable lung disease;
- Lung cancer;
- Chronic obstructive pulmonary disease;
- Kidney disease.

It is irresponsible land use management to permit an Industrial Concrete Crusher adjacent to several residential communities, many of which have 55+ residents (Plantations; Henlopen Landing; Morning Glory; Maritima).

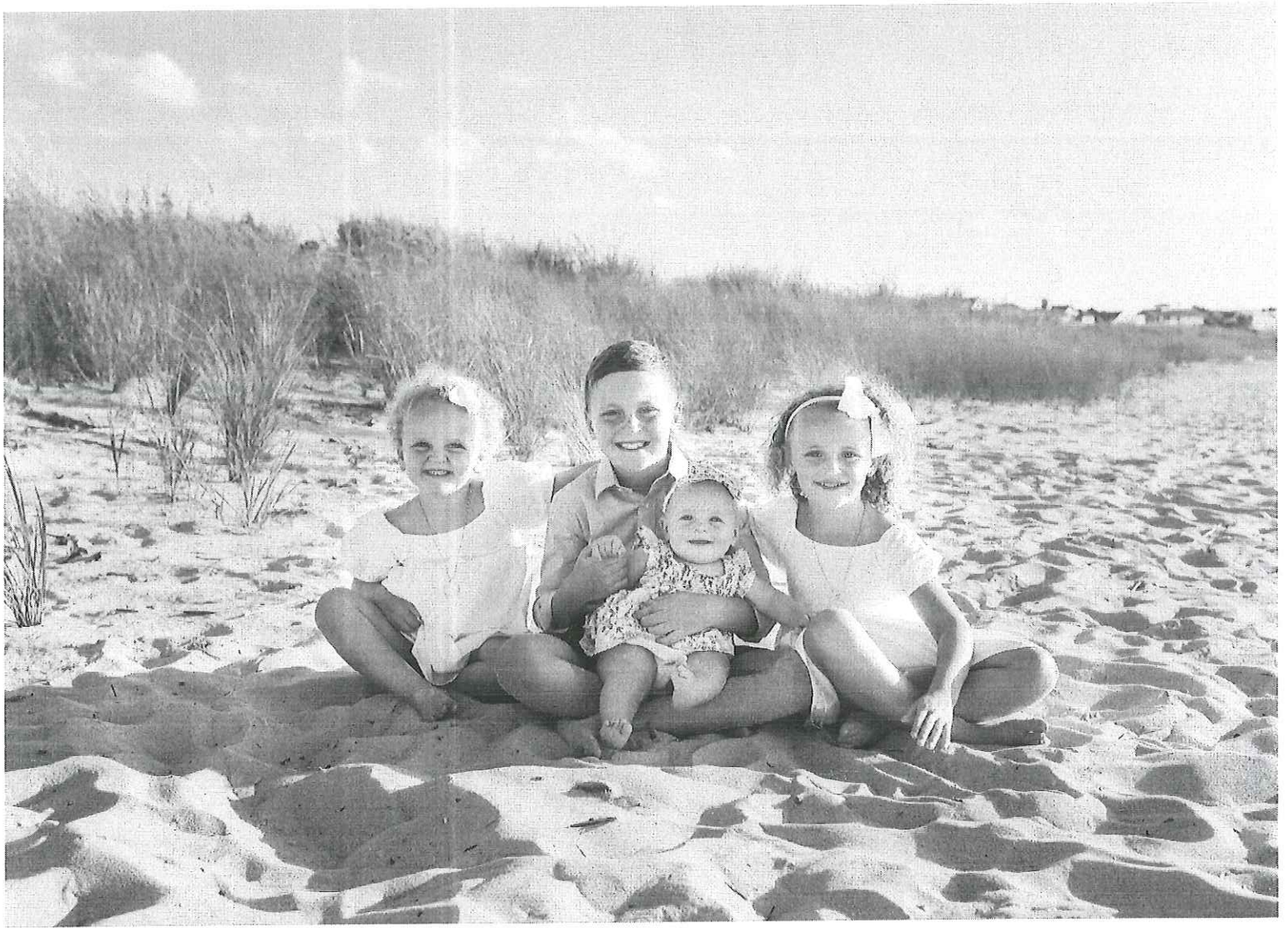
Thank you.


Stephen Dunne
16460 Four Leaf Drive
Lewes, DE 19958

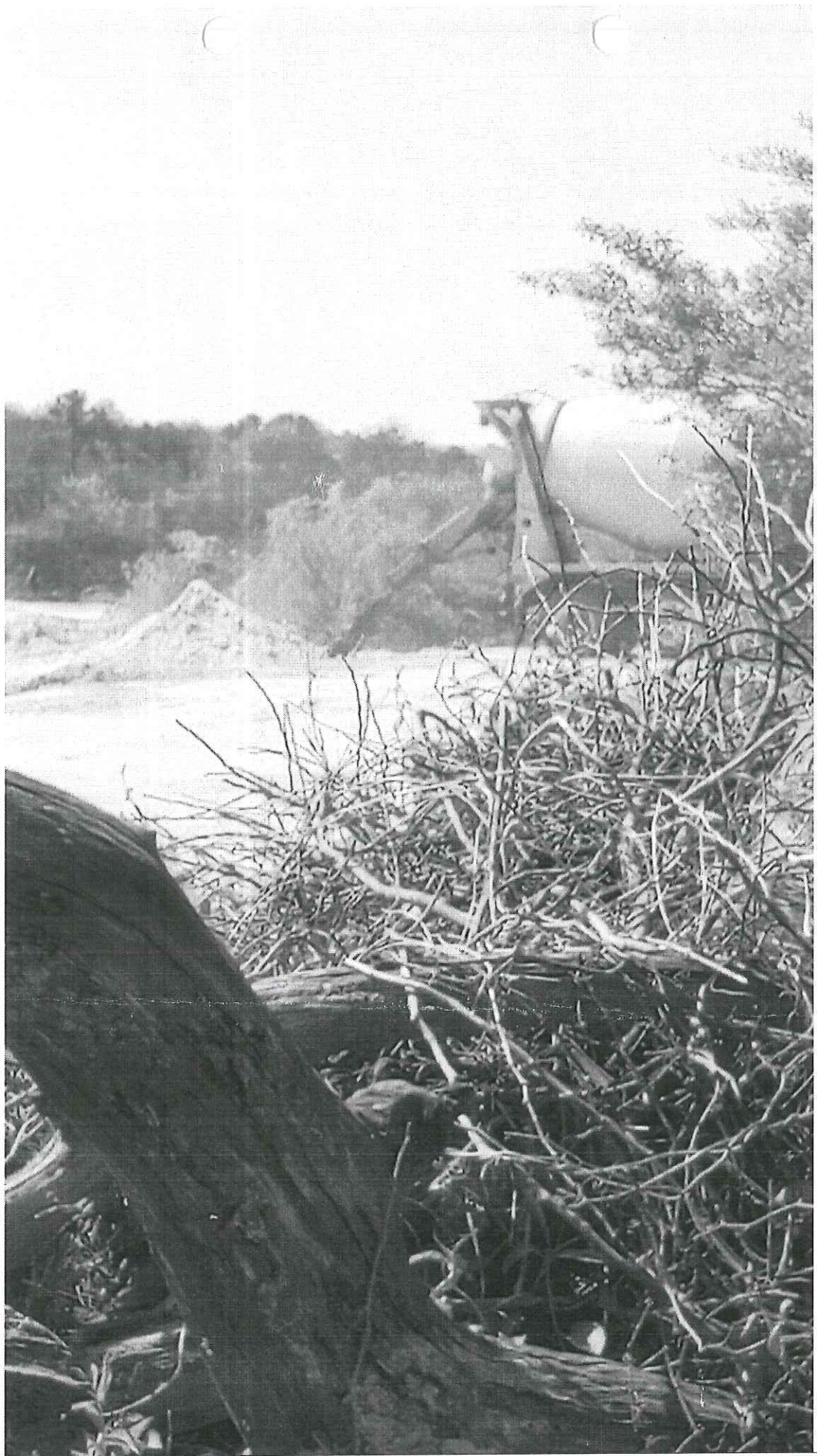
1515 Market Street, Suite 1200 • Philadelphia, PA 19102

TEL 215.551.7109 • FAX 215.525.9721

stephen@dunnelawoffices.com • www.dunnelawoffices.com













Chihito Fujisaki's
Programming School
Temporarily closed

Distance 0 m

100 m Camera: 942 m 38°44'11"N 75°10'40"W 4 m

Google 100% Imagery date: 6/14/18-newer Google



DNREC Environmental Crime Unit Complaints Files

OC Person Name:

OC Company Name:

Start Date:

End Date:

Action Comment:

Location: %33508 RITTER LAKE%

Reported By:

Nature: %

Disposition
:

County:

Division:

Section:

Assigned EPO:

Compl Yr	Comp #	Date	Time	Location	Nature	Object of Complaint Name
2008	793	3/23/2008	09:15:00	33508 RITTER LAKE DR	Dumping	UNKNOWN
Action Comment:		CLOSED				
2008	1313	5/6/2008	11:49:00	33508 RITTER LAKE DR	Dumping	WALL, SANDRA V
Action Comment:		CLOSED				
2019	2752	10/18/2019	10:37:00	33508 RITTER LAKE DRIVE	Release	RITTER, HOWARD
Action Comment:		CLOSED				
2020	830	4/20/2020	14:56:00	33508 RITTER LAKE DR	Discharge	RITTER, HOWARD
Action Comment:		CLOSED				
2020	2583	10/16/2020	10:16:00	33508 RITTER LAKE DR	Materials Handling	
Action Comment:						
2021	40	1/7/2021	10:50:00	33508 RITTER LAKE DR.	Permit Check	
Action Comment:		RELAYED TO JOANNA FRENCH AIR RESOURCES AND BILL TERRY INDUSTRIAL STORM WATER				
2021	43	1/7/2021	13:00:00	33508 RITTER LAKE DR.	PUBLIC OUTREACH	
Action Comment:						

TOTAL # 7
COMPL:



Form 3-GP.SW/06
Revised 07/01/10

State of Delaware
Department of Natural Resources and Environmental Control

Notice of Intent (NOI)

Request for Obtaining Coverage Under *The Regulations Governing Storm Water Discharges Associated with Industrial Activities (Subsection 9.1)*

- Submission of this form serves as notification of the intention of the facility identified on this form, to adhere to the provisions of *The Regulations Governing Storm Water Discharges Associated with Industrial Activities* (NPDES General Storm Water Permit Program).
- This form must be complete in order to obtain permit coverage. Please refer to the directions regarding the fee that is required.

Section 1: Facility Information

Facility Name	Howard L. Ritter & Sons, Inc.		
Mailing/ Billing Address	PO Box 36		
	City Lewes	State DE	Zip 19958
Physical Address	<input type="checkbox"/> Same as above 33508 Ritter Lake Drive		
	City Lewes	State DE	Zip 19958
Within City Limits? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	County: <input type="checkbox"/> Kent <input type="checkbox"/> New Castle <input checked="" type="checkbox"/> Sussex	Tax Parcel ID 334-12.00-7.00	
Identify the watershed and the name of the water body or municipal storm sewer system (public MS4) which receives storm water runoff from the facility	Latitude and Longitude expressed as a decimal to at least six (6) decimal points		
Discharges To 2 on-site ponds & Goslee Creek	Latitude 38.732870	Longitude 75.167517	
Watershed	<input type="checkbox"/> Chesapeake Bay <input type="checkbox"/> Delaware Bay <input checked="" type="checkbox"/> Inland Bays/Atlantic Ocean <input type="checkbox"/> Piedmont		

Section 2: Contact Information (Responsible for facility compliance with the NPDES General Storm Water Permit)

Prefix Ms.	First Susan	Middle L.	Last Ritter	Suffix
Title Co-owner / Co-manager			Telephone Number 302-245-0636	
E-Mail Address susanritter2@hotmail.com				

Section 3: Brief description of the types of industrial activities conducted at the facility

- Sand & Gravel mining / excavating
- General Contractor
- Heavy construction (Non-Building)

Section 4: List up to four (4) SIC Codes which describe the activities conducted at the facility

212321	1629		
--------	------	--	--

Section 5: Is the facility subject to SARA Title III, Section 313 Requirements?

☐ Yes ☒ No

Section 6: Certification

"I certify under penalty of law this document and all attachments were prepared under my direction, or supervision, in accordance with a system designed to assure that qualified personnel gathered and evaluated the information submitted. Based upon my inquiry of the person(s) directly responsible for gathering the information, the information is, to the best of my knowledge, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of a fine and imprisonment for willful violations."

Print Name & Title Susan Ritter / Co-owner	Telephone Number 302-245-0636
Signature Susan Ritter	Date 3/18/2021



Delaware Department of Natural Resources and Environmental Control
89 Kings Highway, Dover, DE, 19901
Tel (302) 739-9946, Fax (302) 739-8369

General Stormwater Inspection Report

Surface Water Discharges Section

Inspector: Kirsten Gerhardt

Facility Information

Site Name: Howard L. Ritter & Sons Inc.

ID #: update later

Location: 33508 Ritter Lake Dr., Lewes, DE 19958

Contact: Susan Ritter

Phone: (302) 245-0636

Email: susanritter2@hotmail.com

Inspection Information

Inspection Type: Facility NOI

Inspection Started: 01/08/2021 01:50 pm

Field Inspection Completed: 01/07/2021 11:14 am

Inspection Report Completed: 01/08/2021 02:14 pm

Weather: Temperature: 40 degrees, Clear

Site Status: Non-compliant

- 1) Do conditions exist that prevent performance of an inspection at this time? No
- 2) Is there a completed/up to date plan available on site for review? Open Work Items Exist
Maintenance Action Required- Noted 01/08/2021
Please send an NOI form along with a Storm Water Plan to Kirsten.gerhardt@delaware.gov or
Bill.tanner@delaware.gov within 60 days.
- 3) Have all industrial activities been properly identified? Yes
- 4) Does the facility map reflect the current condition of the site including locations of required elements such as outfall locations, flow direction/drainage areas, structural BPMs, industrial materials, above ground storage tanks? Yes
- 5) Annual training completed? Yes
- 6) Is the facility maintaining records of spills and leaks? Yes
- 7) Is a spill response plan or SPCC available for review? Yes
- 8) Quarterly routine inspections? Yes
- 9) Comprehensive site evaluation? Yes

General Stormwater Inspection Report

Surface Water Discharges Section

Report Continuation

- 10) Secondary Containment inspections? Yes
- 11) Quarterly visual observations completed? Yes
- 12) Analytical monitoring completed? Yes
- 13) Results compared to benchmark concentrations? Yes
- 14) Are values within acceptable ranges for storm water? Yes
- 15) If a sample exceedance occurs, is the corrective action documented? Yes
- 16) Does the facility appear to maintain general good housekeeping practices? Yes
- 17) Is process debris removed regularly? Yes
- 18) Is spill absorbent material and spill response equipment adequately provided? Open Work Items Exist
- 19) Where practical, are industrial materials and activities protected by a storm resistant shelter to prevent exposure to precipitation? Yes
- 20) Is the site free of erosion? Yes
- 21) If bulk salt piles are present are they enclosed or covered to prevent exposure to precipitation? Yes
- 22) ASTs present on site? See notes

Maintenance Action Required- Noted 01/08/2021

Please obtain spill response kits to be placed in close proximity to above ground storage tanks, hydraulic/diesel equipment, and any other potential spill hazards. Please complete within 30 days and submit photo documentation.

