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Sussex County
DELAWARE
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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.

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

2 THE CIRCLE I PO BOX 417
GEORGETOWN, DE 19947
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Sussex County
Planning & Zoning Commission

AGENDA

January 27, 2022

5:00 P.M.

Call to Order

Approval of Agenda

Approval of Minutes – December 9, 2021 and January 13, 2022

Other Business

Azalea Woods (2019-8) KS
Section 1 – Final Subdivision Plan and Landscape Plan

Lands of Kathy Lingo (2021-16) KH
Final Subdivision Plan

Assawoman Lakes RPC (F.K.A Evergreen) HW
Final Site Plan & Landscape Plan

Rehoboth Diner BM
Revised Site Plan

Paola Pacheco Vazquez (S-21-33) KH
Revised Preliminary Site Plan

Beachtree Preserve Amenities Plan BM
Preliminary Amenities Site Plan

Lands of Hutson KH
Minor Subdivision off of a 50-ft easement

Lands of Davidson KS
Minor Subdivision off of a 50-ft easement

Lands of Raceen Workman KH
Minor Subdivision off of a 12-ft easement

EQUAL HOUSING OPPORTUNITY

Lands of Pam Price & Associates, Inc. HW
Minor Subdivision off of a 50-ft easement

Old Business

2021-04 Autumdale (F.K.A Fairmont) KS
A cluster subdivision to divide 73.905 acres +/- into 104 single-family lots to be located on a certain parcel of land lying and being in Indian River Hundred, Sussex County. The property is lying on the south side of Hollyville Road (S.C.R. 48), approximately 0.43 mile southwest of the intersection of Harbeson Road (Rt. 5) and Hollyville Road. Tax Parcel: 234-10.00-14.00. Zoning: AR-1 (Agricultural Residential District).

2021-05 Turnberry (F.K.A. Unity Branch) KS
A cluster subdivision to divide 135.524 acres +/- into 196 single family lots to be located on certain parcels of land lying and being in Indian River Hundred, Sussex County. The properties are lying on the east and southeast side of Hollyville Road, approximately 0.8 mile south of Hurdle Ditch Road (S.C.R. 290). Tax Parcels: 234-16.00-1.01, 1.02, 3.00, 4.00 and 5.00. Zoning: AR-1 (Agricultural Residential District).

2021-15 Cobb Property HW
A Coastal Area cluster subdivision to divide 54.38 acres +/- into 68 single family lots to be located on a certain parcel of land and lying and being in Baltimore Hundred, Sussex County. The property is located on the northeast side of Zion Church Road (Route 20), approximately 0.5 mile northwest of Lighthouse Road (Route 54). Tax Parcels: 533-12.00-21.00 & 21.03. Zoning: AR-1 (Agricultural Residential District).

2021-12 Miralon (F.K.A. Cool Spring) KS
A cluster subdivision to divide 72.20 acres +/- into 144 single family lots to be located on a certain parcel of land and lying and being in Indian River and Lewes & Rehoboth Hundred, Sussex County. The property is located on the northeast side of Cool Spring Road (S.C.R. 290), approximately 1.1 mile south of Fisher Road (S.C.R. 262). Tax Parcel: 234-5.00-37.00. Zoning: AR-1 (Agricultural Residential District).

C/Z 1939 Gerald R. & Valerie V. Campbell, Trustees KH
An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 Agricultural Residential District to a B-2 Business Community District for a certain parcel of land lying and being in Northwest Fork Hundred, Sussex County, containing 3.16 acres, more or less. The property is lying on the west side of Sussex Highway (Route 13), approximately 0.81 mile south of Adams Road (S.C.R. 583). 911 Addresses: 9155 & 9167 Campbell Lane, Bridgeville. Tax Parcel: 530-17.00-2.01.

C/Z 1960 OA Oaks, LLC HW
An Ordinance to amend the Comprehensive Zoning Map of Sussex County from a HR-1/RPC High Density Residential District – Residential Planned Community to a HR-1/RPC High Density Residential District - Residential Planned Community to amend conditions of approval of Change of Zone No. 1858 (Ordinance No. 2621) relating to the workforce housing requirements, internal road standards and amenities deadlines for a certain parcel of land lying and being in Baltimore Hundred, Sussex County, containing 14.8455 acres, more or less. The property is lying on the northeast side of Zion Church Road

(Rt. 20) approximately 0.27 mile northwest of Bayard Road (S.C.R. 384). 911 Address: N/A. Tax Parcel: 533-11.00-82.00

Public Hearings

2021-06 – Coral Lakes (F.K.A. Coral Crossing) KS
A Coastal Area cluster subdivision to divide 152.32 acres +/- into 315 single family lots to be located on a certain parcel of land and lying and being in Indian River Hundred, Sussex County. The property is located on the southwest side of Robinsonville Road (S.C.R 277) approximately 0.65 mile south of Kendale Road (S.C.R. 287) Tax Parcels: 234-6.00-67.00 & 84.00. Zoning: AR-1 (Agricultural Residential District).

C/U 2270 Gregory P. Mitchell KH
An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District to operate an outdoor racetrack to be located on a certain parcel of land lying and being in Nanticoke Hundred, Sussex County, containing 27.81 acres, more or less. The property is lying on the northwest side of the intersection of Hasting Farm Rd. (S.C.R. 526) and Coverdale Road (S.C.R. 525). 911 Address: 22382 Coverdale Road, Seaford. Tax Parcels: 231-9.00-5.00 & 5.01

C/U 2317 William E. Martin, II KS
An Ordinance to grant a Conditional Use of land in a GR General Residential District for a sign and vehicle graphics business to be located on a certain parcel of land lying and being in Lewes & Rehoboth Hundred, Sussex County, containing 0.34 acres, more or less. The property is lying on the northwest side of Wolfe Neck Road (S.C.R. 270), west of the intersection of Wolfe Neck Road (S.C.R. 270) and Munchy Branch Road (S.C.R. 270A). 911 Address: 35583 Wolfe Neck Road, Rehoboth Beach. Tax Parcel: 334-6.00-340.00.

C/Z 1943 Shirley and Gordon Price, Jr. BM
An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 Agricultural Residential District to a C-2 Medium Commercial District for a certain parcel of land lying and being in Baltimore Hundred, Sussex County, containing 0.91 acres, more or less. The property is lying on the north side of Atlantic Avenue (Route 26), approximately 0.13 mile northwest of Roxana Road (Route 17). 911 Address: 34861 Atlantic Avenue, Ocean View. Tax Parcel: 134-11.00-175.00.

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on January 20, 2022 at 4:15 p.m., and at least seven (7) days in advance of the meeting.

This Agenda is subject to change to include the addition or deletion of items, including Executive Sessions, which arise at the time of the Meeting.

Agenda items listed may be considered out of sequence.

-MEETING DETAILS-

The meeting will be streamed live at: https://sussexcountyde.gov/council-chamber-broadcast

The County provides a dial-in telephone number for the public to comment during the appropriate time of the meeting. Note, the on-line stream experiences a 30-second delay. Any person who dials in by telephone should listen to the teleconference audio to avoid the on-line stream delay.

To join the meeting via telephone, please dial:

Conference Number: 1 302-394-5036

Conference Code: 570176

Members of the public joining the meeting on the telephone will be provided an opportunity to make comments for those items listed under Public Hearings on this agenda.

The Planning & Zoning Commission meeting materials, including the "packet", are electronically accessible on the County's website at: **https://sussexcountyde.gov/**

If any member of the public would like to submit comments electronically, these may be sent to pandz@sussexcountyde.gov. All comments are encouraged to be submitted by 4:00 P.M on Wednesday, January 26, 2022.

# # # #

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Memorandum

To: Sussex County Planning Commission Members
From: Jamie Whitehouse, AICP, Director, Department of Planning & Zoning; Jenny Norwood, Planning and Zoning Manager; Lauren DeVore, Planner III; Michael Lowrey, Planner III; Chase Phillips, Planner II; Christin Scott, Planner I; Elliott Young, Planner I and Jesse Lindenberg, Planner I
CC: Vince Robertson, Assistant County Attorney
Date: January 20, 2022
RE: Other Business for the January 27, 2022 Planning Commission Meeting

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This memo is to provide background for the Planning Commission to consider as a part of the Other Business to be reviewed during the January 27, 2022 Meeting of the Planning & Zoning Commission.

Azalea Woods (2019-08) KS

Section 1 - Final Subdivision Plan & Landscape Plan
This is a Final Subdivision Plan and Landscape Plan for Section 1 of the Azalea Woods Subdivision, a proposed cluster subdivision to consist of a total of six-hundred and ten (610) lots and associated amenities to include a proposed in-ground pool, clubhouse, pickleball courts, gathering areas and tot lot. Section 1 consists of sixty-five (65) lots total. The Preliminary Subdivision Plan was approved by the Planning and Zoning Commission at their meeting of Thursday, December 19, 2019 for 610 lots. The Applicant is requesting that the subdivision be approved in Phases. Staff are requesting as a condition of Commission's approval that a separate Phasing Plan be submitted to the Department of Planning and Zoning to assist in the Commission's review of future phases of the subdivision and to ensure compliance with the subdivision's Conditions of Approval. Section 1 of the Subdivison Plan complies with the Sussex County Zoning and Subdivision Code. Tax Parcels: 135-11.00-32.04, 48.00, 49.00 & 56.00. Zoning District: AR-1 (Agricultural Residential District). Staff are in receipt of all agency approvals with the exception of the Sussex Conservation District approval.

Lands of Kathy Lingo (2021-16) KH

Final Subdivision Plan
This is a Final Subdivision Plan for the creation of one (1) lot off a 50-ft wide perpetual cross access easement. The property is located on the northwest side of E. Trap Pond Road (S.C.R. 62). The Planning and Zoning Commission approved the Preliminary Subdivision Plan at their meeting of Thursday, July 8, 2021. The applicant jas submitted a letter requesting to be exempt from including the one foot topographical contours on the Final Subdivision Plan. The Final Subdivision Plan complies with the Sussex County Zoning and Subdivision Codes and all Conditions of Approval. Tax Parcel: 135-19.00-50.00. Zoning:AR-1 (Agricultural Residential District). Staff are in receipt of all agency approvals.

Assawoman Lakes RPC (F.K.A. Evergreen) HW

Final Site Plan & Landscape Plan
This is a Final Site Plan for the creation of a Residential Planned Community (RPC) to consist of forty-five (45) single-family lots with access off of Parker House Road with an accompanying Landscape Plan. The property is located on the west side of Parker House Road (S.C.R. 362). The

Planning and Zoning Commission approved the Preliminary Site Plan for the RPC at their meeting of Thursday, January 13, 2022. The Final Site Plan complies with the Sussex County Zoning and Subdivision Codes and all conditions of approval. Tax Parcel: 134-16.00-51.00. Zoning District: GR-RPC (General Residential – Residential Planned Community). Staff are in receipt of all agency approvals.

Rehoboth Diner BM

Revised Site Plan

This is a Revised Commercial Site Plan for the Rehoboth Diner for the addition of an outside covered patio, additional parking and the revision of the stormwater management system. The property is located on the north side of Coastal Highway (Route 1) and contains access off a 50-ft ingress/egress access easement. The Revised Site Plan complies with the Sussex County Zoning Code. The property is also located within the Combined Highway Corridor Overlay Zone (CHCOZ). Tax Parcel: 334-13.00-4.00. Zoning District: C-1 (General Commercial) Zoning District. Staff are awaiting agency approvals.

Paola Pacheco Vazquez (S-21-33) KH

Revised Preliminary Site Plan

This is a Revised Preliminary Site Plan for Paolo Vazquez (S-21-33) for the establishment of a construction business and office with access proposd off a 50-ft ingress/egress access easement. The property is located on the northwest side of Clendaniel Road (S.C.R. 625). The Revised Preliminary Site Plan complies with the Sussex County Zoning Code and all conditions of approval. Tax Parcel: 230-12.00-10.04. Zoning District: AR-1 (Agricultural Residential) Zoning District. Staff are awaiting agency approvals.

Beachtree Preserve Amenities Plan BM

Preliminary Amenities Site Plan

This is a Prelminary Amenities Site Plan for the development of a pool and pool house, dog park, playground, pickle ball courts, pavilion, grill area, fire pit, mail kiosk and other site improvements with access off of Jayda Drive within the existing and previously approved Beachtree Preseve (2018-04) Subdivision. The proposed Amenities Plan complies with the Sussex County Zoning Code and all conditions of approval. Tax Parcel: 234-11.00-49.06. Zoning District: AR-1 (Agricultural Residential District). Staff are in receipt of all agency approvals.

Lands of Hutson KH

Minor off a 50-ft easement

This is a Minor Subdivision for the subdivision of a 2.0766 acre +/- parcel into one (1) lot and residual lands off of a proposed 50-ft wide ingress/egress access easement. Proposed Lot 1 consists of 0.75 acre +/- and the residual lands will consist of 1.3263 acres +/-. The property is located on the northwest side of Adams Road (S.C.R. 583). The Minor Subdivision Plan complies with the Sussex County Zoning and Subdivision Codes. Tax Parcel: 530-13.00-42.02. Zoning: GR (General Residential District). Staff are in receipt of all agency approvals.

235-29.00-27.00

Lands of Davidson KS

Minor off a 50-ft easement

This is a Minor Subdivision for the subdivision of a 7.45 acre +/- parcel of land into one (1) lot and residual lands off of an existing 50-ft wide ingress/egress access easement. Proposed Lot B-1 consists

of 3.729 acres +/- and proposed Lot B-2 consists of 3.728 acres +/-. The property is located on the southwest side of Prettyman Road (S.C.R. 254). The Minor Subdivision Plan complies with the Sussex County Zoning and Subdivision Codes. Tax Parcels: 235-29.00-27.00 & 25.06. Zoning: AR-1 (Agricultural Residential District). Staff are awaiting agency approvals.

Lands of Raceen Workman KH

Minor off a 12-ft easement

This is a Minor Subdivision for the subdivision of a 1.75 acre +/- parcel of land into one (1) lot and residual lands off of a proposed 12-ft ingress/egress access easement. Proposed Lot 1 consists of .750 acres +/- and the residual lands consist of 0.995 acres +/-. The property is located on the east side of Blacksmith Shop Road (S.C.R. 44). Staff note that there is a tax ditch to the rear of the property of which the tax ditch ROW is measured 70-ft from the centerline of the tax ditch and that all existing improvements are located outside of this established ROW. The Minor Subdivision Plan complies with the Sussex County Zoning and Subdivision Codes. Tax Parcel: 430-3.00-65.00. Zoning: AR-1 (Agricultural Residential District). Staff are awaiting agency approvals.

Lands of Pam Price & Associates, Inc. HW

Minor off of a 50-ft easement

This is a Minor Subdivision for the subdivision of a 11.10 acre +/- parcel of land into three (3) lots off of a proposed ingress/egress access easement. Lot 1 consists of 4.05 acres +/-, Lot 2 consists of 3.35 acres +/- and Lot 3 consists of 3.69 acres +/-. The property is located on the east side of East Trap Pond Road (S.C.R. 62). The Minor Subdivision Plan complies with the Sussex County Zoning and Subdivision Codes. Tax Parcel: 232-15.00-39.00. Zoning: GR (General Residential District). Staff are in receipt of all agency approvals.

RECORD PLAN
FOR
AZALEA WOODS - SECTION 1
COUNTY PROJECT REFERENCE NO. 2019-8
SUSSEX COUNTY, DELAWARE
FOR
NATELLI COMMUNITIES

SITE DATA:

- OWNER/ DEVELOPER: AZALEA WOODS, LLC, 506 MAIN STREET, GAITHERSBURG, MD 20878, PHONE: 301-670-4020, CONTACT: TOM NATELLI
- ENGINEER SURVEYOR: SOLUTIONS IPEM, 303 NORTH BEDFORD STREET, GEORGETOWN, DE 19947, PHONE: 302-297-9215, CONTACT: JASON PALKEWICZ, PE
- TAX MAPS: 135-11.00-32.04, 49.00 & 56.00, P/O TAX MAP 135-11.00-48.00
  DEED REFERENCE: 5432/258
  PLAT REFERENCE: 335/70
  GROSS ACREAGE = 316.02 ± ACRES
- EXISTING ZONING:
  AR-1
  C-1
- PROPOSED BUILDING SETBACKS:
  FRONT: 25' (15' CORNER)
  SIDE: 10'
  REAR 10'
- MINIMUM LOT DIMENSIONS:
  WIDTH: 60'
  DEPTH: 100'
  AREA: 7500 S.F.
- PRESENT USE: AGRICULTURAL
- PROPOSED USE: RESIDENTIAL CLUSTER SUBDIVISION
- SEWER PROVIDER: ARTESIAN WASTEWATER MANAGEMENT, INC.
- WATER PROVIDER: ARTESIAN WATER COMPANY, INC.
- TOTAL NUMBER OF LOTS: SECTION 1
  EXISTING = 1
  PROPOSED = 66
- GRAVEL HILL ROAD SPEED LIMIT = 50 MPH
- INVESTMENT LEVEL = 4
- HORIZONTAL DATUM: DELAWARE STATE PLAN NAD83
  VERTICAL DATUM: NAVD 88
- FLOOD ZONE:
  THE PROPERTY IS LOCATED WITHIN FLOOD ZONE X (UNSHADED)- AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FIRM MAP NUMBER 10005C0325L, MAP REVISED JUNE 20, 2018.
- PROPERTY IS NOT LOCATED WITHIN A WELL HEAD PROTECTION AREA.
- PROPERTY IS LOCATED IN AREAS OF FAIR AND POOR GROUNDWATER RECHARGE POTENTIAL.
- PROPERTY IS LOCATED IN THE "LOW DENSITY AREA" PER SUSSEX COUNTY'S 2019 COMPREHENSIVE PLAN UPDATE.
- ARMY CORP OF ENGINEERS SHALL HAVE JURISDICTION OVER ALL NON-TIDAL WETLANDS ON THE SITE.

AZALEA WOODS SITE INFORMATION*:

SITE AREA = 316.02 AC.±
LOTS PROPOSED = 610 LOTS
(1.93± LOTS/ACRE)
MINIMUM OPEN SPACE 51% = 161.17 AC.±

NON-TIDAL WETLANDS = 19.925 AC.±

AZALEA WOODS SECTION 1SITE INFORMATION:

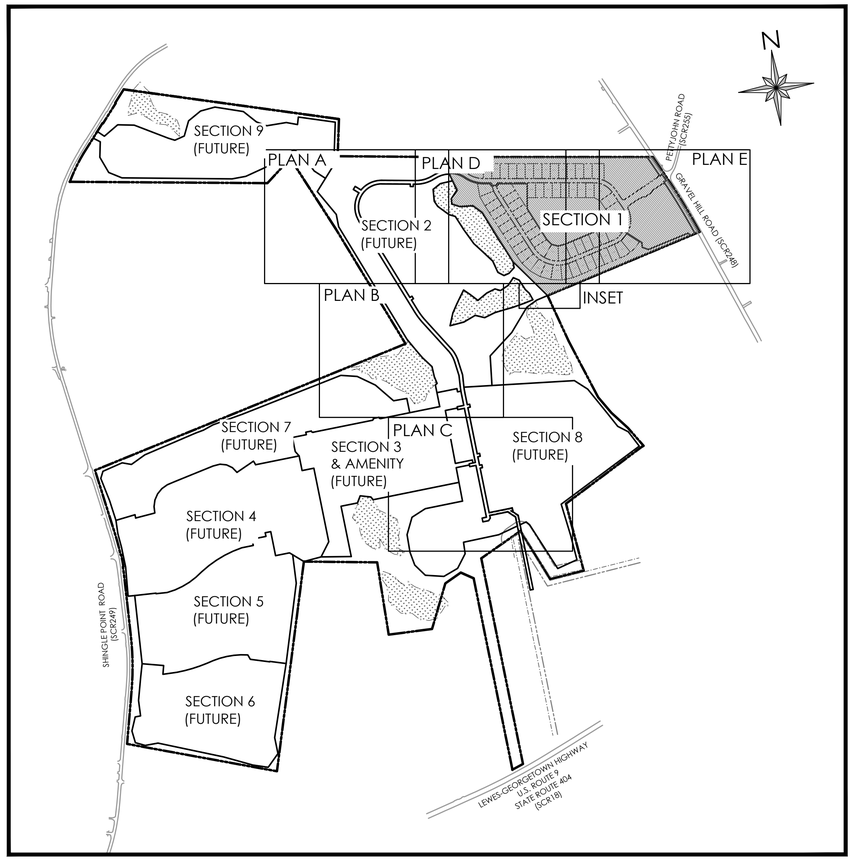
SITE AREA = 36.46 AC.±
LOTS PROPOSED = 66 LOTS
(1.81± LOTS/ACRE)
OPEN SPACE = 18.06 AC.±
(49.5%)

NON-TIDAL WETLANDS WITH SECTION 1 = 0.0 AC.±

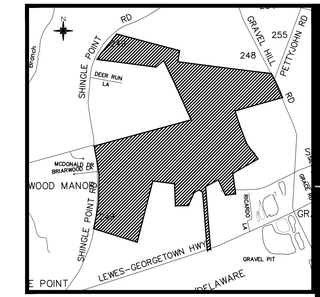
*OVERALL AZALEA WOODS SHALL COMPLY WITH THE LATEST CONDITIONS OF APPROVAL FOR SUBDIVISION 2019-8.

GENERAL NOTES:

1. ALL ON-SITE STREETS (INCLUDING PAVEMENT, CURBING AND SIDEWALK) ARE PRIVATE AND SHALL BE MAINTAINED BY THE OWNER UNTIL DEDICATION TO THE HOMEOWNER'S ASSOCIATION. THE PERPETUAL MAINTENANCE OF THE STREETS SHALL BE BY THE HOMEOWNER'S ASSOCIATION.
2. STORMWATER MANAGEMENT AND STORM DRAINAGE SHALL BE IN ACCORDANCE WITH THE SUSSEX COUNTY CONSERVATION DISTRICT AND SUSSEX COUNTY ENGINEERING REQUIREMENTS. MAINTENANCE OF THE ON-SITE STORMWATER MANAGEMENT FACILITIES AND STORM DRAINAGE SYSTEM SHALL BE BY THE OWNER UNTIL DEDICATION TO THE HOMEOWNER'S ASSOCIATION. THE PERPETUAL MAINTENANCE OF THE ABOVE PROACTIVE SHALL BE BY THE HOMEOWNER'S ASSOCIATION.
3. ALL OPEN SPACE SHALL BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
4. ALL SUBDIVISION LOTS SHALL HAVE FIVE FOOT WIDE EASEMENTS ALONG ALL LOT LINES FOR A TOTAL EASEMENT WIDTH OF 10 FEET ALONG A LOT LINE COMMON TO TWO LOTS. EASEMENTS ALONG PERIMETER (RIGHT-OF-WAY AND OPEN SPACE) SHALL BE 10 FEET IN WIDTH.
5. STREETLIGHTS SHALL BE PROVIDED. ALL LIGHTING SHALL BE FULLY SHIELDED AND DOWNWARD SCREENED. LOCATIONS TO BE COORDINATED BETWEEN OWNER AND UTILITY COMPANIES.
6. ALL AMENITIES AND LANDSCAPE/FOREST BUFFERS SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
7. THE PROPERTY IS LOCATED IN THE VICINITY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES ON WHICH NORMAL AGRICULTURAL USES HAVE BEEN AFFORDED THE HIGHEST PRIORITY USE STATUS. IT CAN BE ANTICIPATED THAT SUCH 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.
8. ARTESIAN WATER COMPANY, INC AND ARTESIAN WASTEWATER MANAGEMENT INC. ARE HEREBY GRANTED UNINTERRUPTED AND PERPETUAL EASEMENT WITHIN THE PRIVATE COMMUNITY STREET RIGHT-OF-WAY AND OPEN SPACE.
9. AN ENTRANCE/COMMUNITY SIGN WILL BE PROVIDED. ANY SIGNAGE WILL REQUIRED A SEPARATE PERMIT.
10. ALL AMENITIES SHALL BE SUBJECT TO SUBMITTAL AND APPROVAL ON A SEPARATE SITE PLAN.



SITE
1" = 600'



VICINITY MAP
SCALE: 1" = 2,000'

LEGEND

	EXISTING	PROPOSED
CAPPED PIN SET	N/A	●
PROPERTY LINE		
EASEMENT LINE		
EASEMENT HATCH	N/A	
SETBACK LINE	N/A	
BUILDING OUTLINE		N/A
EDGE OF PAVEMENT		N/A
PAVEMENT HATCH		N/A
PAVEMENT MARKING		
STORM DRAIN CULVERT		N/A
POND	N/A	
EDGE OF WETLAND		N/A
WETLAND HATCH		N/A
UNMARKED POINT		N/A
CONCRETE MONUMENT FOUND	IPF	N/A
IRON PIPE FOUND	CMF	N/A
CAPPED IRON PIPE FOUND	IPCF	N/A
WOODLINE (APPROXLIMATE)	N/A	
SIDEWALK	N/A	
SHARED-USE PATH	N/A	

SHEET INDEX

1	COVER SHEET	
2	NOTES	
3	EXISTING SITE 1	
4	EXISTING SITE 2	
5	PLAN A	
6	PLAN B	
7	PLAN C	
8	PLAN D	
9	PLAN E	
10	STORM DRAINAGE EASEMENT DETAILS, LINE AND CURVE TABLES	
11	SUPPLEMENTAL DELDOT INFORMATION	
12	LANDSCAPE PLAN A	
13	LANDSCAPE PLAN B	

PHASE 1 AREAS:

GROSS ACREAGE = 36.458 ± AC.

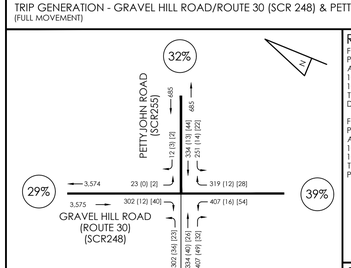
LOT AREA = 14.442 ± AC.
R.O.W. AREA = 3.271 ± AC.
DELDOT R.O.W. AREA = 0.687 ± AC.
OPEN SPACE AREA = 18.058 ± AC.
18.058 / 36.458 = 49.5%
OPEN SPACE A = 4.748 ± AC.
OPEN SPACE B = 8.260 ± AC.
OPEN SPACE C = 5.050 ± AC.

% OF IMPERVIOUS COVER IN OPEN SPACE (EXCLUDNG PONDS) = 0%

EXISTING WOODLANDS = 4.479 ± AC.
WOODLANDS TO REMAIN = 1.755 ± AC.
WOODLANDS TO BE REMOVED = 2.724 ± AC.

EXISTING NON-TIDAL WETLANDS = 0.000 ± AC.

TRIP GENERATION - GRAVEL HILL ROAD/ROUTE 30 (SCR 248) & PETTYJOHN ROAD (SCR 255)
(FULL MOVEMENT)



NOTE:
TRAFFIC SPLITS, ADT, AND PEAK HOUR FIGURES WERE TAKEN FROM THE TRAFFIC IMPACT STUDY PREPARED BY THE TRAFFIC GROUP

TRAFFIC GENERATION DIAGRAM
ADT (A.M. PEAK HOUR) (P.M. PEAK HOUR)

ROAD TRAFFIC DATA:

FUNCTIONAL CLASSIFICATION - S248 (GRAVEL HILL ROAD): MAJOR COLLECTOR
POSTED SPEED LIMIT - 50 mph
AADT = 5,642 TRIPS (FROM 2019 DelDOT TRAFFIC SUMMARY)
10 YEAR PROJECTED AADT = 1.16 x 5,642 = 6,545 TRIPS
10 YEAR PROJECTED AADT + SITE ADT = 6,545 + 1,418 = 7,963 TRIPS
TRAFFIC PATTERN GROUP - 6 (FROM 2019 DelDOT TRAFFIC SUMMARY)
DESIGN HOURLY VOLUME = 12.87% x 7,963 TRIPS = 1,025 TRIPS

FUNCTIONAL CLASSIFICATION - S255 (PETTYJOHN ROAD): LOCAL
POSTED SPEED LIMIT - 50 mph (UNPOSTED)
AADT = 605 TRIPS (FROM 2019 DelDOT TRAFFIC SUMMARY)
10 YEAR PROJECTED AADT = 1.16 x 605 = 702 TRIPS
10 YEAR PROJECTED AADT + SITE ADT = 702 + 668 = 1,370 TRIPS
TRAFFIC PATTERN GROUP - 7 (FROM 2019 DelDOT TRAFFIC SUMMARY)
PEAK HOUR = 12.87% x 1,370 TRIPS = 176 TRIPS

SITE TRIPS GENERATED:

SOURCE: ITE TRIP GENERATION 10th EDITION
610 SINGLE FAMILY DETACHED UNITS (210)
ONE ENTRANCE - FULL MOVEMENT
DESIGN VEHICLE: SU-30/WB-40
610 SINGLE FAMILY DETACHED UNITS = 5,488 ADT
ROUTE 30 ENTRANCE TRIPS = 2,086 TRIPS
(PER TRAFFIC IMPACT STUDY, APPROX. 38% OF TRIPS UTILIZE ROUTE 30 ENTRANCE)
DIRECTIONAL DISTRIBUTION:
29% TO AND FROM THE NORTH = 604 ADT (48 AM PK) [63 PM PK]
39% TO AND FROM THE SOUTH = 814 ADT (65 AM PK) [86 PM PK]
32% TO AND FROM THE EAST = 668 ADT (53 AM PK) [70 PM PK]
9.00% TRUCKS & BUSES x 412 = 37 (LEFT TURN IN)

ADT: 5,488 (2,744/2,744)
AM: 438 (109/329)
PM: 576 (363/213)

DELDOT RECORD PLAN - GENERAL NOTES (3/21/19)

1. All entrances shall conform to the Delaware Department of Transportation's (DelDOT's) current Development Coordination Manual and shall be subject to its approval.
2. No landscaping shall be allowed within the right-of-way unless the plans are compliant with Section 3.7 of the Development Coordination Manual.
3. Shrubbery, plantings, signs and/or other visual barriers that could obstruct the sight distance of a driver preparing to enter the roadway are prohibited within the defined departure sight triangle area established on this plan. If the established departure sight triangle area is outside the right-of-way or projects onto an adjacent property owner's land, a sight easement should be established and recorded with all affected property owners to maintain the required sight distance.
4. Upon completion of the construction of the sidewalk or shared-use path across this project's frontage and physical connection to adjacent existing facilities, the Developer, the property owners or both associated with this project, shall be responsible to remove any existing road tie-in connections located along adjacent properties, and restore the area to grass. Such actions shall be completed at DelDOT's discretion, and in conformance with DelDOT's Development Coordination Manual.
5. Private streets constructed within this subdivision shall be maintained by the Developer, the property owners within this subdivision or both (Title 17 §131). DelDOT assumes no responsibilities for the future maintenance of these streets.
6. The shared-use path shall be the responsibility of the Developer, the property owners or both within this subdivision. The State of Delaware assumes no responsibility for the future maintenance of the shared-use path.
7. All lots shall have access from the internal subdivision street.
8. To minimize rutting and erosion of the roadside due to on-street parking, driveway and building layouts must be configured to allow for vehicles to be stored in the driveway beyond the right-of-way, without interfering with sidewalk access and clearance.
9. The Developer shall be required to furnish and place right-of-way monuments in accordance with DelDOT's Development Coordination Manual.
10. The Developer shall be required to furnish and place right-of-way markers to provide a permanent reference for re-establishing the right-of-way and property corners on local and higher order frontage roads. Right-of-way markers shall be set and/or placed along the frontage road right-of-way at property corners and at each change in right-of-way alignment in accordance with Section 3.2.4.2 of the Development Coordination Manual.

SUSSEX CONSERVATION DISTRICT APPROVAL:

APPROVED BY:

SECRETARY OF PLANNING COMMISSION DATE

PRESIDENT OF COUNTY COUNCIL DATE

WETLAND STATEMENT

I, JAMES C. McCULLEY, SPWS, STATE THAT THE BOUNDARIES OF WATERS OF THE UNITED STATES INCLUDING WETLANDS SUBJECT TO THE CORPS OF ENGINEERS REGULATORY PROGRAM DELINEATED UPON THIS PLAN HAVE BEEN DETERMINED USING MY PROFESSIONAL JUDGMENT IN ACCORDANCE WITH THE 1987 CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL, ATLANTIC GULF COAST REGIONAL SUPPLEMENT, REGULATIONS AND SUPPLEMENTAL GUIDANCE (33 CFR 328.3(a)(8).Waters of the U.S. Definition/CECW-OR. 10-7-1991, Questions and Answers on the 1987 COE Manual/CECW-OR. 9-26-1990, RGL 90-7/CECW-OR. 3-6-1992, Clarification and Interpretation of the 1987 Manual). THIS DELINEATION HAS NOT BEEN CONDUCTED FOR USDA PROGRAM OR AGRICULTURAL PURPOSES.

JAMES C. McCULLEY, DATE
SENIOR PROFESSIONAL WETLAND SCIENTIST
No. 471
WATERSHED ECO, LLC

OWNER'S CERTIFICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN ON THIS PLAN. THAT THE PLAN WAS MADE AT MY DIRECTION AND I ACKNOWLEDGE THE SAME TO BE MY ACT, AND DESIRE THE PLAN TO BE RECORDED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS. I FURTHERMORE UNDERSTAND AND ACKNOWLEDGE THAT IT IS THE RIGHT OF THE SUSSEX CONSERVATION DISTRICT AND/OR ITS DELEGATED INSPECTION AGENCIES TO CONDUCT ON-SITE INSPECTIONS.

AZALEA WOODS, LLC DATE
506 MAIN STREET
GAITHERSBURG, MD 20878

SURVEYOR'S CERTIFICATION

THIS PLAT AND SURVEY WERE PERFORMED, UNDER MY SUPERVISION, TO THE LOCAL STANDARD OF CARE, AND SUBSTANTIALLY MEET THE "MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING" AS PROMULGATED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS FOR A SUBURBAN CLASS SURVEY.

SOLUTIONS INTEGRATED PLANNING, ENGINEERING & MANAGEMENT, LLC
by STEVEN W. FULLER, AGENT

STEVEN W. FULLER, DATE
PROFESSIONAL LAND SURVEYOR
DELAWARE NO. 823

solutions
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T. 302.297.9215

3003 Merritt Mill Road
Salisbury, MD 21804
T. 410.572.8833

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REVISIONS

NO.	DATE	DESCRIPTION
1	1/19/22	REVISIONS PER AGENCY COMMENT LETTER DATED 1/18/22

COVER SHEET
for
AZALEA WOODS
SUSSEX COUNTY, DELAWARE
GEORGETOWN HUNDRED
SCR 248

Date:	7/22/20
Job Number:	18003
Scale:	AS SHOWN
Drawn By:	HHB
Designed By:	HHB
Approved By:	BMH

Sheet No.: 1

File Name: RP.dwg

THESE PLANS ARE FURTHER SUBJECT TO THE REQUIREMENTS AND OBLIGATIONS SET FORTH IN THE LETTER AGREEMENT DATED AUGUST 6, 2021 BETWEEN THE DEVELOPER AND DELDOT.

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
JANELLE CORNWELL, AICP
DIRECTOR

December 31, 2019

By email to: jpalkewicz@solutionsipem.com

Mr. Jason Palkewicz, P.E.
Solutions IPEM, LLC
303 North Bedford Street
Georgetown, DE, 19947

RE: Notice of Decision Letter for the Preliminary Subdivision Plan for Azalea Woods (2019-8) for the creation of a major cluster subdivision to include 610 single-family lots on a total of 316.02 acres of land and located between Shingle Point Road (S.C.R. 249) and Gravel Hill Road (S.C.R. 248) north of Route 9.
Tax Parcels: 135-11.00-32.04, a portion of 48.00, 49.00 & 56.00

Dear Mr. Palkewicz,

At their meeting of **Thursday, December 19, 2019** the Planning & Zoning Commission **approved** the **Preliminary Subdivision Plan** for **Azalea Woods (2019-8)** for the creation of a standard subdivision to include 610 single-family lots on a total of 316.02 acres of land and located between Shingle Point Road (S.C.R. 249) and Gravel Hill Road (S.C.R. 248) north of Route 9. The parcels are zoned Agricultural Residential (AR-1) with a small portion of parcel 32.04 being zoned General Commercial (C-1).

The Preliminary Subdivision Plan is valid for three (3) years from the date of Planning Commission decision. A Final Subdivision Plan shall be approved within three (3) years of the date of approval of the Preliminary Plan or the action of the Planning Commission shall be deemed canceled. Unless an extension is granted, approval shall be rendered null and void if substantial construction is not commenced within five (5) years of the date of recordation of the final plat.

As part of their motion, the Planning Commission acted to approve the development subject to the following conditions (which shall be clearly annotated on the Revised Preliminary and Final Subdivision Plans):

A. There shall be no more than 610 lots within the subdivision.
B. The Final Site Plan shall confirm that at least 51% of the site remains as open space.
C. So that road construction proceeds reasonably on pace with road improvements, there shall be no more than 70 building permits issued in any one calendar year.
D. The developers shall establish a homeowner's association responsible for the maintenance of streets, roads, buffers, stormwater management facilities and other common areas.

COUNTY ADMINISTRATIVE OFFICES
2 THE CIRCLE | PO BOX 417
GEORGETOWN, DELAWARE 19947

E. The stormwater management system shall meet or exceed the requirements of the State and County. The Final Site Plan shall contain the approval of the Sussex Conservation District for the design and location of all stormwater management areas and erosion and sedimentation control facilities.
F. As stated by the applicant, there shall be a forested or landscaped buffer of at least 30 feet in depth along the entire perimeter of the project. This may include existing forest. The Final Site Plan shall contain a landscape plan for all these areas. In addition to the forested or landscape buffer all lots shall be at least 50 feet from the perimeter boundary of the development.
G. There were concerns expressed during the hearings about marking the common boundaries of this development and adjacent properties, particularly in the wooded areas where the boundary line may not be evident. The developer shall post permanent markers along the boundary within the forested areas that are being maintained in the development so that residents of the development are deterred from trespassing on adjacent properties. The location and type of these markers shall be shown on the Final Site Plan.
H. As stated by the applicant, there shall be a buffer of at least 50 feet from all wetlands. The existing forest within these buffer areas shall be maintained and it shall be located on the landscape plan.
I. The development shall comply with all DelDOT entrance and roadway improvement requirements.
J. As proffered by the applicant, sidewalks shall be installed on both sides of all internal streets. A system of fully-shielded and downward-screened street lighting shall also be provided.
K. The subdivision shall be served by a central sewer system.
L. The subdivision shall be served by a publicly-regulated central water system providing drinking water and fire protection.
M. Street design shall meet or exceed Sussex County standards.
N. Road naming and addressing shall be subject to the review and approval of the Sussex County Mapping and Addressing Department.
O. Construction site work and deliveries shall occur on the site between the hours of 8AM-7PM, Monday through Friday and 8AM-2PM on Saturdays.
P. The applicant shall coordinate with the local school district regarding the location of a covered school bus stop within the subdivision. If required by the school district, the location of the bus stop area shall be shown on the Final Site Plan.
Q. The development shall be served by its own on-site amenities including a pool, clubhouse, pickleball courts, gathering areas and tot lots.
R. All amenities shall be completed and open for use prior to the issuance of the 250th residential building permit.
S. The Final Site Plan shall depict all forested areas that will be preserved in addition to the forested areas and the buffers.
T. A Revised Preliminary Site Plan, either depicting or noting these Conditions must be submitted to the Office of Planning and Zoning.
U. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.

The Final Subdivision Plan must comply with the County's Subdivision Code, including submission of agency approval letters to the Planning and Zoning Office. The agency approvals required for Final Subdivision Plan approval include but are not limited to: the Sussex Conservation District, Office of the State Fire Marshal, Sussex County Engineering Department, Sussex County Mapping and Addressing Department, Office of Drinking Water (Public Health) and the Delaware Department of Transportation (DelDOT).

Once all agency approvals have been obtained, please submit a minimum of **one (1) full-size (24 "x36")** and **one (1) electronic PDF copy** of a Final Site Plan to the Planning and Zoning Office for consideration on the next agenda for Planning Commission. It is recommended that **two (2) copies** of a check print are first submitted to staff for review.

Please note that a $10.00 per lot fee will be required to be paid prior to the approval of any Final Subdivision Plan. For 610 lots, the fee is $6,100.00.

Please feel free to contact me during business hours with any question from 8:30 AM – 4:30 PM, Monday through Friday, at 302-855-7878.

Sincerely,

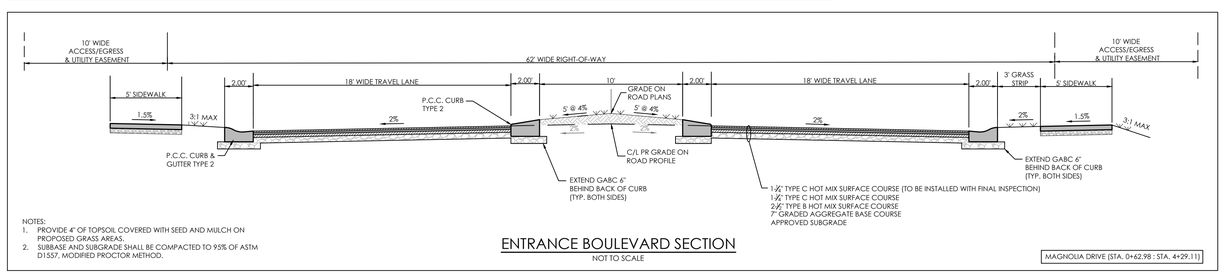
Ms. Lauren DeVore
Planner III

NOTES:
1. PROVIDE 4" OF TOPSOIL COVERED WITH SEED AND MULCH ON PROPOSED GRASS AREAS.
2. SUBBASE AND SUBGRADE SHALL BE COMPACTED TO 95% OF ASTM D1557, MODIFIED PROCTOR METHOD.

RESIDENTIAL STREET TYPICAL SECTION

NOT TO SCALE

INDIGO WAY (STA. 0+00.00 : STA. 33+50.00)



NOTES:
1. PROVIDE 4" OF TOPSOIL COVERED WITH SEED AND MULCH ON PROPOSED GRASS AREAS.
2. SUBBASE AND SUBGRADE SHALL BE COMPACTED TO 95% OF ASTM D1557, MODIFIED PROCTOR METHOD.

ENTRANCE BOULEVARD SECTION

NOT TO SCALE

MAGNOLIA DRIVE (STA. 0+62.98 : STA. 4+29.11)

PLANNING & ZONING COMMISSION
ROBERT C. WHEATLEY, CHAIRMAN
KIM HOEY STEVENSON, VICE-CHAIRMAN
DOUGLAS B. HUDSON
R. KELLER HOPKINS
HOLLY J. WINGATE

Sussex County
DELAWARE
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JANELLE CORNWELL, AICP
DIRECTOR

January 23, 2020

By email to: jpalkewicz@solutionsipem.com

Mr. Jason Palkewicz, P.E.
Solutions IPEM, LLC
303 North Bedford Street
Georgetown, DE, 19947

Re: Notice of Decision Letter for the Request to Revise Condition "C" of the Conditions of Approval for Azalea Woods (2019-08)
Tax Parcel: 135-11.00-32.04, a portion of 48.00, 49.00 & 56.00

Dear Mr. Palkewicz,

At their meeting on **Thursday, January 9, 2020** the Planning & Zoning Commission **approved** the **Request to Revise Condition "C" of the Conditions of Approval** for Azalea Woods (2019-08).