Notes Recorded:
Yes

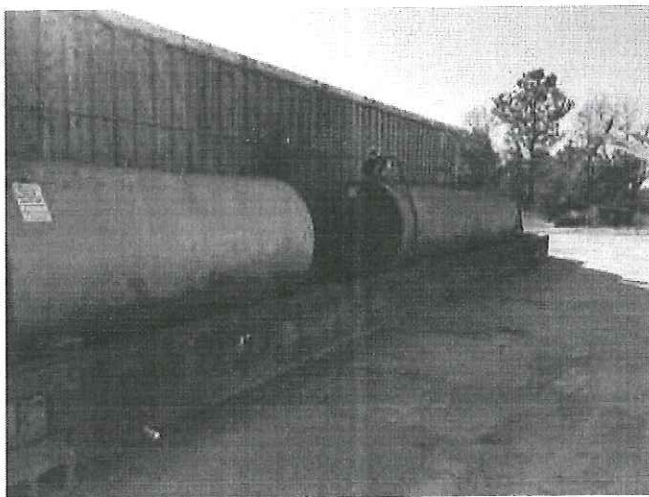


Photo 1: Yes

- 23) AST double-walled or secondary containment structures present? Yes

General Stormwater Inspection Report

Surface Water Discharges Section

Report Continuation

- 24) Drain valve locked or drain capped?

See notes

Notes Recorded:

Capped



Photo 1: Capped

- 25) Tanks and secondary containment structures maintained? Free of evidence of spills and leaks?

Open Work Items Exist

Maintenance Action Required- Noted 01/08/2021

Secondary containment structure requires maintenance. There are cracks in the structure. You will be required to conduct secondary containment inspections as indicated in your SWP once it is complete. Please address cracks in structure and submit photo documentation within 30 days.

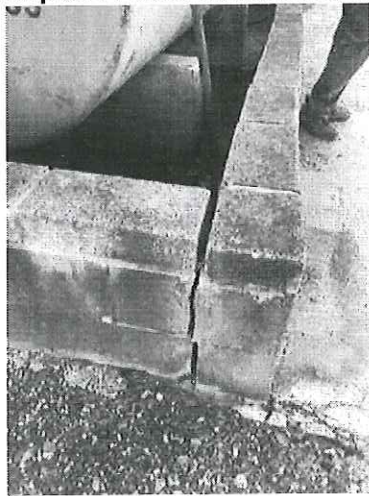


Photo 1: Secondary containment structure requires maintenance. There are cracks in the structure. You will be required to conduct secondary containment inspections as indicated in your SWP once it is complete. Please address cracks in structure and submit photo documentation within 30 days.

- 26) Is an identifiable outfall present?

See notes

Notes Recorded:

No identified outfalls. Site is graded so that no water is currently leaving.

- 27) Are storm water outfalls identified as required and as they are on the site map?

Yes

- 28) Are outfalls free of debris?

Yes

- 29) If discharge is occurring does it appear to be normal?

Yes

General Stormwater Inspection Report

Surface Water Discharges Section

Report Continuation

- 31) Has the permittee implemented BMPs to reduce or eliminate exposure of pollutants from its stormwater discharge?

Open Work Items Exist

Maintenance Action Required- Noted 01/08/2021

Please address 55 gallon drums and 5 gallon bucket that are collecting stormwater and leaking oily substances. Dispose of properly if no longer in use. If such containers need to be stored on site, they must be placed on a secondary containment pallet or stored inside a weather resistant shelter. Please address and submit photo documentation within 30 days.



Photo 1: Please address 55 gallon drums and 5 gallon bucket that are collecting stormwater and leaking oily substances. Dispose of properly if no longer in use. If such containers need to be stored on site, they must be placed on a secondary containment pallet or stored inside a weather resistant shelter. Please address and submit photo documentation within 30 days.



Photo 2: Please address 55 gallon drums and 5 gallon bucket that are collecting stormwater and leaking oily substances. Dispose of properly if no longer in use. If such containers need to be stored on site, they must be placed on a secondary containment pallet or stored inside a weather resistant shelter. Please address and submit photo documentation within 30 days.

General Stormwater Inspection Report

Surface Water Discharges Section

Report Continuation



Photo 3: Please address 55 gallon drums and 5 gallon bucket that are collecting stormwater and leaking oily substances. Dispose of properly if no longer in use. If such containers need to be stored on site, they must be placed on a secondary containment pallet or stored inside a weather resistant shelter. Please address and submit photo documentation within 30 days.

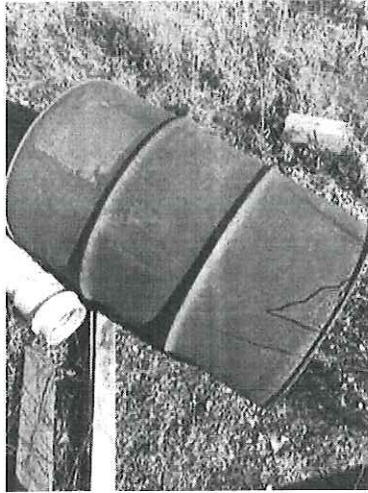


Photo 4: Please address 55 gallon drums and 5 gallon bucket that are collecting stormwater and leaking oily substances. Dispose of properly if no longer in use. If such containers need to be stored on site, they must be placed on a secondary containment pallet or stored inside a weather resistant shelter. Please address and submit photo documentation within 30 days.

32) Are BMPs functioning as designed (adequate to prevent pollution)?

Yes

General Stormwater Inspection Report

Surface Water Discharges Section

Report Continuation

33) Are BMPs implemented adequately maintained?

Open Work Items Exist

Maintenance Action Required- Noted 01/08/2021

Please address the concrete washout area and implement a better management practice such as making sure the concrete is inert before it reaches the water or creating a forebay, etc. Please address within 30 days and submit photo documentation.

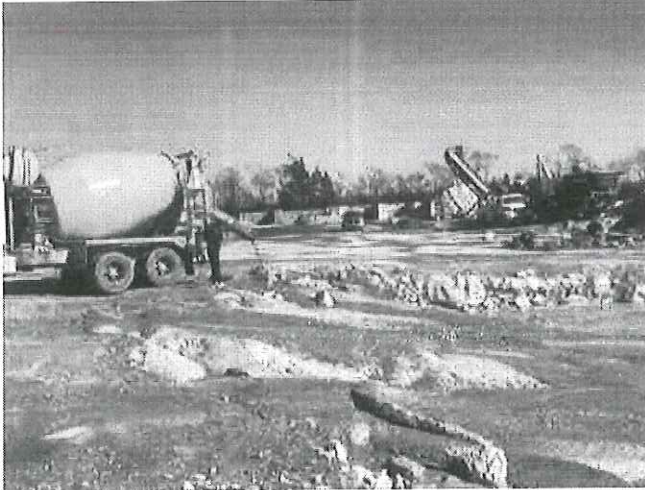


Photo 1: Please address the concrete washout area and implement a better management practice such as making sure the concrete is inert before it reaches the water or creating a forebay, etc. Please address within 30 days and submit photo documentation.



Photo 2: Please address the concrete washout area and implement a better management practice such as making sure the concrete is inert before it reaches the water or creating a forebay, etc. Please address within 30 days and submit photo documentation.

34) General Notes/Photos

None recorded

35) Do items of non-compliance other than those previously noted exist?

No

General Stormwater Inspection Report
Surface Water Discharges Section
Report Continuation



Inspected by:

Kirsten Gerhardt
Environmental Scientist I
DNREC
DNREC
(302) 739-9263
kirsten.gerhardt@delaware.gov

The National Institute for Occupational Safety and Health (NIOSH)

Workplace Safety and Health Topics > Crystalline Silica



Workplace Safety and Health
Topics

Promoting productive workplaces
through safety and health research



Crystalline Silica

Worker Information
Employer Information
Health Risks of Exposure
Job Activities Posing Risk
Engineering Controls
Medical Monitoring
Exposure Assessment
Tools and Resources

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Silica, Crystalline


Health risks of exposure

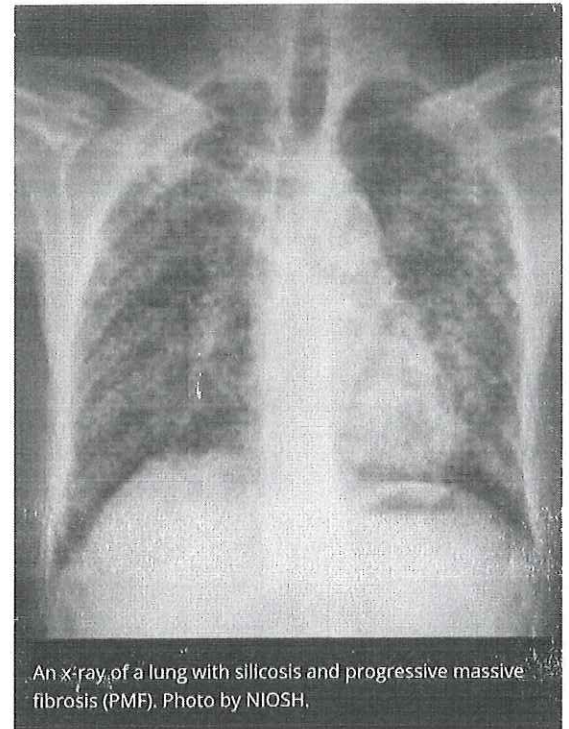
Breathing in dust from silica-containing materials can lead to silicosis. Silica dust particles become trapped in lung tissue, causing inflammation and scarring and reducing the lungs' ability to take in oxygen. This condition is called silicosis. Silicosis results in permanent lung damage and is a progressive, debilitating, and sometimes fatal disease.

Chronic silicosis typically occurs after 10 or more years of exposure to respirable crystalline silica. However, the disease can occur much more quickly after heavy exposures. Silicosis can develop or progress even after occupational exposures have stopped. Symptoms of silicosis may include cough, fatigue, shortness of breath, or chest pain. There is no cure for silicosis and some patients may require lung transplantation.

Workers with exposure to silica and those who have developed silicosis are also at increased risk of contracting tuberculosis (TB), a contagious and potentially life-threatening infection.

Exposure to respirable crystalline silica puts workers at risk for developing other serious diseases including the following:

- [Lung Cancer](#) – Lung cancer results from cells in the body that grow out of control and develop into tumors. Cancerous cells from the lung can also invade other parts of the body, a process known as metastasis.
- [Chronic Obstructive Pulmonary Disease \(COPD\)](#) – COPD includes chronic bronchitis and emphysema. Symptoms of COPD include shortness of breath, coughing or wheezing, phlegm or sputum production, and trouble breathing. The National Occupational Research Agenda (NORA) Respiratory Health Cross-Sector Council produced [Faces of Work-related COPD](#), a video series that provides impact stories from patients and discussion from a physician on the disease.
- [Kidney Disease](#) – Studies of workers have shown that increasing levels of silica exposure are associated with increasing risks for chronic kidney disease.
- [Autoimmune Disease](#)  – Studies of workers have shown that silica exposure is associated with increased risk for a variety of autoimmune diseases, such as rheumatoid arthritis, systemic lupus erythematosus, and systemic sclerosis (scleroderma).



An x-ray of a lung with silicosis and progressive massive fibrosis (PMF). Photo by NIOSH.

CANCER CAUSES AND PREVENTION

Risk Factors

Age
Alcohol
Cancer-Causing Substances
Chronic inflammation
Common Cancer Myths and Misconceptions
Diet
Hormones
Immunosuppression
Infectious Agents
Obesity
Radiation
Sunlight
Tobacco
Genetics
Cancer Prevention Overview
Research

Crystalline Silica

What is crystalline silica?

An abundant natural material, crystalline silica is found in stone, soil, and sand. It is also found in concrete, brick, mortar, and other construction materials. Crystalline silica comes in several forms, with quartz being the most common. Quartz dust is respirable crystalline silica, which means it can be taken in by breathing.



Quartz is the most common form of crystalline silica.

How are people exposed to crystalline silica?

Exposure to tiny particles of airborne silica, primarily quartz dust, occurs mainly in industrial and occupational settings. For example, workers who use handheld masonry saws to cut materials such as concrete and brick may be exposed to airborne silica. When inhaled, these particles can penetrate deep into the lungs.

The primary route of exposure for the general population is inhaling airborne silica while using commercial products containing quartz. These products include cleansers, cosmetics, art clays and glazes, pet litter, talcum powder, caulk, and paint.

Which cancers are associated with exposure to crystalline silica?

Exposure of workers to respirable crystalline silica is associated with elevated rates of lung cancer. The strongest link between human lung cancer and exposure to respirable crystalline silica has been seen in studies of quarry and granite workers and workers involved in ceramic, pottery, refractory brick, and certain earth industries.

How can exposures be reduced?

The Mine Safety and Health Administration and the U.S. Occupational Safety & Health Administration (OSHA) have regulations related to silica. For example, OSHA has a fact sheet on Control of Silica Dust in Construction: Handheld Power Saws.

Selected References:

- International Agency for Research on Cancer. Silica Dust, Crystalline, in the Form of Quartz or Cristobalite. IARC Monographs on the Evaluation of Carcinogenic Risks to Humans, Volume 100C. Lyon, France: World Health Organization, 2012. Available online. Last accessed February 1, 2019.
- National Institute for Occupational Safety and Health. Preventing Silicosis and Deaths in Construction Workers. Atlanta, GA: Centers for Disease Control and Prevention, 2014. Available online. Last accessed February 1, 2019.
- National Institute for Occupational Safety and Health. Silica, Crystalline (as respirable dust). NIOSH Pocket Guide to Chemical Hazards. Atlanta, GA: Centers for Disease Control and Prevention, 2019. Available online. Last accessed February 1, 2019.
- National Toxicology Program. Silica, Crystalline (Respirable Size). Report on Carcinogens, Fourteenth Edition. Triangle Park, NC: National Institute of Environmental Health and Safety, 2016. Available online. Last accessed February 1, 2019.
- Occupational Safety and Health Administration. OSHA Fact Sheet: Crystalline Silica Exposure Health Hazard Information. Washington, DC: U.S. Department of Labor, 2002. Available online. Last accessed February 1, 2019.
- Occupational Safety and Health Administration. Silica, Crystalline. Washington, DC: U.S. Department of Labor, Available online. Last accessed February 1, 2019.

Updated: February 1, 2019

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National Cancer Institute at the National Institutes of Health

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Silica, Crystalline



Health Effects

Construction

Overview

Crystalline silica is a common mineral found in the earth's crust. Materials like sand, stone, concrete, and mortar contain crystalline silica. It is also used to make products such as glass, pottery, ceramics, bricks, and artificial stone.

Respirable crystalline silica – very small particles at least 100 times smaller than ordinary sand you might find on beaches and playgrounds – is created when cutting, sawing, grinding, drilling, and crushing stone, rock, concrete, brick, block, and mortar. Activities such as abrasive blasting with sand; sawing brick or concrete; sanding or drilling into concrete walls; grinding mortar; manufacturing brick, concrete blocks, stone countertops, or ceramic products; and cutting or crushing stone result in worker exposures to respirable crystalline silica dust. Industrial sand used in certain operations, such as foundry work and hydraulic fracturing (fracking), is also a source of respirable crystalline silica exposure. About 2.3 million people in the U.S. are exposed to silica at work.

Workers who inhale these very small crystalline silica particles are at increased risk of developing serious silica-related diseases, including:

- Silicosis, an incurable lung disease that can lead to disability and death;
- Lung cancer;
- Chronic obstructive pulmonary disease (COPD); and
- Kidney disease.

To protect workers exposed to respirable crystalline silica, OSHA has issued two respirable crystalline silica standards: one for construction, and the other for general industry and maritime.

Revisions to Table 1

OSHA is currently analyzing comments submitted to a Request for Information to determine if revisions to Table 1 may be appropriate. See the Unified Regulatory Agenda for details.

Highlights

- Small Entity Compliance Guides
 - Construction
 - General Industry and Maritime
- FAQs for the Construction Industry
- FAQs for General Industry
- Controlling Silica Dust in Construction – Videos for Table 1 Tasks
- Table 1 Task Fact Sheets for Construction
- Video: Protecting Workers from Silica Hazards in the Workplace
- Sample Training Powerpoints
 - Construction
 - General Industry and Maritime
- **New** National Emphasis Program – Respirable Crystalline Silica
- **New** Inspection Procedures for the Respirable Crystalline Silica Standards
- Silica Rule Updates
- Submit a question



FEDERAL GOVERNMENT

OCCUPATIONAL SAFETY & HEALTH

ABOUT THIS SITE

Jamie Whitehouse

From: Larry Anzinger <larzing@aol.com>
Sent: Wednesday, November 9, 2022 3:48 PM
To: Jamie Whitehouse
Subject: Proposal to allow for Hazardous Concrete Crusher in Lewes, DE

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Hi Jamie,

I want register my opposition to CU #2327. Concrete crushing, as I am sure you know, releases crystalline silica which can lead to Silicosis, lung cancer, chronic obstructive pulmonary disease and kidney disease. Maybe 25 years ago the area where they want to put this operation in was rural enough to not affect the surrounding communities but that is not the case today. I am surprised we even have to fight this, it should be a no-brainer for the Planning and Zoning Commission. The corporation involved has been involved in activities that caused investigation by the DERECE Environmental Crimes unit, why would they even be given consideration to put in a hazardous operation in the middle of an ever growing population here in Sussex county? This operation needs to be moved to

a HI-1 zone not the AR-1 zone proposed. Their application for variance to allow this exception should and must be rejected.

Thank you for your consideration of my concerns,

Larry Anzinger
21667 Graves Drive
Lewes Crossing Transition Committee Member
Lewes, DE 19958
(201) 394-6758

HOWARD L. RITTER & SONS INC.

CASE NO. CU 2327

OWNER:

HOWARD L. RITTER & SONS, INC.
P.O. BOX 36
LEWES, DE 19958

LEGAL:

MORRIS JAMES LLP
107 W. MARKET STREET
GEORGETOWN, DE 19947
DAVID C. HUTT, ESQUIRE

PLANNER/ENGINEER/SURVEYOR:

PENNONI
18072 DAVIDSON DRIVE
MILTON, DE 19968
MARK H. DAVIDSON, PRINCIPAL LAND PLANNER
ALAN DECKTOR, PE., ENV SP
ERIC WAHL, RLA
JOHN W. HAUPT, PLS

ENVIRONMENTAL:

PENNONI
MARC CHARTIER, PG, LSRP
JOHN-THOMAS GRAUPENSPERGER, PWS

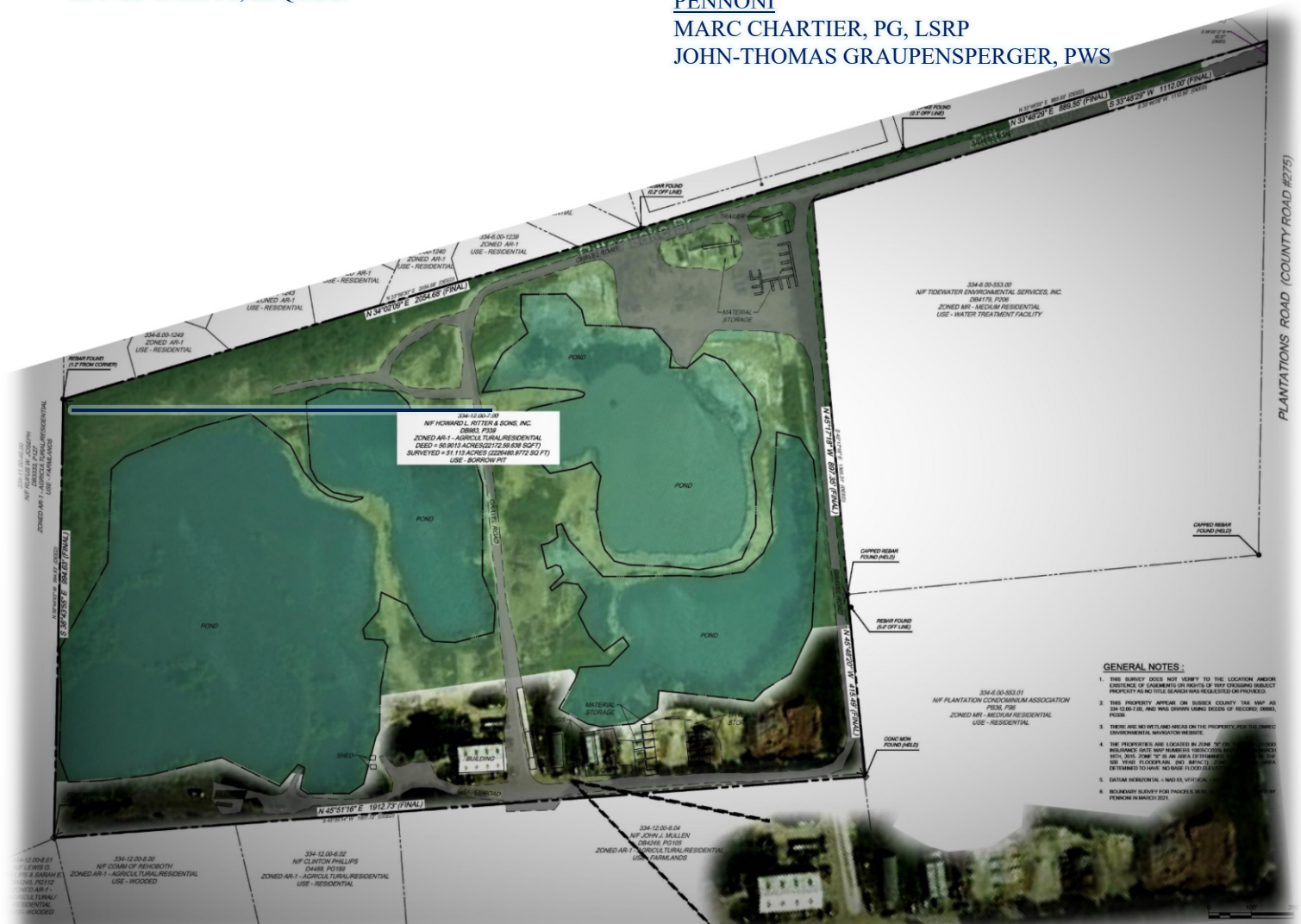


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Mark H. Davidson / Vice President

Principal Land Planner/Office Director

EDUCATION

University of Delaware; Civil Engineering,
(1986-1990)

Land Surveying, Delaware Technical &
Community College (1984-1986) and
Wastewater Microbiology Diploma
(1997)

Land Planning, Institute for Public
Administration (2006)

CERTIFICATIONS

DNREC Class A Percolation Tester & Class
B Septic Designer, (DE #2418)

Sediment & Stormwater Management,
Responsible Personnel, DE (#8760) and
MD (#4914)

DNREC Certified Construction Reviewer:
DE (#1270)

Delaware Notary

TRAININGS

Hydrology, Delaware TR-20 (1993)

Reducing Flood Hazard in Coastal
Development (1996)

Law for Managers/Supervisors (1999)

State and Federal Laws (2000)

Advanced Real Estate Law in Delaware
(2002)

Land Conservation and Historic
Preservation (2003)

Land Surveying Business Diploma (1998)

Project Manager Training I, Pennoni
(2015)

PROFESSIONAL AFFILIATIONS

National Onsite Wastewater Recycling
Association

Delaware Onsite Wastewater Recycling
Association

American Planning Association

American Institute of Certified Planners

HONORS/AWARDS

Association of Professionals
Philanthropy, Brandywine Chapter
Fundraising Nominee (2014)

Notable Networker Award, BNI (2013)

EXPERIENCE SUMMARY

Mark H. Davidson serves as Vice President of Pennoni and Office Director for our Southern Delaware, Milton Office. Mark also serves as the Principal Land Planner for Pennoni. He has over 35-years of past experience in Surveying, Engineering, Consulting, Construction and Land Planning. For 12-years he owned a professional engineering, surveying, land planning, environmental and consulting firm that provided professional consulting and design in land planning for residential, industrial, institutional, municipal and commercial applications to a wide range of clients in Delaware and Maryland. Mr. Davidson's project experience includes land development planning, surveying, engineering, environmental design and permitting; construction and project consulting, management and inspection; water resource consulting, management and inspection and municipal consulting, planning and inspection for residential, industrial, institutional, municipal and commercial applications.

Mark is a past director of the Delaware Onsite Wastewater Recycling Association as well as a member of the American Planning Association, American Institute of Certified Planners and has served in the past as a committee member of Delaware Low Impact Development Roundtable Committee, Delaware Pollution Control Strategy Committee, Delaware Sediment & Stormwater Regulatory Advisory Committee, and the Delaware Technical & Community College A/E Curriculum Committee. Past Board Member for the On Site Septic Advisory Board for the State of Delaware. He was also nominated for the Brandywine Chapter Association of Fundraising Professionals Philanthropy Award and has won the BNI Notable Networker Award.

Along with all the experience and education stated and with many years of combined experience in Surveying, Engineering, Consulting and Land Planning, he has been responsible for providing consulting, layout and design in surveying, engineering and land planning for residential, industrial, institutional, municipal and commercial applications to a wide range of clients in Delaware, Maryland, Virginia and West Virginia. He has project managed, studied, planned, surveyed, designed and engineered sustainable, master-planned communities, commercial and urban redevelopment projects, and the public infrastructure that supports them.

Mark has provided nationwide land planning consulting services to a variety of clientele to help coordinate project startups as well as final construction consulting services when it came to commercial, residential, industrial, municipal, educational and community land planning. Provided additional consulting in civil/site engineering, stormwater management, erosion and sediment control, wastewater collection and disposal, transportation, and environmental. Market areas practiced; Delaware, Maryland, West Virginia, Virginia, North Carolina, South Carolina, North Dakota, Puerto Rico, Canada and Panama.

Additional Project experience includes cutting edge design and technology as well as value engineering and construction to help clients through the ever-changing market including but not limited to solar voltaic and wind generation projects.

File #: _____

Planning & Zoning Commission Application

Sussex County, Delaware

Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph. 302-854-5079 fax

Type of Application: (please check applicable)

Conditional Use ☒ **AMENDED**

Zoning Map Amendment _____

Site Address of Conditional Use/Zoning Map Amendment

33508 Ritter Lake Road, Lewes, DE 19958

A conditional use to allow the continued sales and storage of stone, mulch, soil and related outdoor products at the property with the existing, nonconforming borrow pit.

Type of Conditional Use Requested:

~~Expansion of an existing, nonconforming borrow pit to include outdoor processing and recycling (grinding, crushing, storage and sale) of tree/yard waste and concrete as well as sales and storage of stone, mulch, soil and related outdoor products.~~

Tax Map #: 334-12.00-7.00

Size of Parcel(s): 50.90 acres

Current Zoning: AR-1

Proposed Zoning: AR-1

Size of Building: See Site Plan

Land Use Classification: Coastal Area on the 2045 Future Land Use Map

Water Provider: Private

Sewer Provider: Private

Applicant Information

Applicant Name: Howard L. Ritter & Sons, Inc.

Applicant Address: 330 Market Street

City: Lewes

State: DE

Zip Code: 19958

Phone #: (302) 245-0636

E-mail: susanritter2@hotmail.com

Owner Information

Owner Name: same as applicant

Owner Address: _____

City: _____

State: _____

Zip Code: _____

Phone #: _____

E-mail: _____

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: David C. Hutt, Esquire | Morris James LLP

Agent/Attorney/Engineer Address: 107 W. Market Street

City: Georgetown

State: DE

Zip Code: 19947

Phone #: (302) 856-0015

E-mail: dhutt@morrisjames.com



Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

✓ **Completed Application**

✓ **Provide eight (8) copies of the Site Plan or Survey of the property**

- Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
- Provide a PDF of Plans (may be e-mailed to a staff member)
- Deed or Legal description

✓ **Provide Fee \$500.00**

___ **Optional - Additional information for the Commission/Council to consider** (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.