The amended language for Condition "C" shall now read, "So that home construction proceeds reasonably on pace with road improvements, the developer shall comply with the phasing set forth in Conditions #1 and #6 of DelDOT's November 21, 2019 TIS review letter. Any changes to those phasing requirements shall require an amendment to this Condition of approval."

Please feel free to contact me during business hours 8:30am – 4:30pm Monday through Friday at 302-855-7878.

Sincerely,

Ms. Lauren DeVore
Planner III

CC. Andy Wright, Building Code,
Mike Brady, Director of Public Works – Engineering
John Ashman, Director of Utility Planning - Engineering

COUNTY ADMINISTRATIVE OFFICES
2 THE CIRCLE | PO BOX 417
GEORGETOWN, DELAWARE 19947

TIS NOTE:

A TRAFFIC IMPACT STUDY WAS COMPLETED IN NOVEMBER 2019 AND WAS SUBMITTED TO THE LOCAL LAND USE AGENCY.

DELDOT PHASING NOTES:

1. PHASE 1 IMPROVEMENTS SHALL INCLUDE BUT MAY NOT BE LIMITED TO THE CONSTRUCTION OF A HAMMERHEAD ENTRANCE (MAGNOLIA DRIVE), DRAINAGE IMPROVEMENTS, ASSOCIATED SIGNAGE, AND STRIPING ALONG GRAVEL HILL ROAD (SCR 248). PRIOR TO THE ISSUANCE OF THE 1ST CERTIFICATE OF OCCUPANCY AND THE ISSUANCE OF THE 5TH BUILDING PERMIT, PHASE 1 IMPROVEMENTS SHALL BE CONSTRUCTED BY THE DEVELOPER AND ACCEPTED BY THE DEPARTMENT.

2. PHASE 2 IMPROVEMENTS SHALL INCLUDE BUT MAY NOT BE LIMITED TO THE CONSTRUCTION OF THE REMAINING ENTRANCE AND ROADWAY IMPROVEMENTS ALONG GRAVEL HILL ROAD, PURSUANT TO THE APPROVED DELDOT ENTRANCE PLANS. PHASE 2 IMPROVEMENTS SHALL BE CONSTRUCTED BY THE DEVELOPER AND ACCEPTED BY THE DEPARTMENT PRIOR TO THE ISSUANCE OF THE 32ND BUILDING PERMIT.

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REVISIONS

NO.	DATE	DESCRIPTION
1	1/19/22	REVISIONS PER AGENCY COMMENT LETTER DATED 1/18/22

NOTES for AZALEA WOODS
SUSSEX COUNTY, DELAWARE
GEORGETOWN HUNDRED
SCR 248

Date:	7/22/20
Job Number:	18003
Scale:	AS SHOWN
Drawn By:	HHB
Designed By:	HHB
Approved By:	BMH

Sheet No.: 2

File Name: RP.dwg

N

N 39°10'54" W
133.29'

N 50°49'06" W
5.00'

N 39°10'54" E
200.00'

S 50°49'06" E
5.00'

N 39°10'54" E
282.52'

EX-C5

SHINGLE POINT ROAD
SCR249

187.55'

200.35'

175.74'

IPF

IPF

N 82°32'29" W 1652.80'

1089.16'

S 49°50'44" W 282.15'

N 25°45'25" W 878.49'

365.26'

N 24°10'47" W 1172.69'

741.52'

IRF

Lands N/F
LESTER HARPER III & RUTH MAUCHLEY
135-11.00-53.00
DB 1904/40
Zoning: AR-1

Lands N/F
CHARLIE J. & DOROTHY L. BUSH
135-11.00-52.04
DB 1873/292
Zoning: AR-1

Lands N/F
MARIE A. BORDES
135-11.00-52.02
DB 2895/137
Zoning: AR-1

Lands N/F
ROBERT C., II & KRISTI M. MARSH
135-11.00-52.00
DB 4569/1
Zoning: AR-1

Lands N/F
NANCY LOU WHELEN
135-11.00-51.00
DB 4742/194
Zoning: AR-1

Lands N/F
W. EDWARD & EVELYN P. METZ
135-11.00-50.05
DB 3000/162
Zoning: AR-1

Lands N/F
MIDAS PROPERTIES, LLC
235-29.00-10.00
DB 4021/247
Zoning: AR-1

WETLANDS AREA 'E'
1.2883 ACRES

S 75°05'01" E 1818.07'

S 74°49'28" E 1818.93'

IRF

0.58'

Lands N/F
KYLE HARRINGTON-FERRO
235-29.00-10.11
DB 4000/14
PLAT 171/88
Zoning: AR-1

TAX MAP 135-11.00-49.00
AREA = 258.756 AC±

Lands N/F
WILLIAM N., & THOMAS R. PEPPER III
135-11.00-54.00
DB 3995/001
Zoning: AR-1
Use: Agricultural & Wooded

S 09°03'56" W 311.38'

S 82°29'57" E 915.07'

S 82°55'53" E 1722.24'
1683.93'

38.31'

GRAVEL HILL ROAD
SCR248

PETTYJOHN ROAD
SCR255

S 27°08'12" E 1038.48'

EXISTING PROPERTY LINE TO BE ABANDONED PER THIS PLAT

WETLANDS AREA 'B'
3.3562 ACRES

TAX MAP 135-11.00-56.00
AREA = 35.594 AC±

S 21°36'33" E
20.30'

30.16'

(TOTAL DISTANCE = 1443.31)
1413.15'
S 74°18'32" W 1378.87'
(TOTAL DISTANCE = 1,679.27')

SPIKE FOUND

S 17°46'12" E 429.20'

IRCF

S 29°39'27" E 530.82'

IRCF

S 39°24'15" E 170.81'

IRCF

S 40°23'40" E 186.23'

IRCF

S 40°27'48" E 199.55'

IRCF

IRCF

S 70°02'21" W
17.03'

S 60°10'30" W 793.78'

IRF

IRCS

S 17°46'12" E 675.95'

Lands N/F
DALE A. & KATHY PHILLIPS
135-11.00-47.00
DB 3942/217
Zoning: AR-1
Use: Agricultural

MATCH LINE
SEE SHEET 4

WETLANDS AREA 'D'
2.1967 ACRES

WETLANDS AREA 'C'
4.1393 ACRES

Lands N/F
LISA A. JESTER
135-11.00-48.00
DB 4696/279
Zoning: AR-1
Use: Agricultural

EXISTING PROPERTY LINE TO BE ABANDONED PER THIS PLAT

KOEPPEL-ROBINSON TAX DITCH - PRONG 3

IRF

IRF

N 58°52'24" W
117.75'

N 82°19'04" W 613.35'

N 74°54'22" E

2805.36'

IPF

N 10°22'33" W 563.36'

SHINGLE POINT ROAD
SCR249
70' RIGHT OF WAY

IRCF

10.15'

EX-C2

EX-C3

S 84°49'06" W
5.00'

N 87°49'05" E
5.00'

N 24°43'40" E 484.11'

WETLANDS AREA 'A'
3.8808 ACRES

WETLANDS AREA 'F'
2.6979 ACRES

EXISTING PROPERTY LINE TO BE ABANDONED PER THIS PLAT

P/O TAX MAP
135-11.00-48.00
AREA = 17.698 AC±

TAX MAP 135-11.00-49.00
AREA = 258.756 AC±

NOTE: SEE SHEET 4 FOR CURVE TABLE AND WETLAND COORDINATE TABLES.

GRAPHIC SCALE

100 0 100 200 400 800

(IN FEET)
1 inch = 200 ft.

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Land Planning
Engineering Management

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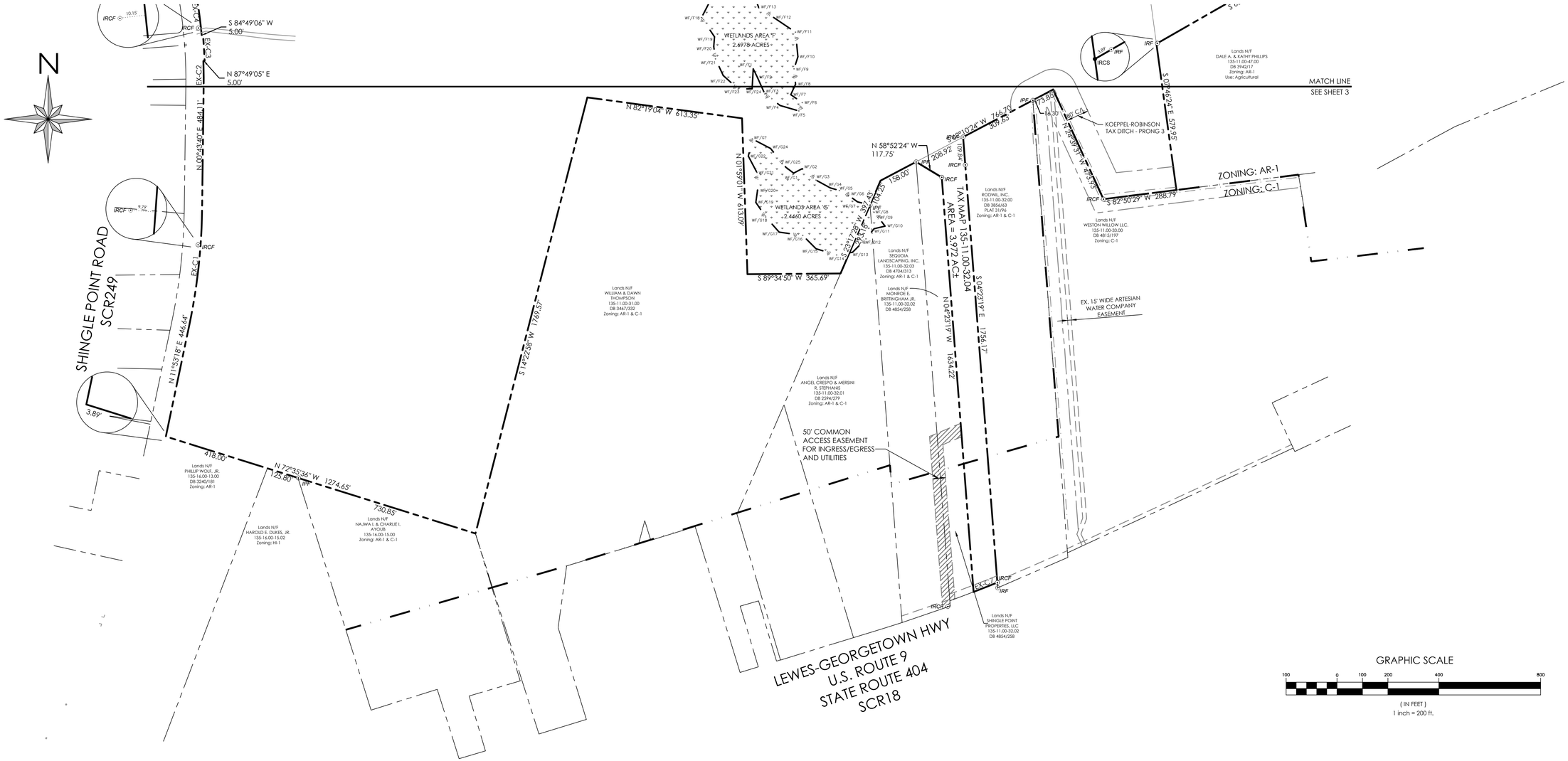
NO.	DATE	REVISIONS DESCRIPTION
1	1/19/22	REVISIONS PER AGENCY COMMENT LETTER DATED 1/18/22

EXISTING SITE 1
for
AZALEA WOODS
SUSSEX COUNTY, DELAWARE
GEORGETOWN HUNDRED
SCR 248

Date:	7/22/20
Job Number:	18003
Scale:	1"=200'
Drawn By:	ML
Designed By:	JP
Approved By:	JP

Sheet No.: 3

File Name: g18003-record-ex-site



WETLAND COORDINATE TABLE

DESCRIPTION	NORTHING	EASTING
WF/-A1	262482.4475	681480.5196
WF/-A2	262507.0209	681432.6017
WF/-A3	262540.4069	681391.3519
WF/-A4	262534.0075	681346.4549
WF/-A5	262559.4331	681315.4802
WF/-A6	262556.2502	681408.8975
WF/-A7	262599.3853	681454.5379
WF/-A8	262582.6159	681502.2032
WF/-A9	262616.9342	681532.4146
WF/-A10	262615.5821	681747.6463
WF/-A11	262722.3892	681837.4491
WF/-A12	262628.8751	681897.1308
WF/-A13	262561.9982	681941.5949
WF/-A14	262478.7073	682010.8035
WF/-A15	262395.6942	682018.9514
WF/-A16	262338.6702	682034.7538
WF/-A17	262297.8135	681983.0546
WF/-A18	262252.7089	681944.1162
WF/-A19	262207.2497	681922.2686
WF/-A20	262189.1977	681831.6503
WF/-A21	262289.8421	681777.4303
WF/-A22	262338.2041	681696.5203
WF/-A23	262398.7403	681626.4123
WF/-A24	262434.4344	681568.3397
WF/-A25	262442.8863	681502.8796

DESCRIPTION	NORTHING	EASTING
WF/B1	262916.898	682946.2776
WF/B2	262825.4613	682965.4856
WF/-B3	262743.5696	683014.7572
WF/-B4	262762.8245	683058.295
WF/-B5	262715.988	683069.1716
WF/-B6	262657.6648	683057.8673
WF/-B7	262538.1216	683086.9719
WF/-C1	262275.3826	683120.0765
WF/-C2	262287.7369	683052.8082
WF/-C3	262312.3785	682980.2684
WF/-C4	262306.5456	682910.904
WF/-C5	262326.0596	682836.2381
WF/-C6	262332.4093	682809.5584
WF/-C7	262353.5511	682692.7019
WF/-C8	262331.1702	682646.6518
WF/-C9	262472.44	682595.9871
WF/-C10	262546.0847	682634.2376
WF/-C11	262614.9251	682697.041
WF/-C12	262670.685	682757.4106
WF/-C13	262612.8902	682820.5324
WF/-C14	262633.289	682898.8792
WF/-C15	262684.5049	682893.3186
WF/-C16	262808.9204	682854.8925
WF/C17	262872.3304	682866.1592

DESCRIPTION	NORTHING	EASTING
WF/D1	262936.3381	682915.4658
WF/-D2	262988.1315	682894.6177
WF/-D3	263022.8362	682865.215
WF/-D4	263106.6736	682824.5461
WF/-D5	263129.9919	682783.4315
WF/-D6	263074.7449	682735.6513
WF/-D7	263037.3501	682663.2274
WF/-D8	263056.6336	682618.0157
WF/-D9	263032.1475	682549.5146
WF/-D10	262978.0853	682463.993
WF/-D11	263036.9112	682403.2087
WF/-D12	263077.5966	682357.6708
WF/-D13	262972.8611	682289.3144
WF/-D14	262902.8271	682248.3466
WF/-D15	262807.9729	682214.6498
WF/-D16	262823.3893	682325.3093
WF/-D17	262867.6309	682426.3708
WF/-D18	262838.9302	682503.28
WF/-D19	262869.9248	682593.0722
WF/-D20	262883.9584	682675.4393
WF/D21	262893.9559	682741.7529
WF/D22	262917.1928	682847.4957
WF/E-1	265021.3793	679980.8839
WF/E-2	265001.271	679951.9431
WF/E-3	264946.1674	679966.3695

DESCRIPTION	NORTHING	EASTING
WF/E-4	264880.336	680000.4686
WF/E-5	264851.8371	680076.1202
WF/E-6	264790.606	680152.8173
WF/E-7	264725.7918	680168.2585
WF/E-8	264653.2181	680155.0549
WF/E-9	264721.0509	680103.1574
WF/E-10	264764.6581	680056.2519
WF/E-11	264779.8604	679984.7851
WF/E-12	264845.4114	679902.8194
WF/E-13	264891.8357	679836.0624
WF/E-14	264880.0851	679751.4741
WF/E-15	264944.0116	679762.4437
WF/E-16	265022.8225	679797.9806
WF/E-17	265074.2045	679803.1429
WF/E-18	265117.5197	679852.5334
WF/E-19	265147.2517	679885.6571
WF/E-20	265088.0658	679922.8792
WF/F1	261105.9933	681402.591
WF/F2	261073.2356	681418.7817
WF/F3	261007.6533	681448.0469
WF/F4	260962.1921	681508.1987
WF/F5	260940.7593	681581.6627
WF/F6	260973.5325	681595.0062
WF/F7	261004.8505	681550.0824
WF/F8	261045.7277	681568.7301

DESCRIPTION	NORTHING	EASTING
WF/F9	261106.3346	681562.7551
WF/F10	261153.7623	681577.9727
WF/F11	261250.4477	681568.4981
WF/F12	261306.0593	681485.8995
WF/F13	261345.4013	681424.5966
WF/F14	261405.4187	681402.6785
WF/F15	261456.7031	681370.745
WF/F16	261476.4123	681288.6839
WF/F17	261370.1252	681231.4736
WF/F18	261307.7657	681199.2876
WF/F19	261232.1515	681250.4413
WF/F20	261194.1513	681247.3525
WF/F21	261145.2789	681254.1587
WF/F22	261080.1136	681284.5586
WF/F23	261026.9378	681343.4097
WF/F24	261027.8717	681398.0501
WF/G1	260696.3424	681561.284
WF/G2	260713.8505	681594.7648
WF/G3	260668.8797	681649.0675
WF/G4	260638.4028	681705.0301
WF/G5	260628.0841	681740.9265
WF/G6	260608.9746	681777.0624
WF/G7	260583.5041	681812.0279
WF/G8	260571.0262	681860.4638

DESCRIPTION	NORTHING	EASTING
WF/G9	260524.1997	681892.7813
WF/G10	260487.9388	681920.3518
WF/G11	260477.7972	681877.1752
WF/G12	260438.0482	681845.1615
WF/G13	260385.301	681792.8736
WF/G14	260374.7148	681730.0937
WF/G15	260399.1092	681648.9662
WF/G16	260451.4201	681597.0024
WF/G17	260464.4795	681504.2008
WF/G18	260524.1822	681451.3307
WF/G19	260581.3823	681412.7327
WF/G20	260629.228	681419.408
WF/G21	260698.7024	681417.1398
WF/G22	260763.1352	681383.195
WF/G23	260830.7893	681398.7223
WF/G24	260793.271	681470.4732
WF/G25	260719.821	681530.229
WF/-H1	263220.2659	682793.9327
WF/-H2	263181.0791	682748.2233
WF/-H3	263168.9036	682707.9817
WF/-H4	263199.5956	682663.5775
WF/-H5	263298.0748	682632.6472
WF/-H6	263379.438	682564.5232
WF/-H7	263464.0977	682492.5743
WF/-H8	263591.1002	682422.9602

DESCRIPTION	NORTHING	EASTING
WF/-H9	263709.1273	682366.7075
WF/-H10	263729.1342	682317.1818
WF/-H11	263809.8877	682231.6359
WF/-H12	263853.231	682209.236
WF/-H13	263949.4355	682212.1975
WF/-H14	263987.641	682274.1597
WF/-H15	263998.5945	682375.8435
WF/-H16	263924.4638	682402.1845
WF/-H17	263858.3785	682346.669
WF/-H18	263810.3267	682341.8024
WF/-H19	263779.1329	682410.0231
WF/-H20	263772.634	682519.0644
WF/-H21	263708.4013	682588.1244
WF/-H22	263596.8016	682638.7795
WF/-H23	263480.4789	682690.4796
WF/-H24	263364.7735	682748.4254
WF/-H25	263269.4382	682791.8305

BOUNDARY CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
EX-C1	2360.01'	459.70'	458.97'	N 06°18'29" E
EX-C2	1945.06'	98.78'	98.77'	N 00°43'38" W
EX-C3	1950.06'	102.09'	102.08'	N 03°40'55" W
EX-C4	1945.06'	176.33'	176.27'	N 07°46'43" W
EX-C5	1397.39'	263.99'	263.60'	N 32°45'26" E
EX-C6	5729.58'	539.40'	539.20'	S 24°18'23" E
EX-C7	5879.58'	100.29'	100.29'	S 68°28'28" W

GRAPHIC SCALE

100 0 100 200 400 800

(IN FEET)
1 inch = 200 ft.

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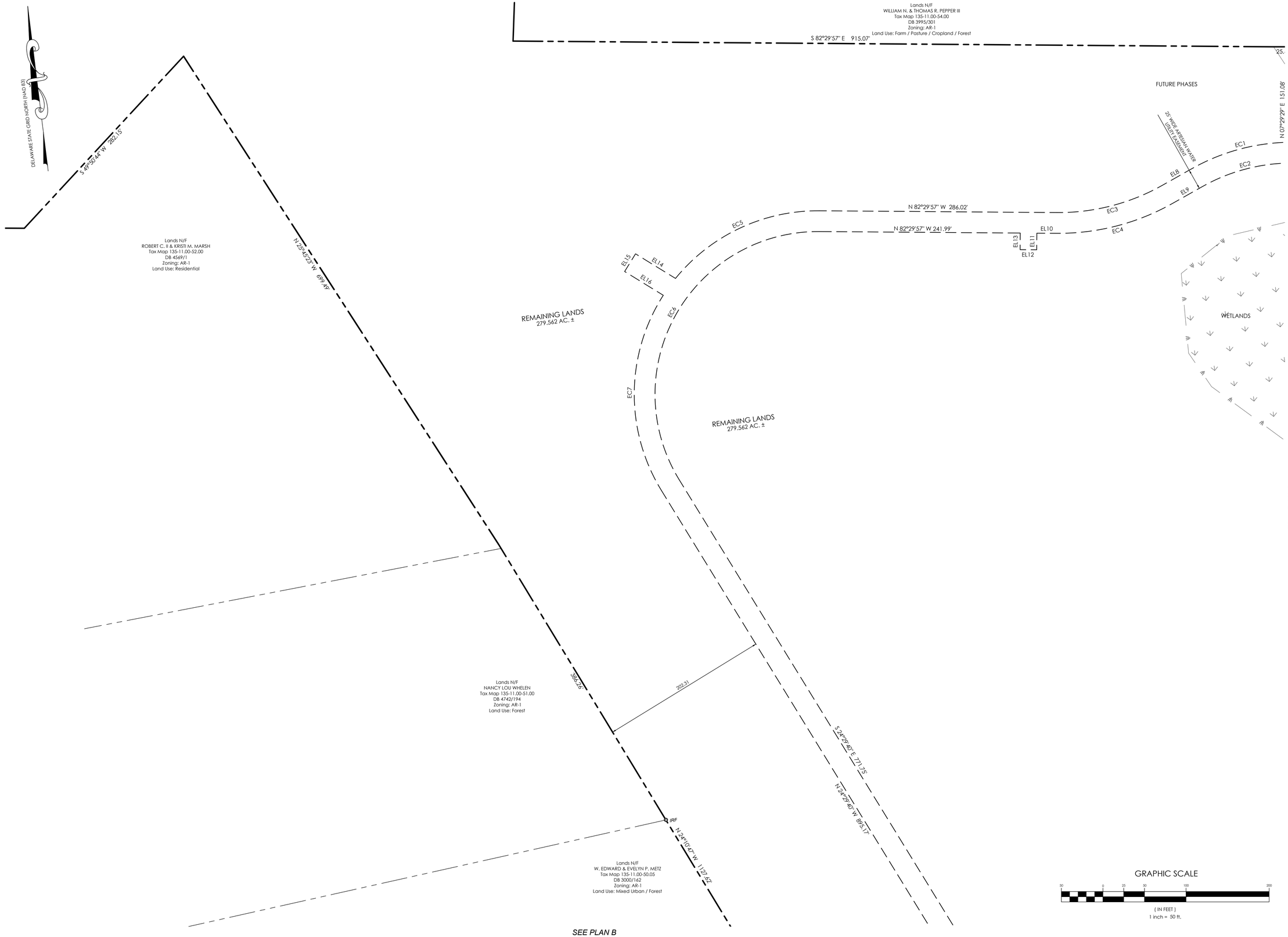
EXISTING SITE 2
for
AZALEA WOODS
SUSSEX COUNTY, DELAWARE
GEORGETOWN HUNDRED
SCR 248

Date: 7/22/20
Job Number: 18003
Scale: 1"=200'
Drawn By: ML
Designed By: JP
Approved By: JP

Sheet No.: 4

File Name: g18003-record-ex-site



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PLAN A
for
AZALEA WOODS
SUSSEX COUNTY, DELAWARE
GEORGETOWN HUNDRED
SCR 248

Date:	7/22/20
Job Number:	18003
Scale:	1"=50'
Drawn By:	HHB
Designed By:	HHB
Approved By:	BH

Sheet No.: 5

File Name: RP.dwg

DELAWARE STATE GRID NORTH (NAD 83)

SEE PLAN A

EL17
EL18
EL19
S 24°29'40" E 103.42'
N 24°29'40" W 893.17'
205.37'
741.58'
EC9
EC8
25' WIDE ARTESIAN WATER UTILITY EASEMENT
S 35°15'06" E 318.19'
N 35°15'06" W 318.19'

Lands N/F
W. EDWARD & EVELYN P. METZ
Tax Map 135-11.00-50.05
DB 3000/162
Zoning: AR-1
Land Use: Mixed Urban / Forest

WETLANDS

REMAINING LANDS
279.562 AC. ±

WETLANDS

EC11
EC10
S 10°32'19" E 122.55'
N 10°32'19" W 120.07'
S 00°42'17" W 94.09'
N 00°42'17" E 93.63'
EC13
EC12
S 04°23'19" E 110.14'
N 04°23'19" W 110.14'
EL20
EL21
EL22
EL25
EL24
EL23

REMAINING LANDS
279.562 AC. ±

GRAPHIC SCALE

50 0 25 50 100 200

(IN FEET)
1 inch = 50 ft.

SEE PLAN C

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NO.	DATE	DESCRIPTION
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PLAN B
for
AZALEA WOODS
SUSSEX COUNTY, DELAWARE
GEORGETOWN HUNDRED
SCR 248

Date:	7/22/20
Job Number:	18003
Scale:	1"=50'
Drawn By:	HHB
Designed By:	HHB
Approved By:	BH

Sheet No.: 6

File Name: RP.dwg

DELAWARE STATE GRID NORTH (NAD 83)

SEE PLAN B

S 04°23'19" E 399.80'

N 04°23'19" W 447.30'

25' WIDE ARTESIAN WATER UTILITY EASEMENT

EL26

EL28

EL27

S 04°23'19" E 77.00'

EL29

EL30

EL31

EL32

EL33

EL34

S 04°23'19" E 387.50'

N 04°23'19" W 447.30'

REMAINING LANDS
279.562 AC. ±

15' WIDE ARTESIAN WATER UTILITY EASEMENT

N 85°36'41" E 178.86'

EC14

EL40

EC15

S 49°22'37" E 74.65'

S 85°36'41" W 158.39'

N 49°22'37" W 81.43'

EL35

EL36

EL38

EL37

EL39

REMAINING LANDS
279.562 AC. ±

IPF

416.52

222.01'

N 04°22'37" W 130.51'

S 04°22'37" E 134.18'

N 25°09'50" W
6.70'

S 62°30'29" W
13.72'

Lands N/F
WESTON WILLOW LLC.
Tax Map 135-11.00-32.00
DB 4815/197

73.85'

IPF

16.30'

TAX DITCH R.O.W.
80' C/L

KOEPPEL - ROBINSON
TAX DITCH - PRONG 3

EX. 15' WIDE
ARTESIAN
WATER
COMPANY
EASEMENT

TAX DITCH
R.O.W.
40' T.O.B.

TAX DITCH
R.O.W.
40' T.O.B.

309.63

Lands N/F
RODWIL INC.
Tax Map 135-11.00-32.00
DB 3856/63

WETLANDS

GRAPHIC SCALE

50 0 25 50 100 200

(IN FEET)
1 inch = 50 ft.

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REVISIONS

NO.	DATE	DESCRIPTION
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PLAN C
for
AZALEA WOODS
SUSSEX COUNTY, DELAWARE
GEORGETOWN HUNDRED
SCR 248

Date:	7/22/20
Job Number:	18003
Scale:	1"=50'
Drawn By:	HHB
Designed By:	HHB
Approved By:	BH

Sheet No.: 7

File Name: RP.dwg

DELAWARE STATE GRID NORTH (NAD 83)

CAP PIN SET (TYP.)

PUMP STATION EASEMENT TO BE DEDICATED TO ARTESIAN WASTEWATER MANAGEMENT, INC.

FUTURE PHASES

APPROX. LOCATION OF TEMPORARY MAIL BOXES

OPEN SPACE A
206808 S.F.±
4.748 AC.±

25' WIDE ARTESIAN WATER UTILITY EASEMENT

EC1 EC2 EC3 EC4 EL1 EL2 EL3 EL4 EL5 EL6 EL7 EL8 EL9

C1 C2 C3 C4 C5 C6 C7 C8 C9 C10 C11 C12 C13 C14 C15 C16 C17 C18 C19 C20 C21 C22 C23 C24 C25 C26 C27 C28 C29 C30 C31 C32 C33 C34 C35 C36 C37 C38 C39

25.42'
N 07°29'29" E 151.08' (TOTAL)
93.37'
35.00'
22.21'
N 19°33'42" W 138.26'
N 40°01'56" E 87.65'
N 05°46'59" E 43.18'
70.50'
N 65°25'40" W
N 86°35'21" W 110.10'
N 47°04'27" W 97.11'

WETLANDS

ARTESIAN WATER UTILITY EASEMENT

SEE PLAN A

EC1
EC2
N 07°29'29" E
11.21'

DETAIL A
SCALE: 1"=40'

REMAINING LANDS
279.562 AC.±

EXISTING PROPERTY LINE TO BE ABANDONED PER THIS PLAT

N 24°53'35" W 485.90'
S 26°21'32" E 1419.12'

20' WIDE DRAINAGE EASEMENT (TYP.)

STORM DRAINAGE EASEMENT, SEE DETAIL 2, SHEET 10

20' WIDE DRAINAGE EASEMENT (TYP.)

S 82°55'53" E 1722.24'
1648.54'

50' AGRICULTURAL SETBACK
30' LANDSCAPE BUFFER (TYP.)

Lands N/F
WILLIAM N. & THOMAS R. PEPPER III
Tax Map 135-11.00-54.00
DB 3995/301
RESIDENTIAL

S 82°55'53" E 1010.00'

N 07°04'07" E 125.00'
S 07°04'07" W 125.00'

LOT 14 8750 S.F.± 0.201 AC.±
LOT 13 8750 S.F.± 0.201 AC.±
LOT 12 8750 S.F.± 0.201 AC.±
LOT 11 8750 S.F.± 0.201 AC.±
LOT 10 8750 S.F.± 0.201 AC.±
LOT 9 8750 S.F.± 0.201 AC.±
LOT 8 8750 S.F.± 0.201 AC.±
LOT 7 8750 S.F.± 0.201 AC.±
LOT 6 8750 S.F.± 0.201 AC.±
LOT 5 8750 S.F.± 0.201 AC.±
LOT 4 8750 S.F.± 0.201 AC.±
LOT 3 8750 S.F.± 0.201 AC.±
LOT 2 8750 S.F.± 0.201 AC.±
LOT 1 12940 S.F. 0.297 AC.

70.00' 125.00' 17.52'

INDIGO WAY
(35' PRIVATE R.O.W)

N 82°55'53" W 927.52'

S 82°55'53" E 799.27'

10' WIDE ACCESS/EGRESS AND UTILITY EASEMENT (TYP.)

20' WIDE DRAINAGE EASEMENT (TYP.)

10' (TYP.)

LOT 38 8750 S.F.± 0.201 AC.±
LOT 39 8750 S.F.± 0.201 AC.±
LOT 40 8750 S.F.± 0.201 AC.±
LOT 41 8750 S.F.± 0.201 AC.±
LOT 42 8750 S.F.± 0.201 AC.±
LOT 43 8750 S.F.± 0.201 AC.±
LOT 44 8750 S.F.± 0.201 AC.±
LOT 45 8750 S.F.± 0.201 AC.±

N 82°55'53" W 560.00'

N 54°41'15" W 56.09'

0.94'

STORM DRAINAGE EASEMENT, SEE DETAIL 1, SHEET 10

STORM DRAINAGE EASEMENT, SEE DETAIL 1, SHEET 10

LOT 15 11372 S.F.± 0.261 AC.±
LOT 16 9476 S.F.± 0.218 AC.±
LOT 17 8750 S.F.± 0.201 AC.±
LOT 18 8750 S.F.± 0.201 AC.±
LOT 19 8750 S.F.± 0.201 AC.±
LOT 20 8750 S.F.± 0.201 AC.±
LOT 21 8750 S.F.± 0.201 AC.±
LOT 22 8750 S.F.± 0.201 AC.±
LOT 23 8750 S.F.± 0.201 AC.±
LOT 24 9295 S.F.± 0.213 AC.±
LOT 25 9719 S.F.± 0.223 AC.±
LOT 26 9719 S.F.± 0.223 AC.±
LOT 27 9719 S.F.± 0.223 AC.±
LOT 28 9719 S.F.± 0.223 AC.±
LOT 29 9719 S.F.± 0.223 AC.±
LOT 30 9053 S.F.± 0.208 AC.±
LOT 31 8750 S.F.± 0.201 AC.±
LOT 32 8750 S.F.± 0.201 AC.±
LOT 33 8750 S.F.± 0.201 AC.±

LOT 66 13203 S.F.± 0.303 AC.±
LOT 65 8750 S.F.± 0.201 AC.±
LOT 64 8750 S.F.± 0.201 AC.±
LOT 63 8750 S.F.± 0.201 AC.±
LOT 62 8750 S.F.± 0.201 AC.±
LOT 61 8750 S.F.± 0.201 AC.±
LOT 60 8750 S.F.± 0.201 AC.±
LOT 59 8750 S.F.± 0.201 AC.±
LOT 58 11285 S.F.± 0.259 AC.±
LOT 57 11506 S.F.± 0.264 AC.±
LOT 56 10732 S.F.± 0.246 AC.±
LOT 55 8750 S.F.± 0.201 AC.±
LOT 54 8750 S.F.± 0.201 AC.±
LOT 53 8750 S.F.± 0.201 AC.±
LOT 52 8750 S.F.± 0.201 AC.±

N 03°03'47" W 123.46'
N 74°51'05" E 125.00'
N 74°21'51" W 87.77'
N 64°38'57" E 125.00'
N 25°21'03" W 557.19'
S 64°38'57" W 125.00'
N 12°57'03" W 490.00'
S 25°21'03" E 592.76'
S 37°50'01" E 52.92'
S 68°35'55" E 36.79'
N 81°35'04" E 60.57'
S 26°45'04" W 125.00'
S 06°05'05" W 125.00'
N 27°49'54" W 80.22'
N 45°19'15" E 125.00'
N 27°34'24" E 125.00'
N 15°49'55" E 125.00'
N 07°05'17" E 125.00'
N 15°41'28" W 125.00'
S 15°41'28" E 125.00'
N 53°33'05" W
N 67°17'46" W
N 81°02'27" W
S 85°12'52" W
S 75°01'55" W
N 74°18'32" E 350.00'
N 74°18'32" E 405.50'
S 74°18'32" W 405.50'
S 74°18'32" W 401.79'

20' WIDE DRAINAGE EASEMENTS (TYP.)

20' WIDE DRAINAGE EASEMENT (TYP.)

10' WIDE ACCESS/EGRESS AND UTILITY EASEMENT (TYP.)

49.42'

20.20'

6.42'

SEE PLAN E

OPEN SPACE C
219971 S.F.±
5.050 AC.±

OPEN SPACE B
359794 S.F.±
8.260 AC.±

SEE INSET

N 36°18'51" W 405.45'
S 74°18'32" W 1378.87'
SPIKE FOUND
50' AGRICULTURAL SETBACK
30' LANDSCAPE BUFFER (TYP.)
Lands N/F
LISA A. JESTER
Tax Map 135-11.00-48.00
DB 4696/279
Zoning: AR-1
AGRICULTURAL

INSET

GRAPHIC SCALE
50 0 25 50 100 200
(IN FEET)
1 inch = 50 ft.

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REVISIONS

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PLAN D
for
AZALEA WOODS
SUSSEX COUNTY, DELAWARE
GEORGETOWN HUNDRED
SCR 248

Date:	7/22/20
Job Number:	18003
Scale:	1"=50'
Drawn By:	HHB
Designed By:	HHB
Approved By:	BH

Sheet No.: 8

File Name: RP.dwg

Lands N/F
WILLIAM N. & THOMAS R. PEPPER III
Tax Map 135-11.00-54.00
DB 3995/301
RESIDENTIAL

50' AGRICULTURAL SETBACK
30' LANDSCAPE BUFFER (TYP.)

S 82°55'53" E 1722.24'
1648.54'

S 82°55'53" E 1010.00'

LOT 4
8750 S.F.±
0.201 AC.±

LOT 3
8750 S.F.±
0.201 AC.±

LOT 2
8750 S.F.±
0.201 AC.±

LOT 1
12940 S.F.±
0.297 AC.±

S 07°04'07" W 125.00'
S 07°04'07" W 141.25'
N 82°55'53" W 927.52'

10' WIDE ACCESS/EGRESS AND UTILITY EASEMENT (TYP.)

S 82°55'53" E 799.27'

LOT 43
8750 S.F.±
0.201 AC.±

LOT 44
8750 S.F.±
0.201 AC.±

LOT 45
8750 S.F.±
0.201 AC.±

20' WIDE DRAINAGE EASEMENT (TYP.)

10' (TYP.)

N 07°04'07" E 125.00'
N 82°55'53" W 560.00'

LOT 46
15130 S.F.±
0.347 AC.±

30' WIDE DRAINAGE EASEMENT (TYP.)

N 62°18'02" E 175.01'
N 34°41'15" W 56.09'

LOT 47
10731 S.F.±
0.246 AC.±

N 62°59'48" E 175.00'
N 26°46'05" W 85.57'

LOT 48
12505 S.F.±
0.287 AC.±

N 76°46'05" E 175.00'
N 15°38'02" E 55.52'

LOT 49
15382 S.F.±
0.353 AC.±

OPEN SPACE C
219971 S.F.±
5.050 AC.±

SEE PLAN D

OPEN SPACE A
206808 S.F.±
4.748 AC.±

A 19.5 FOOT PERMANENT EASEMENT IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAT

N 27°00'12" W 205.55'
154.00'
23.6'
SEE SHEET 11

N/F
BESSIE PEPPER & ELWOODWILSON
135-11.00-154.01
DB 3322/45
AGRICULTURAL

EX. 40' WIDE EASEMENT

CMS
IPF 48.29'

N/F
SHARON ANN SPIRK
135-11.00-57.00
DB 561/216
RESIDENTIAL

S 27°00'12" E 178.48'

PETTYJOHN ROAD (SCR 255)
LOCAL

DELAWARE STATE GRID NORTH (NAD 83)

N/F
SCOTT J. BATZ & RUTH E. SMITH
135-11.00-59.10
DB 2336/254
AGRICULTURAL

GRAVEL HILL ROAD (SCR 248)
MAJOR COLLECTOR

N/F
JACOB TINGLE
JUANITA Y. WILTBANK
135-11.00-58.00
DB 3941/88
RESIDENTIAL

N/F
SCOTT J. BATZ
135-11.00-59.12
DB 2482/93
AGRICULTURAL

N/F
SOMPHONE BOUAPHAKEO
135-11.00-59.06
DB 2389/301
VACANT

N/F
PATRICIA F. MOMOT
135-11.00-59.09
DB 2278/318
RESIDENTIAL

N/F
JOSE L. VARELA
135-11.00-59.05
DB 4531/153
RESIDENTIAL

N/F
RAYMOND PRINCE
135-11.00-59.02
DB 4585/169
RESIDENTIAL

25' WIDE ARTESIAN WATER UTILITY EASEMENT; SEE DETAIL HEREON

2'x2' SIGN EASEMENT SEE SHEET 10

10' WIDE ACCESS/EGRESS AND UTILITY EASEMENT (TYP.)

MAGNOLIA DRIVE
(62' PRIVATE R.O.W.)

N 62°59'48" E 327.63'
N 62°59'48" E 95.32'
N 62°59'48" E 90.97'
N 62°50'22" E 52.61'
N 62°59'48" E 76.97'
SEE SHEET 11

BUS STOP

15' WIDE ARTESIAN UTILITY EASEMENT

EX. CMS

A 15-FOOT PERMANENT EASEMENT IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAT

A 40-FOOT WIDE STRIP OF RIGHT-OF-WAY FROM THE CENTERLINE IS HEREBY DEDICATED TO THE STATE OF DELAWARE AS PER THIS PLAT

23.0'

UTILITY/FORCEMAIN EASEMENT SEE SHEET 10

EX. 25' WIDE UTILITY EASEMENT

S 21°36'33" E 20.30'

N 21°36'33" W 16.15'

40.21'

CMS

EX. 15' WIDE UTILITY EASEMENT

30' LANDSCAPE BUFFER (TYP.)
50' AGRICULTURAL SETBACK

OPEN SPACE B
359794 S.F.±
8.260 AC.±

LOT 50
12131 S.F.±
0.278 AC.±

LOT 51
8750 S.F.±
0.201 AC.±

LOT 52
8750 S.F.±
0.201 AC.±

LOT 53
8750 S.F.±
0.201 AC.±

LOT 54
8750 S.F.±
0.201 AC.±

LOT 55
8750 S.F.±
0.201 AC.±

LOT 37
11724 S.F.±
0.269 AC.±

LOT 36
10314 S.F.±
0.237 AC.±

LOT 35
8750 S.F.±
0.201 AC.±

LOT 34
8750 S.F.±
0.201 AC.±

LOT 33
8750 S.F.±
0.201 AC.±

LOT 32
8750 S.F.±
0.201 AC.±

LOT 31
8750 S.F.±
0.201 AC.±

LOT 30
9053 S.F.±
0.208 AC.±

20' WIDE DRAINAGE EASEMENT (TYP.)
10' (TYP.)
N 67°18'00" E 62.35'
S 45°30'07" E 175.00'
N 74°18'32" E 350.00'
S 74°18'32" W 403.50'
N 74°18'32" E 403.50'
S 74°18'32" W 401.79'
1338.66'
S 74°18'32" W 1378.87'
S 75°01'55" W 93.93'
S 35°12'52" W

10' WIDE ACCESS/EGRESS AND UTILITY EASEMENT (TYP.)

INDIGO WAY
(35' PRIVATE R.O.W.)

S 30°28'20" E 129.00'
S 58°26'49" W 51.79'
S 58°26'49" W 47.82'
S 39°31'40" W 57.07'
N 31°34'14" W 56.26'

Lands N/F
LISA A. JESTER
Tax Map 135-11.00-48.00
DB 4696/279
Zoning: AR-1
AGRICULTURAL

GRAPHIC SCALE

50 0 25 50 100 200
(IN FEET)
1 inch = 50 ft.