___ **Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.**

✓ **DeIDOT Service Level Evaluation Request Response**

___ **PLUS Response Letter** (if required)

The undersigned hereby certifies that the forms, exhibits, and statements contained in any papers or plans submitted as a part of this application are true and correct.

I also certify that I or an agent on my behalf shall attend all public hearing before the Planning and Zoning Commission and the Sussex County Council and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future needs, the health, safety, morals, convenience, order, prosperity, and general welfare of the inhabitants of Sussex County, Delaware.

Signature of Applicant/Agent/Attorney

Date: 11/22/2021

Signature of Owner

Date: 10-6-2021

For office use only:

Date Submitted: _____

Fee: \$500.00 Check #: _____

Staff accepting application: _____

Application & Case #: _____

Location of property: _____

Subdivision: _____

Date of PC Hearing: _____

Recommendation of PC Commission: _____

Date of CC Hearing: _____

Decision of CC: _____

3202

BOOK 983 PAGE 339

This Deed, made this

27th day of November in the year of
our LORD one thousand nine hundred and seventy-nine.

BETWEEN, ELSIE D. ANGLIN and JOHN F. ANGLIN, her husband,
of R.D. 2, Box 266, Lewes, Delaware 19958, parties of the first part,

- AND -

HOWARD L. RITTER AND SONS, INC., a corporation of the State of Delaware,
of R.D. 1, Box 50, Lewes, Delaware 19958, party of the second part.

Witnesseth, That the said parties of the first part, for and in consideration of
the sum of-----\$150,000.00-----lawful money of the United
States of America, the receipt whereof is hereby acknowledged, hereby grant
and convey unto the said party of the second part,

ALL THAT CERTAIN Lot, piece and
parcel of land situate, lying and being in Lewes and Rehoboth Hundred, Sussex
County, State of Delaware, and lying on the Southwestern right of way line of
County Road #275, being more particularly described as follows, to wit: BE-
GINNING at a concrete monument, said concrete monument being located on
the Southwestern right of way of County Road #275, a corner for these lands
and lands now or formerly of Elsie D. Anglin; thence turning and running South
42° 13' 41" West 1,112.58 feet to a concrete monument; thence turning and running
South 36° 52' 06" East 1305.31 feet to a concrete monument; thence turning and
running by and along a common boundary line with these lands and lands now or
formerly of Alvin F. Reed and the Commissioners of Rehoboth South 54° 00' 26"
West 1907.72 feet to a concrete monument; thence turning and running by and
along a common boundary line with these lands and lands now or formerly of
Blanche M. Joseph North 30° 19' 31" West 994.63 feet to a field stone; thence
turning and running by and along lands now or formerly of Eliza R. Wilson and
lands now or formerly of James L. Edwards North 42° 24' 42" East 2054.68
feet to a pipe; thence continuing North 42° 13' 41" East 889.55 feet to a pipe;
thence turning and running by and along the Southwestern right of way of County
Road #275 South 30° 40' 00" East 52.31 feet, home to the place of beginning,
and said to contain 50.9013 acres of land, be the same more or less, as surveyed
by Miller Lewis, Inc., Registered Surveyors, on November 12th, 1979.

BEING a part of the lands conveyed to Lawrence G. Summerlin and Elsie D. Summerlin, his wife, by Deed of William D. Burton and Sallie M. Burton, his wife, said Deed dated May 12th, 1947, and filed for record in the Office of the Recorder of Deeds, in and for Sussex County, Delaware in Deed Book 370, page 357. The said Lawrence G. Summerlin died Intestate on or about April 15th, 1948, at which time the above property became vested in his widow, Elsie D. Summerlin, by right of survivorship. The said Elsie D. Summerlin remarried John F. Anglin and is now known as Elsie D. Anglin. And being lands reconveyed to Elsie Summerlin Anglin by deed of St. of Del., dated 12/1/85 in Deed Bk. 769, page 21.

IT IS EXPRESSLY agreed and understood by and between
the parties hereto that the property above-conveyed cannot be used at any time for
a landfill, dump, or related use.

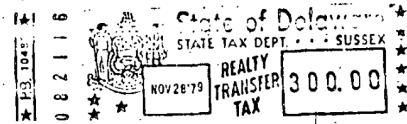
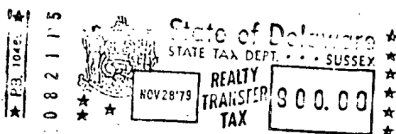
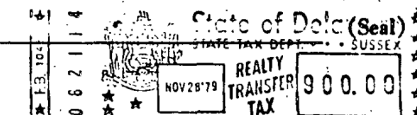
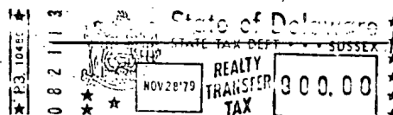
LAW OFFICES OF
Mauli & Mauli, P.A.
EAST MARKET STREET
GEORGETOWN, DELAWARE 19947

In Witness Whereof, The said parties of the first part have hereunto set their hands and seals, the day and year aforesaid.

SIGNED, SEALED, DELIVERED,
and Witnessed in the presence of

[Signature]
[Signature]

Elsie D. Anglin (Seal)
John F. Anglin (Seal)
[Signature] (Seal)



STATE OF DELAWARE,
SUSSEX

County, ss.

BE IT REMEMBERED, that on this 27th day of November in the year of our Lord one thousand nine hundred and seventy-nine, personally came before me, a Notary Public in and for the State and County aforesaid, ELSIE D. ANGLIN and JOHN F. ANGLIN, her husband,

Parties to this Indenture, known to me personally to be such, and acknowledge this Indenture to be their Deed.

GIVEN under my hand and Seal of Office, the day and year aforesaid.

PURCHASERS REPORT MADE
29th DAY OF Nov 1979
ASSESSMENT DIVISION OF SUSSEX COUNTY

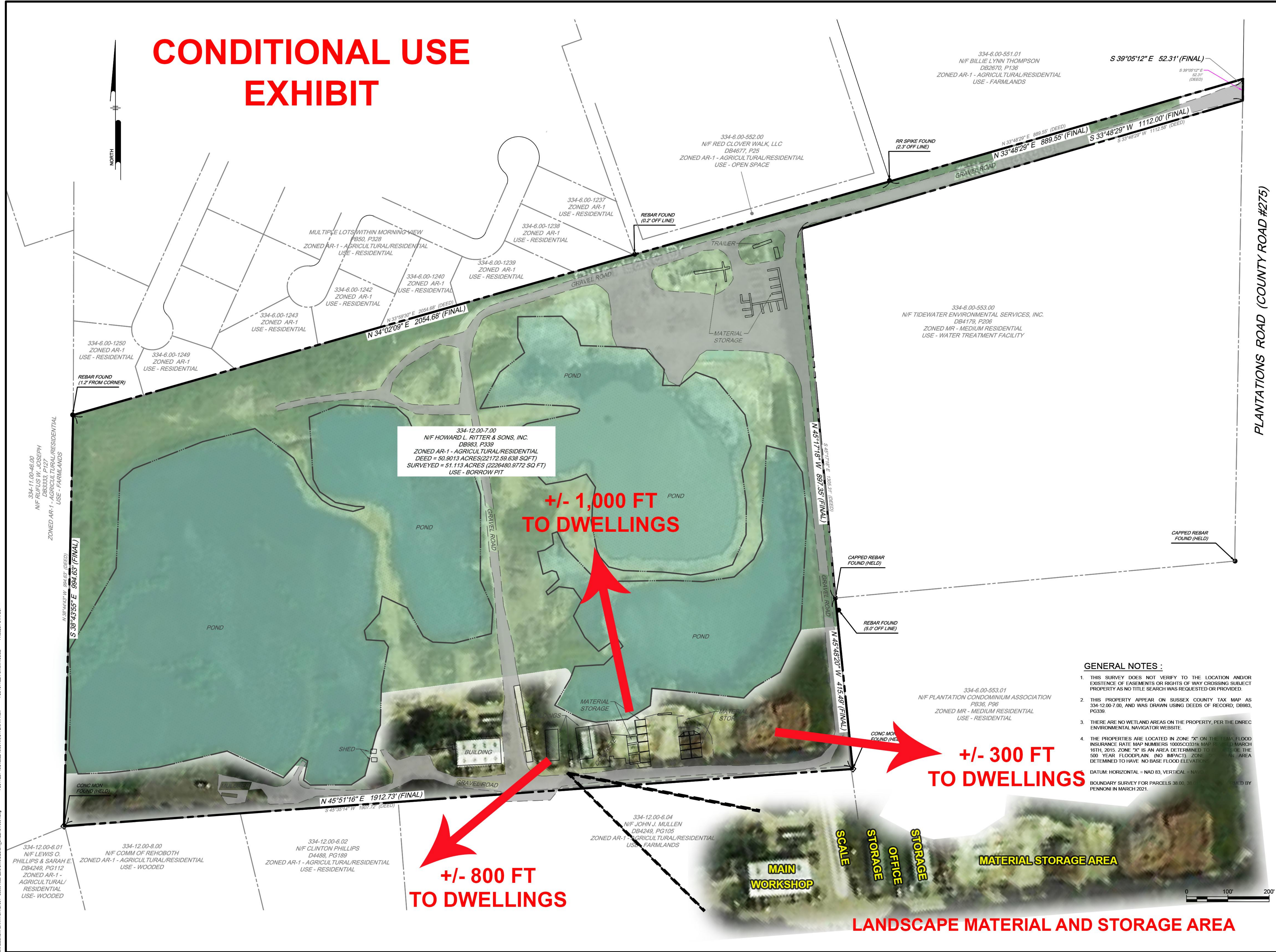
Carol E. Williamson
Notary Public

RECEIVED
MARY ANN MCCABE
Nov 28 11 36 AM '79
RECORDER OF DEEDS
SUSSEX COUNTY

LAW OFFICES OF
Maull & Maull, P.A.
EAST MARKET STREET
GEORGETOWN, DELAWARE 19947

Elle. Maull
12/19/79

CONDITIONAL USE EXHIBIT



PROJECT STATUS: — PLOTTED: 10/26/2022 10:28 AM BY: EIC:W:Wah PLT/STYLER: Pennoni NCS:db U:\Accounting\TACHN21001 - 3308 Blue Line Draw\DESIGN - SHEETS\0001.dwg

GENERAL NOTES:

- THIS SURVEY DOES NOT VERIFY TO THE LOCATION AND/OR EXISTENCE OF EASEMENTS OR RIGHTS OF WAY CROSSING SUBJECT PROPERTY AS NO TITLE SEARCH WAS REQUESTED OR PROVIDED.
 - THIS PROPERTY APPEAR ON SUSSEX COUNTY TAX MAP AS 334-12.00-7.00, AND WAS DRAWN USING DEEDS OF RECORD, DB983, PG339.
 - THERE ARE NO WETLAND AREAS ON THE PROPERTY, PER THE DNREC ENVIRONMENTAL NAVIGATOR WEBSITE.
 - THE PROPERTIES ARE LOCATED IN ZONE "X" ON THE FEMA FLOOD INSURANCE RATE MAP NUMBERS 10050C0331K MAP DATED MARCH 16TH, 2015. ZONE "X" IS AN AREA DETERMINED TO BE INSIDE THE 500 YEAR FLOODPLAIN. (NO IMPACT). ZONE "X" IS AN AREA DETERMINED TO HAVE NO BASE FLOOD ELEVATION.
- DATUM HORIZONTAL = NAD 83, VERTICAL = NAVD 83
- BOUNDARY SURVEY FOR PARCELS 38.00, 38.01, 38.02, 38.03, 38.04, 38.05, 38.06, 38.07, 38.08, 38.09, 38.10, 38.11, 38.12, 38.13, 38.14, 38.15, 38.16, 38.17, 38.18, 38.19, 38.20, 38.21, 38.22, 38.23, 38.24, 38.25, 38.26, 38.27, 38.28, 38.29, 38.30, 38.31, 38.32, 38.33, 38.34, 38.35, 38.36, 38.37, 38.38, 38.39, 38.40, 38.41, 38.42, 38.43, 38.44, 38.45, 38.46, 38.47, 38.48, 38.49, 38.50, 38.51, 38.52, 38.53, 38.54, 38.55, 38.56, 38.57, 38.58, 38.59, 38.60, 38.61, 38.62, 38.63, 38.64, 38.65, 38.66, 38.67, 38.68, 38.69, 38.70, 38.71, 38.72, 38.73, 38.74, 38.75, 38.76, 38.77, 38.78, 38.79, 38.80, 38.81, 38.82, 38.83, 38.84, 38.85, 38.86, 38.87, 38.88, 38.89, 38.90, 38.91, 38.92, 38.93, 38.94, 38.95, 38.96, 38.97, 38.98, 38.99, 39.00, 39.01, 39.02, 39.03, 39.04, 39.05, 39.06, 39.07, 39.08, 39.09, 39.10, 39.11, 39.12, 39.13, 39.14, 39.15, 39.16, 39.17, 39.18, 39.19, 39.20, 39.21, 39.22, 39.23, 39.24, 39.25, 39.26, 39.27, 39.28, 39.29, 39.30, 39.31, 39.32, 39.33, 39.34, 39.35, 39.36, 39.37, 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U:\Accounting\TACHN2\TACHN21001 - 3308 Blue Line Draw\DESIGN SHEETS\T0001.dwg PLOTTED: 10/26/2022 10:28 AM BY: Eric W. Wahl PROJECT STATUS: — PLOT STYLE: Pennon MCS.dsb



GENERAL NOTES :

1. THIS SURVEY DOES NOT VERIFY TO THE LOCATION AND/OR EXISTENCE OF EASEMENTS OR RIGHTS OF WAY CROSSING SUBJECT PROPERTY AS NO TITLE SEARCH WAS REQUESTED OR PROVIDED.
2. THIS PROPERTY APPEAR ON SUSSEX COUNTY TAX MAP AS 334-12.00-7.00, AND WAS DRAWN USING DEEDS OF RECORD, DB983, PG339.
3. THERE ARE NO WETLAND AREAS ON THE PROPERTY, PER THE DNREC ENVIRONMENTAL NAVIGATOR WEBSITE.
4. THE PROPERTIES ARE LOCATED IN ZONE "X" ON THE FEMA FLOOD INSURANCE RATE MAP NUMBERS 10050C0331K MAP DATED MARCH 16TH, 2015. ZONE "X" IS AN AREA DETERMINED TO BE INSIDE THE 500 YEAR FLOODPLAIN. (NO IMPACT). ZONE "X" IS AN AREA DETERMINED TO HAVE NO BASE FLOOD ELEVATIONS.
5. DATUM HORIZONTAL = NAD 83, VERTICAL = NAVD 83.
6. BOUNDARY SURVEY FOR PARCELS 38.00, 38.01, 38.02, 38.03, 38.04, 38.05, 38.06, 38.07, 38.08, 38.09, 38.10, 38.11, 38.12, 38.13, 38.14, 38.15, 38.16, 38.17, 38.18, 38.19, 38.20, 38.21, 38.22, 38.23, 38.24, 38.25, 38.26, 38.27, 38.28, 38.29, 38.30, 38.31, 38.32, 38.33, 38.34, 38.35, 38.36, 38.37, 38.38, 38.39, 38.40, 38.41, 38.42, 38.43, 38.44, 38.45, 38.46, 38.47, 38.48, 38.49, 38.50, 38.51, 38.52, 38.53, 38.54, 38.55, 38.56, 38.57, 38.58, 38.59, 38.60, 38.61, 38.62, 38.63, 38.64, 38.65, 38.66, 38.67, 38.68, 38.69, 38.70, 38.71, 38.72, 38.73, 38.74, 38.75, 38.76, 38.77, 38.78, 38.79, 38.80, 38.81, 38.82, 38.83, 38.84, 38.85, 38.86, 38.87, 38.88, 38.89, 38.90, 38.91, 38.92, 38.93, 38.94, 38.95, 38.96, 38.97, 38.98, 38.99, 39.00, 39.01, 39.02, 39.03, 39.04, 39.05, 39.06, 39.07, 39.08, 39.09, 39.10, 39.11, 39.12, 39.13, 39.14, 39.15, 39.16, 39.17, 39.18, 39.19, 39.20, 39.21, 39.22, 39.23, 39.24, 39.25, 39.26, 39.27, 39.28, 39.29, 39.30, 39.31, 39.32, 39.33, 39.34, 39.35, 39.36, 39.37, 39.38, 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TAB 2

MAPS





1	2021 Orthophoto		<div><div></div> Subject Parcel</div> <div><div></div> Other Tax Parcels</div>
	Lands N/F Howard L. Ritter & Sons, Inc.		
	HRTTR22001		



2	2017 Orthophoto		<div data-bbox="1128 1837 1474 1953"><div data-bbox="1128 1837 1218 1890">Subject Parcel</div><div data-bbox="1128 1890 1474 1953">Other Tax Parcels</div></div>
	Lands N/F Howard L. Ritter & Sons, Inc.		
	HRTTR22001		



Digital Aerial Solutions, LLC

3	2012 Orthophoto		<div data-bbox="1128 1837 1477 1953"> <div data-bbox="1128 1837 1218 1890">  </div> <div data-bbox="1218 1837 1477 1890">Subject Parcel</div> <div data-bbox="1128 1890 1218 1953">  </div> <div data-bbox="1218 1890 1477 1953">Other Tax Parcels</div> </div>
	Lands N/F Howard L. Ritter & Sons, Inc.		
	HRTTR22001		



4	2007 Orthophoto		<div data-bbox="1128 1837 1474 1953"> <div> Subject Parcel</div> <div> Other Tax Parcels</div> </div>
	Lands N/F Howard L. Ritter & Sons, Inc.		
	HRTTR22001		



5	2002 Orthophoto		<div><div></div> Subject Parcel</div> <div><div></div> Other Tax Parcels</div>
	Lands N/F Howard L. Ritter & Sons, Inc.		
	HRTTR22001		




6	1997 Orthophoto		<div><div></div> Subject Parcel</div> <div><div></div> Other Tax Parcels</div>
	Lands N/F Howard L. Ritter & Sons, Inc.		
	HRTTR22001		



7	1992 Orthophoto		<div data-bbox="1133 1843 1474 1955"> <div data-bbox="1133 1843 1219 1892">Subject Parcel</div> <div data-bbox="1133 1892 1474 1955">Other Tax Parcels</div> </div>
	Lands N/F Howard L. Ritter & Sons, Inc.		
	HRTTR22001		



8	1989 Orthophoto		<div data-bbox="1133 1843 1474 1955"><div data-bbox="1133 1843 1219 1892">Subject Parcel</div><div data-bbox="1133 1892 1474 1955">Other Tax Parcels</div></div>
	Lands N/F Howard L. Ritter & Sons, Inc.		
	HRTTR22001		



9	1977 Orthophoto		<div><div></div> Subject Parcel</div> <div><div></div> Other Tax Parcels</div>
	Lands N/F Howard L. Ritter & Sons, Inc.		
	HRTTR22001		



10	1968 Orthophoto		<div><div></div> Subject Parcel</div> <div><div></div> Other Tax Parcels</div>
	Lands N/F Howard L. Ritter & Sons, Inc.		
	HRTTR22001		



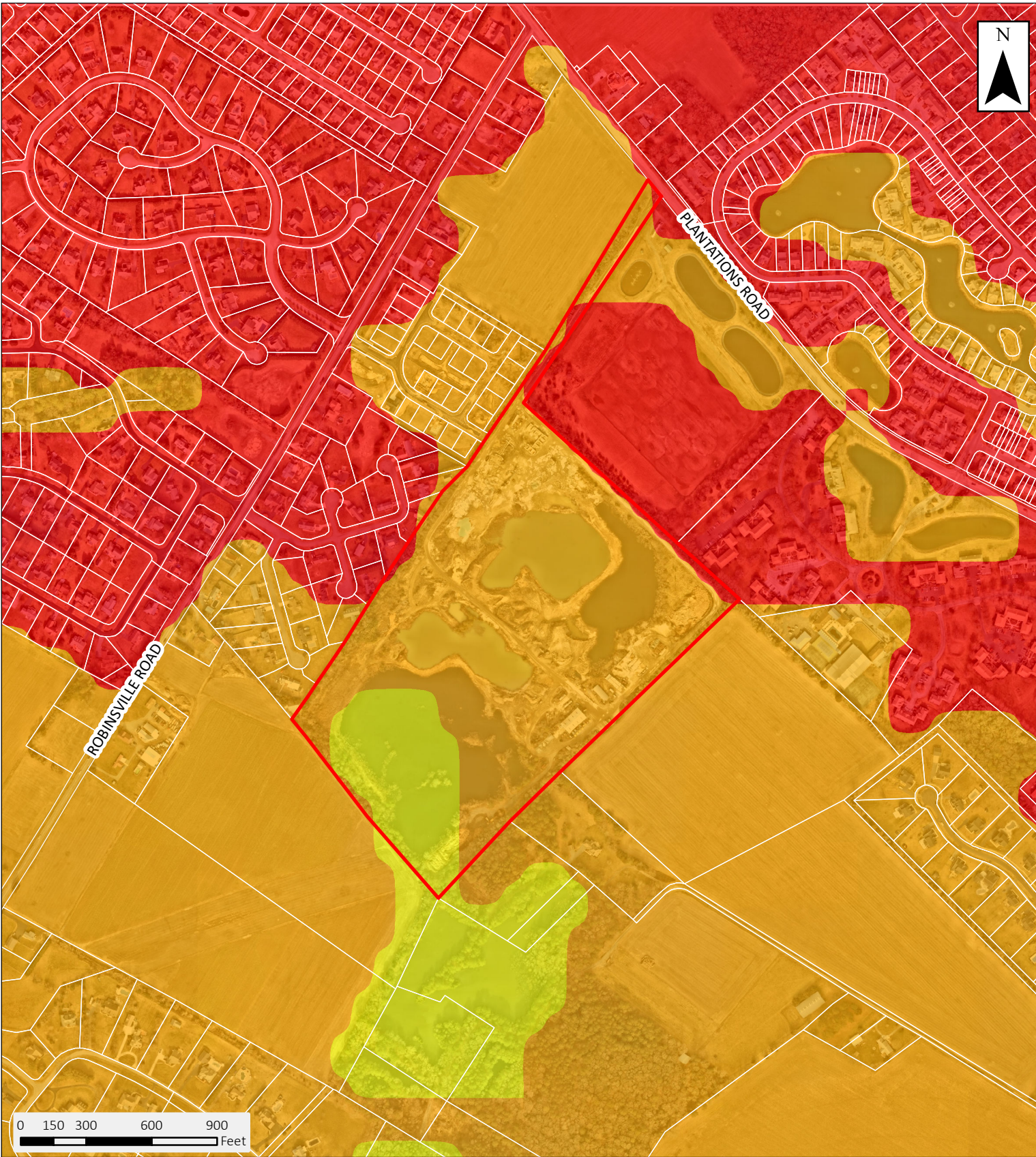
11	1961 Orthophoto		<div><div></div> Subject Parcel</div> <div><div></div> Other Tax Parcels</div>
	Lands N/F Howard L. Ritter & Sons, Inc.		
	HRTTR22001		



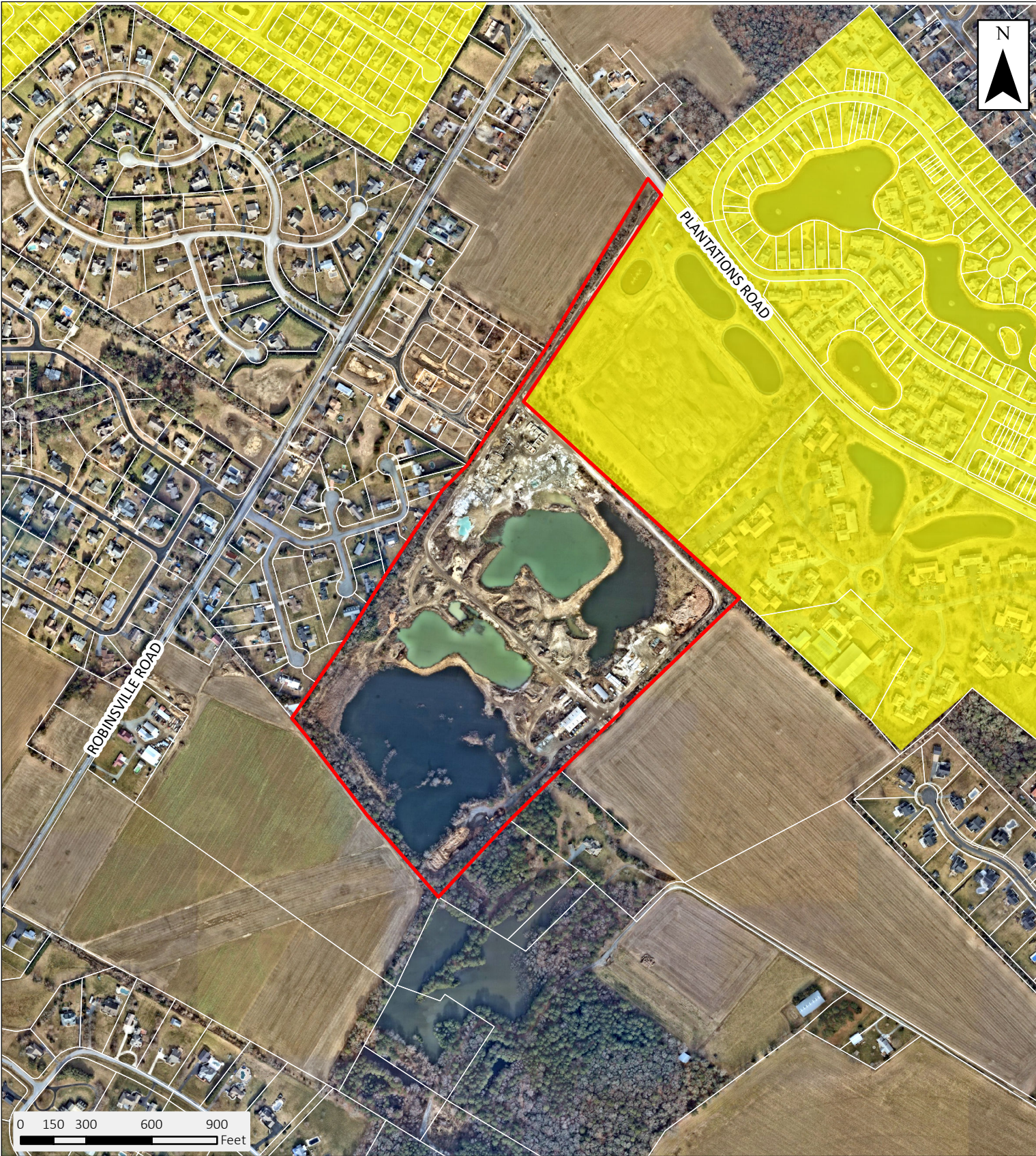
12	1954 Orthophoto		<div><div></div> Subject Parcel</div> <div><div></div> Other Tax Parcels</div>
	Lands N/F Howard L. Ritter & Sons, Inc.		
	HRTTR22001		