ARTESIAN WATER UTILITY EASEMENT
SCALE: 1"=20'

S 27°00'12" E 12.34'
A=4.24'
N 62°59'48" E 20.00'
A=1.39'
18.61'
N 27°00'12" W 12.40'
A=5.55'
L=10.34'
GRAVEL HILL ROAD
MAGNOLIA DRIVE
N 69°59'48" E 327.63'

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REVISIONS

NO.	DATE	DESCRIPTION
1	1/19/22	REVISIONS PER AGENCY COMMENT LETTER DATED 1/18/22

PLAN E
for
AZALEA WOODS
SUSSEX COUNTY, DELAWARE
GEORGETOWN HUNDRED
SCR 248

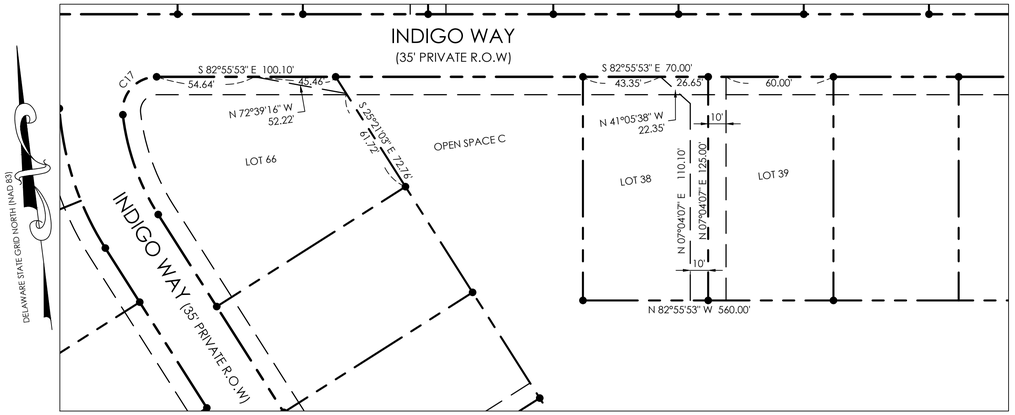
Date:	7/22/20
Job Number:	18003
Scale:	1"=50'
Drawn By:	HHB
Designed By:	HHB
Approved By:	BH

Sheet No.: 9

File Name: RP.dwg

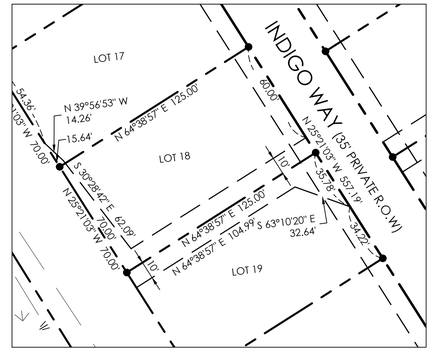
EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
EL1	N 07°04'07" E	40.90'
EL2	S 82°56'12" E	18.42'
EL3	S 07°03'48" W	72.50'
EL4	S 82°56'12" E	75.00'
EL5	N 07°03'48" E	72.50'
EL6	N 82°56'12" W	30.00'
EL7	N 07°04'07" E	32.15'
EL8	N 67°37'40" E	40.93'
EL9	S 67°37'40" W	40.93'
EL10	S 82°29'57" E	24.03'
EL11	S 07°30'03" W	20.00'
EL12	N 82°29'57" W	20.00'
EL13	N 07°30'03" E	20.00'
EL14	S 51°18'37" E	56.47'
EL15	N 38°41'23" E	25.00'
EL16	N 51°18'37" W	54.60'
EL17	N 65°30'20" E	20.00'
EL18	S 24°29'40" E	20.00'
EL19	S 65°30'20" W	20.00'
EL20	N 85°36'41" E	20.18'
EL21	S 04°23'19" E	20.00'
EL22	S 85°36'41" W	20.18'
EL23	S 85°36'41" W	56.84'
EL24	N 04°23'19" W	20.00'
EL25	N 85°36'41" E	56.84'
EL26	N 85°36'41" E	20.00'
EL27	S 04°23'19" E	20.00'
EL28	S 85°36'41" W	20.00'
EL29	N 85°36'41" E	52.59'
EL30	N 04°23'19" W	20.00'
EL31	S 85°36'41" W	52.59'
EL32	N 85°36'41" E	20.00'
EL33	S 04°23'19" E	20.00'
EL34	S 85°36'41" W	20.00'
EL35	N 85°36'41" E	36.89'
EL36	N 04°23'19" W	27.50'
EL37	S 04°23'19" E	25.92'
EL38	S 85°36'41" W	44.80'
EL39	S 40°36'41" W	24.16'
EL40	S 08°23'47" E	15.00'

EASEMENT CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
EC1	246.00'	128.22'	126.77'	N 82°33'34" E	29°51'48"
EC2	221.00'	115.19'	113.89'	S 82°33'34" W	29°51'48"
EC3	254.00'	132.43'	130.94'	N 82°33'51" E	29°52'22"
EC4	279.00'	145.46'	143.82'	S 82°33'51" W	29°52'22"
EC5	221.00'	197.76'	191.23'	N 71°51'55" E	51°16'15"
EC6	196.00'	417.33'	342.84'	S 36°30'11" W	121°59'43"
EC7	221.00'	247.71'	234.95'	N 07°36'58" E	64°13'17"
EC8	585.00'	109.83'	109.67'	N 29°52'23" W	10°45'25"
EC9	560.00'	105.14'	104.98'	S 29°52'23" E	10°45'25"
EC10	254.00'	109.56'	108.71'	N 22°53'42" W	24°42'47"
EC11	279.00'	120.34'	119.41'	S 22°53'42" E	24°42'47"
EC12	585.00'	52.07'	52.05'	N 01°50'19" W	5°06'00"
EC13	560.00'	49.85'	49.83'	S 01°50'19" E	5°06'00"
EC14	223.50'	15.63'	15.63'	N 83°36'27" E	4°00'28"
EC15	238.50'	16.68'	16.68'	N 83°36'27" E	4°00'28"



STORM DRAINAGE EASEMENT DETAIL 1

SCALE: 1"=40'

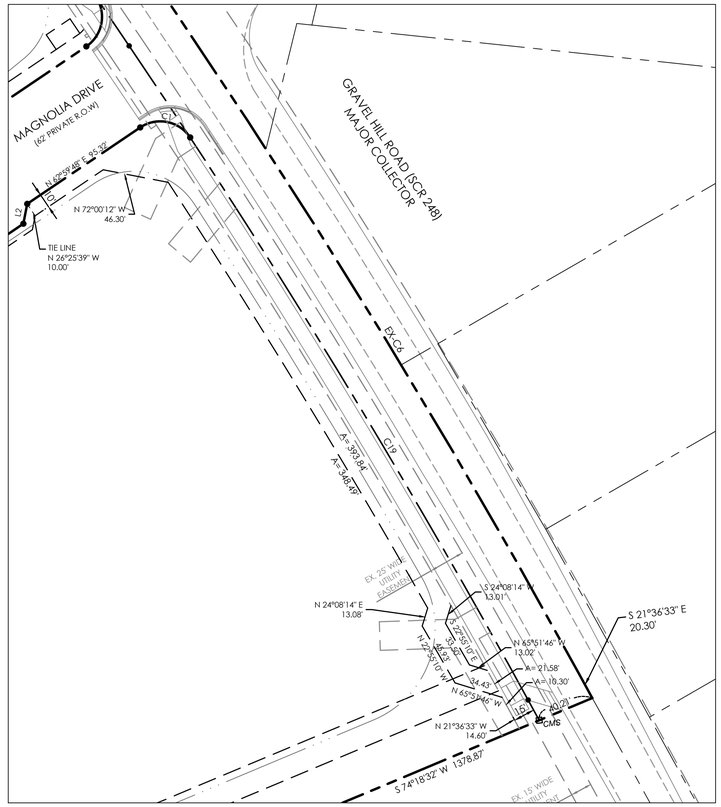


STORM DRAINAGE EASEMENT DETAIL 2

SCALE: 1"=40'

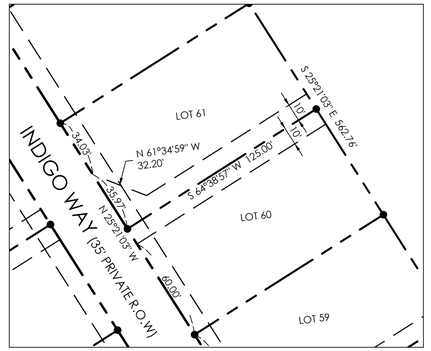
BOUNDARY CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
EX-C1	2360.01'	459.70'	458.97'	N 06°18'29" E
EX-C2	1945.06'	98.78'	98.77'	N 00°43'38" W
EX-C3	1950.06'	102.09'	102.08'	N 03°40'55" W
EX-C4	1945.06'	176.33'	176.27'	N 07°46'43" W
EX-C5	1397.39'	263.99'	263.60'	N 32°45'26" E
EX-C6	5729.58'	539.40'	539.20'	S 24°18'23" E
EX-C7	5879.58'	100.29'	100.29'	S 68°28'28" W

LINE	BEARING	DISTANCE
L1	S 72°00'12" E	13.76'
L2	N 17°59'48" E	14.14'



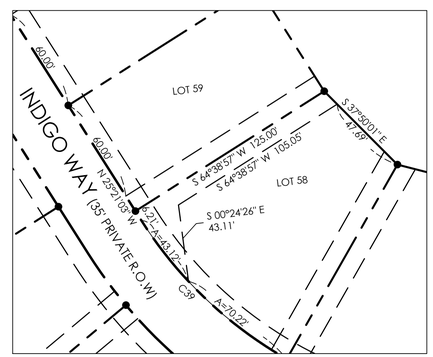
UTILITY EASEMENT DETAIL

SCALE: 1"=50'



STORM DRAINAGE EASEMENT DETAIL 3

SCALE: 1"=40'



STORM DRAINAGE EASEMENT DETAIL 4

SCALE: 1"=40'

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REVISIONS

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1	1/19/22	REVISIONS PER AGENCY COMMENT LETTER DATED 1/18/22

STORM DRAINAGE EASEMENT DETAILS, LINE AND CURVE TABLES

for

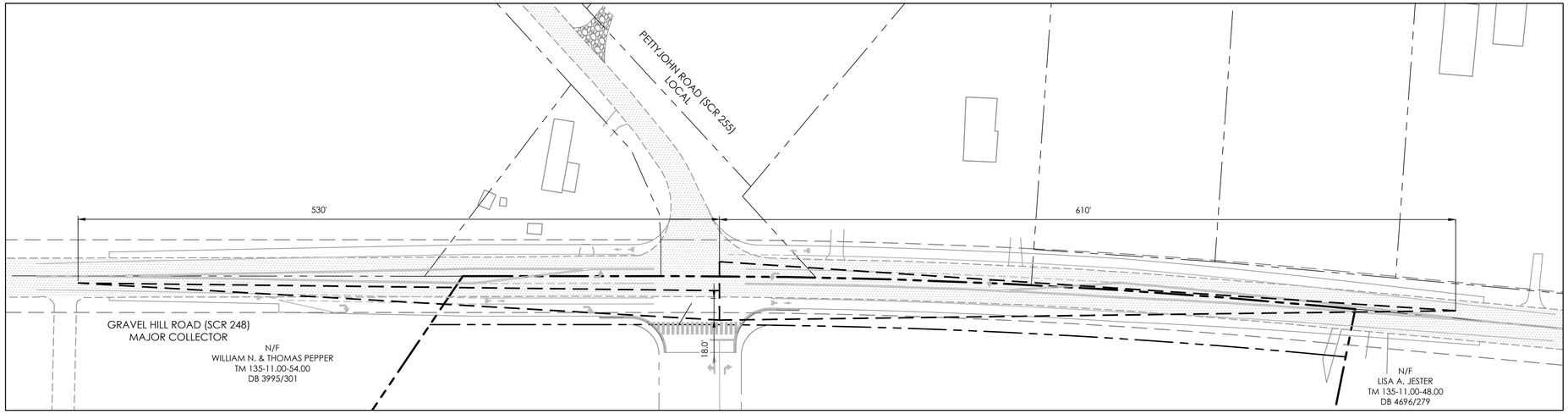
AZALEA WOODS

SUSSEX COUNTY, DELAWARE
GEORGETOWN HUNDRED
SCR 248

Date:	7/22/20
Job Number:	18003
Scale:	1"=50'
Drawn By:	HHB
Designed By:	HHB
Approved By:	BH

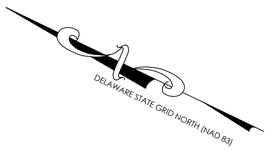
Sheet No.: 10

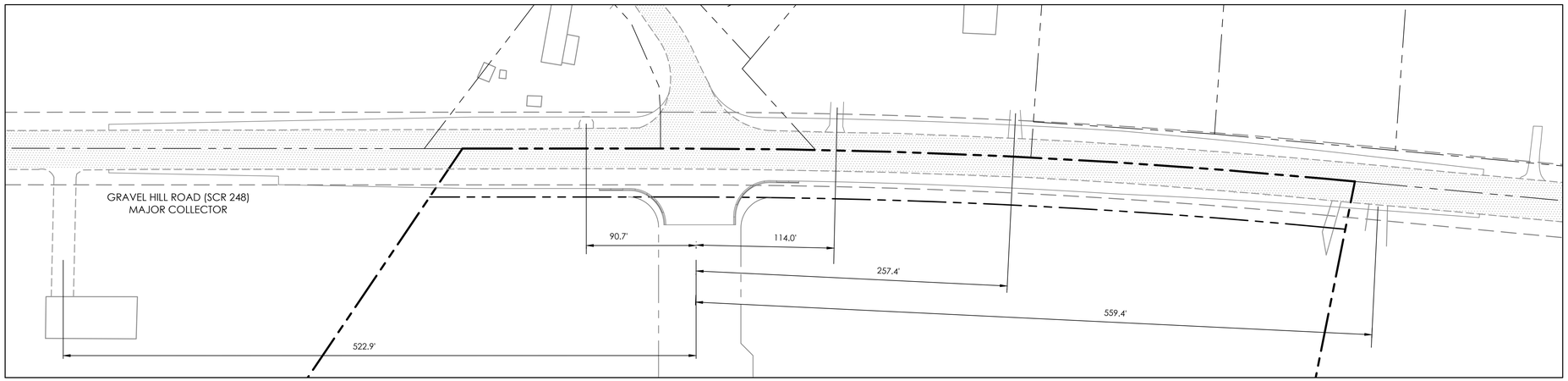
File Name: RP.dwg



DELDOT SIGHT DISTANCE TRIANGLES

SCALE: 1"=50'



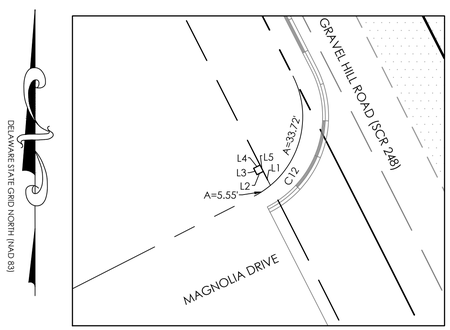


DELDOT ENTRANCE SPACING DIMENSIONS

SCALE: 1"=50'

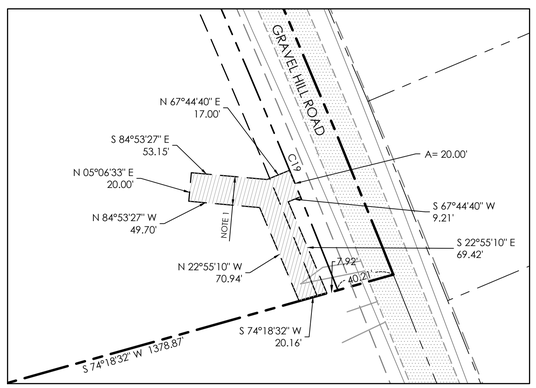
DELDOT SIGN EASEMENT LINE TABLE

LINE	BEARING	DISTANCE
L1	S 27°00'12" E	4.39'
L2	S 62°59'48" W	2.00'
L3	N 27°00'12" W	2.00'
L4	N 62°59'48" E	2.00'
L5	S 27°00'12" E	2.00'



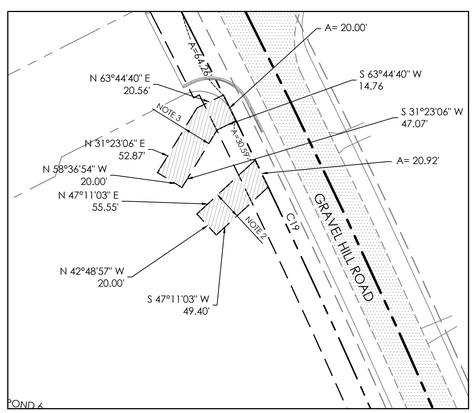
DELDOT SIGN EASEMENT

SCALE: 1"=20'



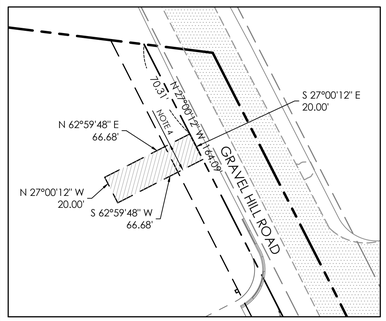
DELDOT DRAINAGE EASEMENT

SCALE: 1"=50'



DELDOT DRAINAGE EASEMENT

SCALE: 1"=50'



DELDOT DRAINAGE EASEMENT

SCALE: 1"=50'

GRAPHIC SCALE

50 0 25 50 100 200

(IN FEET)

1 inch = 50 ft.

NOTES:

1. A VARIABLE WIDTH PERMANENT EASEMENT CONTAINING 2,879.71 SQUARE FEET IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAT, FOR EMERGENCY ACCESS TO DRAINAGE FACILITIES CONVEYING RUNOFF FROM THE STATE MAINTAINED ROADS AND/OR RIGHT-OF-WAY. THE PORTIONS OF THE DRAINAGE EASEMENT AND SYSTEM THAT ARE UPSTREAM OR OFFSITE AS WELL AS SECTIONS THAT ARE NOT DIRECTLY COLLECTING AND CONVEYING THE DRAINAGE RUNOFF OF THE PROPOSED STATE MAINTAINED ROADS AND/OR RIGHTS-OF-WAY SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, PROPERTY OWNERS, OR BOTH. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF ANY EXEMPTED PORTIONS OF THE STORM DRAIN SYSTEM AND/OR DRAINAGE EASEMENTS.
2. A 20-FOOT WIDE PERMANENT EASEMENT CONTAINING 1,049.53 SQUARE FEET IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAT, FOR EMERGENCY ACCESS TO DRAINAGE FACILITIES CONVEYING RUNOFF FROM THE STATE MAINTAINED ROADS AND/OR RIGHT-OF-WAY. THE PORTIONS OF THE DRAINAGE EASEMENT AND SYSTEM THAT ARE UPSTREAM OR OFFSITE AS WELL AS SECTIONS THAT ARE NOT DIRECTLY COLLECTING AND CONVEYING THE DRAINAGE RUNOFF OF THE PROPOSED STATE MAINTAINED ROADS AND/OR RIGHTS-OF-WAY SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, PROPERTY OWNERS, OR BOTH. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF ANY EXEMPTED PORTIONS OF THE STORM DRAIN SYSTEM AND/OR DRAINAGE EASEMENTS.
3. A 20-FOOT WIDE PERMANENT EASEMENT CONTAINING 1,352.60 SQUARE FEET IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAT, FOR EMERGENCY ACCESS TO DRAINAGE FACILITIES CONVEYING RUNOFF FROM THE STATE MAINTAINED ROADS AND/OR RIGHT-OF-WAY. THE PORTIONS OF THE DRAINAGE EASEMENT AND SYSTEM THAT ARE UPSTREAM OR OFFSITE AS WELL AS SECTIONS THAT ARE NOT DIRECTLY COLLECTING AND CONVEYING THE DRAINAGE RUNOFF OF THE PROPOSED STATE MAINTAINED ROADS AND/OR RIGHTS-OF-WAY SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, PROPERTY OWNERS, OR BOTH. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF ANY EXEMPTED PORTIONS OF THE STORM DRAIN SYSTEM AND/OR DRAINAGE EASEMENTS.
4. A 20-FOOT WIDE PERMANENT EASEMENT CONTAINING 1,333.68 SQUARE FEET IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAT, FOR EMERGENCY ACCESS TO DRAINAGE FACILITIES CONVEYING RUNOFF FROM THE STATE MAINTAINED ROADS AND/OR RIGHT-OF-WAY. THE PORTIONS OF THE DRAINAGE EASEMENT AND SYSTEM THAT ARE UPSTREAM OR OFFSITE AS WELL AS SECTIONS THAT ARE NOT DIRECTLY COLLECTING AND CONVEYING THE DRAINAGE RUNOFF OF THE PROPOSED STATE MAINTAINED ROADS AND/OR RIGHTS-OF-WAY SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, PROPERTY OWNERS, OR BOTH. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF ANY EXEMPTED PORTIONS OF THE STORM DRAIN SYSTEM AND/OR DRAINAGE EASEMENTS.

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REVISIONS

NO.	DATE	DESCRIPTION
1	1/19/22	REVISIONS PER AGENCY COMMENT LETTER DATED 1/18/22

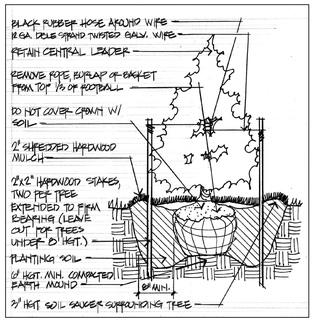
SUPPLEMENTAL DELDOT INFORMATION
for
AZALEA WOODS
SUSSEX COUNTY, DELAWARE
GEORGETOWN HUNDRED
SCR 248

Date:	7/22/20
Job Number:	18003
Scale:	1"=50'
Drawn By:	HB
Designed By:	JP
Approved By:	JP

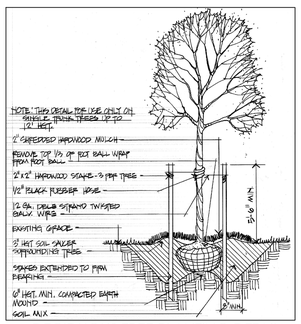
Sheet No.: 11

File Name:
18040-plat-deldot-easement

DELAWARE STATE GRID NORTH (NAD 83)

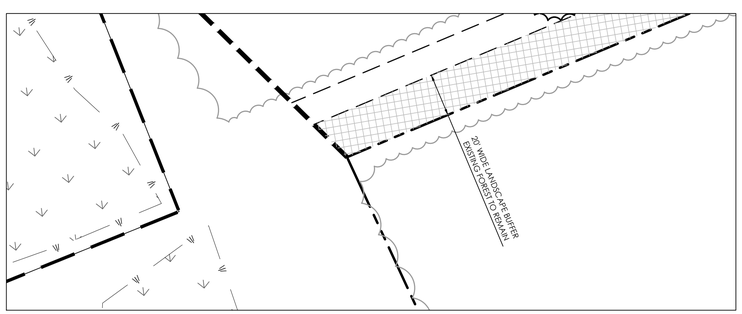


EVERGREEN TREE PLANTING DETAIL

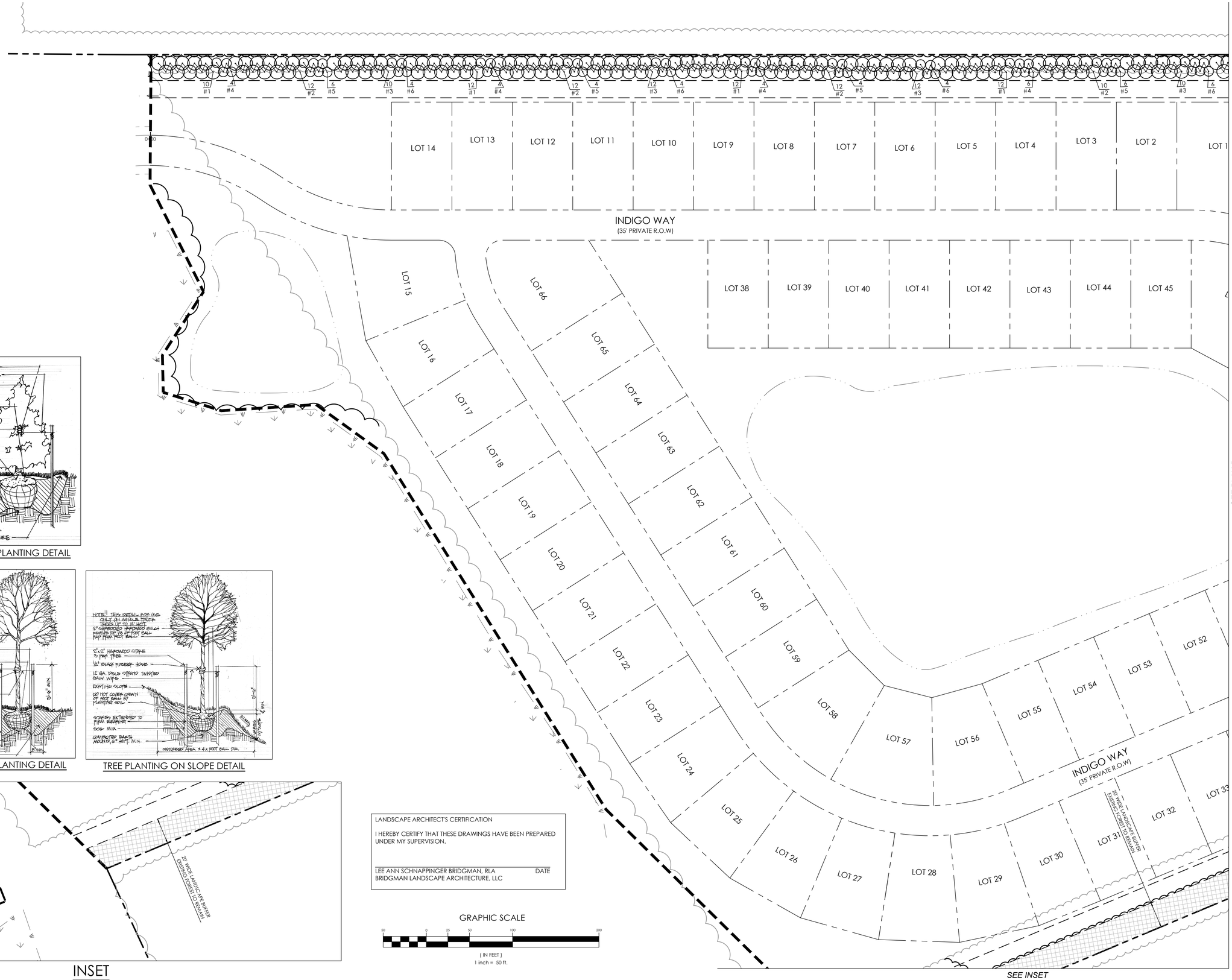


DECIDUOUS TREE PLANTING DETAIL

TREE PLANTING ON SLOPE DETAIL



INSET



LANDSCAPE ARCHITECT'S CERTIFICATION

I HEREBY CERTIFY THAT THESE DRAWINGS HAVE BEEN PREPARED UNDER MY SUPERVISION.

LEE ANN SCHNAPPINGER BRIDGMAN, RLA — DATE
BRIDGMAN LANDSCAPE ARCHITECTURE, LLC

GRAPHIC SCALE

50 0 25 50 100 200

(IN FEET)
1 inch = 50 ft.

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REVISIONS

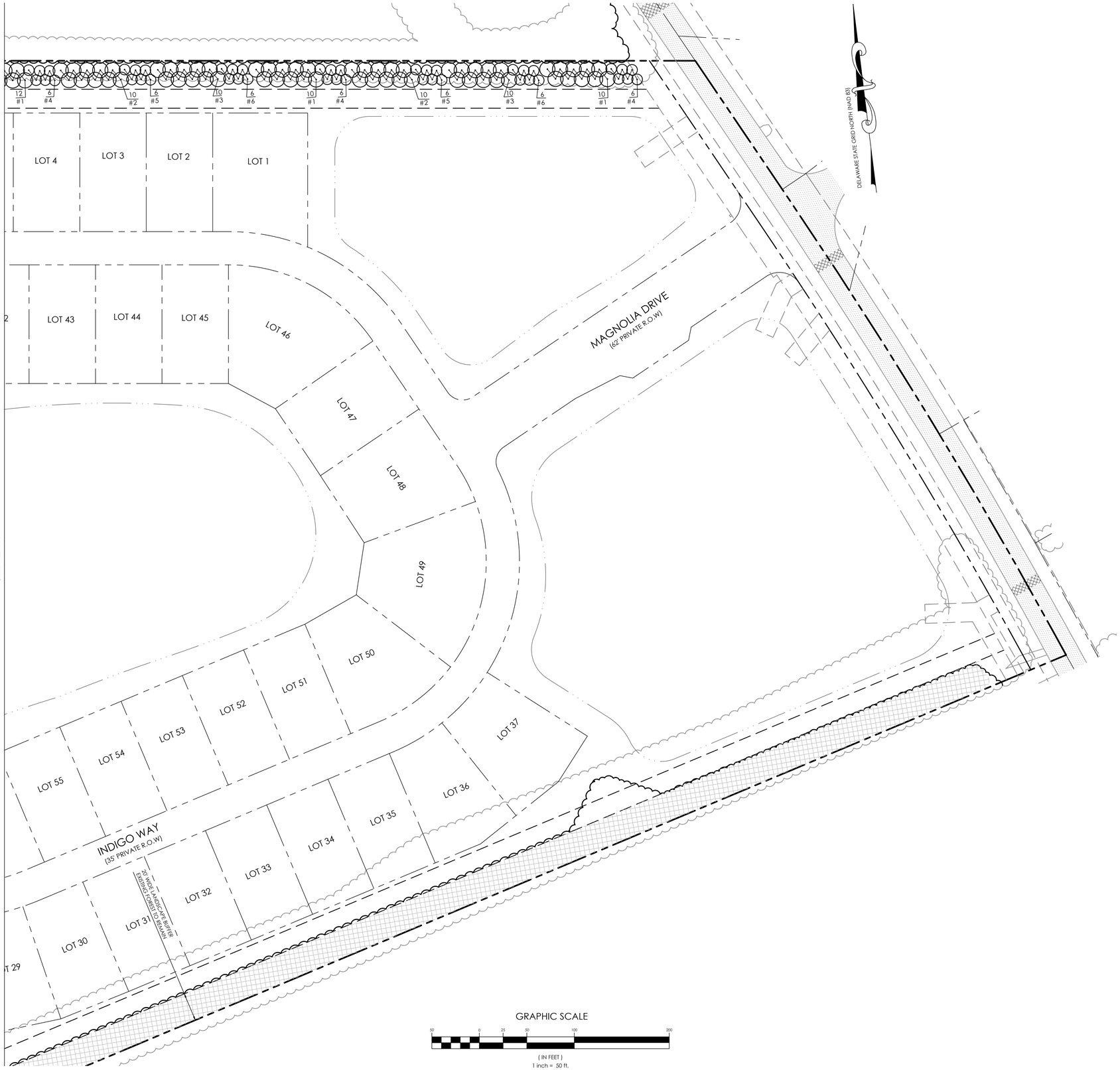
NO.	DATE	DESCRIPTION
1	1/19/22	REVISIONS PER AGENCY COMMENT LETTER DATED 1/18/22

LANDSCAPE PLAN A
for
AZALEA WOODS
SUSSEX COUNTY, DELAWARE
GEORGETOWN HUNDRED
SCR 248

Date:	7/22/20
Job Number:	18003
Scale:	1"=50'
Drawn By:	ML
Designed By:	JP
Approved By:	JP

Sheet No.: 12

File Name: 18040-plat-plans



GRAPHIC SCALE

50 0 25 50 100 200

(IN FEET)
1 inch = 50 ft.

LANDSCAPE SCHEDULE				
QUANTITY	SYMBOL	BOTANICAL NAME	COMMON NAME	SPECIFICATION
120	#1	Acer rubrum	RED MAPLE	1 ½" CAL., 6' HGT. MIN.
116	#2	Quercus phellos	WILLOW OAK	1 ½" CAL., 6' HGT. MIN.
114	#3	Quercus rubra	RED OAK	1 ½" CAL., 6' HGT. MIN.
50	#4	Ilex opaca	AMERICAN HOLLY	5' HGT. MIN.
52	#5	Picea abies	NORWAY SPRUCE	5' HGT. MIN.
49	#6	Pinus virginiana	VIRGINIA PINE	5' HGT. MIN.

SUBSTITUTIONS:

BOTANICAL NAME	COMMON NAME	SPECIFICATION
Acer saccharum	SUGAR MAPLE	1 ½" CAL., 6' HGT. MIN.
Chamaecyparis thyoides	ATLANTIC WHITECEDAR	5' HGT. MIN.
Crataegis viridis 'Winter King'	WINTER KING GREEN HAWTHORN	1 ½" CAL., 6' HGT. MIN.
Liriodendron tulipifera	TULIP TREE	1 ½" CAL., 6' HGT. MIN.
Pinus strobus	WHITE PINE	5' HGT. MIN.
Pinus taeda	LOBLOLLY PINE	5' HGT. MIN.
Quercus alba	WHITE PINE	1 ½" CAL., 6' HGT. MIN.
Quercus coccinea	SCARLET OAK	1 ½" CAL., 6' HGT. MIN.
Taxodium distichum	BALD CYPRESS	1 ½" CAL., 6' HGT. MIN.
Magnolia virginiana	SWEETBAY MAGNOLIA	5' HGT. MIN.
Juniperus virginiana	EASTERN RED CEDAR	5' HGT. MIN.
Platanus acerifolia	LONDON PLANE TREE	1 ½" CAL., 6' HGT. MIN.
Nyssa sylvatica	BLACK GUM	1 ½" CAL., 6' HGT. MIN.
Salix babylonica	WEEPING WILLOW	1 ½" CAL., 6' HGT. MIN.

IF SUBSTITUTIONS ARE MADE, ONLY SUBSTITUTE DECIDUOUS FOR DECIDUOUS OR EVERGREEN FOR EVERGREEN TO MAINTAIN REQUIRED MIX.

LANDSCAPE BUFFER
EXISTING FOREST TO REMAIN

LANDSCAPE BUFFER

NOTES:

1. THE LANDSCAPE AND/OR FOREST BUFFERS SHALL BE INSTALLED WITHIN 18 MONTHS FROM THE DATE SITE WORK IS AUTHORIZED TO COMMENCE, AS DOCUMENTED BY A NOTICE TO PROCEED LETTER FROM THE COMMISSION.

2. THE LAND DEVELOPER SHALL BE RESPONSIBLE FOR THE HEALTH AND SURVIVAL OF THE TREES, INCLUDING REGULAR NECESSARY WATERING FOR A MINIMUM OF 2 YEARS OR UNTIL SUCH LATER DATE AS THE MAINTENANCE RESPONSIBILITIES ARE TRANSFERRED TO A CONDOMINIUM ASSOCIATION; PROVIDED, HOWEVER THAT THE DEVELOPER SHALL REPLACE AND TREES THAT DIE DURING THE MINIMUM 2 YEAR DEVELOPER MAINTENANCE PRIOR TO TRANSFERRING MAINTENANCE RESPONSIBILITIES TO A CONDOMINIUM ASSOCIATION.

3. ADDITIONAL INFORMATION AS TO HOW THE LANDSCAPE / FORESTED BUFFERS ARE TO BE MAINTAINED IN PERPETUITY, SHALL BE INCLUDED IN THE RESTRICTIVE COVENANTS AND/OR CONDOMINIUM ASSOCIATION DOCUMENTS.

4. PURSUANT WITH SUSSEX COUNTY CODE SECTION 99-5, THE 20' WIDE LANDSCAPE BUFFER SHOWN IN THIS PLAN MUST BE PLANTED WITH A MIX OF 70% DECIDUOUS AND 30% EVERGREEN TREES, THE MAJORITY OF WHICH SHALL BE SUITABLE TREES OF COMMON LOCAL SPECIES. EVERY 100' OF BUFFER SHALL INCLUDE A MINIMUM OF 15 TREES.

5. ALL DECIDUOUS TREES THAT ARE PLANTED TO ESTABLISH THE BUFFER PLANTINGS SHALL HAVE A MINIMUM CALIPER OF 1.5 INCHES AND A MINIMUM HEIGHT OF SIX FEET ABOVE GROUND WHEN PLANTED IN ORDER TO INSURE THAT THE TREES WILL BE CAPABLE OF OBTAINING A MINIMUM HEIGHT OF 10 FEET ABOVE GROUND WITHIN FIVE YEARS OF BEING PLANTED.

6. ALL EVERGREEN TREES THAT ARE PLANTED TO ESTABLISH THE BUFFER PLANTINGS SHALL HAVE A MINIMUM HEIGHT OF FIVE FEET ABOVE GROUND WHEN PLANTED IN ORDER TO INSURE THAT THEY ARE REASONABLY CAPABLE OF ATTAINING A MINIMUM HEIGHT OF 10 FEET ABOVE GROUND WITHIN FIVE YEARS OF BEING PLANTED.

7. THE TREES SHALL BE PLANTED IN A STAGGERED NATURAL MANNER. THE PROCEDURES AND DETAILS FOR PLANTING NEW TREES SHALL BE SPECIFIED BY THE LANDSCAPE ARCHITECT ON THE PLAN SUBMITTED TO AND APPROVED BY THE COMMISSION AND SHALL INCLUDE THE REQUIREMENT THAT THE BUFFER AREA SHALL HAVE A FINAL GRADE THAT CONTAINS A MINIMUM OF FOUR INCHES OF TOPSOIL AND A SUITABLE GRASS MIX PLANTED AS SACRIFICIAL COVER BETWEEN THE BUFFER TREES FOR SOIL STABILIZATION UNTIL THE NEWLY PLANTED TREES BECOME LARGER. THE PLAN MAY SUBSTITUTE WOODCHIPS FOR PLANTED GRASS BETWEEN THE BUFFER TREES IN RESPECT TO BOTH NEWLY PLANTED AND EXISTING TREES, AS DETERMINED BY THE LANDSCAPE ARCHITECT

LANDSCAPE ARCHITECT'S CERTIFICATION

I HEREBY CERTIFY THAT THESE DRAWINGS HAVE BEEN PREPARED UNDER MY SUPERVISION.

LEE ANN SCHNAPPINGER BRIDGMAN, RLA — DATE
BRIDGMAN LANDSCAPE ARCHITECTURE, LLC

solutions
303 North Bedford Street
Georgetown, DE 19947
T. 302.297.9215

3003 Merritt Mill Road
Salisbury, MD 21804
T. 410.572.8833

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REVISIONS

NO.	DATE	DESCRIPTION
1	1/19/22	REVISIONS PER AGENCY COMMENT LETTER DATED 1/18/22

LANDSCAPE PLAN B
for
AZALEA WOODS
SUSSEX COUNTY, DELAWARE
GEORGETOWN HUNDRED
SCR 248

Date:	7/22/20
Job Number:	18003
Scale:	1"=50'
Drawn By:	ML
Designed By:	JP
Approved By:	JP

Sheet No.: 13

File Name: 18040-plat-plans

DELAWARE DEPARTMENT OF
NATURAL RESOURCES AND
ENVIRONMENTAL CONTROL

89 Kings Highway
Dover, DE 19901
(302) 739-9000
dnrec.delaware.gov

October 19, 2021

Mr. Tom Natelli
Shingle Point Properties, LLC
P.O. Box 4347
Ocean City, MD 20842

Ref: Azalea Woods Phase 1
State Wastewater Construction Permit No. WPCC 3043/21

To Mr. Natelli:

Please find enclosed a copy of the construction permit that was issued for the referenced project.

We expect the permitted construction to be completed within the permit term. If the construction cannot be completed by the permit expiration date, a one-time, no-cost two-year permit extension is available, as long as the request is received in writing prior to the expiration date and as long as the scope of the project has not changed significantly, as determined by the Department.

Per Part II.A.2.a of the enclosed permit, notify the Department of any changes to the construction authorized therein. Per Part II.B.1, submit a set of "as-built" plans of the constructed wastewater facilities within ninety (90) days of construction completion. The as-built plans must be signed and sealed by a Professional Engineer licensed in Delaware.

If you have any questions, please contact me at (302) 739-9351 or via email at Keith.Kooker@delaware.gov.

From,

Keith Kooker, P.E.
Environmental Finance

Email Enclosure:

1. Jason Palkewicz – Solutions IPEM (JPalkewicz@solutionsipem.com)
2. Holly Bartkovich – Solutions IPEM (HBartkovich@solutionsipem.com)
3. Katherine Garrison – Artesian (KGarrison@artesianwater.com)
4. Susan Isaacs – Sussex Co. Public Works Director (SIsaacs@sussexcountyde.gov)
5. Keith Bryan – Sussex County Utility Construction (KBryan@sussexcountyde.gov)

AUTHORIZATION TO CONSTRUCT UNDER THE

LAWS OF THE STATE OF DELAWARE

PART I

1. **In compliance with the provisions of 7 Del. C., §6003,**

Artesian Wastewater Management, Inc.
664 Churchmans Road
Newark, DE 19703

and

Shingle Point Properties, LLC
P.O. Box 4347
Ocean City, MD 20842

are authorized, jointly and individually, to construct facilities consisting of the following:

Approximately three thousand two hundred and eighty-two linear feet (3,282 LF) of eight (8) inch diameter gravity sewer main, sixty-six linear feet (66 LF) of ten (10) inch diameter gravity sewer main, twenty-one (21) gravity manholes, a duplex submersible pump station, an emergency generator, an above ground valve vault, two thousand four hundred and five linear feet (2,405 LF) of six (6) inch diameter force main, air release valves and related appurtenances to serve sixty-six (66) single family homes in phase one of the Azalea Woods subdivision located on the west side of Gravel Hill Road at the Petty John Road intersection northeast of Georgetown in Sussex County, Delaware. The proposed force main will be installed within phase one and discharge to an existing six (6) inch diameter Artesian force main located on the subdivision frontage along Gravel Hill Road.

The subject construction shall be in accordance with plans and specifications as described below and limitations, requirements and other conditions set forth in Parts I, II and III hereof.

2. The plans, specifications, municipality standards and other documents submitted with the permit application consist of the following, which are incorporated by reference and made part of this authorization:

Fourteen (14) drawings** prepared by Solutions IPEM, titled "Azalea Woods", dated 2-2-21 (civil plans) and 6-21 (electrical plans) and the current Sussex County Standard Specifications and Details for the Design and Construction of Ordinance 38 projects.