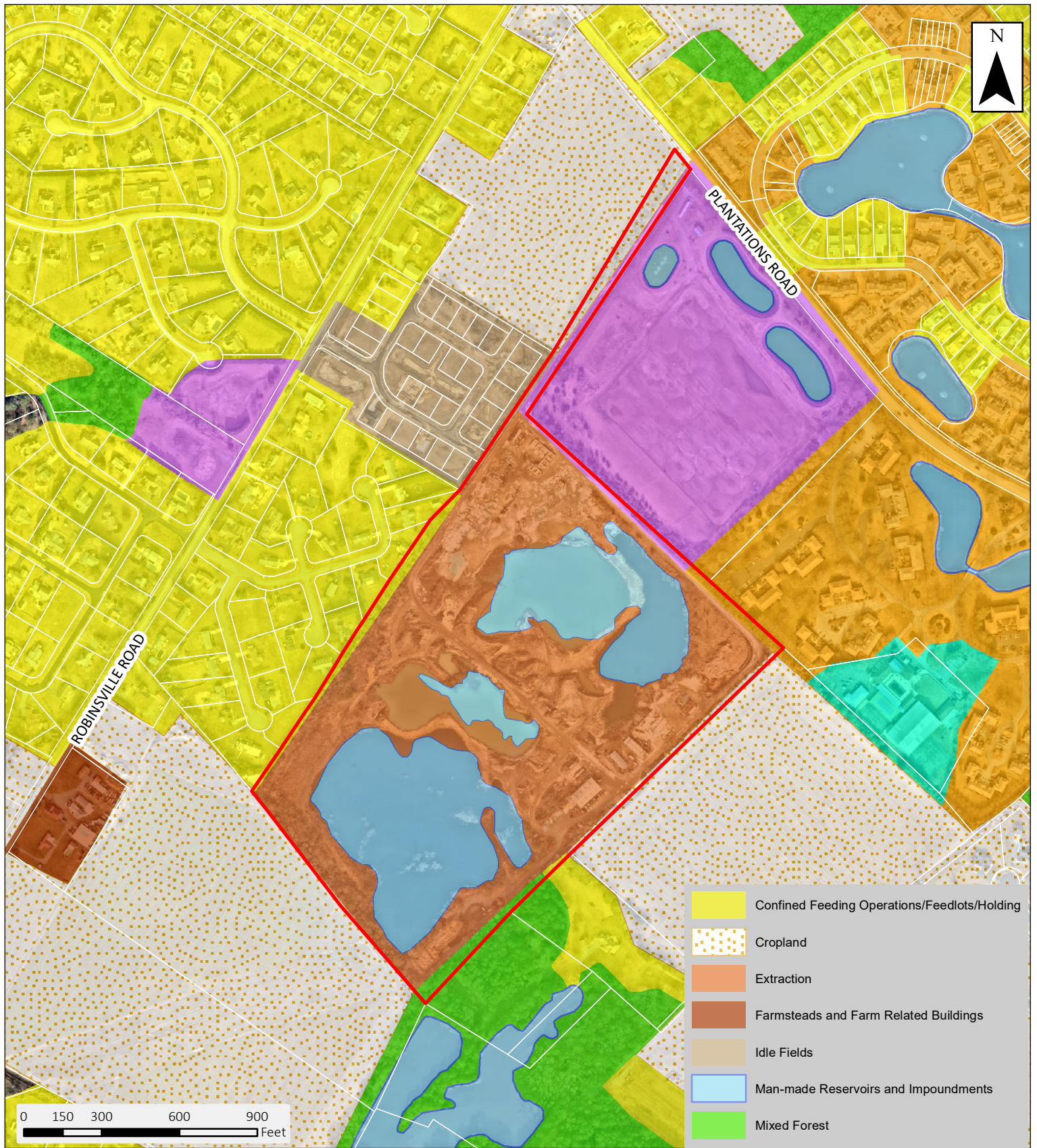
13	1937 Orthophoto		<div><div></div> Subject Parcel</div> <div><div></div> Other Tax Parcels</div>
	Lands N/F Howard L. Ritter & Sons, Inc.		
	HRTTR22001		




14	2020 State Strategies & Investment Levels		<div><div>Level 1</div><div>Level 2</div><div>Level 3</div></div>
	Lands N/F Howard L. Ritter & Sons, Inc.		
	HRTR22001		

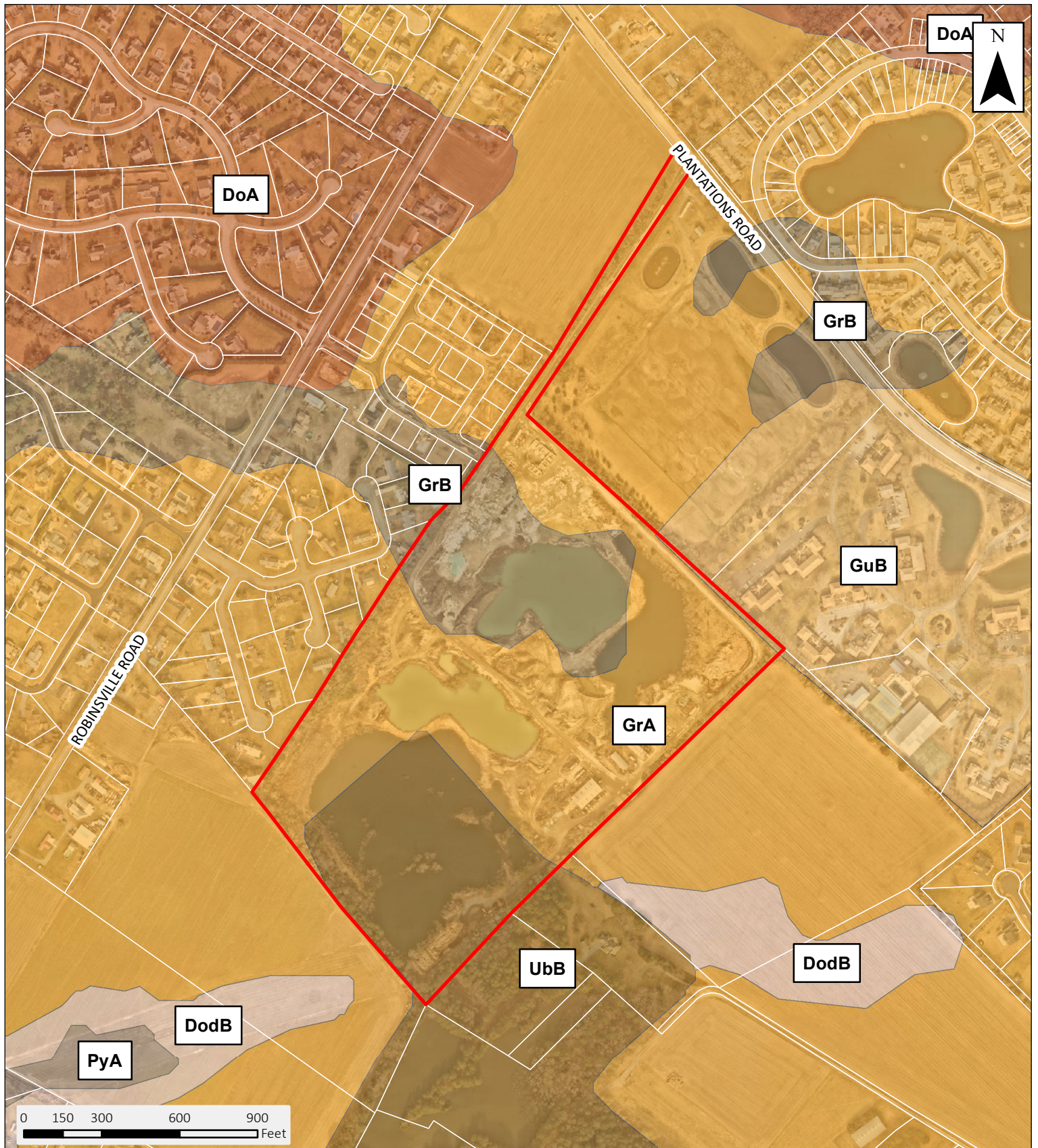



15	County Zoning Map		<div><div>AR-1 (Unshaded)</div><div>MR</div></div>
	Lands N/F Howard L. Ritter & Sons, Inc.		
	HRTTR22001		





- Confined Feeding Operations/Feedlots/Holding
- Cropland
- Extraction
- Farmsteads and Farm Related Buildings
- Idle Fields
- Man-made Reservoirs and Impoundments
- Mixed Forest
- Multi Family Dwellings
- Other Urban or Built-up Land
- Recreational
- Single Family Dwellings

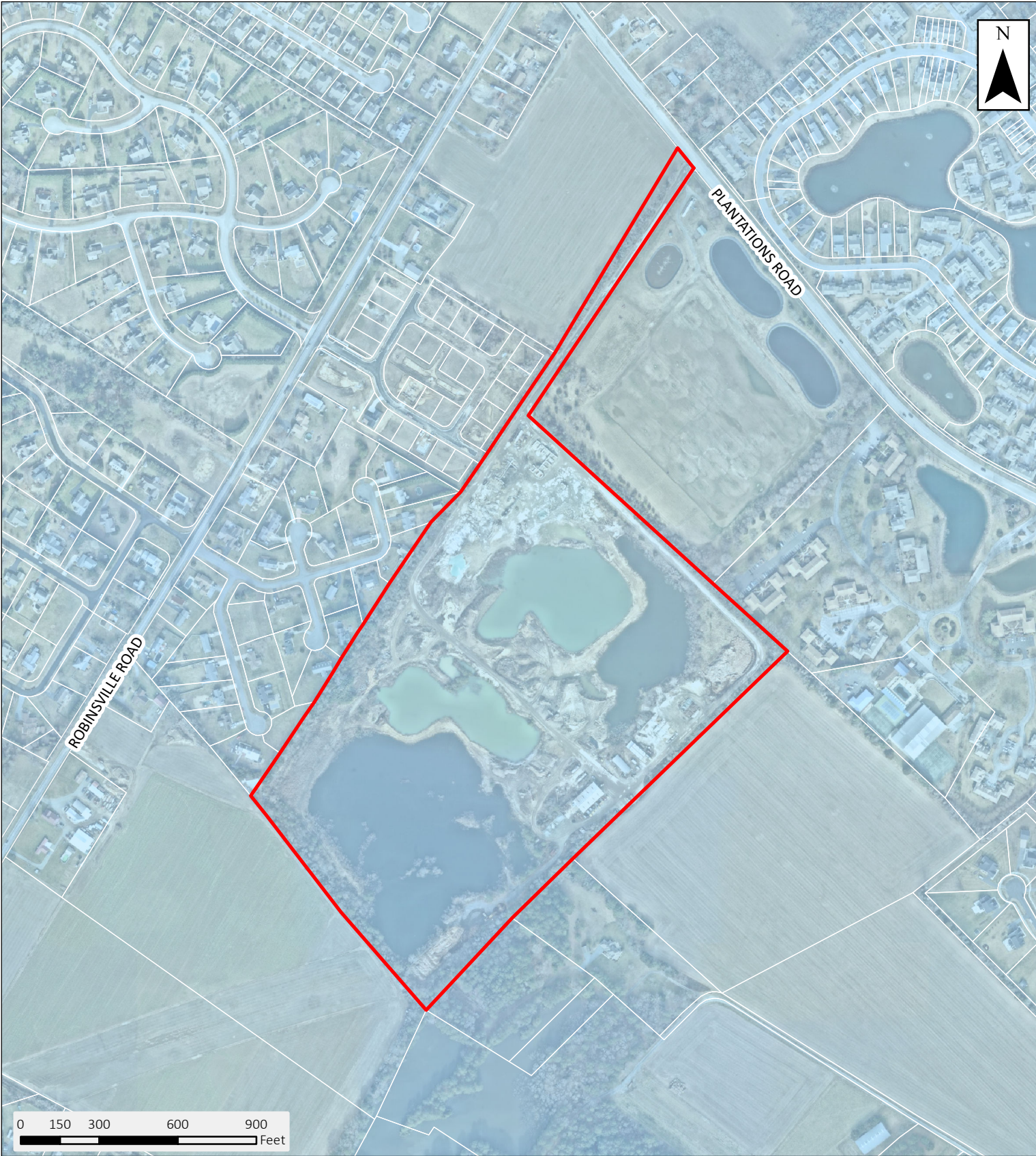
16	2020 Land Use Land Cover	
	Lands N/F Howard L. Ritter & Sons, Inc.	
	HRTTR22001	




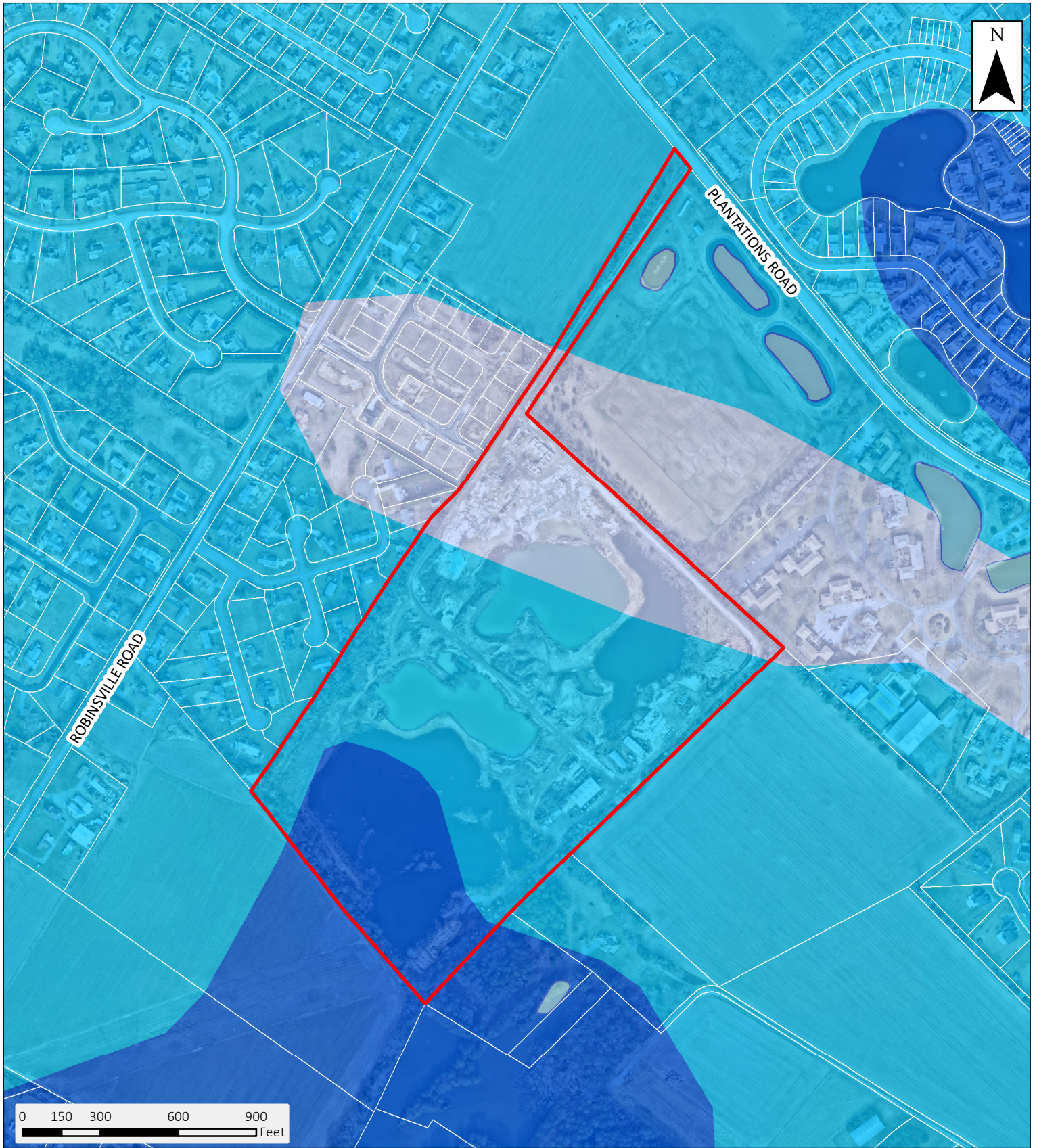
17	NRCS Soils Mapping		Soil Types: GrA - Greenwich loam, Group B GrB - Greenwich loam, Group B GuB - Greenwich-Urban land complex, Group B UdB - Udorthents borrow area, Group C
	Lands N/F Howard L. Ritter & Sons, Inc.		
	HRTTR22001		




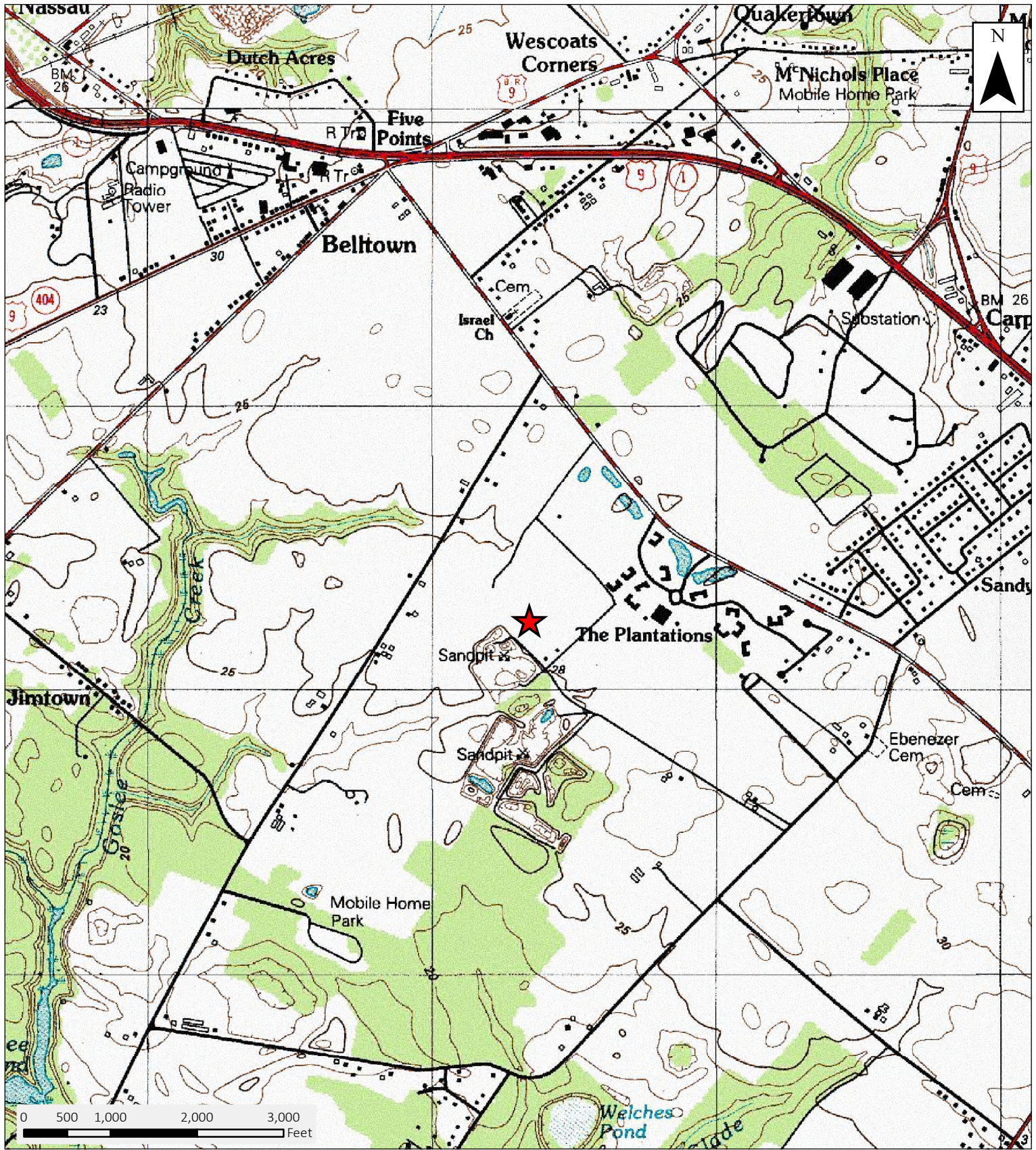
18	State Wetlands Mapping		 DNREC Wetlands
	Lands N/F Howard L. Ritter & Sons, Inc.		
	HRTTR22001		




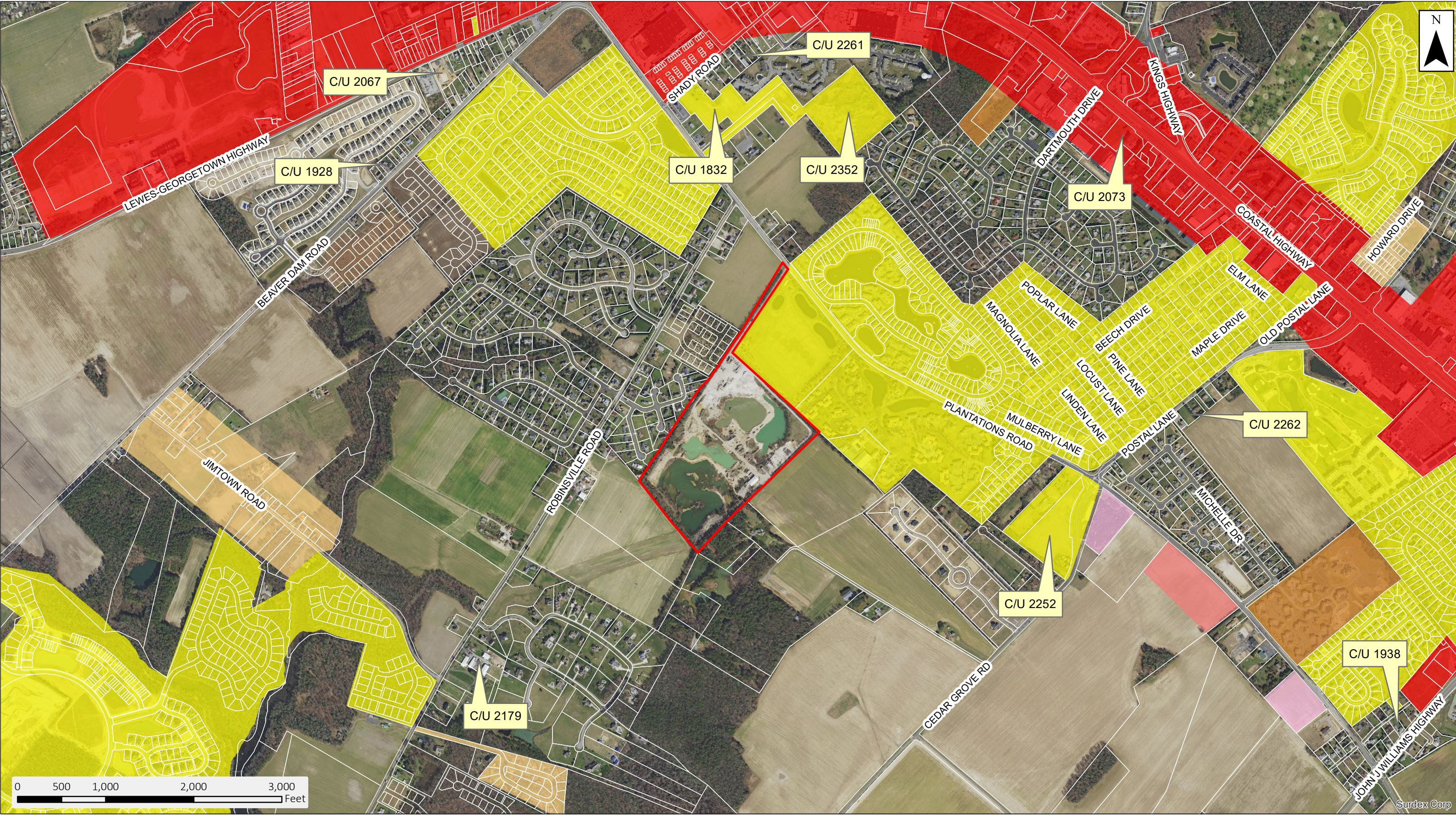
19	FEMA Floodplain Mapping		 Zone X
	Lands N/F Howard L. Ritter & Sons, Inc.		
	HRTTR22001		
			Flood Map Reference: 10005C0331K (3/16/15)



20	Groundwater Recharge Potential		<div> <div>Excellent</div> <div>Good</div> <div>Fair</div> <div>Water Area</div> </div>
	Lands N/F Howard L. Ritter & Sons, Inc.		
	HRTTR22001		



21	USGS Topographic Map		
	Lands N/F Howard L. Ritter & Sons, Inc.		
	HRTR22001		

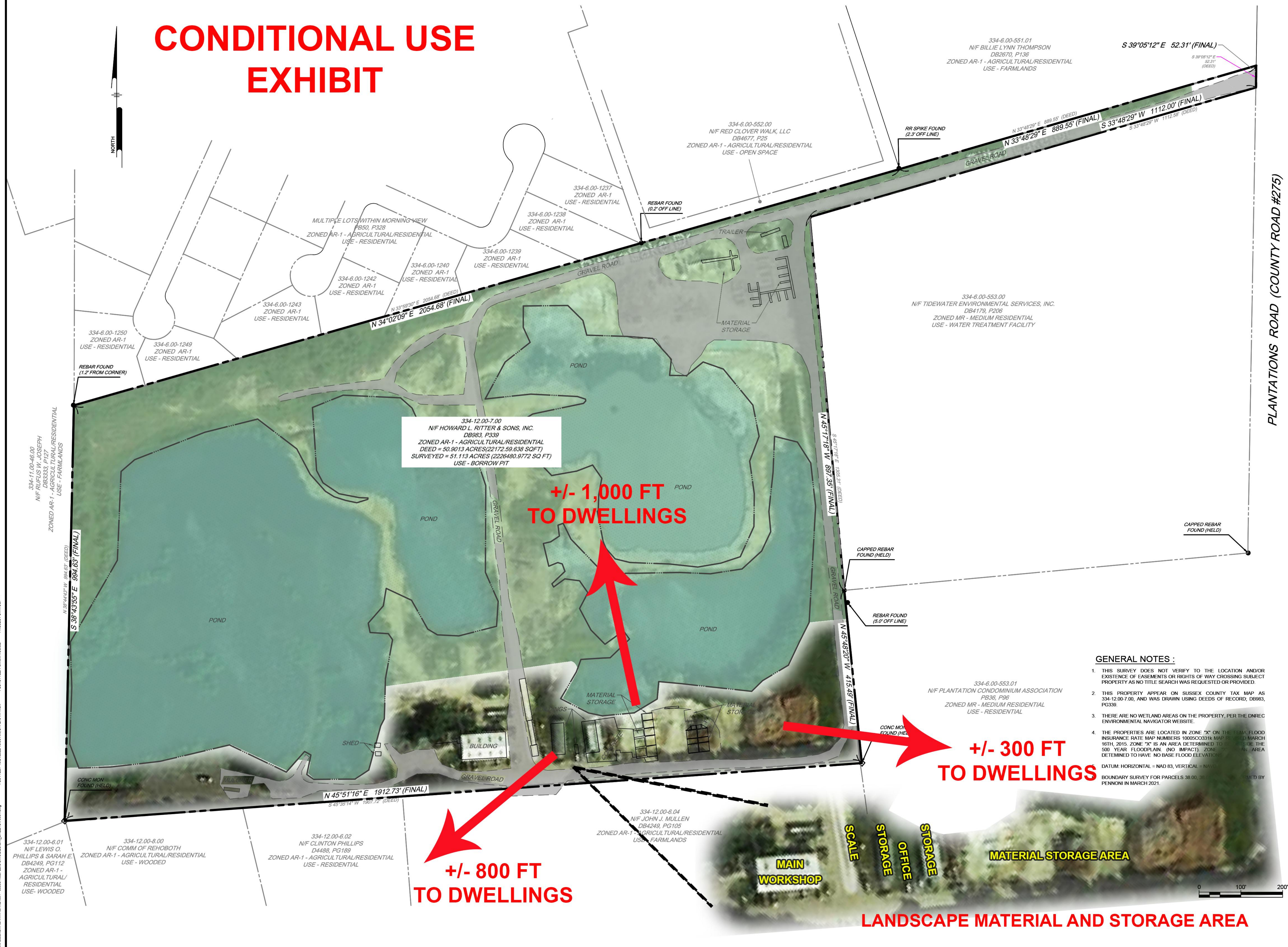


22	Approved Area Conditional Use Applications			
	Lands N/F Howard L. Ritter & Sons, Inc.			
	HRTTR22001			



23	2022 Aerial Image		<div><div></div> Subject Parcel</div> <div><div></div> Other Tax Parcels</div>
	Lands N/F Howard L. Ritter & Sons, Inc.		
	HRTTR22001		





Pennoni

PENNONI ASSOCIATES INC.
18072 Davidson Drive
Milton, DE 19968
T 302.684.8030 F 302.684.8054

ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR
AND OWNER MUST BE NOTIFIED OF ANY
DISCREPANCIES BEFORE PROCEEDING WITH WORK

LANDS N/F OF HOWARD L. RITTER & SONS, INC

33508 RITTER LAKE ROAD
LEWES AND REHOBOTH HUNDRED, LEWES, DELAWARE 19958

BOUNDARY AND LOCATION PLAN

PART AND LOCATION
TM# 334-12.00-7.00

T.A. CHANCE, LTD
16815 ISLAND FARM ROAD
MILTON, DE 19968

[illegible]

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PROJECT	TACHN21001
DATE	2021-04-07
DRAWING SCALE	1"=100'
DRAWN BY	KBE
APPROVED BY	AMD

V0001

SHEET 1 OF 1

Jamie Whitehouse

From: Karen Tyre <Karen@steve-parsons.net>
Sent: Tuesday, November 15, 2022 1:34 PM
To: Jamie Whitehouse; Planning and Zoning
Subject: OBJECTION to Application CU 2325 David Blank campground - N/S Jay Patch Rd., Selbyville, DE 19975
Attachments: Scanned from a Xerox Multifunction Printer.pdf

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Attached is my objection letter in connection with the upcoming conditional use matter, scheduled before Planning & Zoning for Thurs., Nov. 17, 2022.