**Drawings include:

Greg Pope, Engineer VI
By Agreement with Surface Water Discharges Section
Division of Water
State of Delaware Department of Natural Resources
and Environmental Control

10/19/21
Date Signed

Sheets 1-2 – Cover Sheet and General Notes, latest rev. 10-18-21
Sheet 18 – Sanitary Sewer Index Plan, latest rev. 10-18-21
Sheets 19-20 – Sanitary Sewer Plan A and B, latest revision 10-18-21
Sheet 21 – Sanitary Sewer Profiles, latest rev. 10-18-21
Sheet 22 – Pump Station Plan, latest rev. 10-18-21
Sheets 23-24 – Pump Station Details 1 and 2, latest rev. 10-18-21
Sheets 26-27 – Sanitary Sewer Details 1 and 2, latest rev. 10-18-21
Sheets E1-E3 – Electrical Plans, no revision date

3. The liquid waste will be discharged through an existing wastewater collection and transmission system to the Beaver Creek Wastewater Treatment Facility, which discharges treated wastewater via spray irrigation, in accordance with DNREC Groundwater Discharges Section Permit No. 202902-OP.

A. Effluent Limitations on Pollutants Attributable to Industrial Users

The use of the constructed facility is conditioned on meeting all applicable pretreatment standards under 40 CFR, Part 403, or toxic pollutant discharge limitations under Section 307(a) of the Clean Water Act of 1977, PL 95-217.

B. Flow and Usage Limitations

This permit authorizes a daily average discharge of N/A gallons*. The flow in the system shall be measured at least every N/A.

The estimated average daily discharge for the subject project is 15,840 GPD, which is based on 66 single family lots at 240 GPD/EDU.

* This permit authorizes only the construction of the wastewater collection and conveyance facilities referenced herein.

C. Monitoring and Reporting (When Required)

1. Representative sampling of the volume and nature of the monitored discharge shall be conducted at the request of the Division of Water.

2. Reporting

Monitoring results shall be reported to the:
Delaware Department of Natural Resources and Environmental Control
Division of Water, Surface Water Discharges Section
89 Kings Highway
Dover, DE 19901
302-739-9946

3. Definitions

a. "Daily average flow" means the total flow during a calendar month divided by the number of days in the month that the facility was operating.

b. "Daily maximum flow" means the highest total flow during any calendar day.

c. "Daily Peak Flow" means the flow which can be safely transported within the sewage system without causing an overflow or a backup into the building(s) or residence(s).

d. "Bypass" means the intentional diversion of wastes from any portion of a treatment facility.

e. "Measured flow" means any method of liquid volume measurement, the accuracy of which has been previously demonstrated in engineering practice, or for which a relationship to absolute volume has been obtained.

f. "Estimate" means a value to be based on a technical evaluation of the sources contributing to the discharge including, but not limited to, pump capabilities, water meters and batch discharge volumes.

4. Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

a. The date, exact place and time of sampling or measurement;

b. The person(s) who performed the sampling and/or measurement;

c. The date(s) and time(s) analysis was performed;

d. The individual(s) who performed each analysis;

e. The analytical technique(s) or method(s) used;

f. The results of each analysis; and

g. Appropriate quality assurance information.

5. Records Retention

All records and information resulting from the monitoring activities required by this permit, including all records of analyses performed, all records of instrument calibration and maintenance and all charts from continuous monitoring instruments, shall be retained for three (3) years. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the Department.

6. Test Procedures

Test procedures for the analysis of pollutants shall conform to the applicable test procedures identified in 40 CFR, Part 136, unless otherwise specified in this permit.

END OF PART I

PART II

A. Management Requirements

1. Duty to Comply

The permittee must comply with the terms and conditions of this permit. Failure to do so constitutes a violation of this permit, which is grounds for enforcement and the imposition of penalties as provided in 7 Del.C., Chapter 60, grounds for permit termination or loss of authorization to discharge or operate pursuant to this permit, grounds for permit revocation and reissuance or permit modification, or denial of a permit renewal application.

2. Notification

a. Changes in Authorized Activities

The permittee shall notify the Department of any proposed change in the activity authorized herein, of any proposed substantive change in the operation of the facility or facilities authorized herein, or of any anticipated facility expansions, production increases, or process modifications. Notification is required only when such alteration, addition or change may justify the inclusion of conditions that are absent or different from those specified in this permit. This includes, for example, the construction of additional wastewater collection, transmission or treatment facilities and changes which will result in new, different, or increased discharges of pollutants. Following such notice, the Department may require the submission of a new permit application and this permit may be reopened and modified to address the proposed changes.

b. Noncompliance

If, for any reason, the permittee does not comply with or will be unable to comply with any limitation specified in this permit, the permittee shall provide the Department with the following information, in writing, within five (5) days of becoming aware of such condition:

A description of the discharge and cause of noncompliance; and

The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

3. Facilities Operation

The permittee shall, at all times, maintain in good working order and operate as efficiently as possible all collection and treatment facilities and systems (and related appurtenances) installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes, but is not limited to, effective management, adequate operator staffing and training and adequate laboratory process controls, including appropriate quality assurance procedures.

4. Adverse Impact

The permittee shall take all reasonable steps to minimize any adverse impact to waters of the State resulting from noncompliance with this permit, including such accelerated or

additional monitoring as necessary to determine the nature and extent of the noncomplying discharge.

5. Bypassing

Any bypass or intentional diversion of waste streams from the facilities authorized by this permit, or any portion thereof, is prohibited, except (i) where unavoidable to prevent loss of human life, personal injury or severe property damage, or (ii) where excessive storm drainage or run-off would damage any facilities necessary for compliance with the effluent limitations and prohibitions of this permit. The permittee shall promptly notify the Department, in writing, of each such diversion or bypass.

6. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewater shall be disposed of in a manner such as to prevent any pollutant from such materials from entering the surface water or groundwater.

B. Responsibilities

1. Within 90 days following the completion of construction, the permittee shall submit to the Department an "as-built" set of plans of the facility or facilities constructed, bearing the seal and signature of a licensed Professional Engineer registered in the State of Delaware.

2. Right of Entry

The permittee shall allow the Secretary of the Department of Natural Resources and Environmental Control, or his authorized representative(s), upon the presentation of credentials:

a. To enter upon the permittee's premises for inspection of any records, flow measurements, construction or other activity authorized by this permit or any condition required under the terms of this permit; and

b. At reasonable times, to have access to and to copy any records required to be kept under the terms and conditions of this permit; to inspect any monitoring equipment or monitoring method required in this permit; and

c. To sample any discharge.

3. Transferability

This permit is transferable with the Department's consent, provided that an intention to transfer accompanied by a copy of the permit is provided to the Department, signed by both the transferor and the transferee at least ten (10) days prior to the actual transfe

4. Availability of Reports

All reports submitted with the application and those reports required under the terms of this permit shall be available for public inspection at the offices of the Department of Natural Resources and Environmental Control. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in 7 Del. C., §6013. Any person who causes or contributes to the discharge of a pollutant into State waters either in excess of any conditions specified in this permit or in absence of a specific permit condition shall report such an incident to the Department required under 7 Del. C. §6028.

5. Permit Modification

This permit may be modified, suspended or revoked in whole or in part during its term for cause including, but not limited to, the following:

a. Violation of any term or condition of this permit;

b. Obtaining this permit by misrepresentation or failure to fully disclose all relevant facts;

c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized activity; or

d. Information that the permitted activity poses a threat to human health or welfare, or to the environment.

6. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject to under 7 Del. C., Chapter 60.

7. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation.

8. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

9. Severability

The provisions of this permit are severable. If any provision of this permit is held invalid, or if the application of any provision of this permit to any circumstances is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

END OF PART II

PART III

A. Special Conditions

1. This permit authorizes only the construction of the wastewater facilities and related work referenced herein.

2. If well pointing is required during construction, the wells must be installed by a licensed well driller, and a permit to construct such wells must first be obtained from the Well Permits Branch of the Water Supply Section.

3. All construction shall be in agreement with plans and specifications submitted under this project and approved by the Department of Natural Resources and Environmental Control.

4. All construction shall be in accordance with Ten States Standards and other applicable local utility construction specifications and standards.

5. Connections or additions to the proposed system, other than those proposed on the plans, will not be allowed without prior approval from the Department.

END OF PART III

ENGINEERING DEPARTMENT

JOHN J. ASHMAN
SR. MANAGER OF UTILITY PLANNING
& DESIGN REVIEW

(302) 855-7370 T
(302) 854-5391 F
jashman@sussexcountyde.gov

Sussex County

DELAWARE
sussexcountyde.gov

HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

August 17, 2021

Solutions
3003 Merritt Mill Road
Salisbury, MD 21804

REF: **AZALEA WOODS - PHASE 1 (CONSTRUCTION RECORD)**

SUBDIVISION NO. 2019-08
SUSSEX COUNTY TAX MAP NUMBER
135-11.00-PARCEL 32.04,48.00,49.00&56.00 - CLASS-3
AGREEMENT NO. 1127 - 1

Dear Mr. Palkewicz,

The Sussex County Engineering Department has concluded its final review of agreement number 1127-1.

For FINAL approval please provide the following:

- A completed wastewater construction permit review from DNREC.
- Five (5) sets of 24" x 36"
- One soft copy set. Include all scanned signatures.
- All sheets must be signed and sealed by the Engineer/Consultant.
- All cover sheets must have the owner/developer's signature and wetland consultant signature.

After approval, one set of County approved plans will be returned for your files.

If the plans are not received within one (1) year of the date of this letter, a new review process and review fee will be required.

If you have questions, my direct number is listed below.

Sincerely,

Ken Briggs
Utility Planning Technician II
302-855-7820

July 1, 2021

Ms. Hollis Bartkovich
Solutions IPEM
3003 Merritt Mill Road
Salisbury, Maryland 21804

RE: Ability to Serve and Plan Approval Letter for Tax Parcels 135-11.00-49.00, 135-11.00-56.00 and 135-11.00-32.04, Azalea Woods Phase 1 Subdivision

Dear Ms. Bartkovich:

With reference to your request concerning water service to Azalea Woods Phase 1 Project on Gravel Hill Road, Georgetown Hundred, Sussex County, DE, please be advised as follows:

The proposed project consisting of approximately 66 single family homes is within Artesian Wastewater Management's service territory. A Certificate of Public Convenience and Necessity (CPCN) for wastewater has been granted to Artesian by the Delaware Public Service Commission for this property. The developer and Artesian Wastewater Management, Inc. shall enter into a Wastewater Service Agreement that addresses the financial terms of the provision of wastewater service in accordance with Artesian's tariff as approved by the Delaware Public Service Commission.

Based on current conditions and projections of growth within the Company's service area, Artesian is willing and able to provide the required wastewater service to this project. An anticipated construction schedule is required in order for Artesian to assess the impact of service requests upon its ability to meet projected wastewater demands.

Furthermore, we have reviewed and approved the Gravity Sewer, Pump Station and Forcemain Plans prepared by Solutions IPEM last revised April 14, 2021.

This letter shall expire if Agreements are not executed within one year of the date of this letter.

If you have any questions, please do not hesitate to contact us.

Yours very truly,

Katherine E. Garrison

Katherine E. Garrison
Senior Planning Designer

May 5, 2021

Ms. Hollis Bartkovich
Solutions IPEM
3003 Merritt Mill Road
Salisbury, Maryland 21804

RE: Ability to Serve and Plan Approval Letter for Tax Parcels 135-11.00-49.00, 135-11.00-56.00 and 135-11.00-32.04, Azalea Woods Phase 1 Subdivision

Dear Ms. Bartkovich:

With reference to your request concerning water service to Azalea Woods Phase 1 Project on Gravel Hill Road, Georgetown Hundred, Sussex County, DE, please be advised as follows:

The proposed project consisting of approximately 66 single family homes is within Artesian Water Company's service territory. A Certificate of Public Convenience and Necessity (CPCN) for water has been granted to Artesian by the Delaware Public Service Commission for this property. The developer and Artesian Water Company, Inc. shall enter into a Water Service Agreement that addresses the financial terms of the provision of water service in accordance with Artesian's tariff as approved by the Delaware Public Service Commission.

Based on current conditions and projections of growth within the Company's service area, Artesian is willing and able to provide the required water service to this project. An anticipated construction schedule is required in order for Artesian to assess the impact of service requests upon its ability to meet projected water demands.

Furthermore, we have reviewed and approved the Water Plans prepared by Solutions IPEM last revised April 14, 2021.

This letter shall expire if Agreements are not executed within one year of the date of this letter.

If you have any questions, please do not hesitate to contact us.

Yours very truly,

Katherine E. Garrison

Katherine E. Garrison
Senior Planning Designer

MAPPING & ADDRESSING

MEGAN NEHRBAS
MANAGER OF GEOGRAPHIC
INFORMATION SYSTEMS (GIS)
(302) 855-1176 T
(302) 853-5889 F

Sussex County
DELAWARE
sussexcountyde.gov

May 3, 2021

Solutions IPEM
Attn: Jason Palkewicz, P.E.

RE: **Azalea Woods**

I have received proposed street name(s) for the proposed subdivision, **Azalea Woods**, located in **Georgetown**. In reviewing the proposed street name(s) the following have been **approved**:

Alyssa Way	Autumn Leaf Rd	Broadleaf Dr
Clematis Rd	Cobalt St	Coriander Way
Flatwoods St	Heartleaf Way	Hibiscus Rd
Indigo Way	Jasmine Dr	Lavender St
Lilac Dr	Longleaf Way	Magnolia Dr
Myrtle St	Rosemary Way	Satinwood Rd
Silver Leaf Dr	Starlight Dr	Stepping Stone Way

Use only **approved** road names that you have written confirmation for or you will be required to rerecord. Each street name is to be used only once.

Upon final approval of **Azalea Woods** please forward a copy of the recorded site plan to my attention. Our office would appreciate a digital copy if at all possible, for the purpose of addressing. Should you have any questions, please contact the **Sussex County Addressing Department** at 302-855-1176.

Sincerely,

Terri L. Dukes

Terri L. Dukes
Addressing Technician II

CC: Christin Headley
Planning & Zoning

STATE OF DELAWARE
DEPARTM ENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL
DIVISION OF WATERSHED STEWARDSHIP
21309 BERLIN RD
UNIT #6
GEORGETOWN, DE 19947

DRAINAGE PROGRAM

PHONE: (302) 855-1930
FAX: (302) 670-7059

9/8/2021

Jim Eriksen
Solutions IPEM
303 N Bedford St.
Georgetown, DE 19947

RE: Parcel # 135-11-00-49.00, 56.00, 48.00, 32.04, Azalea Woods Phase 1

The Delaware Department of Natural Resources and Environmental Control (DNREC), Drainage Program has reviewed the plans submitted by Solutions IPEM for the above noted property within the Koeppel-Robinson Tax Ditch Watershed.

My office has **no objection** to the works of improvement to these parcels as a result of the **Azalea Woods Phase 1** plans received by our office on 8/26/21 as Phase 1 is outside of and does not drain into Koeppel-Robinson Tax Ditch Watershed. If changes were to be made to Phase 1 and drainage towards Koeppel-Robinson Tax Ditch is to occur, our office would need to be consulted.

Our office will need to review future phases of the Azalea Woods project for tax ditch impacts.

If you are a consultant working on behalf of a landowner, it is your responsibility to pass on this information to the landowner(s). If you have any questions or concerns, please contact the Drainage Program at (302) 855-1930.

Sincerely,

Brittany Haywood
Brittany Haywood
Tax Ditch Program Manager I

cc: Amelia Reed, PE, DNREC Drainage Program
John Justice, Sussex Conservation District

OFFICE OF THE STATE FIRE MARSHAL
Technical Services

22705 Park Avenue
Georgetown, DE 19947

SFMO PERMIT

Plan Review Number: 2021-04-206984-MJS-02
Status: Approved as Submitted

Tax Parcel Number: 135-11.00-32.04
Date: 06/07/2021

Project

Azalea Woods

Natelli Communities Property

Gravel Hill and Pettyjohn Road
Milton DE 19968

Scope of Project

Number of Stories:
Square Footage:
Construction Class:
Fire District: 77 - Georgetown Fire Co Inc

Occupant Load Inside:
Occupancy Code: 9601

Applicant

Hollis Bartkovich
303 North Bedford Street
Georgetown, DE 19947

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: 2021-04-206984-MJS-02 **Tax Parcel Number:** 135-11.00-32.04
Status: Approved as Submitted **Date:** 06/07/2021

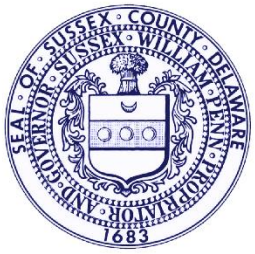
PROJECT COMMENTS

1002 A	This project has been reviewed under the provisions of the Delaware State Fire Prevention Regulations (DSFPR) UPDATED March 11, 2016. The current 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.
1030 A	This site meets Water Flow Table 2, therefore the following water for fire protection requirements apply: Main Sizes: 6" minimum. Minimum Capacity: 500 gpm @ 20 psi residual for 1 hour duration. Hydrant Spacing: 1,000' on center.
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.
1119 A	All proposed fire hydrants and water mains shall be installed in accordance with the most current edition of the Delaware State Fire Prevention Regulations (DSFPR, Part II, Chapters 6 & 7).
1130 A	Provide a water flow test on the subdivision hydrant(s) once they have been installed, and before they are placed into service (DSFPR Part I, Section 4 4.2 and Part III, Chapter 3). Results are to be forwarded to this Agency for review.
1132 A	Fire hydrants shall be color coded in accordance with the DSFPR, Part III, Section 3 4. This includes both color coding the bonnet and 2" reflective tape around the barrel under the top flange.
1232 A	All threads provided for fire department connections, to sprinkler systems, standpipes, yard hydrants or any other fire hose connections shall be uniform to those used by the fire department in whose district they are located. DSFPR Part III,Section 1.1.5.1.

1332 A	The distance between a fire hydrant and the fire lane shall not be greater than seven feet (DSFPR Part V, Chapter 5, Section 5 10.4).
1432 A	The steamer connection of all fire hydrants shall be so positioned so as to be facing the street or fire lane. (DSFPR Regulation 705, Chapter 5, Section 10). The center of all hose outlet(s) on fire hydrants shall be not less than 18 inches above finalgrade (NFPA 24, Section 7.3.3).
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 orrevisions to the plans occur, plans are required to be submitted, reviewed, and approved.

MAPPING & ADDRESSING

MEGAN NEHRBAS
MANAGER OF GEOGRAPHIC
INFORMATION SYSTEMS (GIS)
(302) 855-1176 T
(302) 853-5889 F



Sussex County
DELAWARE
sussexcountyde.gov

January 31, 2019

Solutions IPEM
Attn: **Jason Palkewicz**
303 N Bedford St.
Georgetown,De.19947

RE: **Proposed Subdivision Name(s)**

I have reviewed the name(s) submitted for your proposed subdivision **AZALEA WOODS**, which is located in Georgetown (135-11.00-32.04,48,49&56). In reviewing the proposed name(s) the following has been **approved** for this subdivision:

AZALEA WOODS

Should you have any questions please contact the **Sussex County Addressing Department at 302-853-5888 or 302-855-1176.**

Sincerely,

Terri L Dukes

Terri L. Dukes
Addressing Technician II

CC: Christin Headley
Planning & Zoning

PLANNING & ZONING COMMISSION
ROBERT C. WHEATLEY, CHAIRMAN
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Sussex County
DELAWARE
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, AICP, MRTPI
DIRECTOR

January 18, 2022

By email to: jpalkewicz@solutionsipem.com

Mr. Jason Palkewicz, P.E.
Solutions IPEM
303 North Bedford Street
Georgetown, DE 19947

RE: Staff Review of the Final Subdivision Plan for Azalea Woods (2019-08) for the creation of a major subdivision to include 610 single-family lots on a total of 316.02 acres of land and located between Shingle Point Road (S.C.R. 249) and Gravel Hill Road (S.C.R. 248) north of Route 9
Tax Parcels: 135-11.00-32.04, p/o 48.00, 49.00 & 56.00

Dear Mr. Palkewicz,

Further to your submission of September 3, 2021, Planning and Zoning Department has reviewed the Final Subdivision Plan for the creation of a major subdivision using the cluster development option to consist of a total of six-hundred and ten (610) single family lots, private roads, open space and associated amenities. The project is proposed to be located between Shingle Point Road (S.C.R. 249) and Gravel Hill Road (S.C.R. 248). The subject properties are zoned Agricultural Residential (AR-1) Zoning District and General Commercial (C-1) Zoning District. The subject parcels also have a Future Land Use Map designation of "Low Density Area" per Sussex County's 2019 Comprehensive Plan Update. The subject parcels are not located within the Henlopen Transportation Improvement District (TID). Staff have reviewed the submitted subdivision plan for compliance with the Zoning Code, Subdivision Code, and all Conditions of approval.

Staff have the following comments for your consideration with regard to the future submittal of the Final Subdivision Plan:

Final Subdivision Plan

1. **The plans provided to the Department depict Phase 1 of the Azalea Woods Subdivision only. Phase 1 consists of sixty-five (65) lots, while the overall subdivision proposal is comprised of six-hundred and ten (610) lots. This represents approximately 11% of the subdivision. Please submit one (1) copy of a Check Print which shows the overall subdivision plan for the development to enable staff to determine conformity with Sussex County Code requirements. Phase 1 may be submitted for separate consideration and approval on a future Agenda of the Planning and Zoning**

Commission. However, a copy of the overall plans is necessary to fully enable staff to determine conformity with Sussex County Code requirements.

2. **Condition "G" of the Conditions of Approval requires that the Final Subdivision Plan show the location and type of all permanent markers along the boundary line within forested areas that are being maintained in the development so that residents of the development are deterred from trespassing on adjacent properties. Please show this information on the plans.**
3. **Condition "J" of the Conditions of Approval indicates that "a system of fully-shielded and downward-screened street lighting shall also be provided." Please show the location of all proposed street lighting on the plans.**
4. **Please clarify on the plan whether a bus stop is to be provided for the use of the residents within the proposed development. Condition "P" requires the Applicant to coordinate with the local school district regarding the location of a covered school bus stop within the subdivision.**
5. **Condition "Q" states that, "The development shall be served by its own on-site amenities including a pool, clubhouse, pickleball courts, gathering areas and tot lots." Please ensure that these elements are shown on the Final Subdivision Plan.**
6. **Condition "S" of the Conditions of Approval states that, "The Final Site Plan shall depict all areas that will be preserved on addition to the forested areas and the buffers. Please add hatching or a gradient which clearly delineates these locations on the plans.**
7. **Please ensure that all lots (including those lots within the subsequent and proposed Phases of the subdivision) are labeled in consecutive, numerical order with no repeating Lot numbers (§99-26(A)(9)).**
8. Please include on the plans any property offered to be reserved by deed covenant for the common use of property owners in the subdivision (§99-26(A)(11)).
9. Please label the Limit of Disturbance on the plans with regard to any tree clearing/preservation that will be undertaken on the site.
10. Please note on Sheet No. 9 that Gravel Hill Road (S.C.R. 248) is also Route 9.
11. Please indicate on the Cover Sheet within the Site Data Column that this proposal is for a cluster subdivision.
12. Please indicate on the Cover Sheet within the Site Data Column that this proposal is located within and contains a Future Land Use Map designation of "Low Density Area" per Sussex County's 2019 Comprehensive Plan update.
13. Please fix the minor grammatical error on the Cover Sheet under General Note Number 6. "home owners" to "homeowners."
14. Please ensure that Parcels 47.00, 47.02 and 54.00 are labeled as being within active agriculture on the plans for further clarity.
15. Please include a note within the General Notes Column that all amenities shown will be subject to the submittal and approval of a separate Amenities Plan.
16. Please include the overall project density within the Site Data Column. Please ensure that when calculating the permitted density that any areas designated as a tidal tributary stream or tidal

wetlands have been excluded in this calculation (§115-15.1). Assuming no tidal wetlands currently exist on the properties, 610 proposed units into 316 acres equates to a density of 1.93 dwelling units to the acre (which meets the maximum permitted density of 2 units to the acre within the AR-1 Zoning District).

17. Please include on the plans a typical street section of the street construction design (§99-26(A)(12)).
18. Please include on the plans an owner's statement of dedication of streets and other public ways for dedication to public use or an owner's statement providing perpetual maintenance of private streets and other common areas (§99-26(A)(15)).
19. Please add to the plans a breakdown of the total acreage of wetlands within the entire subdivision parcel as compared to Phase 1 only. Please include in the breakdown the organization having jurisdiction over those wetlands (ie: Army Corps of Engineers or Delaware Department of Natural Resources and Environmental Control (DNREC) or specify whether the wetlands are ephemeral in nature and therefore non-jurisdictional), the type of wetlands and the acreage of wetlands by type (§99-26(A)(17)).
20. Please include in the overall breakdown of the subdivision, the total acreage of stormwater management improvements to be constructed on the site (§99-26(A)(18)).
21. Please include on the plans a summary of deed restrictions application within the subdivision, including agreements for the operation and maintenance by the property owners or agency in the subdivision of street and road improvements, surface drainage facilities, erosion and sedimentation control facilities, water supply facilities, sanitary sewer facilities, forested buffer strips, all areas approved as open space as defined in §99-5 and other improvements deemed necessary by the Commission (§99-27(A)).
22. Upon further review, it appears that 334 out of the 501 plantings proposed are deciduous trees (67%) and that 167of the 501 plantings proposed are evergreen trees (33%). Please ensure that enough deciduous tree plantings are provided within the overall subdivision to achieve the 70% deciduous tree requirement under §99-5 "Forested and/or Landscaped Buffer Strip" (A) of the Sussex County Code. Since there are slightly more evergreen trees proposed to be provided, some of these trees may be removed to reach the adequate deciduous tree requirement. If the Applicant wishes to have more evergreen trees and less deciduous trees than this requirement, a separate request may be made to the Planning and Zoning Commission for their review and approval as part of a Revised Landscape Plan.
23. Please ensure that the Landscape Plans are certified to by a licensed landscape architect, licensed forester or forester designated by the Society of American Foresters as a "certified forester" (§99-5).
24. Please include within the Site Data Column the required Height, Area and Bulk requirements, specifically, the Lot Widths and Areas for lots proposed within a cluster subdivision (§115-25(B)(2)).
25. Please confirm whether mail is to be centralized. If so, please show the location of any proposed community mailbox provisions on the plans.

26. Prior to approval of any Final Subdivision Plan, approval letters or 'no-objection' letters from the following agencies shall be submitted to the Sussex County Planning and Zoning Department (All items in **bold** still require submittal to the Department and all items in which a check mark ✓ appear have been submitted and received by the Department):
    a. **Sussex Conservation District**
    b. **Office of the State Fire Marshal**
    c. **Delaware Department of Transportation**
    d. **Sussex County Engineering Department**
    e. **Delaware Department of Public Health – Office of Drinking Water**
    f. **Sussex County Mapping and Addressing**
        i. Approval for proposed Subdivision Name. ✓
        ii. **Approval for proposed street names.**
    g. **Approval from the local school district in relation to any bus stop provisions.**
    h. **Copies of all draft or final HOA documents for the file.**

Please also note that a lot fee of $10.00 per lot is required to be paid prior to approval of any Final Subdivision Plan (if it has not already been paid). For 610 lots, the fee is $6,100.00. Please note that the Final Subdivision Plan, once approved, must be recorded with the Recorder of Deeds Office within a period of 60 days after the Final Subdivision Plans have been approved.

Once all agency approvals have been submitted, please submit **two (2) full sized (24" x 36") copies** of a Final Subdivision Plan which address the matters listed above for scheduling at a future meeting of the Planning and Zoning Commission as an item of "Other Business" 10 days prior to the meeting you wish for your project to be scheduled at. If you wish for your project to be considered at the **January 27th, 2022,** Planning and Zoning Commission Meeting, please submit all items no later than close of business on **Tuesday, January 18th, 2022.**

Please feel free to contact me with any questions during business hours 8:30 AM – 4:30 PM, Monday through Friday, at 302-855-7878.

Sincerely,

Lauren DeVore

Ms. Lauren DeVore
Planner III

Tax Map & Parcel Nos.

Prepared by & Return to:

AZALEA WOODS
COMMUNITY CONSTITUTION

DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS

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Exhibit "A"	Description of Property Immediately Subject to Community Constitution
Exhibit "B"	Description of Real Property Subject to Annexation

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AZALEA WOODS COMMUNITY CONSTITUTION

DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS

This Declaration of Covenants, Conditions and Restrictions (also known as the "Community Constitution") is made on the date hereinafter set forth by Azalea Woods, LLC, a Delaware limited liability company (hereinafter referred to as the "Community Founder").

Subject to and in accordance with Article 1 of this Community Constitution, the Community Founder hereby affirms, adopts and subscribes to the purposes and provisions of this Community Constitution and declares that the covenants, conditions, easements and restrictions contained herein, as well as any subsequent covenants, conditions, easements, restrictions and Community Codes which are promulgated or adopted in accordance with, or which become a part of, the Governing Documents shall be binding upon and applicable to the real property described in **Exhibit "A"** attached hereto, and all real property subjected to this Community Constitution by one or more Declarations of Annexation as provided herein. The Community Founder intends by the recordation of this Community Constitution to create a general plan and scheme of development for a planned community known as Azalea Woods. This Community Constitution provides a framework for the orderly and reasonable development and operation of Azalea Woods. The Governing Documents for Azalea Woods provide various rights and privileges to the Community Founder to permit it to achieve its development goals in a reasonable manner, including implementation of the Community Plan. This Community Constitution also confers powers and authority to the Azalea Woods Community Association, Inc., a Delaware non-stock corporation comprised of all Owners within Azalea Woods, to permit the reasonable administration and operation of the Association and to permit the Association to maintain and preserve the Community Areas.

Capitalized terms used herein that are not otherwise defined herein shall have the meanings ascribed to such terms in Appendix One attached to this Community Constitution as a part hereof.

ARTICLE 1
PREAMBLE

WHEREAS, the Community Founder is the owner of the Property located in Sussex County, Delaware, described on **Exhibit "A"** attached to and made a part of this Community Constitution; and

WHEREAS, the Community Founder desires to provide for the preservation and enhancement of property values within the Community; and

WHEREAS, the Community Founder desires to adopt and implement a common scheme of development intended to provide for and maintain a high quality of life for the Owners within the Community; and

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WHEREAS, it is the intention of the Community Founder to provide opportunities to the Owners within the Community to enjoy a community environment that enriches personal and family life, that fosters neighborhood congeniality and that engenders an overall spirit that establishes the Community as a rewarding place to live and grow; and

WHEREAS, the Community Founder believes that for the Community to offer unique opportunities to its Owners, its Owners must necessarily make special efforts to contribute to the well being of the Community; and

WHEREAS, the Community Founder intends to develop the Property in a manner that combines business and social objectives; and

WHEREAS, to accomplish these objectives the Community Founder believes that it is in the best interests of the Community for the Community Founder to maintain a significant and influential role in the implementation of the Community Plan and the Community Founder has therefore retained numerous rights and will exercise significant control and influence over the Property until the development process has been completed.

NOW, THEREFORE, in consideration of the foregoing, the provisions of which are a substantive part of this Community Constitution, and other good and valuable consideration, the Community Founder hereby declares that all of the real property described in **Exhibit "A"** to this Community Constitution, and any other real property that may be annexed within the jurisdiction of the Association in accordance with Article 2 and Appendix Two hereof, shall hereafter be held, conveyed, hypothecated, encumbered, sold, leased, rented, used, occupied and improved subject to the covenants, conditions, easements and restrictions set forth in the Governing Documents, as modified and amended from time to time, all of which shall run with the real property subjected to the Governing Documents and which shall be binding on all parties having any right, title or interest in all or any portion of the Community, their respective heirs, personal representatives, successors, transferees and assigns, as well as occupants, guests and invitees, and shall inure to the benefit of each Owner thereof.

ARTICLE 2
PROPERTY SUBJECT TO GOVERNING DOCUMENTS

Section 2.1. *Property to be Subjected to the Governing Documents.* The real property which shall be held, conveyed, hypothecated, encumbered, sold, leased, rented, used, occupied and improved subject to the Governing Documents is described in **Exhibit "A"** attached hereto and incorporated herein by reference. As set forth more fully in Appendix Two hereof, any real property shown on the Development Plan and any real property contiguous or in the vicinity of the Community described in **Exhibit "B"** attached hereto and incorporated herein by reference, which is not already subjected to the Governing Documents, may be annexed within the jurisdiction of the Association unilaterally by the Community Founder upon recordation of a Declaration of Annexation, regardless of the ownership of such real property at the time of annexation. This Community Constitution, each Declaration of Annexation, the Bylaws, the Certificate of Incorporation and the Community Codes together establish a general plan of development for Azalea Woods, and this general plan of development may be modified or amended from time to

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time by supplemental or additional covenants, conditions, easements, restrictions, rules, or guidelines applicable to all of the Property or portions of the Annexable Property, including only portions of the Annexable Property being annexed. Such supplemental and additional covenants, conditions, easements, restrictions, rules, Community Codes or guidelines may be more or less restrictive than the provisions of this Community Constitution.

Section 2.2. *Annexations.* Any real property shown on the Development Plan and any real property described in **Exhibit "B"** may be annexed within the jurisdiction of the Association by or with the consent of Community Founder, without the consent of the Members of the Association or any other party, until the later of (i) fifteen (15) years after the recordation of this Community Constitution or (ii) five (5) years after the last filing of a Declaration of Annexation. The Community Founder may transfer its right to annex the Annexable Property in accordance with Section 17.4 of this Community Constitution. Nothing in this Community Constitution shall be construed to require this Community Founder, or any successor or assign of the Community Founder, to annex or develop any portion of the Property and the Community Founder reserves the right to utilize or develop any portion of the Property for any lawful purpose. Further, the Community Founder (or any successor or assign pursuant to Section 17.4 of this Community Constitution) may from time to time record an instrument with the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, to remove all or a portion of the real property described in **Exhibit "B"** from the Annexable Property so that such property is no longer subject to annexation pursuant to this Article 2.

The Association shall also have the right to annex any real property described in **Exhibit "B"** to this Community Constitution. Annexations by the Association shall require the consent of the owner of the property to be annexed, the consent of a majority of the Members of the Association, and the consent of the Community Founder, provided that at the time of such annexation by the Association the Community Founder owns any portion of the Property or the Annexable Property.

Any annexations made pursuant to this Article, or otherwise, shall be made by recording a Declaration of Annexation with the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, which Declaration of Annexation shall extend the scheme of this Community Constitution to such annexed property. Any Declaration of Annexation made pursuant to the provisions of this Article may contain such complementary or supplemental additions and modifications to the covenants and restrictions set forth in this Community Constitution as may be considered necessary or desirable by the maker of such Declaration of Annexation to reflect the different character, use, or nature, if any, of the annexed property. Without limiting the generality of the foregoing, a Declaration of Annexation may contain provisions which are more and/or less restrictive than those set forth in this Community Constitution, may provide for alternative means of assessment and may limit or modify the rights and obligations of the Association with respect to the property described in the Declaration of Annexation.

Anything elsewhere contained in this Community Constitution to the contrary notwithstanding, in no event shall the Community Founder create more than _____ (000)

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Living Units in addition to the existing or planned six hundred ten (610) Living Units in the Community.

Section 2.3. *Deannexation.* Subject to the condition that the Community Founder owns any portion of the Property or the Annexable Property, until fifteen (15) years after the recordation of this Community Constitution the Community Founder may unilaterally amend this Community Constitution in order to remove (deannex) any portion of the Property from the force and effect of this Community Constitution and the other Governing Documents provided that such deannexation does not have an actual substantial and material adverse impact on the remaining portion of the Community. Upon the recordation of an amendment to withdraw any portion of the Property, such deannexed property shall no longer be subject to the provisions of the Governing Documents except for (i) any easements, rights, reservations, exemptions, powers or privileges reserved to the Community Founder pursuant to the Governing Documents which affect the deannexed property and (ii) any other easements, rights, reservations, exemptions, powers or privileges which are expressly reserved to the Community Founder in the instrument effectuating such deannexation. Such deannexation shall be made by recording a written instrument with the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, withdrawing the effect of the covenants, conditions, easements and restrictions of the Governing Documents from the deannexed property. This right of deannexation shall be reserved exclusively to the Community Founder. Any property deannexed by the Community Founder may be used by the Community Founder, or any successor, assign or transferee, for any lawful purpose or use.

Section 2.4. *Community Property.* All Community Property and completed facilities must be constructed by the Community Founder in accordance with the terms and conditions of the approved Regulatory Plans, as such plans may be amended from time to time, and must otherwise be in accordance with the terms of any regulatory plan enforcement agreement, including a phasing schedule, as may be amended. The Community Founder reserves the right to seek an amendment to the Regulatory Plans for the purpose of modifying the location or amount of real property comprising the Community Property and for the purpose of modifying the improvements to be constructed on the Community Property.

Section 2.5. *Exclusive Community Property.* Exclusive Community Property refers to any portions of the Community Property designated as such by the Community Founder or the Board of Directors in accordance with this Section 2.5 that are intended for the exclusive use or primary benefit of one or more, but less than all, Living Units.

Only to the extent permitted under the Development Plan and Regulatory Plans, the Community Founder may designate any portions of the Community Property as Exclusive Community Property pursuant to (i) a Declaration of Annexation, (ii) a deed of conveyance to the Association, or (iii) a duly adopted Community Code. Only to the extent permitted under the Development Plan and Regulatory Plans, the Board of Directors may designate any portions of the Community Property as Exclusive Community Property pursuant to a duly adopted Community Code.

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ARTICLE 3
PROPERTY RIGHTS

Section 3.1. *Owner's Easements of Enjoyment*. Every Owner shall have a non-exclusive right and easement of use, access and enjoyment in and to the Community Property, including an easement for the use and enjoyment of the private streets, roadways, parking areas, trails, gathering areas, recreational facilities, play areas and walkways within the Community Property. Each Owner's right to use and enjoy the Community Property shall extend to members of the Owner's family, lessees and invitees, subject to applicable Community Codes. Any Owner who leases his/her Living Unit shall be deemed to have assigned his/her right to utilize the Community Property to the lessee of the Living Unit. The Owner's easement of enjoyment as described herein shall be appurtenant to and shall pass with the title to every Living Unit subject to:

(a) The rights and obligations set forth in the Governing Documents, as amended from time to time, and any other covenants and easements relating to the Community Property;

(b) Any covenants, conditions, easements, restrictions or reserved rights contained in any deed conveying Community Property to the Association;

(c) The right of the Association to charge reasonable admission or other fees for the use of the Community Property and/or any other facilities situated thereon, as applicable;

(d) The right of the Association to suspend an Owner's right to use the Community Property and/or any other facilities situated thereon, as applicable, for (i) any period during which any assessment against such Owner's Living Unit remains delinquent, and (ii) for a period not to exceed sixty (60) days for each infraction of the Governing Documents, provided that such Owner is given reasonable notice of the violation and an opportunity for a hearing in accordance with the Governing Documents;

(e) The right of the Association to dedicate or transfer all or any part of the Community Property to any public agency, authority, or utility for such purposes as are consistent with the purposes of the Governing Documents and subject to such approval requirements as may be set forth in the Governing Documents;

(f) The right of the Association to limit the number of guests of Owners that may utilize the Community Property and/or any other facilities situated thereon, as applicable;

(g) The right of the Association to establish Community Codes pertaining to the use of the Community Property and/or any other facilities situated thereon including, without limitation, the right of the Association to designate portions of the Community Property as Exclusive Community Property;

(h) The rights of the Association, the Community Founder, utility companies, and Owners with respect to the easements established by or created pursuant to the Governing Documents;

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(i) The right of the Association, in accordance with § 81-312 of DUCIOA and the Governing Documents, to borrow money for the purpose of improving the Community Property and/or any other facilities situated thereon in a manner designed to promote the enjoyment and welfare of the Owners and in aid thereof to mortgage any of the Community and/or other facilities situated thereon;

(j) The right of designated Owners to the exclusive use of any portions of the Community Property designated as Exclusive Community Property;

(k) The rights of the Community Founder to grant easements, to utilize reserved rights and easements, and to otherwise utilize the Community Property as it deems appropriate in connection with the development of the Community;

(l) The right of the Association to grant easements, licenses or other rights of use of the Community Property and/or any other facilities situated thereon to Owners and to persons or entities who are not Owners for such consideration and on such terms and conditions as the Association may from time to time consider appropriate; and

(m) Such other rights of the Community Founder and the Association as are not inconsistent with the Governing Documents.

Section 3.2. Limitations. Any other provision of this Community Constitution to the contrary notwithstanding, the Association shall have no right to suspend the right of any Owner to use any private streets, roadways, or parking areas within the Community Property for both vehicular and pedestrian ingress and egress to and from such Owner's Living Unit and for parking; provided, however, that the Association shall have the right to designate the use of parking spaces within the Community Property.

Section 3.3. Utility Easement. A perpetual and non-exclusive utility easement from the limits of any right of way in Azalea Woods to the point of service and connection at every Living Unit in Azalea Woods is hereby established for the installation, maintenance and repair of any and all utilities, including, but not limited to water, sewer, propane, natural gas, electric, cable and telephone.

ARTICLE 4
THE ASSOCIATION AND ITS MEMBERS

Section 4.1. Purpose and Role of the Association. The Association shall be responsible for the management, operation and control of the Community Areas. The Association is empowered to enforce the Governing Documents. The Association shall exercise its responsibilities in accordance with the Governing Documents.

Section 4.2. Membership in the Association. Every Owner shall be a Member of the Association. No Owner, whether one (1) or more persons or entities, shall have more than one (1) membership for each Living Unit owned. However, all Owners shall be subject to the Governing Documents. Membership in the Association shall be appurtenant to and may not be severed from

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ownership of any Living Unit. Membership rights and obligations are more fully described in the Bylaws.

Section 4.3. *Voting Rights*. Every person, group of persons, corporation, partnership, trust or other legal entity, or any combination thereof, who is an Owner of any Living Unit which is immediately subject to this Community Constitution or which has been annexed into the Community shall be a Member of the Association; provided, however, that any such person, group of persons, corporation, partnership, trust or other legal entity, or any combination thereof, who holds such interest solely as security for the performance of an obligation shall not be a Member solely on account of such interest. Ownership of a Living Unit shall entitle each Owner holding the interest required for membership to cast one (1) vote; provided, however, that if more than one (1) person or entity are the Owners of a Living Unit, the vote for such Living Unit shall be exercised as those persons or entities themselves determine and advise the secretary of the Association, but in no event shall more than one (1) vote be cast with respect to any Living Unit owned by a Member. Any Owner that leases a Living Unit may, in the lease or other written instrument, assign the voting right appurtenant to such Living Unit to the Owner's lessee, provided that a copy of such instrument is furnished to the Association.

ARTICLE 5
COVENANT FOR ASSESSMENTS

Section 5.1. *Creation of Lien and Personal Obligation for Assessments*. Each Owner of a Living Unit by acceptance of a deed therefor, whether or not expressly stated in such deed, shall be deemed to covenant and agree to pay the Association all General Assessments or Lot-Only Assessments, as applicable, and Special Assessments as may be levied by the Association in accordance with the Governing Documents. Each Assessment, together with interest, costs, late fees and reasonable attorneys' fees and other legal and collection costs, shall be a charge on the Living Unit (including all improvements thereon), and shall be a continuing lien upon the property against which each such Assessment is made. Each Assessment, together with interest, costs, late fees and reasonable attorneys' fees and other legal and collection costs shall also be the personal obligation of the Owner of the Living Unit at the time the Assessment fell due. The personal obligation for delinquent Assessments shall not pass to a prior Owner's successors in title unless expressly assumed by such successors; however, any lien established prior to the transfer of any Living Unit shall continue until paid and satisfied in full (subject to the provisions of Section 5.10 of this Community Constitution). No Owner shall be exempt from liability for Assessments by abandonment of such Owner's Living Unit or by the abandonment of such Owner's right to the use and enjoyment of the Community Property, or by any other means. No Owner shall be entitled to any diminution, abatement or set-off of Assessments for any alleged failure of the Association to perform its duties or for any reduction in services or benefits by the Association.