Please note this objection and file the attached letter in this case.

Thank you, and please contact me if there are any questions.

Karen M. Tyre
30445 Jay Patch Road
Selbyville, DE 19975
Phone 302-858-3429
Karen.tyre302@gmail.com

(Work e-mail: karen@steve-parsons.net)

Opposition
Exhibit

FILE COPY

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KAREN M. TYRE

30445 Jay Patch Road

Selbyville, DE 19975

November 15, 2022

Jamie Whitehouse, AICP

Director of Planning & Zoning

Planning & Zoning Commission

2 The Circle

Georgetown, DE 19947

Via e-mail: Jamie.whitehouse@sussexcountyde.gov

pandz@sussexcountyde.gov

Re: Application CU 2325 David Blank Campground

David & Sandra Blank

N/S Jay Patch Rd., Selbyville, DE 19975

Tax Map 533-9.00-58.00

Dear Ms. Whitehouse and Sussex County Commissioners:

This letter is written as an **objection** to the above conditional use application. I am an adjacent/adjoining property owner, as well as the owner of a residence a few yards east of the referenced property. A few of the reasons for the objection are as follows:

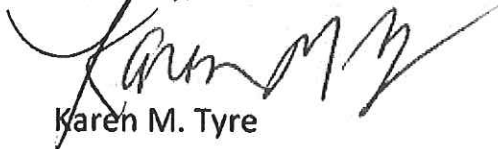
1. The proposed campground would generate a tremendous increase in vehicle and foot traffic;
2. The interruption of wetlands possibly located on the subject property;

3. The additional vehicle and foot traffic on Jay Patch Road would be very dangerous due to there being no shoulders on that road, it being a very narrow road, and the cul-de-sac at the end of that no outlet road would not accommodate any type of larger vehicles, campers, etc., traveling activity;
4. The proposed campground would bring a "party" type of scene and activity to a very quiet neighborhood;
5. There does not appear to be sufficient septic and water facilities to accommodate a campground, for mobile campers, tents, camp trailers, touring vans, and the such.
6. There is not another campground in the area, and this would adversely affect property values.
7. There are no common areas in the area, not consistent with this request, and we have never been notified of any conditional use.
8. This is a farming area, there is no commercial activity in this area, and we all object to commercial activity.

I have been the owner of 30445 Jay Patch Road for 37 years (zoned residential). My Family (first my Uncle, then my Parents, and now myself and sister) have been the owners of the adjoining Jay Patch Farm (zoned agricultural) for 80 +/- years. This is a very well-maintained private working farm, and a campground is not welcomed in this area, and totally out of character.

This is to respectfully request the denial of the conditional use.

Sincerely,



Karen M. Tyre

Jamie Whitehouse

From: Stephen Dunne <stephen@dunnelawoffices.com>
Sent: Thursday, November 17, 2022 8:56 AM
To: Jamie Whitehouse
Subject: Petition opposing CU # 2327
Attachments: Petition Opposing CU # 2327.pdf

Opposition
Exhibit

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Dear Mr. Whitehouse:

Please see attached a petition opposing CU # 2327.

You have substantial work to accomplish at the scheduled meeting on 11/17.

Please advise how much time residents have to voice their respective opinions to keep the meeting as efficient as possible.

Thank you.

Stephen M. Dunne, Esq.
Dunne Law Offices, P.C.
1515 Market Street, Suite 1200
Philadelphia, PA 19102
Phone: (215) 551-7109
Fax: (215) 525-9721

2022 Bankruptcy Superlawyer in Philadelphia, PA
5-star Google Reviews

OPPOSE HAZARDOUS CONCRETE CRUSHER IN LEWES, DE

SAY NO TO CU # 2327

Opposition
Exhibit

Sussex County Planning & Zoning Commission is holding a Public Hearing on Thursday, November 17, 2022 at 5:00 PM in connection with Conditional Use Application # 2327 seeking to operate a hazardous concrete crushing operation.

The proposed site for the concrete crushing operation borders the Plantations, Morning View, and Maritima residential communities, and it is within a few hundred meters of the Seawood Estate; Gosling Creek, and Henlopen Landing residential communities.

Concrete Crushing releases crystalline silica leading to an increased risk of developing serious silica-related diseases, including: Silicosis, an incurable lung disease; Lung cancer; Chronic obstructive pulmonary disease; and Kidney disease.

Concrete Crushing is zoned Heavy Industrial (HI-1) – Potentially Hazardous Use because of the accompanying hazards, such as fire, explosion, noise, vibration, dust or the emission of smoke, odor, toxic gases or other pollutants.

➤ See Zoning Code, §115-111 “Potentially Hazardous Uses.”

A ½ mile distance to a Heavy Industrial (HI-1) site has a statistically significant negative effect on the value of residential properties because of traffic noise disturbance by commercial trucks, congestion, and air and noise pollution.

The signers of this petition strongly OPPOSE the Conditional Use Exception AND the establishment of a concrete crushing operation on Parcel: 334-12.00-7.00 (Address: 33508 Ritter Lake Road, Lewes, DE) a property located on Ritter Lake Drive south of Plantation Road (Sussex Road 275). The proposed hazardous concrete crushing operation would have a significant detrimental impact on the health of our residents, and only belongs in a Heavy Industrial District (HI-1).

We urge our Sussex County Planning & Zoning Commission to DECLINE to recommend Conditional Use Application # 2327.


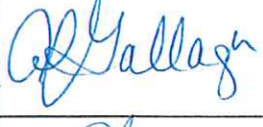









OPPOSE HAZARDOUS CONCRETE CRUSHER IN LEWES, DE

SAY NO TO CU # 2327

Printed Name	Signature	Address (Street, City, State, Zip Code)	Phone/Email	Date
JAY WARD	Jay Ward	102 Pleasant Dr.		10/28
Rita Ward	Rita Ward	102 Pleasant Dr		10/28
Jane Crigan		400 Bay Ave Lewes DE		10-28
RICHARD BRYAN		125 Canal St Rt 3, DE 19971		10/28
Elaine Henderson	Elaine Henderson	8 Hoorn Kill Ave Lewes, DE		10/28
Nancy Burdette	Nancy Burdette	26177 Deep Branch Rd Milton, DE 19968		10/28
JOANNE CABRY	Joanne Cabry	10 Sheffield Rd. Rehoboth DE 19971		10/28
Chris Fegert	Chris Fegert	32951 Warwick Ct		10/28
Elaine Summerina	Elaine Summerina	418 W. 4th St		10/28
WALT MADDOX	Walt Maddox	35213 Overfalls		10/28
Mitch Gra		31229 Beaver Ct Lewes		





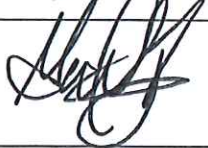


OPPOSE HAZARDOUS CONCRETE CRUSHER IN LEWES, DE

SAY NO TO CU # 2327

Printed Name	Signature	Address (Street, City, State, Zip Code)	Phone/Email	Date
FRANK E DILLON		55 BAY BREEZE DR. LEWES, DE 19958	302 644-4114	10/31/22
Adriane Gallagher		120 McFee St Lewes DE	302 645 6697	11/3/22
Tabitha Golt		120 McFee ST Lewes, DE	302-249- 0898	11/3/22
ANDREW DAWDY		104 EDWARDS WAY LEWES	302-258 3882	11/8/22
DEE DUNCAN		104 EDWARDS WAY LEWES	302-703-1126	11/8/22
DAVID KROSER		116 Edwards Rd Lewes	302-290- 9563	11/8/22
Dora		106 Edwards Way Lewes	302-644 0261	11-8-22
Margaret Murphy		109 Edwards Way Lewes, DE 19958	Seamie- earth@ hotmail.com	11.10. 22
Joni DeLoe		1 ARVESTINE	302-644-4203	11/10/22
Angela Williams		3 Earlestown Court	302 228 4750	11/10
Jane KENDALL		22394 SACORN WAY LEWES DE 19958	302-212- 8502	

OPPOSE HAZARDOUS CONCRETE CRUSHER IN LEWES, DE

SAY NO TO CU # 2327

Printed Name	Signature	Address (Street, City, State, Zip Code)	Phone/Email	Date
Linda Blumner		118 Bay Ave Lewes 19958	302	10/28/22
DAVID MARINEA		34788 MOTESMAN LANE	302 453 3810	10/28
Mary Fagan		35775 Spinnaker Circle Lewes, 19958		10/28
LEONARD BALLAS		23718 SAM ADAMS CIR MILLSBORO, DE 19966		10/28
Gail Gormley		18940 Shore Point Ct #2404 Rehoboth 19971	gail.m.gormley@gmail.com	10/28
Gail VanDusen		516 E. Cape Shore Dr	J. vanDusen	10/28
Peggy Lane		33171 Oyster Cove Dr		10/28


OPPOSE HAZARDOUS CONCRETE CRUSHER IN LEWES, DE

SAY NO TO CU # 2327

Printed Name	Signature	Address (Street, City, State, Zip Code)	Phone/Email	Date
DEAN Dora BERGKOTTER	<i>Dora Bergkötter</i>	112 EDWARDS WAY LEWES, DE 19958		11-10 2022
Dorothy Bergkötter	<i>Dorothy Bergkötter</i>	112 Edwards Way Lewes DE 19958	Dotsie go @gmail.com	11-10 2022
FRANK+Sue ABBRUZZI	<i>Frank & Sue</i>	110 EDWARDS WAY LEWES DE 19958	FRANK_abbuzzi @YAHOO.COM	11/12 2022
Cynthia Monaco	<i>Cynthia Monaco</i>	16454 Foxleaf Dr Lewes, DE 19958	Cindy Monaco @Comcast.net	11/14/22

OPPOSE HAZARDOUS CONCRETE CRUSHER IN LEWES, DE

SAY NO TO CU # 2327

Printed Name	Signature	Address (Street, City, State, Zip Code)	Phone/Email	Date
CHRISTINE		500 DuPont Ave	410-409-8247	1/22

SUPPORT EXHIBIT

NOV 17 2022

Michael Lowrey

SUSSEX COUNTY
PLANNING & ZONING

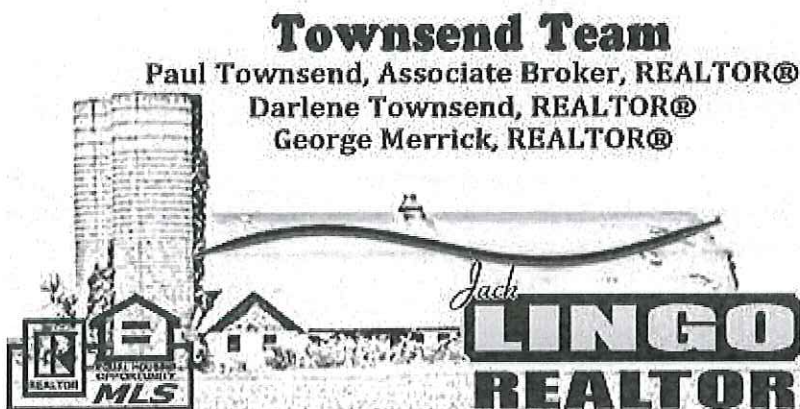
From: Darlene Townsend <darlene@delaware.net>
Sent: Thursday, November 17, 2022 10:22 AM
To: Planning and Zoning
Subject: CU 2327 Howard L. Ritter & Sons, INC. sand & Gravel

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Sussex County, Delaware Planning & Zoning Commission:
Attention: Jamie Whitehouse, Director

I am writing to you today to give my **SUPPORT** for the conditional use (**CU 2327**) application for **Howard L. Ritter & Sons, INC. Sand & Gravel** so that they may be able to sell materials that are not sourced on-site. We, as a community, need a local business that can supply the Lewes and surrounding beach areas with driveway and construction stone, landscaping stone, mulch, and top soil. Howard L. Ritter & Sons, INC. Sand & Gravel has been in business off of Plantation Road since 1975. I have been a customer of theirs since they opened their business. They should be allowed to remain in business in order to serve their local customers including myself. Thank you.

Respectfully,
Darlene Townsend



PAUL TOWNSEND TEAM®

Paul Townsend, Associate Broker, REALTOR®

302.236.3212 (cell)

Darlene Townsend, REALTOR®

302.542.6379 (cell)

George Merrick, REALTOR®

302.462.7288 (cell)



www.paultownsendteam.com

www.facebook.com/TownsendTeam



Jack Lingo, Inc., REALTOR®

1240 Kings Highway

Lewes, DE 19958

(302) 645-2207 (office)

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Delaware law requires real estate licensees to provide this: <https://dprfiles.delaware.gov/realestate/CIS-Residential-1-4-Families.pdf> at the earlier of your first scheduled appointment, the first showing of a property, or upon making an offer.

If you are working with a REALTOR® under a Brokerage Agreement as a Buyer, Seller, Landlord, Tenant, or guest please do not consider this email to be an interference with or solicitation of your agency relationship.

SUPPORT EXHIBIT

Michael Lowrey

SUPPORT EXHIBIT

From: Joe Reed <jreedre@gmail.com>
Sent: Thursday, November 17, 2022 8:30 AM
To: Planning and Zoning
Subject: CU 2327 Howard L. Ritter & Sons

Categories: Mike

RECEIVED

NOV 17 2022

SUSSEX COUNTY
PLANNING & ZONING

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Dear Commissioners,

I am writing to express support for CU 2327 and the ability of the Ritter family to continue to operate their local business that has existed for over 47 years.

Regards,
Joe Reed

SUPPORT EXHIBIT

PROCEDED

NOV 17 2022

Michael Lowrey

SUSSEX COUNTY
PLANNING & ZONING

From: Joyce Steele <joycest1959@gmail.com>
Sent: Thursday, November 17, 2022 10:48 AM
To: Planning and Zoning
Subject: CU 2327 Howard L. Ritter & Sons, INC. Sand & Gravel

Categories: Ann, Mike

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Sussex County Planning & Zoning
Jamie Whitehouse, Director

I am in SUPPORT of CU 2327 Howard L. Ritter & Sons, INC. Sand & Gravel in order for them to continue to sell materials that are not sourced on-site. This company has been in business in Lewes since 1975. They should be allowed to remain in business to serve our local community. Thank you.

Respectfully,
Joyce R. Steele
Lewes, Delaware Resident