Section 5.2. *Purpose of Assessments*. Assessments levied by the Association may be used to promote the recreation, health, safety and welfare of the Owners within the Community and for any lawful purpose relating to the proper conduct of Association activities, including, without limitation, the following:

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(a) Improvement, maintenance, repair and replacement of the Community Areas including, without limitation, some or all of the rights-of-way, entry strips, signs and entrance features, recreational facilities or other improvements located within the Community, or which are appurtenant to and serve or benefit the Community;

(b) Improvement, maintenance, repair and replacement of any and all storm water management facilities (including, without limitation, drainage pipes, infiltration trenches, ponds, basins, swales, berms, out-flow control devices, drainage areas, filters, inlets, oil/grit separators and underground facilities) whether such storm water management facilities are located within the Property or not, as long as such storm water management facilities are designed to benefit or serve any portion of the Property or are required or intended to be maintained by the Association pursuant to any easement, agreement or the direction of any governmental or quasi-governmental authority or agency. The Association shall not refuse to accept the conveyance of any such facilities from the Community Founder;

(c) Payment of charges or expenses accruing with respect to off-site facilities that serve or benefit the Community, which the Association elects to maintain or which are otherwise required or intended to be maintained by the Association pursuant to any easement, agreement or the direction of any governmental authority or agency;

(d) Payment of all taxes, charges and assessments levied against the Community Property and any facilities situated thereon;

(e) Payment for services provided to the Association for the benefit of the Community Property, any facilities situated thereon, as well as for the Living Units and/or Owners, to the extent the Association agrees to provide such services;

(f) Payment of management fees, utility charges and operating expenses relating to the Community Areas and any facilities situated thereon;

(g) Payment of insurance premiums for liability and property insurance on the Community Areas and any facilities situated thereon for directors and officers liability insurance, and for such other insurance as the Association may obtain with respect to its officers and directors or the Community Property, any facilities situated thereon, and/or the Living Units within the Community;

(h) Funding all reserves established by the Association, including, without limitation, general operating reserves and reserves for replacements and/or contingencies;

(i) Payment of costs related to the Association's maintenance responsibilities under Section 11.2 and Section 11.3 of this Community Constitution;

(j) Payment of indebtedness from the Association to the Community Founder (or the Community Founder's affiliates) pursuant to any note, bond, instrument, or contractual obligation entered into between the Community Founder (or the Community Founder's affiliates) and the Association from time to time in connection with the (i) financing of costs related to the

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development or operation of the Community Areas or (ii) funding of operating deficits of the Association; and

(k) Payment of all other costs and expenses incurred by the Association in the proper conduct of its activities or as may be deemed by the Board of Directors to be in any reasonable way related to the wellbeing of the Community and the Owners.

Section 5.3. *Adoption of Common Expense Budget.*

(a) At least sixty (60) days before the beginning of each fiscal year, the Board of Directors shall prepare a budget setting forth the estimated Common Expenses during the coming year, including a reasonable amount to establish a reserve fund in accordance with this Article 5.

(b) The Association is hereby authorized to levy General Assessments against all Living Units subject to assessment in order to fund the Common Expenses. The General Assessment shall be set at a level which is reasonably expected to produce revenue for the Association equal to the total budgeted Common Expenses, including reserves and contingencies. Notwithstanding the foregoing or any other provision in this Community Constitution to the contrary, any Owner of a Living Unit prior to the date on which a certificate of occupancy has been issued by the applicable governmental authority for a residential structure thereon, shall be subject to a "Lot-Only Assessment" in the amount of $50.00 per year in lieu of the General Assessments otherwise assessed pursuant to this Community Constitution, and such Living Unit shall not be subject to General Assessments during such time period.

(c) General Assessments shall be allocated and levied at a uniform rate for all Living Units, provided that nothing in this Community Constitution or the other Governing Documents shall be deemed to require that Common Expenses and General Assessments be limited to services and other items that generally or uniformly benefit all Living Units. Maintenance, services and other items provided by the Association that benefit less than all Living Units may be included as part of the Common Expenses payable through General Assessments in the discretion of the Board of Directors.

(d) In accordance with § 81-324 of DUCIOA, the Board of Directors shall send a copy of the budget and a notice of the amount of the General Assessment for the following year to each Owner within thirty (30) days after adoption of any proposed budget after the Community Founder's Rights and Obligations Period. Simultaneously, the Board of Directors shall set a date for a meeting of the Members to consider ratification of the budget not less than fourteen (14) nor more than sixty (60) days after providing the Members with a copy of the budget. The budget and Assessments shall become effective unless, at that meeting held to consider ratification of the budget, Members representing at least sixty-seven percent (67%) of the total votes in the Association reject the budget, whether or not a quorum is present at said meeting.

(e) If the proposed budget and General Assessment are rejected or if the Board of Directors fails for any reason to determine the budget for any year, then until such time as a

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budget is determined, the budget in effect for the immediately preceding year shall continue for the ensuing year.

Section 5.4. *Special Assessments*.

(a) In addition to the General Assessments and Lot-Only Assessments authorized by this Article, the Association may levy in any assessment year a Special Assessment or Special Assessments, applicable in that year only, for the purpose of defraying any unbudgeted expenses or any expenses in excess of those contained in the budget, or for such other purposes as the Board of Directors may consider appropriate in its discretion; provided, however, that any such Special Assessment which exceeds fifteen percent (15%) of the annual budget for the current year shall have the prior consent of Owners representing at least fifty-one percent (51%) of the total votes allocated to Living Units which will be subject to the Special Assessment, and the consent of the Community Founder, during the Community Founder's Rights and Obligations Period. A Special Assessment may be levied against all Owners and Living Units if it relates to Common Expenses.

(b) The Association may also levy a Special Assessment against any Owner to reimburse the Association for costs incurred in bringing the Owner and/or such Owner's Living Unit into compliance with the Governing Documents or if the actions or activities of any Owner cause or result in increased expenses to the Association. Such Special Assessment may be levied in any amount necessary to recover said costs and expenses notwithstanding the provisions contained in subparagraph (a) above. Such Special Assessment may only be levied upon the affirmative vote of the Board of Directors, after notice and an opportunity for a hearing has been provided to the Owner. Special Assessments levied under this Section 5.4(b) shall not be limited to a fiscal year, but may be imposed for such time period as the circumstances require.

Section 5.5. *Applicability of Assessments*. No Living Units owned by Participating Builders shall be subject to an Initial Contribution.

Section 5.6. *Exempt Property*. No portion of the Community Property or the facilities situated thereon shall be subject to assessment of any kind by the Association.

Section 5.7. *Initial Contribution*. A one-time assessment in the amount of Two Hundred Fifty Dollars ($250) shall be paid by the initial purchaser of each Living Unit (explicitly excluding the Community Founder and Participating Builders) upon settlement of the completed Living Unit (the "Initial Contribution"). The Initial Contribution is established to assist with the funding of the initial operation of the Association and shall be in addition to other Assessments and shall not be considered an advance payment of Assessments. The amount of the Initial Contribution may be adjusted by the Community Founder or Association from time to time, as either deems appropriate. The Community Founder or Association may, but shall not be obligated to, establish and collect a working capital contribution from subsequent purchasers of Living Units upon the resale of any Living Unit in addition to all other assessments typically levied against Living Units at the time of the change in ownership of the Living Unit.

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Section 5.8. *Reserves.* The Association shall establish and maintain a reasonable reserve fund for the repair and replacement of the Community Areas and the Exclusive Community Property and any facilities situated thereon. Such reserve fund may also be established for the repair and replacement of any property, improvements or facilities otherwise required or intended to be maintained by the Association pursuant to any easement, agreement or the direction of any governmental or quasi-governmental authority or agency. The Board of Directors shall set the required reserve fund contribution in an amount sufficient to meet the projected reserve needs of the Association. The reserve fund contribution shall be included as part of the Association's annual budget, and shall be payable as part of the General Assessment applicable to all Living Units (but shall not be included in or payable as part of a Lot-Only Assessment paid in lieu of a General Assessment as provided above) to the extent such reserve fund will be utilized to replace assets which are determined by the Board of Directors to benefit substantially all Owners. The Association may establish such other reserve funds as the Board of Directors may from time to time consider necessary or desirable, including, without limitation, a general operating reserve. The proportional interest of an Owner in any reserve fund established by the Association shall be considered an appurtenance of such Owner's Living Unit and shall not be separately withdrawn, assigned, transferred or otherwise separated from the Living Unit to which it appertains, and shall be deemed to be transferred with such Living Unit.

Section 5.9. *Assessment Due Dates.* Installments of Assessments may be levied and collected on a monthly, quarterly, semi-annual or annual basis, as may be determined from time to time by the Board of Directors.

Section 5.10. *Priority of Lien.* The lien for Assessments under the Governing Documents shall be subordinate to the lien of any First Mortgage recorded against a Living Unit except as otherwise permitted by Delaware law, specifically § 81-316 of DUCIOA. The sale or transfer of any Living Unit shall not affect the Assessment lien; provided, however, that the sale or transfer of any Living Unit pursuant to mortgage or deed of trust foreclosure or any proceeding in lieu thereof, shall extinguish the lien of such Assessments as to installments which became due prior to such sale or transfer. No sale or transfer of a Living Unit shall exempt such Living Unit or the Owners thereof from liability for any Assessments thereafter coming due or from the lien thereof. No amendment to this Section shall affect the rights of the holder of any First Mortgage on a Living Unit (or the indebtedness secured thereby) recorded prior to recordation of such amendment unless the holder thereof shall join in the execution of such amendment.

ARTICLE 6
REMEDIES OF ASSOCIATION FOR NON-PAYMENT OF ASSESSMENTS

Section 6.1. *Non-Payment of Assessments.* Any Assessment levied by the Association pursuant to the Governing Documents which is not paid within fifteen (15) days after the due date established for such Assessment by the Board of Directors, may, upon resolution of the Board, bear interest from the due date until paid at the rate of interest established by the Board, not to exceed the maximum, if any, rate of interest permitted under the laws of the State of Delaware. The Board of Directors may also impose a reasonable late fee against any Owner (and such Owner's Living Unit) for failure to pay any Assessment within fifteen (15) days after the due date for such Assessment. The Association may bring an action at law against the Owner personally

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obligated to pay the delinquent Assessment, and/or establish and foreclose the lien against such Owner's Living Unit in the manner provided under applicable law.

Section 6.2. *Assessment Certificate*. The Association shall, upon demand of any Owner, issue such Owner a written certificate signed by an officer or management agent of the Association setting forth whether the Assessments applicable to such Owner's Living Unit have been paid, and if not paid, the amount of the delinquent Assessments. A properly executed certificate of the Association regarding the status of Assessments on a Living Unit shall be binding on the Association as of the date of issuance. If not prohibited by applicable law, the Association may charge a reasonable fee for the issuance of each such certificate.

Section 6.3. *Acceleration of Installments*. Upon default in the payment of any Assessment, the entire balance of all unpaid Assessments for the remainder of the fiscal year may, at the Board's discretion, be accelerated and declared due and payable in full, in the same manner as the delinquent portion of such Assessment.

Section 6.4. *Application of Past Due Assessments*. Except as may be otherwise required by applicable law, amounts collected for past due Assessments and related costs shall be applied in the following order:

(a) To payment of attorneys' fees and other legal and collection costs;

(b) To payment of late fees;

(c) To payment of any interest accrued on the delinquent Assessments;

(d) To payment of delinquent Assessments.

ARTICLE 7
DESIGN REVIEW AND ARCHITECTURAL CONTROL

Section 7.1. *Architectural Approval*. Complete plans and specifications for all "Improvements" (defined below) shall be approved in writing in accordance with this Article 7 prior to the commencement of any construction or development activities for such Improvements within the Property. "Improvements" shall mean, collectively, the following items and activities within the Property:

(a) staking, clearing, landscaping, excavation, grading or other site work;

(b) buildings, structures and other improvements of any kind; and

(c) exterior additions, changes or alterations of any nature to the Living Units, buildings or other existing improvements, including, without limitation, changes in color, changes or additions to driveway or walkway surfaces and landscaping modifications.

Section 7.2. *Initial Construction*. No construction of the initial Improvements within the Property may be commenced, erected or maintained until complete plans and specifications for

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such Improvements have been approved, in writing, by the Community Founder. To the extent that the Community Founder has entered into any written agreement with Participating Builders or others regarding architectural review, approval or control for the construction of initial Improvements, the provisions of such agreement shall control and supersede any conflicting provisions of the Governing Documents, including without limitation all sections of this Article 7. The Community Founder may, in its sole discretion, disapprove any plans and specifications, in whole or in part, and approval of any plan or specification does not constitute a waiver of the right to disapprove the same or similar plans and specifications subsequently submitted. Notwithstanding any provision of the Governing Documents to the contrary, the approval of the Community Founder pursuant to this Section 7.2 shall be the only approval required with respect to the construction of initial Improvements.

Section 7.3. Changes and Modifications to Living Units. Except for initial Improvements which shall be approved by the Community Founder in accordance with Section 7.2 above, no Owner or any other person or entity shall commence, erect or maintain any Improvements within the Property until complete plans and specifications for such Improvements have been approved, in writing, by the appropriate Review Entity in accordance with this Article 7.

Section 7.4. Review Entity. As used in this Community Constitution, the term "Review Entity" means one or more of the following entities having jurisdiction at any particular time with respect to the matters described in this Article 7:

(a) The Community Founder, with respect to all architectural review and approval authority under this Article 7 for the Property, except to the extent any such rights and powers are assigned or terminated in accordance with Section 7.5. All rights and powers of the Community Founder under this Article 7 may be exercised on behalf of the Community Founder by such members, officers, directors, employees, agents, representatives, or other designees of the Community Founder as the Community Founder may designate from time to time.

(b) The Design Review Committee, but only upon the assignment of such rights and powers from the Community Founder in accordance with Section 7.5. After such assignment, if a Design Review Committee is not appointed, the Board of Directors shall exercise all rights and powers that could be exercised by the Design Review Committee.

Section 7.5. The Community Founder as a Review Entity. The Community Founder shall be exclusively entitled to exercise all rights and powers of the Review Entity under this Community Constitution for the Property, except to the extent such rights and powers are expressly assigned in writing by the Community Founder. The Community Founder may assign all or part of its rights and powers under this Article 7 to the Design Review Committee. Notwithstanding the foregoing, upon the termination of the Community Founder's Rights and Obligations Period, all rights and powers reserved to the Community Founder under this Article 7 not previously assigned to the Design Review Committee shall automatically terminate and shall be deemed assigned to, and thereafter exercised by, the Design Review Committee. Each Owner of a Living Unit shall be deemed to covenant and agree that (i) neither initial construction of Improvements nor any exterior addition, change or alteration to existing Improvements shall be commenced

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within the Owner's Living Unit until approval for such construction, addition, change or alteration is approved in accordance with this Article 7, and (ii) as the developer and initial owner of the Property, the Community Founder has a significant and substantial interest in ensuring that all Improvements are consistent with the Community Plan and that the Improvements do not have an adverse impact upon the Community Founder's ongoing ability to market, sell, and/or lease all or any portion of the Property. Accordingly, in its exercise of the rights and powers of the Review Entity under this Community Constitution, the Community Founder shall have the right to approve or disapprove any plans and specifications for Improvements in the Community Founder's sole discretion, and all Owners acknowledge that in reviewing and acting upon any such plans and specifications, the Community Founder shall be acting in its own interest and shall owe no duty whatsoever to any other individual or entity, including, without limitation, the Association and the Owners.

Section 7.6. Design Review Committee as a Review Entity. The Design Review Committee shall exercise such rights and powers of the Review Entity as may from time to time be assigned to the Design Review Committee pursuant to Section 7.5 above. The Design Review Committee shall consist of at least three (3) but not more than seven (7) members who shall serve at the pleasure of and may be removed and replaced at the discretion of the Community Founder, during the Community Founder's Rights and Obligations Period, and at the discretion of the Board of Directors thereafter. The members of the Design Review Committee shall be members of the Association, subject to the following exception for Design Consultants: A non-member of the Association may be appointed to the Design Review Committee by the Community Founder or Board of Directors if appointing a non-member of the Association is necessary in order to include an architect, engineer or similar design professional ("Design Consultants") on the Design Review Committee. Compensation of Design Consultants, if any, shall be established from time to time by the Board of Directors.

Section 7.7. Revocation of Assigned Rights. Until termination of the Community Founder's Rights and Obligations Period, the Community Founder may, in its sole discretion, revoke any prior assignment of all or part of the rights and powers under this Article 7 that the Community Founder may have assigned to the Design Review Committee or other designee. Upon such time that the Community Founder may revoke any previously assigned rights and powers under this Article 7, the Community Founder shall automatically have the authority to exercise such rights and powers.

Section 7.8. Application Review.

(a) No Improvement of any kind shall be commenced, erected or maintained upon the Property until a design review application ("Application") is submitted to and approved by the Review Entity. The Application shall include detailed and properly scaled plans showing the site layout, exterior elevations, exterior materials and colors, landscaping, drainage, lighting, irrigation, and other relevant features of the Improvements, as required by the Review Entity and any Design Guidelines applicable to the applicant's Living Unit. The Review Entity may also require the submission of such additional information as it deems necessary to consider any Application. The Review Entity may consider, but shall not be restricted to consideration of, visual and environmental impact, ecological compatibility, natural platforms and finish grade elevation,

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harmony of external design with surrounding structures and environment, compliance with the general intent of applicable Design Guidelines and architectural merit. In many instances, decisions will be based solely on aesthetic considerations and each applicant acknowledges that determinations as to such matters may be highly subjective and opinions may vary as to the desirability and/or attractiveness of particular Improvements.

(b) The Review Entity shall, within thirty (30) calendar days after receipt of a complete Application, advise the applicant in writing of the approval or disapproval of the Application. The Review Entity shall provide a reasonable explanation of the objectionable segments or features of any disapproved Application. If the Review Entity fails to advise the applicant by written notice within thirty (30) calendar days of receipt of a complete Application of either the approval or disapproval of the Application, the applicant shall give the Review Entity written notice of the Review Entity's failure to respond. The applicant's notice shall include a statement that unless the Review Entity responds within fifteen (15) calendar days of receipt of such applicant's notice, approval of the Application shall be deemed granted. Upon such further failure of the Review Entity to grant an approval or disapproval, approval shall be deemed to have been given, subject to the Community Founder's veto rights under Section 7.9. Notwithstanding the foregoing, no approval, whether expressly granted or deemed granted pursuant to this Section 7.8, shall be materially inconsistent with the Design Guidelines, unless a variance has been granted in writing in accordance with Section 7.14 below. Notices from an applicant to the Review Entity under this Section 7.8 shall be deemed to have been given at the time the envelope containing such notice, properly addressed and postage prepaid, is delivered by the U.S. Postal Service by registered or certified mail, return receipt requested, or by any other delivery or courier service, such as Federal Express or UPS, which can provide tracking information regarding the delivery of such notice. Personal verified delivery of such written notice by any other means shall also be sufficient and shall be deemed to have been given at the time of delivery.

Section 7.9. Community Founder's Veto Rights. Until termination of the Community Founder's Rights and Obligations Period, the Community Founder may, in its sole discretion, veto any decision made pursuant to this Article 7 by the Design Review Committee. The Design Review Committee shall give the Community Founder written notice of each Application it approves within three (3) business days after such approval. The Community Founder shall have ten (10) calendar days after receipt of such notice to veto the approved Application by written notice to the applicant and/or to the Design Review Committee, as applicable.

Section 7.10. Application Fees and Reimbursements. The Review Entity may (i) establish and charge reasonable fees for review of Applications hereunder; (ii) retain architects, engineers or other design professionals as reasonably necessary to assist in its review of Applications; and (iii) require reimbursement by the applicant of fees charged by any architect, engineers or other design professionals.

Section 7.11. Design Guidelines and Procedures.

(a) The Review Entity may, but shall not be required to, establish Design Guidelines to provide guidance to Owners, builders and contractors regarding matters deemed to be of relevance or importance to the Review Entity in considering Applications for architectural

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approval. Such Design Guidelines shall not be the exclusive basis for decisions hereunder and compliance with the Design Guidelines shall not guarantee approval of an Application. Design Guidelines may contain general provisions applicable to all Living Units, as well as specific provisions which vary from one Living Unit to another, depending upon the location, type of construction or use, and unique characteristics of the Living Units.

(b) Any Design Guidelines adopted pursuant to this Article 7 shall be subject to modification and amendment from time to time in the sole discretion of the Review Entity. Modifications and amendments to Design Guidelines shall not apply to or require modifications to or removal of Improvements previously approved once such Improvements have commenced. However, modifications or amendments to Design Guidelines may prohibit an exact replacement of a previously approved Improvement. Any subsequent removal or alteration of any previously approved Improvements shall be subject to the Design Guidelines in existence at the time of such subsequent removal or alteration. There shall be no limitation on the scope of modifications or amendments to any Design Guidelines. All modifications and amendments to Design Guidelines shall be published in Association newsletters, electronic bulletin boards, by e-mail, community website or by other means calculated to give reasonable notice to the Owners covered by such Design Guidelines; provided, however, that the failure of any Owner to actually receive any Design Guideline or modification or amendment to any Design Guideline shall not affect the validity or enforceability against such Owner of any such Design Guideline or modification or amendment thereto. The Review Entity shall make copies of Design Guidelines available to Owners, builders and contractors and may charge a reasonable fee to cover the costs of providing the Design Guidelines.

(c) The Review Entity may from time to time adopt and promulgate procedures and requirements for the submission of Applications to the Review Entity, including, without limitation, requirements regarding the number of copies, the content, scale and detail of the plans and specifications to be included with such Applications, and the identification of any required supporting materials; provided, however, that such application procedures shall not contravene any specific requirement established by this Community Constitution. Any application procedures adopted pursuant to this Article 7 shall be subject to modification and amendment from time to time in the sole discretion of the Review Entity. Such application procedures shall not be construed as a waiver of the provisions of this Article 7 or any other provision or requirement of this Community Constitution.

(d) Any Design Guidelines or application procedures promulgated by the Design Review Committee shall be subject to the Community Founder's prior approval during the Community Founder's Rights and Obligations Period.

Section 7.12. Completion of Improvements. Construction of Improvements in accordance with the approved Application shall be completed within twelve (12) months following approval of the Application, or within such greater or lesser periods as the Review Entity may specify in its approval. In the event construction is not completed within the period aforesaid, then approval of the plans and specifications shall be conclusively deemed withdrawn and the applicant must re-submit an Application and otherwise comply with the requirements of this Article 7. There shall

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be no material deviations from plans and specifications approved by the Review Entity without the prior consent in writing of the Review Entity.

Section 7.13. Non-Precedential Nature of Approvals. Each applicant acknowledges that the composition of the Review Entity will change from time to time and that decisions regarding aesthetic matters and interpretation and application of the Design Guidelines applicable to the applicant's Living Unit may vary from time to time. In addition, each applicant acknowledges that it may not always be possible to identify objectionable features of proposed Improvements until the Improvements are completed, in which case it may be unreasonable to require changes to Improvements previously approved; however, the Review Entity may refuse to approve similar Improvements in the future. Approval of Improvements for any particular applicant or Living Unit shall not be deemed a waiver of the right to withhold approval as to any similar Improvements subsequently submitted for approval.

Section 7.14. Waivers and Variances. The Review Entity in its sole discretion may, but shall not be required to, authorize waivers or variances from compliance with any Design Guidelines or for nonconforming Improvements when circumstances such as topography, natural obstructions, aesthetic or environmental considerations, architectural merit, or other reasonable considerations warrant such a waiver or variance. Such waivers and variances shall be granted only if and when the Review Entity determines that some or all of the foregoing circumstances warrant a waiver or variance. No applicant shall have any right to demand or obtain a waiver or variance. Except for a waiver or variance authorized by the Community Founder, no waiver or variance may (i) be effective unless in writing, (ii) be contrary to this Community Constitution, or (iii) be inconsistent with the goals or objectives of the Community Founder. In no event shall any waiver or variance estop the Review Entity from denying a waiver or variance in other circumstances.

Section 7.15. Limited Scope of Approval. The standards and procedures established by this Article 7 are intended to provide a mechanism for maintaining and enhancing the overall aesthetics of the Community. Approval of an Application by a Review Entity shall in no way be construed as to pass judgment on the correctness of the location, structural design, suitability of water flow or drainage, location of utilities, or other qualities of the item being reviewed. No Review Entity, nor any of its members, officers, directors, employees, agents, or representatives, shall bear any responsibility for ensuring structural integrity, soundness or compliance with building codes and other governmental approvals or requirements, or that any Improvements are located so as to avoid negative impacts on other Living Units including, without limitation, impaired views. No representation is made by any Review Entity with respect to the quality, size, value or design of future Improvements. Approval by any Review Entity shall not be construed as a representation or warranty of any type regarding the design or construction of any Improvement and no Review Entity, nor any of its members, officers, directors, employees, agents, or representatives, shall be liable for (i) soil conditions, drainage or other site work problems, (ii) defects or errors in any plans or specifications submitted as part of an Application, (iii) any structural or other defects in Improvements constructed according to an approved Application, or (iv) any injury, damages, or loss arising out of the design, quality or manner of construction of any approved Improvements. Approvals by the Review Entity shall in no way be deemed to constitute a determination as to compliance with local zoning ordinances, governmental guidelines or

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restrictions, or be substituted in lieu of applicable governmental approvals and permits and no construction may commence until all such approvals and permits have been obtained.

Section 7.16. Enforcement.

(a) Any Improvements constructed in material violation of this Article 7 or in a manner inconsistent with an approved Application shall be deemed to be nonconforming. Upon written request from the Review Entity, the defaulting Owner shall, at its own cost and expense, promptly either remove any nonconforming Improvement and restore the Living Unit to substantially the same condition that existed prior to the installation of the nonconforming Improvement or bring the nonconforming Improvement into compliance with the approved Application, as applicable. If an Owner fails to remove any nonconforming Improvement and restore its Living Unit or bring the nonconforming Improvement into compliance with the approved Application, as applicable, the Review Entity shall have the right to enforce this Article 7 in accordance with Section 17.2. of this Community Constitution, assess fines in accordance with the Governing Documents, and remove the violation and restore the Living Unit to substantially the same condition as previously existed. If the Review Entity undertakes the foregoing self-help remedy, such action shall not be deemed a trespass. Upon demand by the Review Entity, the Owner of the Living Unit shall promptly reimburse all costs, which shall include attorneys' fees and/or other fees incurred for professional services rendered, incurred in connection with enforcement under this Section 7.16 and such costs shall be collectible in the same manner as Assessments and may become a lien upon such Living Unit. The Review Entity may preclude any contractor, subcontractor, agent, employee or other invitee of any Owner who fails to comply with the terms and provisions of this Article 7 and the applicable Design Guidelines from continuing any further activities on the Living Unit or any other portion of the Property. Neither the Review Entity, nor any of its members, officers, directors, employees, agents, or representatives shall be held liable to any Owner or any other person or entity for exercising the rights granted by this Article 7.

(b) Upon assignment or termination of any or all of the rights of the Community Founder under this Article 7, if the Design Review Committee fails to take enforcement action within thirty (30) calendar days after receipt of a written demand from the Community Founder identifying the violator and/or specifying the nature of the violation, then the Community Founder may undertake any appropriate enforcement action and the Association shall reimburse the Community Founder for all costs, which shall include attorneys' fees and/or other fees incurred for professional services rendered, reasonably incurred by the Community Founder in taking such enforcement action with respect to such violation, but only to the extent the Community Founder prevails in such action.

Section 7.17. Certificate of Compliance. Upon satisfactory completion of the Improvements on a Living Unit in accordance with plans and specifications approved by the Review Entity in accordance with the provisions of this Article 7, the Review Entity shall, at the written request of the Owner of the Living Unit, issue a certificate of compliance, provided such request is made within one (1) year after completion of the Improvements. A certificate of compliance shall be prima facie evidence that the Improvements referenced in such certificate have been approved by the Review Entity in full compliance with the provisions of this Article 7 and

with such other provisions and requirements of the Governing Documents as may be applicable. The Association may charge the Owner of the applicable Living Unit a reasonable administrative fee for issuing a certificate of compliance.

Section 7.18. Appeal. Any decisions made by the Design Review Committee may be appealed to the Board of Directors by the Owner whose Application or other request was the subject of the Design Review Committee's decision. Upon written request, such Owner shall be entitled to a hearing before the Board of Directors. A vote of at least two thirds (2/3) of all members of the Board of Directors shall be required to reverse or modify a decision of the Design Review Committee. Notwithstanding the foregoing, when acting as the Review Entity, the decisions of the Community Founder and the Board of Directors shall be final and shall not be subject to appeal.

Section 7.19. Community Founder Exemption. Notwithstanding any provision of this Community Constitution to the contrary, the provisions of this Article 7 shall not be applicable to any Improvements installed or constructed by the Community Founder or to any part of the Property owned by the Community Founder.

ARTICLE 8
COVENANTS COMMITTEE

Section 8.1. Purpose and Powers of the Covenants Committee. The purpose of the Covenants Committee shall be to ensure compliance with the Governing Documents and to foster harmony within the Community through reasoned and impartial adjudication of disputes within the Community as they arise. To this end, the principal powers of the Covenants Committee shall be as follows:

(a) To make reasonable efforts to resolve conflicts relating to the Governing Documents between and among Owners on an informal and amicable basis.

(b) To investigate and render decisions on alleged violations of the Governing Documents.

(c) Upon petition of any Owner or upon its own initiative, to issue cease and desist requests to any Owner whose actions are deemed to be inconsistent with the provisions of the Governing Documents or otherwise detrimental to the Community.

(d) To provide interpretations of the Governing Documents when requested to do so by a member of the Board of Directors or on its own initiative.

(e) To impose reasonable fines for violations of the Governing Documents, subject to the approval of the Board of Directors and provided that the Owner in question is given reasonable notice of the violation, the fine to be imposed and an opportunity for a hearing in accordance with the Governing Documents.

(f) To propose Community Codes for hearing alleged violations of the Governing Documents, for adoption by the Board of Directors, which shall incorporate reasonable

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concepts of due process and fundamental fairness. Such Community Codes, and amendments thereto, may also be proposed and approved by the Community Founder or by the Board of Directors, either acting alone, without action by the Covenants Committee. No such Community Codes shall be construed as a waiver of any provision or requirement of the Governing Documents.

(g) Such additional powers as may be granted by the Board of Directors to enable the Covenants Committee to fulfill its duties under the Governing Documents.

Section 8.2. *Selection of Covenants Committee.* The Covenants Committee shall consist of at least three (3) but no more than seven (7) persons. During the Community Founder's Rights and Obligations Period, the Community Founder may appoint all members of the Covenants Committee. Members of the Covenants Committee appointed by the Community Founder shall serve at the pleasure of and may be removed, without cause, by the Community Founder. Upon expiration of the Community Founder's Rights and Obligations Period, or earlier upon written notice from the Community Founder to the Association, the number, qualifications, tenure, and manner of selection of the members of the Covenants Committee shall be as determined from time to time by the Board of Directors, in the Board's sole discretion. Members of the Covenants Committee appointed by the Board of Directors shall serve at the pleasure of and may be removed, without cause, by the Board. Covenants Committee members must be members of the Association, unless the appointment of a non-member of the Association is deemed appropriate by the Community Founder or Board of Directors, as applicable. In the event of any failure to appoint a Covenants Committee, or in the event of the Covenants Committee's absence, resignation or inability or refusal to act, the Board of Directors shall have the power and authority of the Covenants Committee and shall otherwise exercise and discharge the Covenant Committee's duties under the Governing Documents.

Section 8.3. *Appeal.* Subject to such procedures as may be established by the Board of Directors, any Owner may appeal an adverse Covenants Committee decision to the Board of Directors. The Board of Directors may uphold, modify or reverse the decision of the Covenants Committee and any such determination by the Board shall be final.

Section 8.4. *Jurisdiction of Covenants Committee.* Any provision hereof to the Governing Documents to the contrary notwithstanding, the Covenants Committee shall have no jurisdiction over the Community Founder or, with respect to initial Improvements subject to an agreement with the Community Founder pursuant to Section 7.2 above, any Participating Builder. The Board of Directors may from time to time, in its sole discretion, restrict the jurisdiction or authority of the Covenants Committee, either generally or on a case-by-case basis.

Section 8.5. *Combination of Covenants Committee with Design Review Committee.* The Covenants Committee may be combined with the Design Review Committee, resulting in one joint committee to serve all of the functions and bear all of the responsibilities set forth in Articles 7 and 8 together, in the event such a combination of committees is deemed to be desirable by the Community Founder or Board of Directors, as applicable. In the event a combination of the committees does occur, the number, qualifications, tenure and manner of selection of members to the joint, combined committee shall be in accordance with Article 7 above.

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ARTICLE 9
COMMUNITY CODES

Section 9.1. *Objectives and Goals*. By the creation and recordation of this Community Constitution and the Development Plan, the Community Founder intends to create a planned community with the goals of enhancing the quality of life of Owners, protecting the aesthetics and environment within the Community, and promoting a sense of community among Owners. To serve these goals, the Community Founder recognizes that the changes in circumstances, conditions, needs, and desires within the Community will require the adoption, modification and amendment of the Community Codes from time to time.

Every provision of the Governing Documents, including the Community Codes, shall apply to all Owners, tenants, occupants, guests and invitees of any Living Unit. All Owners who lease their Living Units shall include a notice provision in the lease informing the tenant and all occupants that the Living Unit and Community Property are subject to the Governing Documents, including the Community Codes. However, the failure to include such a provision in the lease shall not relieve any Person of responsibility for complying with the Governing Documents.

Section 9.2. *Promulgation of Community Codes*. Community Codes shall be promulgated by the Community Founder, or after the end of the Community Founder's Rights and Obligations Period the Board of Directors, in accordance with this Section and provided to purchasers of Living Units within the Community. Community Codes shall have the same force and effect and binding nature against the Property as the covenants, conditions, easements and restrictions contained within this Community Constitution. Consequently, the Property and the Owners are not only subject to the provisions of this Community Constitution, but shall also be subject to the Community Codes, as promulgated in accordance with this Article 9. By way of example and not limitation, Community Codes may include permitted and prohibited uses for Living Units and procedures for implementing the right of the Association to process cases of alleged violations of the Governing Documents and to levy fines for violations of the Governing Documents. Subject to the terms of this Article 9, Community Codes may be established, modified, repealed or amended as follows:

(a) Subject to the terms of this Article 9, and in accordance with its duty to exercise reasonable judgment on behalf of the Association and its Members, the Community Founder (during the Community Founder's Rights and Obligations Period), or thereafter the Board of Directors, as applicable, may establish, modify, cancel, limit, create exceptions to, or expand Community Codes. The Community Founder, or the Board of Directors, as applicable, shall make a good faith effort to provide each Member with at least thirty (30) days prior notice of a proposed Community Code in a community newsletter, electronic bulletin board, by e-mail, website, or by other means which the Community Founder or Board of Directors determines will be reasonably effective in providing such notice to a majority of Members. Members shall have a reasonable opportunity to express their views on proposed Community Codes at a Board meeting prior to action on the proposed Community Code.

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(b) Any Community Codes adopted by the Community Founder or the Board, as applicable, shall become effective thirty (30) days thereafter unless within such thirty (30) day period the proposed Community Code is disapproved at a meeting called for such purpose by a majority of all Members. At any such meeting, Members may vote by proxy, and proxies may be filed by facsimile or other electronic means so long as they meet the requirements of Delaware law. The Board shall have no obligation to call a meeting to consider disapproval except upon the petition of Members as required by the Bylaws for special meetings.

(c) All additions, modifications and amendments to the Community Codes shall be published in Association newsletters, electronic bulletin boards, by e-mail, or by other means calculated to give reasonable notice to Owners of such additions, modifications or amendments; provided, however, that the failure of any Owner to actually receive any additions, modifications or amendments to any Community Codes shall not affect the validity or enforceability against such Owner of any such additions, modifications or amendments to the Community Codes.

Section 9.3. Owners' Acknowledgment and Notice to Purchasers. All Owners of Living Units are given notice that use of their Living Units is subject to all Community Codes as they may be modified from time to time in accordance with this Article 9. Each Owner, by acceptance of a deed, acknowledges and agrees that the use and enjoyment and marketability of his or her Living Unit may be impacted by the Community Codes and that the Community Codes may change from time to time.

Section 9.4. Community Code Limitations. Except as may be specifically set forth in this Community Constitution, Community Codes shall be consistent with the following:

(a) Equal Treatment. Similarly situated Owners shall be generally treated in a substantially similar manner; provided, the Community Codes may vary from one portion of the Community to another depending upon housing type or similar factors.

(b) Occupancy Limitations. No Community Code shall unreasonably interfere with the ability of Owners to determine the composition of their households, except that the Association shall have the authority to require that all Living Unit occupants be members of a single household unit and to limit the total number of occupants permitted in each Living Unit based on the size of the Living Unit, the facilities within the Living Unit or the impact on the Community Property.

(c) Activities Within Living Unit. No Community Code shall unreasonably interfere with activities within the interior confines of Living Units, except that the Association may restrict or prohibit the following:

(i) Activities not normally associated with residential or home office use;

(ii) Activities that create monetary costs for the Association or other Owners;

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(iii) Activities that create a danger to the health or safety of occupants of other Living Units;

(iv) Activities that generate excessive noise or traffic;

(v) Activities that create unsightly conditions visible outside the Living Unit; and

(vi) Activities that create an unreasonable source of annoyance.

(d) Animals. The Association may adopt Community Codes regarding pets designed to minimize damage and disturbance to other Owners, including reasonable provisions requiring damage deposits, waste removal, leash controls, noise controls, pet occupancy limits based on the size of the Living Unit, the facilities within the Living Unit and the potential impact on the Community Areas. Nothing shall prevent the Association from requiring removal of any animal that presents an actual or realistic threat to the health or safety of Owners or occupants of Living Units or from requiring abatement of any nuisance or unreasonable source of annoyance caused by any animal.

(e) Allocation of Expenses and Usage Rights. The initial allocation of expenses and rights to use Community Property among the Owners shall not be unreasonably and materially changed to the detriment of any Owner over that Owner's written objection to the Association. Nothing shall prevent the Association from altering the availability or use of Community Property, from adopting rules or Community Codes for use of Community Property, or from denying use privileges to those who abuse the Community Property, violate the Governing Documents, or fail to pay Assessments.

(f) Alienation. No Community Code shall prohibit outright the leasing or transfer of any Living Unit, or require consent of the Association for transfer of any Living Unit. However, a Community Code may govern specific leasing standards, including, but not limited to, permitted signage or advertising, minimum lease terms and maximum numbers of occupants permitted to occupy a Unit concurrently.

(g) Altering Existing Uses or Rights. Any Community Code which would (1) require Owners to dispose of personal property which is properly maintained in or on the Living Unit or (2) require a material alteration of a use permitted prior to the effective date of such Community Code shall not apply to an Owner without his or her written consent unless the Community Code was in effect at the time the Owner acquired his or her interest in the Living Unit.

(h) Displaying the American Flag, Flag of This State, Political Signs and/or "For Sale" Signs. Any Community Code which would regulate the display of the American flag, the flag the State of Delaware, political signs and/or "For Sale" signs must adhere to the standards and requirements set forth in § 81-320 (c) of DUCIOA. Any and all rights described in said § 81-320 (c) to prohibit such a display and/or limit such a display are incorporated herein by reference as if fully set forth.

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(i) Reasonable Rights to Complete the Development Plan. No Community Code or action by the Association shall impede the Community Founder's development rights within the Property.

Section 9.5. *Other Actions*. This Article 9 shall not be construed to limit the powers of the Community Founder or the Board of Directors and the foregoing entities shall have full power and authority to take any action as may be authorized under the Governing Documents or applicable law, regardless of whether such action may otherwise constitute a Community Code.

ARTICLE 10
EASEMENTS AND RIGHTS

Section 10.1. *Declaration of Easements and Rights*. In addition to the reserved rights and easements set forth in Appendix Two of this Community Constitution, the following easements and rights are hereby declared or reserved:

(a) The Community Founder reserves during the Community Founder's Rights and Obligations Period the right to grant easements, both temporary and permanent, to all public authorities (including, but not limited to, all State and County governmental authorities and agencies), Participating Builders, and utility companies over any part of the Property.

(b) Each Living Unit and the Community Property are hereby declared to have an easement, not exceeding three feet (3') in width, over the adjoining Living Units and Community Property for the purpose of accommodating any encroachment due to engineering errors, errors in original construction, settlement or shifting of the Living Unit, roof overhangs, gutters, architectural or other appendages, draining of rainwater from roofs, or any other similar cause. There shall be valid easements for the maintenance of said encroachments so long as they shall exist, and the rights and obligations of Owners shall not be altered in any way by said encroachment, settlement or shifting; provided, however, that in no event shall a valid easement for encroachment be created in favor of an Owner or Owners if said encroachment occurred due to the willful and knowing conduct of said Owner or Owners.

(c) There is hereby reserved unto the Community Founder, each Participating Builder, and to such other parties as the Community Founder may specifically, and in writing, assign such rights, for the benefit of the Community, Participating Builder, or the benefit of the Community Founder during the Community Founder's Rights and Obligations Period, blanket easements upon, across and under the Property for (i) vehicular and pedestrian ingress and egress, (ii) curb cuts, slope, or grading easements, (iii) for the placement of signs, including, without limitation, signs relating to the Community and signs used for sales and marketing purposes, (iv) the right to erect entry features, promotional and sales displays and other similar items within the Property provided they do not unreasonably and materially interfere with the use, operation and enjoyment of Living Units within the Property, (v) for the installation, replacement, repair and maintenance of all utilities, including, but not limited to, water, sewer, drainage, storm water detention and/or siltation, gas, cable television, telephones and electricity, and further including the right to connect to and use any such utilities which may exist or be located upon the Property from time to time, and (vi) such other purposes reasonably related to the development activities of

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the Community Founder. By virtue of this utility easement, it shall be expressly permissible to install and maintain the necessary pipes, lines and other equipment within the Property, to affix and maintain electrical or telephone wires and conduits, sewer and water drainage lines, on, above, or below any portion of the Property, including any improvements constructed thereon, and to have construction vehicles, equipment and the like exercise the aforesaid right of ingress and egress within the Property. There is further reserved unto the Community Founder the right to grant specific easements, both temporary and permanent, to any person or entity, including all public authorities and utility companies, over any part of the Property in furtherance of the blanket easements created by this subsection. Further, without limiting the generality of the foregoing, the Community Founder reserves the right to unilaterally execute and record such additional easements and agreements as may be necessary to give effect to the foregoing easements and other rights, which additional easements and other agreements need not be consented to or joined in by any Owner or other party having an interest in the Property; provided, however, that if requested by the Community Founder, any Owner or other party having an interest in the Property shall promptly join in and execute such confirmatory easements and other agreements.

(d) There is hereby further reserved for the benefit of the Community and the Owners a right of any Owner (or such Owner's guests, invitees, licensees or other parties entitled to occupy any Living Unit) to use any recreational or other similar facilities that may, from time to time, be located within the Community; provided, however, as a condition precedent to the exercise of such rights as they pertain to Annexable Property, the election to allow the use of such facility(ies) is specifically made by the Community Founder pursuant to a written instrument recorded at the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware. If the rights contemplated by the provisions above are elected, then the parties benefiting from such rights shall be obligated to pay their pro-rata share of the cost of maintaining, operating and repairing such facilities, which share shall be computed by multiplying the total of such bona-fide costs times a fraction, the numerator of which shall be the number of completed dwelling units owned by the party from whom such contribution is sought and the denominator of which shall be the total number of completed dwelling units entitled to use such facilities. The computation contemplated by the immediately preceding sentence shall be made at each time a contribution for such costs is sought. It is the intention of this Section 10.1(d) to permit reasonable rights of use over the Property for the benefit of the Annexable Property in the event any portion of the Annexable Property is not annexed into the Community. Upon any such annexation, the provision of this Section 10.1(d) shall no longer be applicable because the right of use will otherwise be established by this Community Constitution.

(e) A blanket easement is hereby reserved to the Community Founder and each Participating Builder during the Community Founder's Rights and Obligations Period to enter and utilize the Property during the period of construction and sales within the Community, and to maintain on any Living Units designated by the Community Founder from time to time, such facilities and perform such operations as in the sole opinion of the Community Founder or Participating Builder may be reasonably required, convenient or incidental to the construction and sale of residences, including, without limitation, business offices (one for each Participating Builder); sales and/or rental offices (one for each Participating Builder); and an unlimited number of storage areas, construction yards, signs, displays and model units.

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(f) The Community Founder and each Participating Builder during the Community Founder's Rights and Obligations Period reserves the right to enter any portion of the Community for the purpose of carrying out any obligations it may have or assume with respect to the curing of any defects in workmanship or materials in the Community or the improvements thereon or to fulfill the requirements of the Community Plan. There is further reserved unto the Community Founder, each Participating Builder, and their agent(s) a non-exclusive easement over, across and through all of the Community Property for the purpose of access, the storage of building supplies, materials and equipment and, without any limitation, for any and all purposes reasonably related to the completion of the development, construction or repair of the Community.

(g) For a period of twenty-five (25) years from the date of conveyance of the first Living Unit, the Community Founder reserves a blanket easement and right on, over and under the Property to maintain and to correct drainage of surface or subsurface water in order to maintain reasonable standards of health, safety and appearance; provided, however, that the Community Founder shall have no obligation to exercise such right. Such right expressly includes the right to cut any trees, bushes or shrubbery, make any gradings of the soil, install storm drainage pipes, inlets and facilities, or to take any other similar action reasonably necessary, following which the Community Founder shall restore the affected property to its original condition as near as practicable. The Community Founder shall give reasonable notice of intent to take such action to all affected Owners, unless in the opinion of the Community Founder an emergency exists which precludes such notice. There is further reserved unto the Community Founder the right to grant specific easements, both temporary and permanent, to any person or entity, including all public authorities and utility companies, over any part of the Property in furtherance of the blanket easement created by this subsection.

(h) The rights and duties with respect to sanitary sewer and water, electricity, gas, cable television, master television antenna systems, security and surveillance systems, telephone lines and similar utilities, including all appurtenances to each of the foregoing (individually and collectively, "Systems") shall be governed by the following:

(i) Whenever Systems are or have been installed within the Community, the Owner of any Living Unit and the Association shall have the right, and are hereby granted an easement to the extent necessary therefor, to enter upon or have a utility or repair company enter upon any portion of the Community in which said Systems lie, to repair, replace and generally maintain the Systems. Such easement shall include, without limitation, the right to enter upon any portion of the Community, including private streets, for the installation, replacement, repair and maintenance of water and sewer lines.

(ii) The rights granted in subsection (i) above shall be only to the extent necessary to entitle the Owner or Association serviced by the Systems to the full and reasonable use and enjoyment of its property, and provided further that anyone exercising said right shall be responsible for restoring the surface of the easement area so used to its condition prior to such use.

(iii) In the event of a dispute between Owners with respect to the repair or rebuilding of any System, or with respect to the sharing of the cost thereof, upon written request of one of such Owners addressed to the Association, the matter may be submitted to its Board of

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Directors or Covenants Committee, which may (but shall not be required to) decide the dispute, and any decision of the Board or Covenants Committee shall be final and conclusive as to the parties.

(i) The Association shall have an easement to enter any portion of the Community for the performance of its duties hereunder; provided that such easement shall not entitle entry within the interior portion of any Living Unit and provided further such easement in no way interferes with the development related activities of the Community Founder or any Participating Builder.

(j) A mutual right and easement for the Systems is hereby established for the benefit of all Owners such that no Owner shall take any action which would in any way interfere with the Systems being provided to other Owners within the Community. If a Living Unit contains any utility pipes, ducts, conduits, wires, transformers, cable boxes or other Systems which are for the benefit, in whole or in part, of other Owners within the Community or any Community Property of the Association, then the Owner of such Living Unit shall promptly, at such Owner's expense, repair any damage to such Systems caused by the Owner.

(k) The Community Founder shall have the power, without the consent or joinder of any Owner or other party, to grant such easements as it deems appropriate across any portion of the Property for the benefit of persons who are not Owners or residents of the Community for ingress and egress to and from areas within or adjacent to the Community.

Section 10.2. Association Easements. The Board of Directors of the Association shall have the right to grant easements, rights-of-way, licenses and similar interests over any part of the Community Property for any lawful purpose which the Board, in its sole discretion, determines to be in the best interests of the Association, provided that during the Community Founder's Rights and Obligations Period, the prior consent of the Community Founder is obtained.

ARTICLE 11
MAINTENANCE OF LIVING UNITS AND COMMUNITY AREAS

Section 11.1. Living Unit Maintenance. Except as otherwise specifically provided in the Governing Documents, after the issuance of a certificate of occupancy by the applicable governmental authority for a residential structure thereon, each Owner of a Living Unit within the Community shall keep such Living Unit, and all landscaping and improvements therein or thereon, as well as any areas such as right-of-ways adjacent to the Living Unit, in good order and repair and free of debris, including but not limited to the painting (and other appropriate external care) of all buildings and other improvements located within such Living Unit, all in a manner and with such frequency as is consistent with good property management. In the event an Owner of any Living Unit shall fail to maintain such Owner's Living Unit and the improvements situated thereon, the Board of Directors or its agent shall have the right, but not the obligation, to enter upon said Living Unit to repair, maintain and restore the Living Unit and the exterior of the dwellings and any other improvements erected thereon. The Association shall also have the right to enter Living Units to correct drainage. Except in the case of an emergency, the Board of Directors shall provide an Owner at least fifteen (15) days written notice prior to entering a Living Unit for the purposes

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set forth in this Section. Notice shall be deemed to be given when mailed by regular or certified mail or hand-delivered to the address of the Owner as it appears in the records of the Association. All costs related to such correction, repair, maintenance or restoration shall be collectible by the Association in the same manner as Assessments and may become a lien upon such Living Unit. Such lien may be enforced in the same manner as the lien for any other Assessment under the Governing Documents.

Section 11.2. Association Maintenance. Except to the extent that such responsibilities may be delegated to others pursuant to a lease, license or other agreement, the Association shall maintain, repair, replace and keep in good order (i) the Community Areas and any improvements, landscaping and facilities situated thereon, (ii) any and all storm water management facilities (including, without limitation, drainage pipes, infiltration trenches, ponds, basins, swales, berms, out-flow control devices, drainage areas, filters, inlets, oil/grit separators and underground facilities) whether such storm water management facilities are located within the Property or not, as long as such storm water management facilities are designed to benefit or serve any portion of the Property or are required or intended to be maintained by the Association pursuant to any easement, agreement or the direction of any governmental or quasi-governmental authority or agency, (iii) rights-of-way, roadways, alleyways, sidewalks, entry strips, signs and entrance features or improvements located within the Community, or which are appurtenant to and serve or benefit the Community, and (iv) any other property, facilities or equipment appurtenant to and serving or benefiting the Community (including recreational facilities) which the Association elects or is required to maintain, repair or replace pursuant to a Community Code or such other agreement. Such maintenance, repair and replacement shall be funded as provided in the Governing Documents.

Section 11.3. Living Unit Landscape Maintenance. Either the Community Founder (pursuant to a Declaration of Annexation) or the Board of Directors (pursuant to a duly adopted Community Code) may elect to assume maintenance responsibilities for the lawn and garden areas, or other portions of some or all of the Living Units. Lawn and garden area maintenance may include, without limitation, responsibility for mowing, fertilizing, trimming, pruning and/or otherwise maintaining all or any portion of the grass, shrubs, bushes, trees, and other planted materials, and any replacements thereof, as may be located within all or a portion of the Living Unit. The Association may also elect to assume exterior maintenance responsibilities for some or all of the dwellings and improvements within the Living Units. Any such maintenance by the Association shall be with such frequency and in conformity with reasonable standards as may established by the Board of Directors from time to time. In the event the Association assumes such maintenance responsibilities, all costs relating to the same shall generally be assessed only against the Owners of Living Units that receive such maintenance services.

An Owner may request that the Association refrain from performing all or a part of the maintenance services described above. Such a request shall be made to the Association at least ninety (90) days prior to the date the Owner desires the Association to refrain from such maintenance, or such other time period as the Association may prescribe. The Association shall not unreasonably withhold approval of such request, provided the Owner has demonstrated to the satisfaction of the Association his or her intention to maintain landscaping in a manner and with such frequency as is acceptable to the Association. In the event an Owner elects to maintain the

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landscaping situated on his or her Living Unit pursuant to the terms hereof, such Owner shall not be entitled to any reimbursement from the Association or reduction in Assessments levied against such Living Unit, unless the Association elects to do so. However, the Association reserves the absolute discretion to refrain from providing such reimbursement. The Association further reserves the absolute discretion to revoke an approval previously granted pursuant to this paragraph in the event the Owner's maintenance of the landscaping on his or her Living Unit is not performed to the satisfaction of the Association and is not performed in a manner and with such frequency as is acceptable to the Association.

ARTICLE 12
PARTY FENCES, JOINT DRIVEWAYS AND SHARED IMPROVEMENTS

The rights and obligations of the Owners with respect to party fences, joint driveways and similar shared improvements constructed as part of the original construction within the Community shall be governed by the following:

Section 12.1. General Rules of Law to Apply. Each improvement which is constructed within Living Units as a part of the original construction and any part of which is placed on the dividing line between separate Living Units shall constitute a "Shared Improvement". With respect to such Shared Improvement, each of the adjoining Owners shall assume the burdens of and be subject to an easement for that portion of the Shared Improvement on such Owner's Living Unit, and shall be entitled to the benefits of this Article 12. To the extent not inconsistent herewith, the general rules of law regarding liability for property damage due to negligence or willful acts or omissions, shall apply to Shared Improvements and their adjoining Owners.

Section 12.2. Sharing of Repair and Maintenance and Destruction by Fire or Other Casualty. All Owners who make use of or benefit by any Shared Improvement on a regular basis shall share the cost of the reasonable repair and maintenance of such Shared Improvement, in equal proportions, unless otherwise agreed by such Owners. If a Shared Improvement is damaged or destroyed by fire or other casualty or by some cause other than the act of one of the adjoining Owners (including ordinary wear and tear and deterioration from lapse of time), then, in such event, all such adjoining Owners benefiting from the Shared Improvement shall proceed forthwith to rebuild or repair such Shared Improvement to its original condition or the condition which existed immediately prior to the damage, unless otherwise agreed by such Owners. The costs associated with rebuilding or repairing a Shared Improvement pursuant to this Section 12.2 shall be shared equally among all adjoining Owners benefiting from the Shared Improvement, unless otherwise agreed by such Owners.

Section 12.3. Repairs of Damage Caused by One Owner and/or Resident. If any such Shared Improvement is damaged or destroyed through the act of one adjoining Owner and/or resident, so as to deprive the other adjoining Owner and/or resident of the full use and enjoyment of such Shared Improvement, then the Owner and/or resident responsible for such damage shall proceed forthwith to rebuild or repair such Shared Improvement to its original condition or the condition which existed immediately prior to the damage, without cost to the adjoining Owner and/or resident.

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Section 12.4. Changes to Shared Improvements. In addition to meeting the other requirements of this Community Constitution, and of any building code, zoning ordinance or similar governmental regulations or ordinances, any Owner proposing to modify, make additions to or rebuild a Living Unit in any manner which requires the extension or other alteration of any Shared Improvement, shall first obtain the written consent of the adjoining Owner. Such consent shall not be unreasonably withheld, delayed or denied.

Section 12.5. Right to Contribution Runs with Land. The right of any Owner to contribution from any other Owner under this Article shall be appurtenant to the land and shall pass to such Owner's successors in title.

Section 12.6. Driveway Right of Passage. With respect to any private driveway within and shared by the Owners of two or more Living Units, there shall be a perpetual and non-exclusive easement and right of passage on, through, over, under and across such driveway reserved to and for the benefit of the Owners of the Living Units upon which the joint driveway has been built or installed. This easement shall also be reserved to and for the benefit of any Living Units which such joint driveway has reasonably been designed to serve or benefit, for purposes of vehicular and pedestrian ingress and egress to and from such Living Units. No person shall in any way interfere with the free and unobstructed use thereof by said Owners.

Section 12.7. Dispute. In the event of a dispute between Owners with respect to the repair or rebuilding of a Shared Improvement or with respect to the sharing of the cost thereof, then, upon written request of one of such Owners addressed to the Association, the matter may be submitted to its Board of Directors or Covenants Committee who may (but shall not be required to) decide the dispute, and the decision of such Board of Directors or Covenants Committee shall be final and conclusive upon the parties.

ARTICLE 13
MORTGAGEE NOTICES, CONSENTS AND APPROVALS

The following provisions are for the benefit of holders, insurers and guarantors of first Mortgages on Living Units.

Section 13.1. Rights of Eligible Mortgagees. Any institutional holder, insurer, or guarantor of a first Mortgage who provides a written request to the Association stating its name and address and the street address of the Living Unit to which its first Mortgage relates shall be deemed an "Eligible Mortgagee". Rights granted to Eligible Mortgagees include the following:

(a) Eligible Mortgagees shall be entitled to timely written notice of the following:

(i) Any property loss, condemnation or eminent domain proceeding affecting (1) the Community Property resulting in losses greater than ten percent (10%) of the

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Association's annual Common Expense Budget, or (2) any Living Unit on which there is a first Mortgage held, insured or guaranteed by such Eligible Mortgagee;

(ii) Any delinquency in the payment of assessments or charges owed by the Owner of a Living Unit subject to the first Mortgage of such Eligible Mortgagee, where such delinquency has continued for a period of sixty (60) days, or any other violation of the Governing Documents relating to such Living Unit or the Owner or occupant which is not cured within sixty (60) days;

(iii) Any termination, lapse, or material modification of any insurance policy required to be maintained by the Association; and

(iv) Any other matter with respect to which Eligible Mortgagees are entitled to notice or to give their consent as provided in this Community Constitution.

Section 13.2. No Priority. No provision of this Community Constitution gives or shall be construed as giving any Owner or other party priority over any rights of the first Mortgagee of any Living Unit in the case of distribution to such Owner of insurance proceeds or condemnation awards for losses to or a taking of the Community Property.

Section 13.3. Notice to Association. Upon request, each Owner shall be obligated to furnish to the Association the name and address of the holder of any Mortgage encumbering such Owner's Living Unit.

Section 13.4. Failure of Mortgagee to Respond. Any Mortgagee who receives a written request from the Association to respond to or consent to any action shall be deemed to have approved such action if the Association does not receive a written response from the Mortgagee within thirty (30) days of the date of the Association's request, provided such request is delivered to the Mortgagee by certified or registered mail, return receipt requested. Nothing in this Section shall be deemed to require that the Association provide notices or requests to Mortgagees other than Eligible Mortgagees unless expressly required by the Governing Documents.

ARTICLE 14
AMENDMENT OF GOVERNING DOCUMENTS

Section 14.1. Community Constitution. Subject to any other provision in this Community Constitution and except as may otherwise be provided in this Community Constitution, the restrictions of this Community Constitution run with and bind the Property and shall inure to the benefit of and be enforceable by the Association, or the Owner of any Living Unit subject to this Community Constitution, their respective legal representatives, heirs, successors or assigns, as the case may be, in perpetuity; subject, however, to the provision that the Association or its successors, with the vote or written consent of sixty-seven percent (67%) of the total voting power of the Association, shall have the power to waive, abandon, terminate, modify, alter, change, amend, eliminate or add to these restrictions and this Community Constitution at any time hereafter. Any such waiver, abandonment, termination, modification, alteration, change, amendment, elimination, or additions shall take effect when a copy thereof, executed and acknowledged by the Association

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or its successors in accord with the usual form of execution and acknowledgment of deeds, together with the written consents of the requisite number of owners or by a certificate by the Association verified under oath by the President thereof, or in the case of his/her absence or inability, by any Vice President thereof, setting forth the time, manner and result of the taking of the vote of the Members, have been filed for record in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, and the same shall thereafter remain in effect in perpetuity unless otherwise provided. Any procedural challenge to an amendment must be made within thirty (30) days of its recordation or such amendment shall be presumed to have been validly adopted. In no event shall a change of conditions or circumstances operate to automatically amend any provisions of this Community Constitution.

Section 14.2. Changes and Modifications by the Community Founder. The Community Founder shall have the right, until twenty-five (25) years after the recordation of this Community Constitution, or until such time as the Community Founder no longer owns any portion of the Property or Annexable Property, whichever shall occur later, without the consent of the Members of the Association or any other party, to modify, amend or change the Governing Documents at any time and from time to time and in any manner as the Community Founder may deem necessary or desirable.

Section 14.3. Community Founder's Power of Attorney. The Community Founder is hereby granted an irrevocable power of attorney coupled with an interest to amend this Community Constitution as provided in this Article and to take all other action convenient or necessary to give effect to any or all of the rights reserved to the Community Founder in this Community Constitution. Every party accepting an interest in any part of the Property, whether it be title, a lien, or any other interest, and whether it be transferred by a deed, a mortgage, a judgment, a last will and testament, or otherwise, shall thereby specifically accept the reservation of the Community Founder's rights as provided in this Community Constitution, and shall also thereby grant to the Community Founder this irrevocable power of attorney coupled with an interest. The Community Founder may require that a party accepting any such interest in the Property shall execute a separate and written power of attorney coupled with an interest in a form determined by the Community Founder and record it in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware. However, the power of attorney coupled with an interest provided by this paragraph shall be deemed fully granted to the Community Founder when any such interest is acquired, whether or not such separate and written power of attorney coupled with an interest is executed and recorded.

Section 14.4. Changes Required by Lenders. Notwithstanding any provision to the contrary contained in the Governing Documents, the Community Founder shall have and hereby reserves the right to make modifications, additions or deletions to the Governing Documents if such modifications, additions or deletions are required by the Veterans Administration, Federal Housing Administration, Federal Home Loan Mortgage Corporation or Federal National Mortgage Association. The Community Founder further reserves the right to waive in writing any exemption, right or privilege granted or reserved to the Community Founder by the Governing Documents of the Association.

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Section 14.5. Community Founder's Reserved Rights. No amendment to this Community Constitution may remove, revoke or modify any right, reservation or privilege of the Community Founder without the prior written consent of the Community Founder.

ARTICLE 15
INSURANCE

Section 15.1. Required Coverage.

(a) The Community Founder or the Board of Directors of the Association, or its duly-authorized agent, shall be required to obtain (to the extent reasonably available), maintain and pay the premiums, as a Common Expense, upon a policy of property insurance covering all of the Common Areas, including fixtures and building service equipment, to the extent that they are a part of the Common Areas of the Association, as well as common personal property and supplies of the Association.

(b) The insurance policy shall afford, at a minimum, protection against loss or damage by fire and other perils which are customarily covered with respect to projects similar in construction, location and use, including all perils normally covered by the standard "All Risk" endorsement, where such is available. The policy shall be in an amount equal to one hundred percent (100%) of the current replacement cost of the Common Areas (less a deductible deemed reasonable by the Board of Directors) and shall name the Association as the named insured. The total amount of the policy, after application of the deductible chosen and deemed reasonable by the Board of Directors, must not be less than eighty percent (80%) of the actual cash value of the Common Areas at the time the insurance is purchased and at each renewal date, exclusive of land, excavations, foundations, and other items normally excluded from property policies.

(c) Each hazard insurance policy shall be written by a hazard insurance carrier which has a current rating by Best's Insurance Reports of B/VI or better (or its equivalent), to the extent reasonably available. Hazard insurance policies are also acceptable from any insurance carrier which has a financial rating by Best's Insurance Reports of Class V, provided it has a general policyholder's rating of at least "A", to the extent reasonably available. Each insurer must be specifically licensed or authorized by law to transact business within the State of Delaware. The policy contract shall provide that no assessment may be made against the mortgagees, and that any assessment made against others may not become a lien on the mortgaged premises superior to the first mortgage.

(d) If the Common Areas are subject to the lien of a mortgage, all policies of hazard insurance must contain or have attached the standard mortgagee clause commonly accepted by private institutions as mortgage investors in the area in which the mortgaged premises are located. The mortgagee clause shall include any and all language and provisions required by the Mortgagee of the Association.

(e) If any portion of the Common Areas is in a special flood hazard area, as defined by the Federal Emergency Management Agency, the Community Founder or the Board of

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Directors of the Association, or its duly-authorized agent, shall be required to obtain, maintain and pay, as a Common Expense, the premiums upon a "master" or "blanket" policy of flood insurance on Common Area buildings and any other Common Area property if obtaining and maintaining such a policy is required by law or by a Mortgagee of the Association. The policy shall be in an amount necessary to comply with the applicable law and/or requirements imposed by the Mortgagee.

(f) The Community Founder or the Board of Directors of the Association shall maintain comprehensive general liability insurance coverage covering all of the Common Areas, public ways of the project, and other areas that are under its supervision. Coverage shall include the Community Founder as an additional insured during the Community Founder's Rights and Obligations period and for a period of three (3) years following the Community Founder's Rights and Obligations period. Coverage limits shall be in amounts generally required by private institutional mortgage investors for projects similar in construction, location and use. Coverage under this or other policy shall include, without limitation, legal liability of the insured for property maintenance or use of the Common Areas, and legal liability arising out of lawsuits related to employment contracts in which the Association is a party. Such insurance policy shall contain a "severability of interest" clause or endorsement which shall preclude the insurer from denying the claim of an Owner because of neglect, acts of the Association or other Owners. Such policies must provide that they may not be canceled or substantially modified, by any party, without at least thirty (30) days' prior written notice to the Association.

(g) To the extent reasonably available, blanket fidelity bonds shall be maintained by the Association for all officers, directors, managers, specifically including any professional management agent retained by the Association and its principals, trustees, employees and volunteers of the Association and all other persons handling or responsible for funds held or administered by the Association, whether or not they receive compensation for their services. Where the Association has delegated some or all of the responsibility of the handling of funds to a professional management agent, such professional management agent may be covered by its own fidelity bond. Except for fidelity bonds that a professional management agent obtains for its personnel, all other bonds should name the Association as an obligee and should have their premiums paid as a Common Expense by the Association. The total amount of fidelity coverage, if obtained, should be sufficient to cover the maximum funds that will be in the custody of the Association or professional management agent at any time. The bonds shall provide that they cannot be canceled or substantially modified (including cancellation for nonpayment of premium) without at least ten (10) days' prior written notice to the Association and to all Eligible Mortgagees.

(h) The Board of Directors of the Association shall maintain directors and officers liability insurance coverage covering the Association, all of the officers, directors, managers, including the professional management agent, trustees, employees and volunteers of the Association and the Association itself, whether or not they receive compensation for their services. The insurance policy shall afford, at a minimum, protection against those perils which are customarily covered with respect to not-for-profit associations. The Association shall be the owner of the policy and shall have the premium paid as a Common Expense by the Association.

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Section 15.2. Policy Requirements.

(a) The Board of Directors of the Association shall arrange for periodic reviews of the sufficiency of its insurance coverage.

(b) Deductibles. The policies may contain a reasonable deductible and, except as otherwise required by this Article and/or Delaware law, the amount thereof shall not be subtracted from the face amount of the policy in determining whether the policy limits satisfy the requirements of this Article. In the event of an insured loss, the deductible shall be treated as a Common Expense in the same manner as the premiums for the applicable insurance coverage except to the extent that the Board of Directors reasonably determines that the loss is the result of the negligence or willful misconduct of one (1) or more Owners, their guests, invitees or tenants in which case the Board may assess the full amount or any proportionate share of the deductible against such Owner(s) and their Living Unit(s). Such assessed amounts shall be collectible in the same manner as Assessments under this Community Constitution.

(c) Policy Provisions. To the extent reasonably available, the policies of insurance:

(i) Shall be written in the name of the Association as trustee for the benefitted parties;

(ii) Shall not be brought into contribution with insurance purchased by Owners, occupants or their Mortgagees, individually;

(iii) Shall provide that each Owner is an insured person under the policy with respect to liability arising out of such Owner's interest in the Common Areas as a Member of the Association (provided, this provision shall not be construed as giving an Owner any interest in the Common Areas other than that of a Member);

(iv) Shall provide a waiver of subrogation under the policy against any Owner or household member of an Owner;

(v) Shall include an endorsement precluding cancellation, invalidation, suspension, or non-renewal by the insurer on account of any one (1) or more individual Owners, or on account of any curable defect or violation without prior written demand to the Association to cure the defect or violation and allowance of a reasonable amount of time to cure; and

(vi) Shall include an endorsement requiring at least thirty (30) days prior written notice to the Association of any cancellation, substantial modification or non-renewal.

Section 15.3. Living Unit Insurance. By virtue of taking title to a Living Unit, each Owner covenants and agrees with all other Owners and with the Community Founder and the Association that each Owner shall carry blanket all-risk casualty insurance on the Living Unit in accordance with the standards set forth in this Article. Each individual Owner further covenants and agrees

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that in the event of a partial loss or damage and destruction resulting in less than total destruction to the Living Unit, the Owner shall proceed promptly to repair or to reconstruct the damaged structures in a manner consistent with the original construction. In the event that a Living Unit is totally destroyed and the Owner determines not to rebuild or to reconstruct, the Owner shall clear the lot upon which the Living Unit previously existed of all debris and return it to substantially the natural state in which it existed prior to the beginning of construction of the Living Unit. The Board of Directors may impose more stringent requirements regarding the standards for rebuilding or reconstructing Living Units and the standard for returning the lot upon which the Living Unit previously existed to its natural state in the event the Owner decides not to rebuild or reconstruct.

Section 15.4. Repair and Reconstruction of Common Areas After Fire or Other Casualty.

(a) Except as hereinafter provided and inconsistent herewith, in the event of damage to or destruction of any portion of the Common Areas covered by insurance payable by the Association as a result of fire or other casualty, the Board of Directors shall arrange for the prompt repair and restoration thereof, and the Board of Directors shall disburse the proceeds of all insurance policies to the contractors engaged in such repair and restoration, as provided below.

(b) Immediately after a casualty causing damage to the Common Areas for which the Association has the responsibility of maintenance, repair, and/or replacements, the Board of Directors shall obtain reliable and detailed estimates of the cost to place the damaged portions of the Common Areas in as good a condition as existed before the casualty. Such costs may include professional fees and premiums for such bonds as the Board of Directors desire.

(c) In the event of reconstruction or repair, all proceeds of insurance shall be paid out from time to time as the reconstruction and repair progresses according to the following provisions:

(i) The reconstruction or repair shall be in the charge of the Board of Directors;

(ii) Any restoration or repair of the project shall be performed substantially in accordance with this Community Constitution and the Regulatory Plans prepared by or on behalf of the Community Founder, unless other action is approved by at least eighty percent (80%) of the total voting power of the Association, including the Community Founder;

(iii) Each request for an advance of the proceeds of insurance shall be authorized by the Board of Directors after satisfying itself that (i) all work then completed has been performed in accordance with the plans and specifications; and (ii) the amount requested to be advanced is due to the contractor responsible for the restoration or repair, or to subcontractors, materialmen, laborers, engineers, architects or to other persons responsible for services or material in connection with such restoration or repair, or for fees or the like necessarily incurred in connection with the same; and (iii) when added to amount previously advanced by the Board of Directors, the amount requested to be advanced does not unreasonably exceed the value of the work done and materials delivered to the date of such request;

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(iv) Each request for an advance of the proceeds of insurance shall be accompanied by satisfactory waivers of liens covering that portion of the repair or reconstruction for which payment or reimbursement is being requested, together with appropriate evidence from a title insurance company or the like to the effect that there has not been filed with respect to the Common Areas, or any part thereof, any mechanics' or other lien, or notice of intention to file the same, which has not been dismissed, bonded, or satisfied of record;

(v) The fees and expenses related to the reconstruction activity shall be paid by the Association as a Common Expense, and such fees and expenses may be deducted from any insurance proceeds in the hands of the Board of Directors as the reconstruction or repair progresses; and

(vi) Such other provision not inconsistent with the provisions hereof as the Board of Directors may reasonably require.

(d) Upon completion of the reconstruction or repair and payment in full of all amounts due on account thereof, any proceeds of insurance shall remain in the hands of the Board of Directors, if such funds relate to Common Areas, or shall be deposited into a reserve account for the Association or disbursed to the Owner of any Living Unit to which any such proceeds may relate, as the Board deems appropriate.

ARTICLE 16
CONDEMNATION

Whenever all or any part of the Common Areas shall be taken by any authority having the power of condemnation or eminent domain (or conveyed in lieu of or under threat of condemnation), each Owner shall be entitled to notice thereof. The award made for such taking shall be payable to the Association as Trustee for all Owners to be disbursed as follows:

If the taking involves a portion of the Common Areas on which improvements have been constructed, then, unless within sixty (60) days after such taking the Community Founder and at least eighty percent (80%) of the total voting power of the Association shall otherwise agree, the Association shall restore or replace such improvement so taken on the remaining land included in the Common Areas to the extent lands are available therefor, in accordance with plans approved by the Community Founder (if during the Community Founder's Rights and Obligations period) or the Board of Directors of the Association (if after the Community Founder's Rights and Obligations period). If such improvements are to be repaired or restored, the above provisions in Article 15 hereof regarding the disbursement of funds in respect to casualty damage or destruction which is to be repaired shall apply. If the taking does not involve any improvements on the Common Areas, or if there is a decision made not to repair or restore, or if there are net funds remaining after any such restoration or replacement is completed, then such award or net funds shall be disbursed to the Association and used for such purposes as the Board of Directors of the Association shall determine.

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ARTICLE 17
GENERAL PROVISIONS

Section 17.1. Security and Safety; Limitation of Liability.

(a) Neither the Association, the Community Founder, any Participating Builder, nor any successor or assign of the Community Founder or Participating Builder, shall in any way be considered insurers or guarantors of security within the Community, nor shall any of them be held liable for any loss or damage by reason of failure to provide adequate security or any ineffectiveness of security measures undertaken. No representation or warranty is made or implied that any fire protection system, burglar alarm system or other surveillance system or measures, including, without limitation, any mechanism or system for limiting access to the Community, cannot be compromised or circumvented, nor that any such systems or security measures undertaken will in all cases prevent loss or provide the detection or protection for which the system or security measures were designed or intended. Nothing is this Section shall be deemed in any way to obligate the Association, the Community Founder, any Participating Builder, or any successor or assign of the Community Founder or Participating Builder, to provide any fire protection system, burglar alarm system or other surveillance system, security access system, or similar measures with respect to any portion of the Community.

(b) Each Owner acknowledges, understands and covenants to inform its tenants, and all occupants, guests and invitees of its Living Unit that the Association, the Community Founder, and any successor or assign of the Community Founder, including Participating Builders, are not insurers and that each person using or present within the Property assumes all risks of personal injury and loss or damage to property, by theft or otherwise, including loss or damage to Living Units or personal property, whether such personal property is maintained within a Living Unit or the Community Areas.

(c) The Association shall not be liable for any failure of any services to be obtained or provided by the Association or paid for by Assessments, or for injury or damage to person or property caused by the elements or resulting from water which may leak or flow from any portion of the Community Areas, or from any pipe, drain, conduit or the like. No diminution or abatement of Assessments shall be claimed or allowed for inconvenience or discomfort arising from the making of repairs or improvements to the Community Areas, or from any action taken by the Association.

Section 17.2. Enforcement. Unless otherwise limited, the Community Founder, the Association, any Owner and any Mortgagee shall have the right to enforce, by any proceeding at law and/or in equity, all restrictions, conditions, covenants, reservations, easements, liens, charges or other obligations or terms now or hereafter imposed by the provisions of the Governing Documents. Failure by the Community Founder, the Association, any Owner or by any Mortgagee to enforce any provision of the Governing Documents, shall in no event be deemed a waiver of the right to do so thereafter. There shall be and there is hereby created and declared to be a conclusive presumption that any violation or breach or attempted violation or breach of any of the Governing Documents, cannot be adequately remedied by action at law or exclusively by recovery of

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damages. If the Community Founder, the Association, or any Owner or Mortgagee, successfully brings an action to extinguish a violation or otherwise enforce the provisions of the Governing Documents, the costs of such action, including reasonable attorneys' fees, shall become a binding, personal obligation of the Owner and/or resident committing or responsible for such violation, and such costs shall be collectible in the same manner as any other Assessment under the Governing Documents.

Section 17.3. Severability. Invalidation of any one of these covenants, restrictions or other provisions of this Community Constitution by judgment or court order shall in no way affect any other provisions, which shall remain in full force and effect.

Section 17.4. Successors of the Community Founder. Any and all rights, reservations, easements, interests, exemptions, privileges and powers of the Community Founder hereunder, or any part of them, may be assigned and transferred (exclusively or non-exclusively) by the Community Founder by an instrument in writing, without notice to the Association.

Section 17.5. Arbitration.

(a) Notwithstanding any provision of this Community Constitution or other Governing Documents to the contrary, if the provisions of § 81-321 of DUCIOA have been followed and if good faith efforts to negotiate a satisfactory solution have failed, any alleged construction defect dispute that cannot be resolved between (i) the Community Founder (including any of the Community Founder's employees, agents, or contractors) and (ii) the Association and/or any Owner or Owners, will be submitted to arbitration in accordance with this Section 17.5, unless an alternative dispute resolution procedure is agreed to by the parties to the dispute. Upon the request of a party to a dispute that is subject to this Section 17.5, the issue shall be referred to the nearest office of Judicial Arbitration & Mediation Services, Inc. ("JAMS"), or its successor, for resolution by final and binding arbitration before a retired judge or justice from the JAMS panel.

(b) Either party may commence the arbitration process called for in this Section by filing a written demand for arbitration with JAMS, with a copy to the other party. The arbitration shall be conducted at a location determined by the arbitrator in the Washington, D.C. metropolitan area and will be administered in accordance with the provisions of JAMS' Comprehensive Arbitration Rules and Procedures in effect at the time of filing of the demand for arbitration, or such other rules and procedures that are agreed to by all parties. The parties covenant that they will participate in the arbitration in good faith and that they will share equally in the fees and expenses of the arbitrator.

(c) The arbitrator shall determine which is the prevailing party and shall include in the award payment by the non-prevailing party of the prevailing party's reasonable attorneys' fees and expenses. The provisions of this Section 17.5 and any judgment rendered by the arbitrator may be enforced by any court of competent jurisdiction, and the party seeking enforcement shall be entitled to an award of all costs, fees and expenses, including attorneys' fees, to be paid by the party against whom enforcement is ordered.

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(d) EVERY OWNER AND MORTGAGEE, AND ALL OTHER PARTIES WITH AN INTEREST IN ANY PORTION OF THE PROPERTY, COVENANT AND AGREE TO HAVE ALL ALLEGED CONSTRUCTION DEFECT DISPUTES DECIDED BY NEUTRAL ARBITRATION IN ACCORDANCE WITH THIS SECTION 17.5 AND RELINQUISH ANY RIGHTS THAT MAY BE AVAILABLE TO HAVE SUCH MATTERS LITIGATED IN A COURT OR BY JURY TRIAL, INCLUDING JUDICIAL RIGHTS TO DISCOVERY AND APPEAL. THE REFUSAL BY A PARTY TO SUBMIT TO ARBITRATION IN ACCORDANCE WITH THIS SECTION 17.5 MAY RESULT IN THE PARTY BEING COMPELLED TO ARBITRATE UNDER FEDERAL OR STATE LAW.

Section 17.6. Taxes and Assessments. It is the intent of this Community Constitution that insofar as the interests of each Owner to use and enjoy the Community Property is an interest in real property appurtenant to each Living Unit, the value of the interest of each Owner in such Community Property shall be included in the assessment for each such Living Unit and as a result, any assessment directly against such Community Property should be of a nominal nature reflecting that the full value of the same should be included in the several assessments of the various Living Units.

Section 17.7. Conservation Easements and Other Restrictions. The Association shall be responsible for monitoring compliance with the requirements of any conservation easements and other restrictions imposed on the Community Property by the Planning & Zoning Commission, in and for Sussex County, Delaware, and for periodically reminding the Owners of these restrictions.

Section 17.8. No Dedication to Public Use. Nothing herein shall be construed as a dedication to public use or as an acceptance for maintenance of any Community Property by any public or municipal agency, authority, or utility and no public or municipal agency, authority or utility shall have any responsibility or liability for the maintenance or operation of any of the Community Property.

Section 17.9. Agricultural Uses Notice. The 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.

Section 17.10. Wetlands Notice. The Property contains regulated wetlands. Activities within these wetlands may require a permit from the U.S. Army Corps of Engineers and/or the State of Delaware.

Section 17.11. Incorporation by Reference on Resale. In the event any Owner sells or otherwise transfers any Living Unit, any deed purporting to effect such transfer shall contain a provision incorporating by reference the covenants, conditions, restrictions, servitudes, easements, charges and liens set forth in this Community Constitution; however, the failure to do so shall not

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(i) affect the validity of any such deed, or (ii) the enforceability of the covenants, restrictions, servitudes, easements, charges and liens set forth in this Community Constitution.

Section 17.12. Non-Association Disputes. The Association expressly has no right or obligation to intervene in any disputes between or among Owners or in any other matters that do not directly involve Community Property or other issues for which the Association has been conferred responsibility pursuant to the Governing Documents.

Section 17.13. Conveyance by the Community Founder. The Community Founder may convey unimproved or improved land to the Association to be held as Community Property, or may construct improvements on any Community Property. The consent of the Association shall not be required for such conveyance or construction. The Community Founder shall have the right to permit the Association and its Members to enjoy and utilize land which has not been conveyed but which is intended to become Community Property. The Association shall have the right to maintain such property and levy Assessments for maintenance costs, notwithstanding that such property has not yet been conveyed to the Association.

Section 17.14. Captions and Gender. The captions contained in this Community Constitution are for convenience only and are not a part of this Community Constitution and are not intended in any way to limit or enlarge the terms and provisions of this Community Constitution. Whenever the context so requires, the male shall include all genders and the singular shall include the plural.

Section 17.15. Perpetuities. If any of the covenants, conditions, easements, restrictions, or other provisions of this Community Constitution shall be unlawfully void, or voidable for violation of the rule against perpetuities, then such provisions shall continue only until twenty-one (21) years after the death of the last survivor of the members of the 110th United States Congress.

Section 17.16. Conflicts. In the event of any conflict between this Community Constitution and the Certificate of Incorporation or the Bylaws, the terms and provisions of this Community Constitution control.

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IN WITNESS WHEREOF, the Community Founder has hereby caused this Community Constitution, Declaration of Covenants, Conditions and Restrictions to be signed this ____ day of _____, 2022.

WITNESS: **AZALEA WOODS, LLC**,
a Delaware limited liability company

By: Natelli Communities, LLC, Sole Member

By: _____
Michael J. Natelli, General Manager

* * *

STATE OF _____ *
* to wit:
COUNTY OF _____ *

I HEREBY CERTIFY that on the _____ day of _____, 2022, before the subscriber, a Notary Public in and for the above jurisdiction, personally appeared Michael J. Natelli, known to me (or satisfactorily proven) to be the General Manager of Natelli Communities, LLC, which is the Sole Member of Azalea Woods, LLC, a Delaware limited liability company, and that such person, being authorized to do so, executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

_____
Notary Public
My Commission Expires: _____

[NOTARIAL SEAL]

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AZALEA WOODS COMMUNITY ASSOCIATION, INC.
COMMUNITY CONSTITUTION
APPENDIX ONE

Definitions of Significant Terms
Used in the Governing Documents

Annexable Property refers to any real property described in Exhibit "B" attached to this Community Constitution, which is permitted to be annexed to this Community Constitution.

Assessments refer to all General Assessments, Lot-Only Assessments, Special Assessments, and other fees and charges, including all installments thereof, as may be levied by the Association in accordance with the Governing Documents.

Association refers to the Azalea Woods Community Association, Inc., a Delaware nonstock corporation, its successors and assigns, the entity which holds title to the Community Property and the entity responsible for carrying out the objectives of the Governing Documents.

Board of Directors or **Board** refers to the governing body of the Association as more fully described in the Bylaws and Certificate of Incorporation of the Association.

Bylaws refer to the Bylaws of the Azalea Woods Community Association, Inc., as adopted by the Board of Directors, as amended from time to time.

Certificate of Incorporation or **Certificate** refers to the Certificate of Incorporation for the Azalea Woods Community Association, Inc., as filed with the Division of Corporations of the Delaware Secretary of State.

Common Expenses refer to the actual and estimated expenses of operating the Association incurred for the general benefit of all Living Units, including any reasonable reserves, as determined by the Board of Directors in accordance with the Governing Documents.

Community or **Property** refers to all real property immediately subject to this Community Constitution, as well as any real property which may be hereafter annexed, from time to time, within the jurisdiction of the Association by the recordation of one or more Declarations of Annexation, in accordance with this Community Constitution.

Community Areas refer to the Community Property, together with any other areas shown on the Community Plan, for which, pursuant to this Community Constitution, any Declaration of Annexation, any Community Code or otherwise, the Association is intended to assume maintenance or other responsibilities.

Community Codes refer to the rules, regulations, standards and guidelines as may be promulgated from time to time in accordance with this Community Constitution, and which once promulgated, are as binding and enforceable as the Community Constitution.

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Community Founder refers to Azalea Woods, LLC, a Delaware limited liability company and its successors, transferees and assigns, provided, however, that no successor, transferee or assign of the Community Founder shall acquire any of the Community Founder's Rights and Obligations unless all or some of the Community Founder's Rights and Obligations are specifically set forth and described in the instrument of succession, transfer or assignment.

Community Founder's Rights and Obligations refers to any and all privileges, powers, easements, exemptions, rights and duties reserved to the Community Founder in the Governing Documents, including in Appendix Two of this Community Constitution.

Community Founder's Rights and Obligations Period has the meaning set forth in § A-101 of Appendix Two of this Community Constitution.

Community Plan refers to the Community Founder's plan for the development of the Property. Given its dynamic nature, the Community Plan is subject to change from time to time in the sole discretion of the Community Founder in order to address the changing needs of the Community, in response to changes in market conditions or for any other reason deemed necessary or desirable by the Community Founder.

Community Property refers to all real property owned or leased by the Association (including the improvements thereto) for the common use and enjoyment of the Owners. Facilities include, as may be applicable, all recreational facilities, storm water management facilities, private roads, and other required features that are to be constructed on the Community Property pursuant to the Regulatory Plans. Community Property shall include Exclusive Community Property.

County refers to Sussex County, Delaware, and any County agency, regulatory authority or department.

Covenants Committee refers to the entity established pursuant to Article 8 of this Community Constitution.

Declaration of Annexation refers to any instrument and any amendment or supplement to such instrument, including, without limitation, any supplementary Community Constitution of covenants, conditions and restrictions, recorded by the Community Founder which expressly extends the provisions of this Community Constitution to any Annexable Property.

Design Guidelines refers to the architectural guidelines and procedures as adopted from time to time in accordance with this Community Constitution.

Design Review Committee refers to the entity which may be established pursuant to Article 7 of this Community Constitution.

Development Plan refers to the approved site plan for the Property, including all amendments, modifications and extension thereof as may be made from time to time.

DUCIOA refers to the Delaware Uniform Common Interest Ownership Act, 25 Del.C. § 81-101, et seq.

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Exclusive Community Property refers to any portions of the Community Property intended for the exclusive use or primary benefit of the Owners of more than one, but less than all, Living Units. See Section 2.5 of this Community Constitution.

Family refers to an individual or two or more persons who are related by blood or marriage living together and occupying a single housekeeping unit with single culinary facilities or a group of not more than four persons living together by joint agreement and occupying a single housekeeping unit with single culinary facilities on a nonprofit, cost-sharing basis. Domestic servants employed and residing on the premises shall be considered as part of the Family.

General Assessments refer to assessments levied at a uniform rate against all Living Units within the Community to fund Common Expenses which are determined by the Board of Directors to be for the general benefit of all Living Units.

Governing Documents refer to the Community Constitution, the Certificate of Incorporation, the Bylaws, the Final Record Plan and the Community Codes, as the same may be amended from time to time.

Improvements shall have the meaning set forth in Section 7.1 of this Community Constitution.

Initial Contribution shall have the meaning set forth in Section 5.7 of this Community Constitution.

Living Unit refers to any portion of the Property, whether improved or unimproved, which contains or is intended to contain a dwelling designed for use and occupancy by a single household; provided however, that an accessory structure within a single lot containing living quarters in addition to the primary dwelling, the ownership of which is held by the same person, shall not be deemed a separate Living Unit.

Member refers to every person, group of persons, corporation, partnership, trust or other legal entity, or any combination thereof, that is the Owner of Living Unit.

Mortgage refers to a mortgage, deed of trust, a deed to secure debt or any other form of security instrument affecting title to a Living Unit.

Mortgagee refers to an institutional or governmental holder of a Mortgage.

Owner refers to the record title holder of any Living Unit, whether one or more Persons. The term Owner excludes those having an interest in a Living Unit merely as security for the performance of an obligation. The term Owner includes the Community Founder and each Participating Builder as to each Living Unit to which such party holds record title.

Participating Builder refers to a person or entity that acquires one or more Living Units from the Community Founder for the purpose of building a residential structure(s) for sale or lease to others in the ordinary course of business of such person or entity.

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Person shall refer to a natural person, a corporation, a partnership, a limited liability company, a trustee, or any other legal entity.

Property see definition of **Community** stated above.

Regulatory Plans refers to all project plans, preliminary plans, and/or site plans, as amended, for the Property reviewed and approved by the Sussex County Planning & Zoning Commission, in and for Sussex County, Delaware.

Single Family means one (1) Family, as defined herein and by Delaware law, as amended, in one (1) Living Unit, in one (1) structure.

Special Assessments refer to assessments levied in accordance with Section 5.4 of this Community Constitution.

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AZALEA WOODS COMMUNITY ASSOCIATION, INC.
COMMUNITY CONSTITUTION
APPENDIX TWO

Community Founder's Reserved Rights and Obligations

To secure the Community Founder's interests related to the development of the Property, including the pursuit and furtherance of the missions and goals of the Community established and modified from time to time by the Community Founder, the Community Founder shall have, in addition to the rights set forth elsewhere in the Governing Documents, the benefit of certain rights and be encumbered with certain obligations, as set forth herein.

§A-101 Duration of the Community Founder's Rights and Obligations

The Community Founder's Rights and Obligations shall extend until the sooner to occur of (i) the conveyance of all Living Units contained or to be contained within the Community to Owners other than the Community Founder or Participating Builders, or (ii) twenty-five (25) years after the recordation of this Community Constitution, except that some specific rights and obligations may expire by virtue of their being tied to the occurrence of certain events arising prior to conveyance of all Living Units. The Community Founder, however, may elect to voluntarily terminate all or any portion of the Community Founder's Rights and Obligations by expressing such election in writing to the Association. The term during which the Community Founder's Rights and Obligations may continue shall sometimes be referred to as the "Community Founder's Rights and Obligations Period."

§A-102 Community Founder's Right to Complete the Community Plan

(a) Development Activities. The Community Founder shall have the right to conduct all activities required or related to the completion of the Community Plan, as such may be amended from time to time. Given the evolving nature of the Community Plan which is applicable to the Property, it will be necessary for the Community Founder to make changes and modifications to the Community Plan from time to time.

(b) Annexations. The Community Founder hereby declares that all of the Annexable Property shall be subject to the Community Founder's right to unilaterally subject such real property to the covenants, conditions, restrictions and easements set forth in this Community Constitution and to annex such real property within the jurisdiction of the Association pursuant to Article 2 of the Community Constitution. For the duration of the Community Founder's Rights and Obligations Period, the Community Founder shall have the right to incrementally annex all or any portion of the Annexable Property within the jurisdiction of the Association by executing and recording one or more Declarations of Annexation, regardless of the ownership of the Annexable Property at the time of such annexation and without the need for the execution or filing of any such Declarations of Annexation by any other party. To the extent required by law, the Participating Builders and any other party who may own any part of the Annexable Property at the time of its annexation hereby irrevocably constitute and appoint the Community Founder, and its successors, transferees and assigns, as their attorney-in-fact for the purpose of executing and filing all such

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Declarations of Annexation. The foregoing power of attorney is expressly declared and acknowledged to be coupled with an interest in the subject matter hereof and the same shall run with the title to the Annexable Property and shall be binding upon the Participating Builders and any other party who may own any part of the Annexable Property at the time of its annexation.

(c) Deannexations. The Community Founder shall also have the right to remove (deannex) real property from any portion of the Project in accordance with Article 2 of the Community Constitution.

§A-103 Amendments and Other Actions Affecting the Community Founder

(a) Governing Documents. The Association shall make no amendments to the Governing Documents nor take any action that may adversely affect the Community Founder's interests, including, without limitation, the Community Founder's Rights and Obligations, without the prior written consent of the Community Founder. In these contexts, the Community Founder's interests are intended to include those of the Participating Builders, because of their indispensable role in fulfilling the intent of the Community Plan.

(b) Easements. The Association shall take no action seeking to alter easements established in the Governing Documents for the benefit of the Community Founder, nor to prevent establishment of easements necessary to complete the Community Plan.

§A-104 Association Related Rights and Obligations

(a) The Community Founder's Responsibilities for Affairs of Association. The Community Founder shall be exclusively responsible for conducting the affairs of the Association until at least one Owner, other than the Community Founder or a Participating Builder has been elected to a seat on the Board of Directors.

(b) The Community Founder's Representation on the Board of Directors. All members of the initial Board of Directors appointed by the Community Founder shall serve until replaced as provided herein. As provided in DUCIOA: (i) not later than sixty (60) days after conveyance of twenty-five percent (25%) of the total number of Living Units that may be created in Azalea Woods to Owners other than the Community Founder, at least one (1) member and not less than twenty-five percent (25%) of the Board of Directors shall be elected by Owners other than the Community Founder; (ii) not later than sixty (60) days after conveyance of fifty percent (50%) of the total Living Units that may be created in Azalea Woods to Owners other than the Community Founder, not less than thirty-three and one-third percent (33-1/3%) of the Board of Directors shall be elected by Owners other than the Community Founder; and (iii) not later than the termination of the Community Founder's right to control the Board of Directors as permitted by § 81-303 of DUCIOA (i.e., 60 days after conveyance of 75% of the Living Units that may be created in Azalea Woods to Owners other than the Community Founder), the Board of Directors shall be elected by Owners.

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EXHIBIT "A"

Description of Real Property Subject to Community Constitution

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EXHIBIT "B"

Description of Real Property Subject to Annexation

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Azalea Woods
Homeowners Association

Community Design Guidelines

January 2022 (DRAFT)

Community Code # 1

A Handbook for Azalea Woods
Homeowners Association Members

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1.0 Introduction

These Community Design Guidelines ("Design Guidelines" or "Guidelines") were conceived to guide the development of Azalea Woods and have been promulgated in accordance with the Governing Documents of Azalea Woods Community Association, Inc. ("Association"). Please refer to Article 9 of Azalea Woods Declaration for a complete description of the Design Review and Architectural Control provisions for the Community (Article 9 of the Declaration has been excerpted and attached hereto as Appendix II for your convenience). If there are any conflicts in language between the Community Design Guidelines and Azalea Woods Declaration, the language in Azalea Woods Declaration will prevail.

In general, please note the following:

Prior to the commencement of construction of all exterior additions, changes or alterations of any nature to a Living Unit or property, a complete application for approval must be submitted to the Design Review Committee by the Owner interested in making the Improvement. The form of application is attached hereto as Appendix I and should include detailed plans showing the site layout, exterior elevations, exterior materials and colors, landscaping, drainage, lighting, irrigation and other relevant features of the Improvements, as more fully set forth hereinafter and in Article 9 of the Declaration. The features of the Improvement should conform to the Guidelines contained herein.

These Design Guidelines apply to proposed additions, changes or alterations to the exteriors and yards of all homes in Azalea Woods. The Declarant or Azalea Woods Design Review Committee, as applicable, shall render approvals for proposed changes in accordance with the Design Guidelines and the Declaration. Azalea Woods Design Review Committee is sometimes referred to as the "DRC".

The Design Review Committee shall generally render a decision on a completed application within 30 calendar days after receipt thereof.

Variances to the Design Guidelines may be granted based on unusual programmatic requirements, peculiar site constraints, hardship, or architectural merit as determined by the DRC, as more fully described in Article 9 of the Declaration. The granting of a variance shall not constitute any changes to the Guidelines nor set a precedent for future decisions of the DRC.

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Approved alterations or changes must be completed within twelve (12) months following approval, or within such greater or lesser periods specified by the DRC. Any deviations from the approved application must receive further approval from the DRC. The DRC reserves the right to conduct a final inspection of the completed project to ensure that the final construction conforms to the approved design. If the final inspection reveals deviations from the approved plan, the DRC may request that appropriate changes be made to bring the project into conformance with the approved design.

No approvals granted by the DRC shall eliminate the necessity for an applicant to obtain all necessary governmental approvals and permits. It is the sole responsibility of the homeowner to ensure that all improvements will be done in accordance with all local, state and federal building codes, standards, laws and regulations.

Any decisions made by the DRC may be appealed to Azalea Woods Homeowners Association Board of Directors by the Owner whose application was the subject of the DRC's decision, as more fully set forth in Article 9 of the Declaration.

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2.0 Design Review Application Tips

Complete Design Review Applications (DRA) are required to prevent needless delays in rendering decisions. The following are some practical tips to follow when completing applications for submission to the Design Review Committee:

1. Don't let your contractor complete the application for you, but do attach sketches, proposals for work, and other relevant documentation from your contractor.

2. Always include a copy of your survey with the proposed improvements marked-up on it. Please note that surveys are always provided at settlement and should be with the paperwork you received at your closing.

3. Be sure to complete the "Neighbor's Acknowledgement" section. If your neighbors are not available to review your application and sign the acknowledgement section in person, you may forward the application via e-mail to your neighbors. We'll accept their e-mailed acknowledgement in lieu of their signature on your application.

4. If you are not sure about whether to submit something, include it with your application. We prefer to have too much, rather than too little, information when reviewing DRAs.

5. Be sure to read the entire “Owner’s Acknowledgements” section of the DRA before you sign it.

6. As part of the review process, the DRC will look at the visual impact of a proposed improvement, and how that improvement would fit in architecturally to ensure that the harmony, integrity, and quality of the community is maintained.

7. For your convenience and a more timely response, DRA disposition letters will be e-mailed to you. Please be sure to provide us with your current e-mail address when completing your DRA. Review the conditions of a written approval issued by the DRC carefully with your contractor prior to the start of work. You should provide a copy of the approval letter to your contractor as well.

8. The DRC presently meets twice per month. Design Review Applications must be submitted by 1:00 PM on the Thursday prior to the next scheduled meeting to be added to the agenda for consideration/review at the next scheduled meeting.

9. If there's something not addressed in our Community Design Guidelines, please contact our community manager or any member of the DRC.

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3.0 Design Guidelines

3.1 Additions - Major (Screened Porches, Sunrooms, All Season Rooms)

Major additions, defined as structures attached to a home which is enclosed with a roof and sides, can have a significant impact on the appearance of the original building and on neighboring properties. Application submissions to the DRC must include signed and stamped architectural drawings that include front, side and rear elevations as well as plan views showing the location and dimensions of the proposed addition in relationship to the existing house.

Owners may submit concept drawings or preliminary plans to the DRC for a preliminary review and comment before more detailed plans are prepared. Any comments made with respect to preliminary concepts should not be interpreted as constituting a final approval.

The design of the addition must be compatible in scale, massing, roof pitch, character, foundation structure, trim millwork, materials and color with the original house. The DRC will likely require additional landscape screening of adequate size to visually soften the view of the addition from the neighbors or street. Changes in grade or drainage resulting from the addition must not materially adversely affect adjacent property and should be shown on the site plan. The following factors will be considered in the review of applications:

Location: Major Additions should be located in rear yards. Side yard locations may be evaluated on their individual merit. Major Additions are prohibited at frontages. The privacy of adjacent homes, aesthetics, visibility and other positive/negative features will be considerations in evaluating the location. All additions must be located within the building restriction lines of the property upon which constructed (e.g. set-back requirements must be adhered to), and may not encroach into recorded easements.

Scale and Size: The Major Addition should be compatible in size, design, massing and scale to the home to which it is attached.

Materials: All materials (trim millwork, siding, roofing, foundation structure, etc.) should be compatible with the original structure. Major Additions which incorporate exterior living areas may be designed with composite wood (“Trex” or equal) for the walking surfaces.

Color: All wood shall be painted or stained the color of the house trim. All siding, stone, roofing, etc. should match the materials and colors of the existing structure.

Stairs: Shall not be visible from the front view of the property or street.

Landscaping: Is strongly encouraged and may be required to soften corners and views from the street or adjacent properties, especially with respect to corner lots.

Elevated Structures: Major Additions shall generally only be permitted in cases where the structure includes a first floor component.

Roof: Should be designed to overhang the exterior walls by a minimum of eight (8) inches.

Screens: In the case of screened porches, screens shall be installed so that the screen edge is

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not exposed. The screen should be fastened inside the framing or behind decorative trim.

Drainage: All unit owners are responsible for any adverse drainage conditions created by their improvements.

3.2 Additions - Minor (Decks)

Minor additions, defined as structures attached to a Living Unit which are open air, with no walls or roof enclosures, can have a significant impact on the appearance of the original building and on neighboring properties. Application submissions to the DRC must be to scale, showing location and dimensions of the proposed addition in relationship to the existing house.

The Owner may submit concept drawings or preliminary plans for DRC preliminary review and comment before more detailed plans are prepared. Any comments made to preliminary concepts should not be interpreted as constituting a final approval. The following factors will be considered in the review of applications:

Location: Minor Additions such as decks must be located in rear yards. Additions are prohibited at frontages. The privacy of adjacent homes, aesthetics, visibility and other positive/negative features will be considerations in evaluating the location. All additions must be located within the building restriction lines of the property upon which constructed (e.g., setback requirements must be adhered to), and may not encroach into recorded easements.

Scale and Size: The Addition should be compatible in size, design, massing and scale to the home to which it is attached.

Materials: The walking surfaces of decks and stairs shall be made of pressure-treated wood or composite materials such as “Trex” or equal. Trim materials shall match the original structure (“Synboard” or equal). Railings shall be PVC or wood.

Color: All wood shall be painted or stained the color of the house trim, except for walking surfaces, which may be stained or left unfinished. Colors should match the existing color scheme of the house.

Stairs: Should not be visible from the front view of the property or street.

Landscaping: Landscaping is strongly encouraged and may be required to soften corners and views from the street or adjacent properties, especially with respect to corner lots. The DRC may require some additional landscaping around the deck in instances where the deck is visible from the neighbors, the road or recreational areas.

Elevated Structures: The undercroft shall be skirted by a framed lattice with a maximum of 1-1/2 inches between the boards, placed between (not over) the posts, as shown in the illustration below. Also allowed is non-diagonal lattice using vertical or horizontal skirting of decks using boards 10” wide made of Azek, natural wood, or the equivalent. Piers or posts shall be wrapped with trim board and painted. If the bottom of the deck structure is more than four (4) feet in height above the ground, then under skirting is not necessary but the ground below the deck should be finished with landscape gravel.

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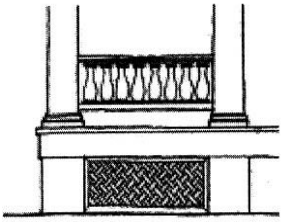

If lattice is used for the undercroft, it shall be skirted with diagonally framed lattice with a maximum of 1-1/2 inches between the boards and situated between the posts.

Privacy Screens:
Privacy Screens or walls appended to decks are not permitted in the case of elevated decks, and will be considered on an individual basis in the case of ground level decks.

Drainage: All unit owners are responsible for any adverse drainage conditions created by their improvements.

3.3 Attic Ventilators

Should be mounted on the least visible side of the roof ridgeline to minimize their visibility from the street view. They should be colored black to blend with the roof shingles.

3.4 Carpeting

Outdoor carpeting and synthetic grass on any exterior surfaces (for example, front stoops, decks, patios, etc.) are prohibited and will not be approved.

3.5 Clotheslines

Clotheslines or similar drying apparatus are prohibited.

3.6 Decks – Refer to Additions – Minor (Decks)

3.7 Decorative Objects

A plaque made of metal in white, or in the same color family as the house or house trim and attached to the front of the house no larger than two hundred twenty-five (225) square inches and protruding no more than five (5) inches from the house will be considered by the DRC. All other exterior decorative objects should be located in rear yards only and should not be visible from the front yard or street. Approval will be required for all exterior decorative objects, whether natural or man-made, which are not a part of the original construction design. Examples include but are not limited to: bird houses, bird baths, boulders, large decorative rocks, driftwood, weather vanes, wind chimes, sculptures, statues, plaques, fountains, free standing poles of any type (including garden flags), house address numerals, and any other ornament or object. Notwithstanding this or any other section of the guidelines, approval is not required for up to four rear yard decorative objects, providing each object no larger than one (1) cubic foot (12” wide x 12” long x 12” high), or up to two (2) rear yard free-standing bird feeders that are no taller than eight feet (8’) high, providing such objects are not visible from the front yard or street.

All items will be evaluated and must meet the reasonableness test of being in good taste in terms of their general appropriateness for the surrounding area, visual impact on neighboring properties

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common areas, size, number (quantity), color, scale, location, and compatibility with architecture and environmental design qualities. Items deemed not appropriate by the DRC must be removed.

Holiday Decorations and Displays

Holiday and Seasonal displays on residential property are permitted without the need for DRC approval provided the decorations meet the reasonableness test of being in good taste and scale, and provided they are kept in place for a limited duration of not more than fifteen days prior to, and fifteen days after the holiday except Christmas which is limited to thirty days before and after. The DRC may, from time to time, determine which day qualifies as a holiday for the purpose of this section.

3.8 Doghouses and Dog Runs

Doghouses, kennels and dog runs are prohibited.

3.9 Doors

Exterior doors may be replaced without application provided the door is the same design and color. Applications must be submitted to change exterior doors to a new design. All doors must be painted to match the door being replaced, or the house trim color.

Storm Doors

Only full view storm doors, defined as doors where glass covers at least eighty percent (80%) of the door surface are permitted. Provided that this certain criterion is met, there is a range of options for door styles. See image in this section. Doors with ornate decorative treatments such as grills are not permitted. The color of storm doors must match the entry door, or the house trim color. If a storm door meets the aforementioned requirements an application is not required.

Screen Doors

Only full view screen doors, defined as doors where a mix of screen and/or glass covers at least eighty percent (80%) of the door surface are permitted. Provided that this certain criterion is met, there is a range of options for door styles. See the images that follow in this section. Doors with ornate decorative treatment such as grills are not permitted. The color of screen doors must match the entry door, or the house trim color. If a screen door meets the aforementioned requirements an application is not required.

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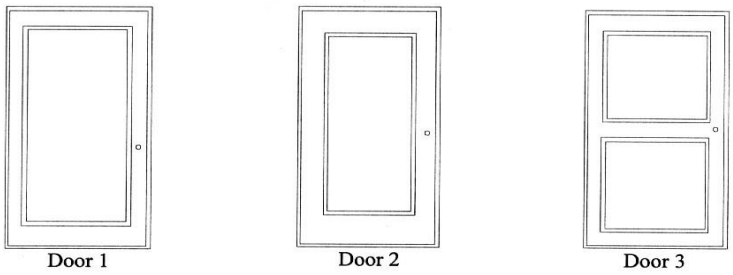
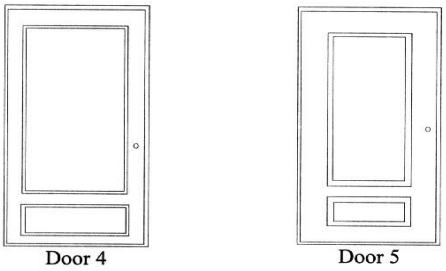




3.10 Driveway Extensions

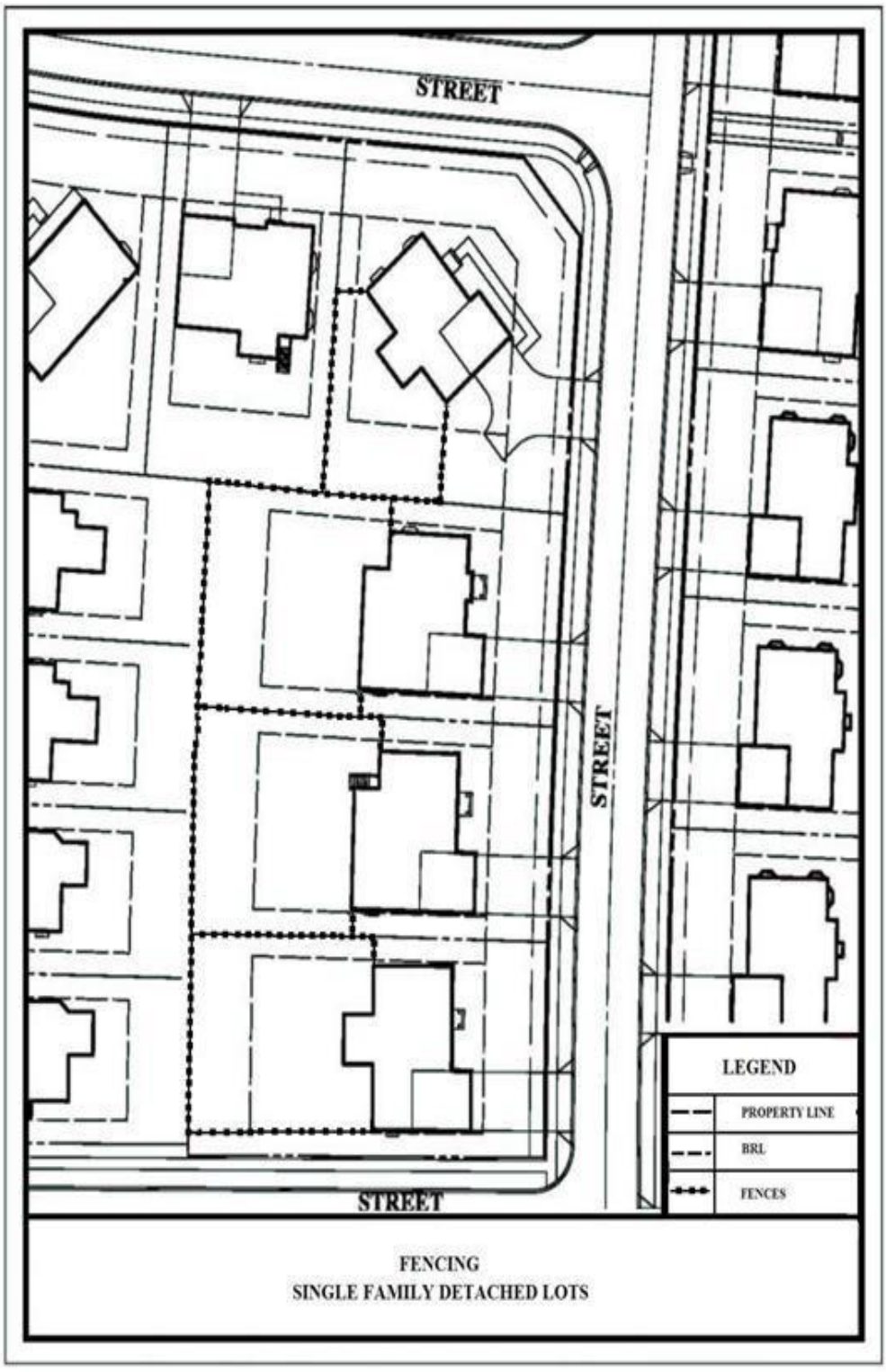
Driveway extensions are to be no greater than three feet (3') wide and must extend the entire length of the driveway. All extensions must be constructed with concrete pavers.

3.11 Fences

Fencing should be limited to rear yards only and should not extend forward of the rear corners of the house. Fencing may extend to the side and rear property lines except on corner lots where fencing should be held at least ten feet off the street side property line to provide appropriate visual set back from the street right-of-way and to accommodate landscaping along the street side of the fence. Gates may not provide ingress/egress to neighboring properties and must be sufficient in size (4 to 5 feet wide) to accommodate lawn mowing and landscaping equipment. For corner lots, fencing may not be set closer to the street than the location of the front plane of the house on adjoining lots. Unit owners who back up to tree lines which extend into their property may elect to run the fence in front of the tree line.

The community standard fence for single family detached lots is a low maintenance 3-board paddock style fence. The brand is Bufftech (manufactured by CertainTeed Corp., Valley Forge, PA 19482) and color is Sierra Blend. Fence products from other manufacturers will be considered if they are materially identical to the aforementioned community standard fence in style, size, material, and color. The fence can be installed with black vinyl coated American wire mesh on the inside of the fence to keep pets in. Alternatively, invisible electronic dog fences may be installed inside property lines to contain pets within the property.

The illustration shows examples for the placement of fences on fee-simple, single-family detached lots that would be considered.



Invisible Fencing

Invisible electronic fencing will only be permitted in rear yards and must be installed inside property lines for containment of pets within the property.

3.12 Fire Pits / Fireplaces

Fire pits and fireplaces are limited to rear yards, preferably coinciding with a patio. Fire pits and fireplaces are recommended to be gas and approval will be granted based on style, size and location on the property. Wood burning fire pits and fireplaces will be considered on a case-by-case basis and if approved, the installation and use of a safety screen will be required for fire pits, and the installation of a spark arrestor will be required for fireplaces. In certain circumstances, landscape screening from adjoining properties may be necessary.

3.13 Firewood

Firewood stored on a lot shall be kept neatly stacked and shall be located to the rear of the residence in such a manner as to avoid visual impacts for adjoining properties. Screening may be required for certain areas. Firewood should be stacked in piles which do not exceed eight feet (8') in length and four feet (4') in height for both aesthetics and safety considerations. At no time should firewood be stored on any Association common area.

3.14 Flagpoles

Permanent Free-Standing Flagpoles

The DRC will consider applications to install one (1) permanent free-standing flagpole to fly the American flag in rear yards only, providing that the flagpole will be situated within the side planes of the home. The flagpole may not exceed twenty-five feet (25') in height and must be either silver/metal or white in color. The homeowner will be responsible for compliance with all local, county, and state building codes, and for ensuring that the installation of a free-standing flagpole will not pose a safety risk. No other free-standing flagpoles will be allowed, and no other flag or banner may fly on a permanent free-standing flagpole other than an American flag.

Temporary Removable Flagpoles

Up to two (2) temporary, removable flagpoles that do not exceed six (6) feet in length that are attached at an incline to the wall or pillar of a dwelling unit are permitted and do not require approval by the DRC.

3.15 Foundations

Exposed plain poured concrete or exposed concrete block foundations are prohibited. Brick faced forms shall be used in conjunction with poured concrete to provide textured appearance and should be painted to match the siding.

3.16 Furniture

All outdoor furniture will be limited to front porches and rear yards. Furniture in rear yards must

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not be visible from the street if possible, and must be placed within the side planes of the home.

3.17 Gardens (Vegetable and Herb)

Vegetable and herb gardens are permitted in rear yards. Gardens should not cover more than one-sixth of the area of the rear yard and should not create an annoyance to neighboring properties in terms of adverse drainage conditions, overgrowth of plantings, offensive odors or unsightliness.

No offending odors should be created as a result of any garden. Fruits and vegetables should not be left to decay upon the ground. During the non-growing season, the garden should be neatened and maintained in a tidy appearance.

3.18 Gutters and Downspouts

All gutters and downspouts including replacements must conform in color and design to those installed originally. Any addition of new gutters or downspouts, or a change in location of an original gutter or downspouts requires DRC approval. Downspouts may not be installed in a manner that will adversely affect drainage onto neighboring properties. Black tubing used for additional drainage purposes must be buried underground and directed away from adjacent properties. Splash blocks must be black or green plastic, or unpainted concrete.

3.19 Hot Tubs (Outdoor Spas)

Should be located at ground level in the rear of the unit, and adjacent to the dwelling. The incorporation of the hot tub into a deck or patio is encouraged. The exterior finish of the hot tub should blend with the exterior finish of the home, deck or patio to which attached. The hot tub should be screened appropriately with evergreens, depending on location.

3.20 Irrigation

Installation of irrigation systems is permitted. Additional drainage created by the system may not result in adverse ground or drainage conditions for your neighbors or community property. Pipes should be installed at least a foot inside the property lines, to ensure that landscaping or fence installation performed by neighboring lot owners does not interfere with piping. If a well is being installed with the irrigation system, please see discussion under the section on Wells.

3.21 Landscaping

Landscape alterations or additions should be integrated in a way that is harmonious with the existing landscaping on the lot and adjacent lots. Front yard landscaping will be carefully considered for its effect on the overall streetscape. Generally, landscaping serves to visually soften or provide a finished look to a lot and should not create a fenced-in appearance, unless its purpose is explicitly as a landscape screening where required. Trees and large plants that will have a horizontal spread that will increase during growth to maturity, should be planted at a distance from the property line that reasonably provides for the entire spread of branches to be within the Owner’s property or can be readily pruned to accomplish this. Generally, trees and large shrubs must be planted at least three feet inside the property line.

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An Application is Not Required for the following improvements:

1. Planting of flowers in existing beds; however, flowers should be tasteful and blend well with the existing landscaping.

2. Portable planters on steps or walkways in a tasteful manner in keeping with the community. Use of artificial flowers in the front area of the home is prohibited.

3. Replacing mulch with a preapproved mulch or stone.

4. Replacing landscaping with the same form and style of landscaping (i.e. bush for a bush, ornamental tree for ornamental tree, evergreen for evergreen)

An Application is Required for the following improvements:

1. New plantings.

2. Addition of window flower boxes.

3. Installation of new landscape beds.

4. Tree removal should only be undertaken when necessary for aesthetic, grading or safety reasons and may also be necessary in order to accomplish a modification. An indication of the tree(s) to be removed and the reason for removal must be included in the application. Owners may be asked to offset any tree loss with new plantings.

5. Any modification that requires construction (including garden structures such as trellises, gazebo, etc.) or results in grade changes.

6. Any other landscaping modification, including landscape borders.

In addition, the following requirements apply:

1. Stockpiling of materials such as mulch and compost is not permitted.

2. Homes located on corner lots must have foundation plantings for front and side elevations visible from the street.

3. Plantings of trees and shrubs in the yard should be selected carefully so that when fully grown they will be appropriate height and width for their location in the yard.

4. Termite resistant landscape timbers may be used in rear yard gardens.

Landscape Stone (Pre-approved)

The use of stone in lieu of mulch is permitted. The following four (4) stone selections are pre-approved for use by fee-simple detached unit owners. Attached unit owners must submit an application to the DRC to change from mulch to stone due to the close proximity of neighboring units, and the negative visual impact that may result from such a change.

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1. River Jack Stone – ¾ inch
2. River Jack Stone – 1 to 3 inches
3. Washed Gravel – ¾ inch
4. Oversized Washed Gravel – 1 to 3 inches

Mulch (Pre-approved)

Using mulch that is shredded hardwood and either black or brown in color does not require approval by the DRC. The use of pine straw is permitted and does not require the approval of the DRC.

Borders

Stone borders or walls may be installed around landscape beds if tastefully done using appropriate materials. Randomly collected rocks or stones may not be used for such purpose. Boulders and outsized rocks are not permitted. Materials such as ledger rock, which can be laid horizontally and dry stacked, are acceptable. Man-made concrete products that are designed for retaining walls are also permitted. Concrete aggregate blocks or bricks used in structural construction are not permitted. Cast scalloped products intended for use in edging are not permitted. Stone may be cemented or dry stacked.

Areas intended to be enclosed by borders or walls should be fully enclosed if the grade permits, or logically terminated into the grade if significant grade change exists. While enclosure of a large area is acceptable, numerous small areas enclosed by stone borders/walls in a front or side yard is generally discouraged. Borders/walls around a single tree are generally discouraged, unless the tree is part of a larger planting bed that also contains shrubs, bushes or ornamental plantings.

1. Borders/walls should be neatly stacked in a generally horizontal pattern to provide a border around a raised planting bed.

2. The top of the border/wall should generally be level and horizontal.

3. The planting bed behind the border/wall should be backfilled to a level that is a few inches below the top of the wall or border.

4. The borders shall be a minimum of eight inches (8”) to twelve inches (12”) in height at the lowest point.

5. The borders/walls and beds must be regularly maintained so as to keep a neat and tidy appearance.

6. Poorly maintained borders/walls that result in loose stones or leaning walls are not permitted.

In the section that follows are examples of acceptable and unacceptable applications of stone to form a stone border or wall.

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Acceptable:

Unacceptable:

3.22 Lighting - Exterior

Lighting which is part of the original structure may not be altered without prior approval. Proposed replacement or additional fixtures must be compatible in style and scale with applicant's home.

Walkway and landscape lighting is permitted and must be submitted for approval with a plan showing general locations and number and type of light fixtures. Refer to the Design Review Application Checklist for more specific submission requirements.

No exterior lighting shall be directed outside the applicant's property. Proposed additional lighting shall not be approved if it will result in adverse visual impact to adjoining neighbor due to location, wattage, and other features.

3.23 Mechanical Systems

Air conditioners, compressors, heat pumps, other mechanical equipment, electrical service and gas meters must to the greatest extent possible be located immediately adjacent to a home or other structure and not readily visible from the street. Landscaping should be used to soften the visual effects of such equipment from the view of adjoining properties and the street.

Air Conditioning Units/Heat Pumps

Window and thru wall air conditioning units (fans of any type) are not permitted. Relocation of exterior central air conditioning units and heat pumps will be considered. When relocating a heat pump please take into consideration the impact on adjoining properties. Approval is not required for replacing units in their original location.

Metal flues, stacks, plumbing vents from fireplaces, wood stoves or mechanical equipment will not be permitted to be exposed on the front roofs of homes except in unusual circumstances where it is not possible to direct the pipes out the back roof. Vents and pipes must be painted black to diminish their prominence. Exhaust and dryer vents must be painted to match the siding of the exterior wall. No such exhaust vents shall be permitted at the front of the house unless there no other reasonable option exists to adequately vent the subject use.

3.24 Outdoor Showers

Outdoor showers should be installed in the rear plane of the house, if possible, and should use the same siding material and match the color scheme of the house. If a rear yard location is not possible, then a location on the side of the house towards the rear in an unobtrusive location should be proposed. Depending on the location, evergreen landscaping will be required to soften the view from the public realm. Outdoor showers may not exceed four feet (4') in width, and eight feet (8') in length. Outdoor showers are to be built to a uniform height of and eight feet (8'). Roofs on outdoor showers are not permitted.

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3.25 Painting - Exterior

An application is not required in order to repaint or re-stain an object to match the original color. However, all exterior color changes must be approved. This requirement applies to siding, doors, foundations, shutters, trim, roofing and other appurtenant structures.

3.26 Patios

Must be built in rear yards flush with the ground. Patios may be made of concrete pavers, brick or flagstone. Stained or stamped concrete may be used when the patio is not visible from a public space. Any adverse drainage requirements which might result from the construction of a patio must be considered and remedied. Patios may have knee walls and sitting walls that do not exceed twenty-one inches (21") in height. Patios, knee walls, and sitting walls may not extend beyond the side plane of the home. If a retaining wall will be integrated into the patio plan, please refer to section on “Retaining Walls”.

3.27 Recreation and Play Equipment

Semi-permanent play equipment, which either constitutes a structure or is appurtenant to an existing structure, requires approval. Examples include, but are not limited to, swing sets, sandboxes, playhouses, tot lots, etc. The following factors will govern approval for such equipment:

1. The appropriate location for children’s play equipment is in the rear of a fee-simple single family detached home. It should be strategically screened from view of public areas and neighboring properties.

2. The equipment should be generally compatible with the lot size. The design and visual impacts will be taken into consideration.

3. Equipment should be constructed of wood or PVC and equipment colors should blend with the natural environment to the extent reasonably possible.

Portable play equipment shall not be stored outdoors and must be put away after use. This includes plastic kid pools, small slides, toys, etc.

Basketball Hoops

Portable or temporary basketball hoops are not permitted. Permanently installed basketball hoops are permitted for fee-simple single-family detached homes, subject to approval. The backboard and hoop should be located along the side of the driveway on a secure pole buried in the ground. Backboards are also permitted to be installed above the center of the garage door of side or rear entry garages.

It may be completely unavoidable to keep the basketball hoop out of view from the street, therefore a screening plan should be submitted to help soften the view. Poles must be painted black. Backboards must be clear, tinted gray, white, or a neutral color. Bright colors are prohibited.

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3.28 Retaining Walls

Retaining walls should be as unobtrusive as possible and should be installed only where structurally necessary such as for purposes of diminishing erosion, creating a more level lawn or garden area or in conjunction with a major alteration project. Retaining walls should be built only to the minimum height needed to serve their function.

Retaining walls must be constructed of stone, brick or approved interlocking architectural pre-cast concrete blocks. Unfinished concrete walls are not permitted. Walls constructed of landscape timbers are not permitted unless the retaining wall is on a slope condition in the rear yard and not visible from any street or any adjoining properties to the sides or rear of the subject yard.

In the case of a straight wall without wrap around ends, the ends of all walls must gradually taper down to the ground rather than ending abruptly.

If the wall exceeds thirty inches (30") in height, then a railing will be required. Should a railing be required, the design specifications including dimensions, material and color must be included as part of the application.

In certain instances, plantings may be required to screen areas where the retaining wall will be obtrusive either to the street and/or neighboring homeowners.

3.29 Satellite Dishes

Dishes that are larger than forty inches (40") in diameter are prohibited. Dishes are not to be installed in the front of the lot or on the front facade of a residence. They are to be located so as to be as visually unobtrusive as possible, without unreasonably increasing the cost of installation, maintenance and use and without precluding the reception of an acceptable quality signal. Whenever possible, the devices should be located on the rear of the house or in the rear yard, below the height of privacy fencing or any landscaping. If they must be installed at roof level, then they should be situated on the rear side of the roof ridgeline, so as to have no, or minimal, visibility from the front of the home.

Any such installation must be done in a professional manner, and all cables must be concealed. Please submit a copy of the survey showing the mounting location, cut sheet with picture, and a landscape screening plan (ground locations), along with the application.

3.30 Security Bars

The use of security bars or grates on windows and doors will be prohibited. Exceptions may be made where the security apparatus will not be visible from the street and from adjoining properties. Homeowners concerned about the security of their residence are advised to consider alternatives, including alarms and sophisticated lock systems.

3.31 Security Cameras

Small security cameras are permitted on the exterior of homes provided they are reasonably unobtrusive in scale, color, and design. Care should be taken to place security cameras in locations least visible from the street. Security cameras may only be focused on the unit

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owner's property. Cameras may not to be focused on neighboring properties or any common area.

3.32 Signs

All signs, other than real estate, political, and home security signs that comply with the requirements below, are prohibited. This prohibition includes, but is not limited to, commercial and home office advertisements.

Real Estate "For Sale" or "For Lease" Signs

Real estate "For Sale" or "For Lease" signs will meet the standards pictured and described in this policy. Signs may not exceed 18 by 24 inches (18" x 24") in size, and if a rider is attached, the rider may not exceed 6 by 24 inches (6" x 24") in size. The pole the sign is affixed to may not exceed five feet (5') in height and must be white in color.

For sale/lease signs will be approved for placement only in the front yard of a home. Window, door, or interior signs are not allowed. Open house signs may only be displayed on the day of the open house.

Sign violations will be issued if a real estate sign is not placed in the front year, not secured in the manner shown in the specifications, not upright and/or perpendicular to the ground, faded, or otherwise unsightly or in poor condition as defined by an inspection by the covenants committee or management. Homeowners have the responsibility to communicate with their real estate agent or company to have the sign relocated, repaired, or replaced if it doesn't meet the above specifications.

Homeowners have the responsibility to remove or have the real estate company or agent remove any sign deemed to be in violation of these guidelines within three (3) days of receiving a notice of sign violations. Those signs removed can be replaced immediately with a sign meeting the prescribed specifications.

If signs are not removed in three (3) days, management will notify the real estate agent or company of the violation and request replacement or repair of the sign within three (3) days. If the sign is not replaced or repaired in three (3) days, it can be removed by management and will be held at the on-site office for pick-up by the agent or company.

Political Signs

One (1) political sign endorsing a candidate(s) and/or ballot issue(s) may be displayed on an owner's property providing it does not exceed twenty-four (24) by twenty-four (24) inches in size. A political sign must be staked to the ground in an existing landscape bed in an owner's front yard and must be set-back at least ten (10) feet from the front sidewalk/front property line. A political sign may only be displayed forty-five (45) days prior to an election and must be removed no later than seven (7) days after the election has taken place. Political signs are expressly

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prohibited in the common areas. In the event that political signs are discovered in the common areas, those signs will be removed and disposed of without notice. Political signs deemed inappropriate by the DRC must be removed.

Security Signs

Two (2) security signs, each not exceeding sixty-four (64) square inches may be posted on an owner's property. Only one (1) sign may be posted forward of the front plane of the home.

3.33 Skylights

Skylights or Solatubes should be located so that they are not visible from the front view of the dwelling unit or a street. Consideration will be given to skylights on the front side of the roof ridgeline only if constructed flush with the roof.

3.34 Solar Panels

Solar panels and solar collectors are permitted pursuant to Federal regulations. The preferred location is the rear roof of a home to minimize its visual impact. Solar panels are prohibited in front and side yards.

3.35 Stone Facade

Aspen Ledger Stone is the community wide standard approved stone to be used on the façades of homes in Azalea Woods community. Stone facades must be professionally installed and finished using the same details found in standard installations existing in the community. This includes appropriate trim details at transitions from the stone to other materials such as siding.

3.36 Storage Sheds

Storage sheds are permitted for fee-simple single family detached units and should be located out of view from the street and attached to the rear plane of the house.

1. Design – Architectural design of the shed must be compatible with the design of the home.

2. Size – Sheds may not exceed forty-eight square feet (48 sf) of floor space and eight feet (8') in height at the highest point.

3. Materials – Must be consistent with the house materials.

4. Color – Scheme must be the same as the home.

5. Roof – The roof must match the existing material of the home.

3.37 Trash Bin Storage Enclosures

Like outdoor shower enclosures, all trash bin enclosures shall be installed in the rear yard of a dwelling unit. The exterior surfaces of such enclosures should utilize approved

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screening/siding materials, match the color scheme of the home, and be five feet (5') in height. The enclosure may not exceed four feet (4') in width and six feet (6') in length. Roofs are not permitted on trash bin enclosures.

When circumstances preclude rear yard placement, trash bin and outdoor shower enclosures may be approved for construction along the side of a dwelling unit and shall meet the following requirements:

1. If installed in conjunction with an outdoor shower enclosure, the trash bin enclosure shall be the same height eight feet (8') as the outdoor shower enclosure and be set to the rear yard side of the outdoor shower enclosure, unless a window would be obscured by the trash bin enclosure. If a window would be obscured by constructing the trash bin enclosure to the rear yard side of an outdoor shower enclosure, then the trash bin enclosure height should meet the elevation of the windowsill. Notwithstanding this exception, in no case may the trash bin enclosure be less than five feet (5') in height. A trash bin enclosure attached to and installed in conjunction with an outdoor shower may not exceed fourteen feet (14') in length and four feet (4') in width. Roofs are not permitted on trash bin enclosures built in conjunction with an outdoor shower.

2. Trash bin enclosures installed in a standalone configuration shall have a minimum height of five feet (5') and a maximum height of feet (8'), and may not exceed six feet (6') in length and four feet (4') in width. If an outdoor shower enclosure is to be installed at a later date, the trash bin enclosure may need to be retrofitted and aligned to meet the required placement and height requirements stated above.

3. Trash bin enclosures must be connected to an outdoor shower enclosure where an outdoor shower enclosure exists.

4. A landscape plan must be provided with the application to show screening on the street side of the enclosure(s).

5. A trash bin enclosure shall be no closer than eight feet (8') from the front plane of the dwelling unit.

6. If an outdoor shower is constructed in conjunction with a trash bin enclosure, please refer to the guidelines in section 3.24 "Outdoor Showers" specific to outdoor showers.

3.38 Tree Removal

No live trees with a diameter in excess of three inches (3"), measured twelve inches (12") above the ground may be cut down without prior approval, unless a life or property threatening emergency exists which requires the tree to be taken down immediately. Trees in "no cut", "limit of disturbance" and "tree save" areas may not be cut without prior approval. Applicants may be asked to replant a tree in trade for the removal of another tree.

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3.39 Walkways

Approval is required for a change in an existing walkway or the construction of a new walkway. Materials to be used should be compatible with existing materials in the community (i.e. pavers, poured concrete, and flagstone).

3.40 Wells

Well caps should not be visible to the public realm. Well caps must be landscaped and may not extend more than twelve inches (12”) above the ground. Wells must meet all Department of Environmental Protection (DEP) or local Health Department regulations, as applicable, which include the minimum height requirement for well caps of eight inches (8”) above ground level. The applicant must submit a survey showing the location of the well, a landscape screening plan, and a well permit. DEP requires well caps to be set back at least ten feet (10’) from side property lines. If your well cap will not meet this setback requirement, or any other DEP or Health Department requirement, a copy of your permit approving the variance(s) must be submitted with your application.

3.41 Windows

Windows must match the existing house windows. The size of the window trim and frame must match that of the other windows. All trim details must be duplicated.

Window Dividers (Mullions)

Mullions installed on the original windows must be retained. Mullions on replacement windows must be identical to the original windows.

3.42 Yards (Front/Side)

The following are prohibited in front and side yards; solar panels, garbage cans, permanent grills, rock and vegetable gardens, recreation and play equipment, hot tubs and spas. Items not listed will need DRC approval.

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Appendix I

Design Review Application & Checklist

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Design Review Application
Azalea Woods Homeowners Association, Inc.

The Design Review Committee meets twice a month to review applications. Meetings are typically held on the first and third weeks of the month. Required response time is thirty days (30) upon receipt of application.

To: Design Review Committee
Azalea Woods Homeowners Association, Inc.
c/o Property Management

Owner:	Lot #:
Property Address:	
Mailing Address:	
Home Phone:	Work Phone:
Cell Phone:	E-mail:

Directions:

The Governing Documents of Azalea Woods Homeowners Association, Inc. require that you submit an application to the Design Review Committee (DRC) for approval of all exterior additions, changes, improvements and modifications to your house and lot. In order to be considered by the DRC your application must include detailed pertinent information describing the proposed addition, change, improvement or modification. This includes but is not limited to plans, specifications, sketches, photos, catalog illustrations, etc., showing the nature, kind, shape, color, dimensions and materials of the improvement. Also include a copy of the house or unit survey marking the location of any addition, change, improvement or modification. An application submitted without the required information, which is detailed in a checklist within this application, will be considered incomplete. In such case, the DRC review period will not commence until all information is received to complete the application. Other exhibits not listed may be requested to permit adequate evaluation of the proposed addition, change, improvement or modification. If you have any questions regarding the submission or the application process, please contact the management company for guidance.

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Description of Proposed Change: (Please print or type)

Describe all proposed additions, changes, improvements and modifications to your lot or home. Please provide all required details by attaching sketches, drawings, pictures, architectural drawings and a copy of your house or unit survey (recorded plat) with the location of the modification marked, etc.

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

Purpose for Improvement: _____

Estimated Starting Date of Construction: _____

Estimated Completion Date of Construction: _____

Neighbors' Acknowledgements:

You are requested to obtain the signatures of all lot owners affected by this change adjacent to your lot. Signature of your neighbor indicates an awareness of the proposed change but does not constitute approval or disapproval on their part. Neighbors are advised to promptly submit any questions, concerns or observations to the DRC Committee for consideration at the following address or by email to _____:

Design Review Committee
Azalea Woods Homeowners Association, Inc.
c/o
Property Management, Inc.
Property Management Company Address

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Name:	Name:
Address:	Address:
Lot #:	Lot #:
Signature:	Signature:

Name:	Name:
Address:	Address:
Lot #:	Lot #:
Signature:	Signature:

Owners' Acknowledgements:

I/ we understand and agree to all of the items listed below:

1. That approval by the DRC shall in no way be construed as to pass judgment on the correctness of the location, structural design, suitability of water flow or drainage, location of utilities, or other qualities of the proposed change being reviewed.

2. That approval by the DRC shall in no way be construed as to pass judgment on whether the proposed change being reviewed is in compliance with the applicable building and zoning codes of the county or locality in which the property is located.

3. That approval of any particular plans and specifications or design shall not be construed as a waiver of the right of the DRC to disapprove such plans and specifications, or any elements or features thereof, in the event such plans are subsequently submitted to use in any other instance.

4. That no work on the proposed change shall begin until written approval of the application submitted herewith is received by the Owner from the DRC. If any work is starting on the proposed improvement on my Lot prior to my receipt of written approval, I will be in violation of the community Covenants which may result in fines and amenity restrictions. Furthermore, I may be required to return the property to its former condition at my own expense if this application is disapproved wholly or in part; and I may be required to pay all legal expenses incurred.

5. I understand I am responsible to advise any and all contractors I employ that work cannot commence until DRC approval is received and that I will

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provide the contractor a copy of written approval of the DRC.

6. That there shall be no deviations from the plans, specifications, and location approved by the DRC without prior written consent of the DRC; any variation from the original application must be resubmitted for approval.

7. I understand that I am responsible for all cost to repair community property that is a result from work being done in accordance with the application and that I may be required to post a deposit. This deposit will be used in the event common area surrounding my lot or unit is damaged or the change is nonconforming with the approved changes. Deposits will be returned after a final inspection is made and it is determined that there is no damage to common area and the change is conforming to the approved application.

8. That I authorize members of the DRC or Managing Agent to enter my property to make one or more routine inspections throughout the construction process and a final inspection once construction is complete for a bond release, if a bond was asked to be posted.

9. That construction or alterations in accordance with the approved plans and specifications must commence within twelve months (12) of the date this application is approved and completed within six months (6) after that commencement of work. Otherwise, the approval by the DRC shall be deemed conclusively to have lapsed and to have been withdrawn.

10. That it is my responsibility and obligation to obtain all required building permits, to contact utility marking companies and to construct the improvements in a workmanlike manner in conformance with all applicable building and zoning codes.

11. That I/we are not delinquent in the payment of assessments, fees, or any other amounts due to Azalea Woods Homeowners Association, Inc. I/we understand that any delinquency will cause my DRC application to be ineligible.

12. That I/we are not in violation of any Azalea Woods Homeowners Association, Inc. covenant, rule, or regulation, and that I/we have not been issued a notification of any violation from Azalea Woods Homeowners Association, Inc. I/we understand that any unresolved violation will render my DRC application ineligible.

13. That I/we have no unpaid fines resulting from a covenant violation and any unpaid fines will cause my DRC application to be ineligible.

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I/we understand that it is my responsibility to inform the contractor that I choose for the proposed improvement concerning the application and approval requirements for exterior modifications. I have or will instruct the contractor to not commence any work without seeing and signing off on the acknowledgment of the approval from the DRC for the modification requested herein.

If I/we have not yet engaged a contractor for the proposed improvement, I hereby undertake to inform him of the application and approval requirements for the change and have him read the above before work is begun.

I/we understand that it is our responsibility to adhere to the procedures and guidelines of Azalea Woods Homeowners Association, Inc. and to require implementation by any contractor or agent in conformance thereto. Any violations caused by the contractor or agent will not excuse the homeowner from full responsibility and the cost of making any corrections, which may be necessary in some circumstances.

Owner/Applicant Signature: _____ Date: _____

Co-Owner/Applicant Signature: _____ Date: _____

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Design Review Application Checklist

Additions; Major (Screened Porches, Sunrooms, All Season Rooms):

_____Completed Standard Design Review Application

_____Copy of Survey or Plat showing location of the improvement

_____Front and Side architectural elevations (i.e. front and side views) and plans with dimensions showing the structure attached to the home. These must be drawn to scale showing proportions and relationship to existing house. Architectural plans and blueprints should include (if applicable):

_____Length, width and height measurements throughout,
_____Size of materials to be used as trim,
_____Size of corner boards,
_____Size of cap plates covering wood beams,
_____Size and construction of concrete base,
_____Size of doors and windows, materials used,
_____Size of trim around windows and doors,
_____Measurement of gutter boards, and board and batten,
_____Dimension and details of roof overhang,
_____Dimensions on all exterior materials shown on plans,
_____Finish/Color (all trim must be identified and its color specified),
_____Roof plans; pitch and material used and color,
_____Step risers and treads
_____Drainage requirements
_____Landscape screening
_____Any other pertinent information needed to assist the DRC in making a judgement

Additions; Minor (Decks):

_____Completed Standard Design Review Application
_____Copy of Survey or Plat showing location of the improvement
_____Front and Side architectural elevations (i.e., front and side views) and plans with dimensions showing the structure attached to the home. These must be drawn to scale showing proportions and relationship to existing house. Architectural plans and blueprints should include (if applicable):

_____Length, width and height measurements throughout,
_____Size of materials to be used as trim,
_____Size of corner boards,
_____Size of cap plates covering wood beams,
_____Size and construction of footers,
_____Dimensions on all exterior materials shown on plans,
_____Finish/Color (all trim must be identified and its color specified),
_____Step risers and treads
_____Drainage requirements
_____Landscape screening

_____Any other pertinent information needed to assist the DRC in making a judgement

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Attic Ventilators:

_____Completed Design Review Application
_____Copy of Survey or Plat showing location of the improvement
_____Picture of proposed ventilator to be used
_____Materials, Height and Size
_____Color/Finish

Decorative Objects:

_____Completed Design Review Application
_____Copy of Survey or Plat showing location of the improvement
_____Picture of proposed decorative object
_____Height and size
_____Color

Doors (Storm and Screen):

_____Completed Design Review Application
_____Location door is being placed
_____Picture of proposed door
_____Color matches existing door or trim
_____Storm Door
_____Screen Door

Driveway Extensions:

_____Completed Design Review Application
_____Copy of Survey or Plat showing location of the improvement
_____Color and pattern of paver
_____Width and length of extension

Fences:

_____Completed Design Review Application
_____Copy of Survey or Plat showing location of the improvement
_____Association approved fence type
_____Installation of black vinyl coated wire
_____Height and size of fence
_____Color of fence
_____Invisible fence
_____Privacy fence extension

Fire Pit:

_____Completed Design Review Application
_____Copy of Survey or Plat showing location of the improvement
_____Gas or wood burning
_____Dimensions

Flagpole:

_____Completed Design Review Application
_____Copy of Survey or Plat showing location of the improvement

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_____Height and size
_____Color

Foundation:
_____Completed Design Review Application
_____Copy of Survey or Plat showing location of the improvement
_____Concrete
_____Addition of stone façade
_____Color
_____Height

Gardens (Vegetable and Herb):
_____Completed Design Review Application
_____Copy of Survey or Plat showing location of the improvement
_____Size
_____If raised, provide a sketch showing dimensions and color of border

Gutters and Downspouts:
_____Completed Design Review Application
_____Copy of Survey or Plat showing location of the improvement
_____Color
_____Drainage requirements

Hot Tubs (Outdoor Spas):
_____Completed Design Review Application
_____Copy of Survey or Plat showing location of the improvement
_____Color
_____Dimensions
_____Landscape screening

Irrigation:
_____Completed Design Review Application
_____Copy of Survey or Plat showing location of the improvement
_____Irrigation plan showing spray pattern
_____Drainage requirements

Landscaping:
_____Completed Design Review Application
_____Copy of Survey or Plat showing location of the improvement
_____Detailed drawing showing location of plant material
_____Schedule showing landscaping being planted
_____Pictures of landscape material being used
_____Color of mulch
_____Color of stone
_____Borders
_____Material
_____Dimensions, height and size
_____Color

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Lighting; Exterior:

_____Completed Design Review Application
_____Copy of Survey or Plat showing location of the improvement
_____Picture of proposed light fixture
_____Product details (size, height, light wattage, etc.)

Mechanical Systems:

_____Completed Design Review Application
_____Copy of Survey or Plat showing location of the improvement
_____Landscape screening
_____Picture of proposed mechanical system
_____Size, height and color

Outdoor Showers and/or Trash Enclosures:

_____Completed Design Review Application
_____Copy of Survey or Plat showing location of the improvement
_____Detailed scale drawing showing front, side, and overhead views with dimensions
_____Material being used
_____Color of siding and trim
_____Landscape screening

Patio:

_____Completed Design Review Application
_____Copy of Survey or Plat showing location of the improvement
_____Detailed scale drawing showing dimensions of patio
_____Material being used
_____Color of material being used
_____Height of sitting/knee wall
_____Drainage requirements

Painting; Exterior:

_____Completed Design Review Application if colors are being changed
_____Provide color sample
_____Specification of areas where change is being made

Recreation and Play Equipment:

_____Completed Design Review Application
_____Copy of Survey or Plat showing location of the improvement
_____Picture of proposed recreation or play equipment
_____Dimensions of equipment
_____Color of equipment
_____Landscape screening

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Retaining Walls:

_____Completed Design Review Application
_____Copy of Survey or Plat showing location of the improvement
_____Materials being used
_____Color of material
_____Dimensions of wall
_____Landscape screening

Satellite Dish:

_____Completed Design Review Application
_____Copy of Survey or Plat showing location of the improvement
_____Landscape Screening plan
_____Cut sheet
_____Picture

Security Cameras:

_____Completed Design Review Application
_____Copy of Survey or Plat showing location of the improvement
_____Picture of proposed camera
_____Dimensions of proposed camera
_____Specified locations on house where cameras will be installed
_____Specified direction cameras will be pointed

Skylights (Solatubes):

_____Completed Design Review Application
_____Copy of Survey or Plat showing location of the improvement
_____Dimensions of proposed change
_____Picture of material being used

Solar Panels:

_____Completed Design Review Application
_____Copy of Survey or Plat showing location of the improvement
_____Detailed layout of solar panels on roof
_____Dimensions of panels
_____Color of panels

Storage Shed:

_____Completed Design Review Application
_____Copy of Survey or Plat showing location of the improvement
_____Landscape Screening plan
_____Detailed scale drawing showing dimensions
_____Materials being used
_____Colors to match existing structure

Tree Removal:

_____Completed Design Review Application
_____Copy of Survey or Plat showing location of the improvement

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_____Location and type of replacement tree

Walkways:

_____Completed Design Review Application
_____Copy of Survey or Plat showing location of the improvement
_____Material being used
_____Color of material
_____Dimensions of change

Wells:

_____Completed Design Review Application
_____Copy of Survey or Plat showing location of the improvement
_____Landscape Screening plan
_____Permit
_____Variance (if applicable)

Windows:

_____Completed Design Review Application
_____Dimensions of window
_____Color of window
_____Mullions retained

Yards (front/side)

_____Completed Design Review Application
_____Copy of Survey or Plat showing location of the improvement
_____Picture of change
_____Dimensions of change

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Appendix II

Article 9 of Azalea Woods Declaration
Design Review and Architectural Control

Section 9.1 Architectural Approval. Complete plans and specifications as determined by the Review Entity for the Association for various design and construction stages for the exteriors of all "Improvements" (defined below) shall be approved in writing in accordance with this Article 9 prior to the commencement of any development, construction or modification activities for such Improvements within the Development. **"Improvements"** shall mean, collectively, the following items and activities within the Development:

staking, clearing, landscaping, excavation, grading or other site work;

the exteriors of buildings, structures and other improvements of any kind;

exterior additions, changes or alterations of any nature to Residential Units, buildings or other improvements including, without limitation, changes in color, changes or additions to driveway or walkway surfaces, decks, porches, lighting and landscaping modifications.

Section 9.2 Initial Construction. The initial construction of homes on the Residential Units and other Improvements within the Development shall not be commenced, erected or maintained until complete plans and specifications for such Improvements have been reviewed and approved by the Declarant, in writing and in its sole discretion, for compliance with any applicable design standards that may be promulgated by the Declarant with respect to such Improvements. Notwithstanding any provision of the Association Documents to the contrary, the approval of the Declarant pursuant to this Section 9.2 shall be the only approval required under this Declaration or other Association Documents with respect to the construction of initial Improvements; however, each Owner shall also be responsible for obtaining all other applicable approvals required by governmental authorities or otherwise. Nothing in this Section 9.2 or otherwise in the Association Documents shall be deemed to require that any initial Improvements approved by the Declarant conform to Design Guidelines or other matters that might otherwise be binding on Owners for any changes to initial Improvements.

Section 9.3 Changes and Modifications to Improvements. Except for initial Improvements which shall be approved by the Declarant in accordance with Section 9.2 above, no Owner or any other person or entity shall commence, erect or maintain any Improvements or changes or modification to Improvements within the Development until

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complete plans and specifications for such Improvements have been approved, in writing, by the appropriate Review Entity in accordance with this Article 9.

Section 9.4 Review Entity. As used in this Declaration, the term **"Review Entity"** means one or more of the following entities having jurisdiction at any particular time with respect to the matters described in this Article 9:

(a) **The Declarant**, with respect to all architectural review and approval authority under this Article 9 for all Residential Units and Common Area, except to the extent any such rights and powers are assigned or terminated in accordance with Section 9.5. All rights and powers of the Declarant under this Article 9 may be exercised on behalf of the Declarant by such members, officers, directors, employees, agents, representatives, or other designees of the Declarant as the Declarant may designate from time to time.

(b) **The Design Review Committee**, but only upon the assignment of such rights and powers from the Declarant in accordance with Section 9.5. If a covenants committee or similar committee of the Association is appointed by the Board, such committee may from time to time also be designated to serve as the Design Review Committee, and such designation may be made by the Declarant during the Declarant Control Period and by the Board of Directors after the Declarant Control Period. If a Design Review Committee is not appointed, the Board of Directors shall exercise all rights and powers that could be exercised by the Design Review Committee.

Section 9.5 The Declarant as a Review Entity. The Declarant shall be exclusively entitled to exercise all rights and powers of the Review Entity under this Declaration for all Residential Units and Common Area, except to the extent such rights and powers are expressly assigned in writing by the Declarant. The Declarant may assign all or part of its rights and powers under this Article 9 to the Design Review Committee. Notwithstanding the foregoing, upon the termination of the Declarant Control Period, all rights and powers reserved to the Declarant under this Article 9 not previously assigned to the Design Review Committee shall automatically terminate and shall be deemed assigned to, and thereafter exercised by, the Design Review Committee. Each Owner shall be deemed to covenant and agree that (i) neither initial construction of Improvements nor any exterior addition, change or other alteration to existing Improvements shall be commenced within the Owner's Residential Unit until approval for such construction, addition, change or other alteration is approved in accordance with this Article 9, and (ii) the Declarant has a significant and substantial interest in ensuring that all Improvements are consistent with the plans for the Development and that the Improvements do not have an adverse impact upon the development, marketing, sales, leasing and/or operation of any portion of the Development. Accordingly, in its exercise of the rights and powers of the Review Entity under this Declaration, the Declarant shall have the right to approve or disapprove any plans and specifications for Improvements in the Declarant's sole discretion, and all Owners acknowledge that in reviewing and acting upon any such plans and specifications, the Declarant shall be acting in its own interest and shall owe no duty whatsoever to any other individual or entity, including, without limitation, the Association or any Owner.

Section 9.6 Design Review Committee as a Review Entity. The Design Review Committee shall exercise such rights and powers of the Review Entity as may from time to time be assigned to such Design Review Committee pursuant to Section 9.5 above. The

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Design Review Committee shall consist of an uneven number of members, at least three (3) in number, who shall serve at the pleasure of and may be removed and replaced at the discretion of the Declarant, during the Declarant Control Period, and by the Board of Directors thereafter. The members of the Design Review Committee need not be members of the Association and may, but need not, include architects, engineers and similar design professionals. Any compensation for members of the Design Review Committee, including architects or other design professionals, shall be established from time to time by the Board of Directors.

Section 9.7 Revocation of Assigned Rights. Until termination of the Declarant Control Period, the Declarant may, in its sole discretion, revoke any prior assignment of all or part of the rights and powers under this Article 9 that the Declarant may have assigned to the Design Review Committee or other designee. Upon such time that the Declarant may revoke any previously assigned rights and powers under this Article 9, the Declarant shall automatically have the authority to exercise such rights and powers.

Section 9.8 Application Review.

(a) Except for the initial construction of Improvements which is governed by Section 9.2 above, no Improvement of any kind shall be commenced, erected or maintained upon the Development by an Owner until a design review application ("**Application**") is submitted to and approved by the Review Entity. The Application shall include detailed plans showing applicable items such as site layout, exterior elevations, exterior materials and colors, landscaping, drainage, lighting, irrigation, and other relevant features of the Improvements, as required by the Review Entity and any Design Guidelines applicable to the applicant's Improvements. The Review Entity may also require the submission of such additional information as it deems necessary to consider any Application. The Review Entity may consider, but shall not be restricted to consideration of, visual and environmental impact, ecological compatibility, natural platforms and finish grade elevation, harmony of external design with surrounding structures and environment, location in relation to surrounding structures and plant life, compliance with the general intent of applicable Design Guidelines and architectural merit. In many instances, decisions will be based solely on aesthetic considerations and each applicant acknowledges that determinations as to such matters may be highly subjective and opinions may vary as to the desirability and/or attractiveness of particular Improvements.

(b) The Review Entity shall, within sixty (60) calendar days after receipt of a complete Application, advise the applicant in writing of the approval or disapproval of the Application. If the Review Entity fails to advise the applicant by written notice within sixty (60) calendar days of receipt of a complete Application of either the approval or disapproval of the Application, the applicant shall give the Review Entity written notice of the Review Entity's failure to respond. The applicant's notice shall include a conspicuous statement in bold and underlined text that unless the Review Entity responds within fifteen (15) calendar days of receipt of such applicant's notice, approval of the Application shall be deemed granted. Upon such further failure of the Review Entity to grant an approval or disapproval, approval shall be deemed to have been given. Notwithstanding the foregoing, no approval, whether expressly granted or deemed granted pursuant to this Section 9.8, shall be materially inconsistent with any Design Guidelines applicable to the Improvements in question, unless a variance has been granted in writing in accordance with Section 9.14

below. Notices from an applicant to the Review Entity under this Section 9.8 shall be deemed to have been given at the time the envelope containing such notice, properly addressed and postage prepaid, is delivered by the U.S. Postal Service by registered or certified mail, return receipt requested, or by any other delivery or courier service, such as Federal Express or UPS, which can provide tracking information regarding the delivery of such notice. Personal verified delivery of such written notice by any other means shall also be sufficient and shall be deemed to have been given at the time of delivery.

Section 9.9 Preliminary Applications and Approvals. Notwithstanding any provisions of this Article 9 to the contrary, the Review Entity may review an Application containing preliminary drawings, schematics, specifications or other features or information that is less than what would otherwise be required in order to process a complete Application for proposed Improvements. The Review Entity may issue a preliminary approval with respect to such preliminary Application if the Review Entity determines that such a preliminary approval is appropriate. The purpose of such preliminary Applications is to allow an applicant to receive a determination from the Review Entity as to whether certain architectural or design concepts, features, or specifications are acceptable before such applicant proceeds with additional plans and engineering for the proposed Improvements. The Review Entity may impose such conditions on any preliminary Application or preliminary approval that the Review Entity deems necessary or appropriate. Unless otherwise expressly authorized by the Review Entity in writing, no Owner or other party shall commence construction or any other work on any proposed Improvements based upon a preliminary approval given pursuant to this Section; rather, approval of a complete Application in accordance with this Article 9 shall be required before commencement of construction or other work.

Section 9.10 Application Fees and Reimbursements. The Review Entity may (i) establish and charge reasonable fees for review of Applications hereunder; (ii) retain architects, engineers or other design professionals to assist in its review of any Application; and (iii) require reimbursement by the applicant of fees charged by any architect, engineers or other design professionals.

Section 9.11 Design Guidelines and Procedures.

(a) Subject to Section 9.2 and any other agreement the Declarant may have with a Homebuilder, the Review Entity may, but shall not be required to, establish design guidelines to provide guidance to Owners and contractors regarding matters deemed to be of relevance or importance to the Review Entity in considering Applications for architectural approval and establishing details required for Improvements (as the same may be modified or amended from time to time, "**Design Guidelines**"). Subject to Section 9.2, any Design Guidelines shall not be the exclusive basis for decisions hereunder and compliance with the Design Guidelines shall not guarantee approval of an Application. Design Guidelines may contain general provisions applicable to all Residential Units and other Improvements, as well as specific provisions which vary from one Residential Unit or other Improvement to another, depending upon the location, type of construction or use, and unique characteristics of such Improvements. The Review Entity shall make copies of Design Guidelines available

to Owners and contractors and may charge a reasonable fee to cover the costs of providing the Design Guidelines.

(b) Any Design Guidelines established pursuant to this Article 9 may be modified and amended from time to time in the sole discretion of the Review Entity subject to Section 9.11(d) below. Modifications and amendments to Design Guidelines shall not apply to or require modifications to or removal of Improvements previously approved once such Improvements have commenced. However, modifications or amendments to Design Guidelines may prohibit an exact replacement of a previously approved Improvement. Any subsequent removal or alteration of any previously approved Improvements shall be subject to the Design Guidelines in existence at the time of such subsequent removal or alteration. There shall be no limitation on the scope of modifications or amendments to any Design Guidelines. Copies of any modifications or amendments to Design Guidelines shall be provided to applicable Owners.

(c) The Review Entity may from time to time adopt and promulgate procedures and requirements for the submission of Applications to the Review Entity, including, without limitation, requirements regarding the number of copies, the content, scale and detail of the plans and specifications to be included with such Applications, and the identification of any required supporting materials; provided, however, that such application procedures shall not contravene any specific requirement established by this Declaration. Any application procedures adopted pursuant to this Article 9 shall be subject to modification and amendment from time to time in the sole discretion of the Review Entity, subject to Sections 9.2 and 9.11(d). Such application procedures shall not be construed as a waiver of the provisions of this Article 9 or any other provision or requirement of this Declaration.

(d) Notwithstanding any provision of this Declaration to the contrary, any Design Guidelines or application procedures promulgated by the Design Review Committee shall be (i) subject to the Declarant's prior approval during the Declarant Control Period, (ii) subject to the prior approval of the Board after the Declarant Control Period provided that the Board is not otherwise acting as the Design Review Committee, and (c) subject to Section 9.2.

Section 9.12 Completion of Improvements. Construction of Improvements in accordance with the approved Application shall be completed within six (6) months following approval of the Application, or within such other period as the Review Entity may specify in its approval. If construction is not completed within the period aforesaid, the Review Entity shall have the option to withdraw its approval of the plans and specifications and require the applicant to re-submit an Application and otherwise comply with the requirements of this Article 9. There shall be no material deviations from plans and specifications approved by the Review Entity (as determined by the Review Entity in its sole discretion) without the prior consent in writing of the Review Entity.

Section 9.13 Non-Precedential Nature of Approvals. Each applicant acknowledges that the composition of the Review Entity will change from time to time and that decisions regarding aesthetic matters and interpretation and application of the Design Guidelines applicable to the applicant's Improvements may vary from time to time. In addition, each applicant acknowledges that it may not always be possible to identify objectionable features of proposed Improvements until the Improvements are completed, in

which case it may be unreasonable to require changes to the Improvements previously approved; however, the Review Entity may refuse to approve similar Improvements in the future. Approval of Improvements for any particular applicant or Improvements shall not be deemed a waiver of the right to withhold approval as to any similar Improvements subsequently submitted for approval.

Section 9.14 Waivers and Variances. The Review Entity in its sole discretion may, but shall not be required to, authorize waivers or variances from compliance with any Design Guidelines or for nonconforming Improvements when circumstances such as topography, natural obstructions, aesthetic or environmental considerations, architectural merit, or other reasonable considerations warrant such a waiver or variance. Such waivers and variances shall be granted only if and when the Review Entity determines that some or all of the foregoing circumstances warrant a waiver or variance. No applicant shall have any right to demand or obtain a waiver or variance. Except for a waiver or variance authorized by the Declarant, no waiver or variance may (i) be effective unless in writing, (ii) be contrary to this Declaration, or (iii) be inconsistent with the goals or objectives of the Declarant. In no event shall any waiver or variance prohibit or estop the Review Entity from denying a waiver or variance in other circumstances.

Section 9.15 Limited Scope of Approval. The standards and procedures established by this Article 9 are intended to provide a mechanism for maintaining and enhancing the overall aesthetics of the Development. Approval of an Application by a Review Entity shall in no way be construed as to pass judgment on the correctness of the location, structural design, suitability of water flow or drainage, location of utilities, or other qualities of the item being reviewed. No Review Entity, nor any of its members, officers, directors, employees, agents, or representatives, shall bear any responsibility for ensuring structural integrity, soundness or compliance with building codes and other governmental approvals or requirements, or that any Improvements are located so as to avoid negative impacts on other Residential Units or surrounding properties including, without limitation, impaired views. No representation is made by any Review Entity with respect to the quality, size, value or design of future Improvements. Approval by any Review Entity shall not be construed as a representation or warranty of any type regarding the design or construction of any Improvement and no Review Entity, nor any of its members, officers, directors, employees, agents, or representatives, shall be liable for (i) soil conditions, drainage or other site work problems, (ii) defects or errors in any plans or specifications submitted as part of an Application, (iii) any structural or other defects in Improvements constructed according to an approved Application, or (iv) any injury, damages, or loss arising out of the design, quality or manner of construction of any approved Improvements. Approvals by the Review Entity shall in no way be deemed to constitute a determination as to compliance with local zoning ordinances, governmental guidelines or restrictions, or be substituted in lieu of applicable governmental approvals and permits, and no construction may commence until all such approvals and permits have been obtained.

Section 9.16 Enforcement.

(a) Any Improvements constructed in violation of this Article 9 or in a manner inconsistent with an approved Application shall be deemed to be nonconforming. Upon written request from the Review Entity, the defaulting Owner shall, at its own cost and expense, promptly either remove any nonconforming Improvement and restore the

Improvement to substantially the same condition that existed prior to the installation of the nonconforming Improvement or bring the nonconforming Improvement into compliance with the approved Application, as applicable. If a defaulting Owner fails to remove any nonconforming Improvement or bring the nonconforming Improvement into compliance with the approved Application, as applicable, the Review Entity shall have the right to enforce this Article 9 in accordance with Sections 13.5, 13.6, and 13.7 of this Declaration including, without limitation, by removing the violation and restoring the Improvement to substantially the same condition as previously existed. The Review Entity may preclude any contractor, subcontractor, agent, employee or other invitee of any Owner who fails to comply with the terms and provisions of this Article 9 and the applicable Design Guidelines from continuing any further activities on the Improvements or any other portion of the Development. Neither the Review Entity, nor any of its members, officers, directors, employees, agents, or representatives shall be held liable to any Owner or any other person or entity for exercising the rights granted by this Article 9.

(b) During the Declarant Control Period, if a Design Review Committee fails to take enforcement action within thirty (30) calendar days after receipt of a written demand from the Declarant identifying the violator and/or specifying the nature of the violation, then the Declarant may undertake any appropriate enforcement action and the Association shall reimburse the Declarant for all costs reasonably incurred by the Declarant in taking such enforcement action with respect to such violation, but only to the extent the Declarant prevails in such action.

Section 9.17 Certificate of Compliance. Upon satisfactory completion of Improvements in accordance with plans and specifications approved by the Review Entity in accordance with the provisions of this Article 9, the Review Entity shall, at the written request of the applicant, issue a certificate of compliance. A certificate of compliance shall be prima facie evidence that the Improvements referenced in such certificate have been approved by the Review Entity in full compliance with the provisions of this Article 9 and with such other provisions and requirements of the Association Documents as may be applicable. The Review Entity may charge the applicant a reasonable administrative fee for issuing a certificate of compliance.

Section 9.18 Appeal of Design Review Committee Decisions. Any decisions made by a Design Review Committee may be appealed to the Board of Directors by the party whose Application or other request was the subject of the Design Review Committee's decision. Upon written request, such Owner shall be entitled to a hearing before the Board of Directors. A vote of at least a majority of all members of the Board of Directors shall be required to reverse or modify a decision of the Design Review Committee. Notwithstanding the foregoing, when acting as the Review Entity, the decisions of the Declarant and the Board of Directors shall be final and shall not be subject to appeal.

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Jamie Whitehouse

To: Jason Palkewicz
Cc: Lauren DeVore
Subject: Azalea Woods
Attachments: Master Plan Nov 2018 - MP11.pdf

Jason,

I have penciled this in for Commission's agenda next week.

If the plan going forward is to record sections/phases of the subdivision individually as part of a phased review/recordation process, then it is my recommendation to the Commission that, if they wish to approve the plan as a Final, that any approval be contingent on a Master Phasing Plan being submitted to accompany each phase as we process them and prior to recordation of any phase.

This ensures compliance with conditions of approval and assists in the Commission's review of future phases (i.e Staff and the Commission can see the status of the subdivision in its entirety when reviewing each phase)

This is consistent with larger developments like the Peninsula and Americana Bayside. Although they are larger RPC's and/or with commercial, they were delivered in phases.

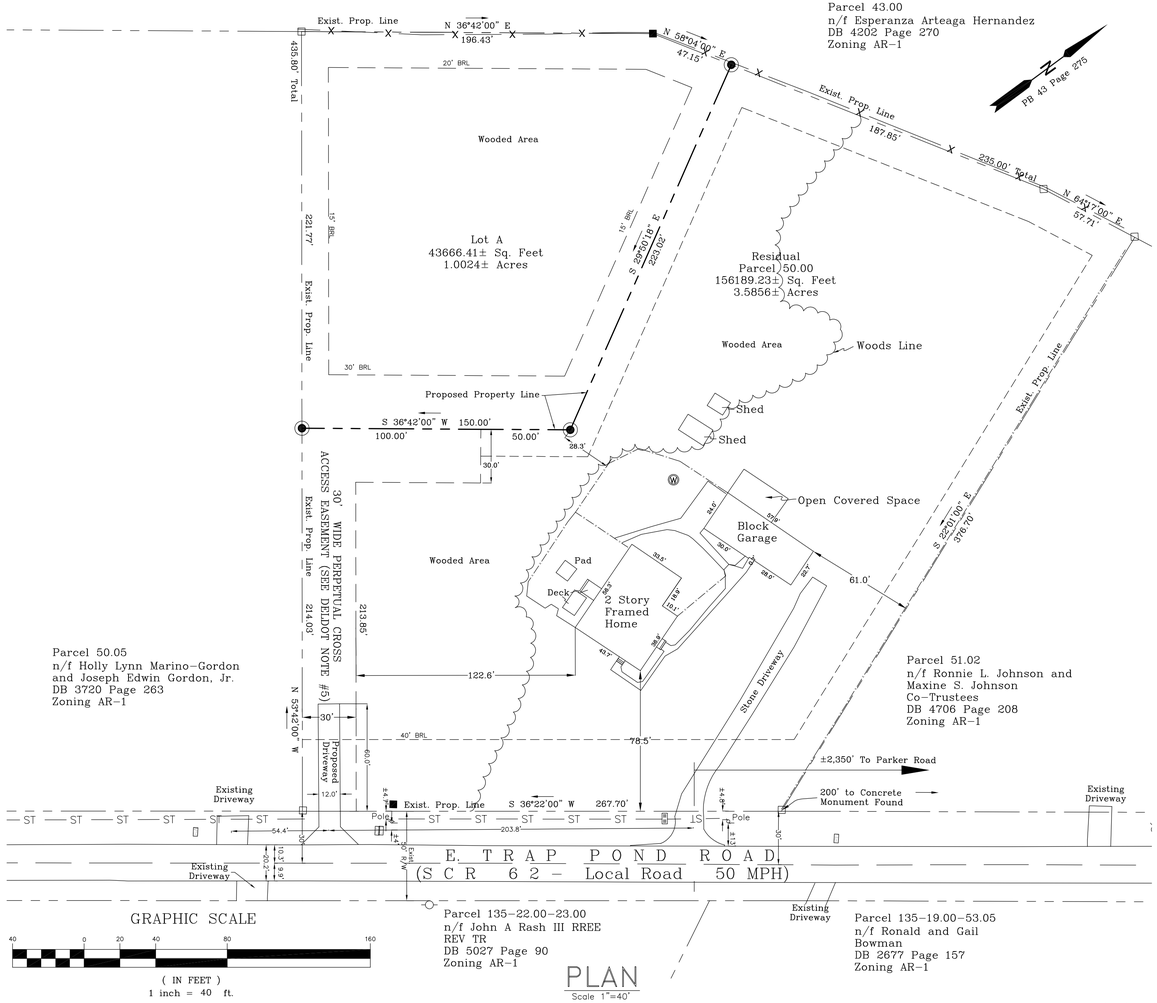
It would be helpful if we could have something similar for next week.

Thank you,

Mr. Jamie Whitehouse, AICP, MRTPI
Director, Department of Planning & Zoning
Sussex County
2 The Circle, P.O. Box 417, Georgetown, DE, 19947
Tel: 302-855-7878, Fax: 302-854-5079

Much of the County's Planning and Zoning Information can be found online at:
https://sussexcountyde.gov/sussex-county-mapping-applications

Information on the 2018 Sussex County Comprehensive Plan can be found at:
https://sussexcountyde.gov/2018-comp-plan-documents



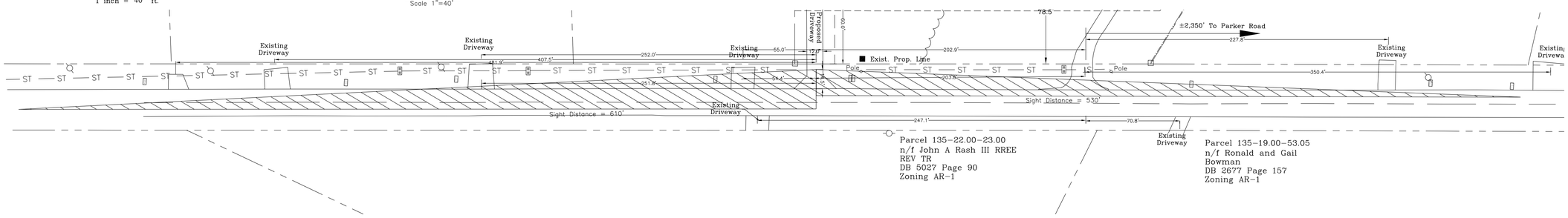
GRAPHIC SCALE

40 0 20 40 80 160

(IN FEET)
1 inch = 40 ft.

PLAN

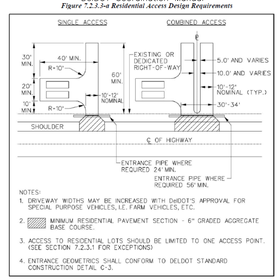
Scale 1"=40'



SIGHT DISTANCE TRAINGLE

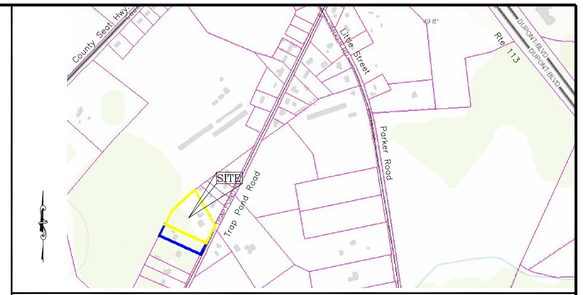
Scale 1"=40'

DelDOT Coordination Manual
Figure 7.2.3.1a Residential Access Design Requirements



LEGEND

- Square Iron Bar
- Soil Boring
- Rebar and Cap
- Rebar To Be Set
- Well
- Concrete Monument
- Catch Basin
- Power Pole
- Mail Box
- Ex. Property Line
- Prop. Property Line
- Storm Pipe
- Fence
- Access Easement



PLAN DATA:

PARCEL I.D. No * 135-19.00-50.00

PLAT REFERENCE * D.B. 2110, PAGE 238

ZONING DISTRICT * AR-1 (ZONING CLASSIFICATION)

USE * CURRENT - SINGLE FAMILY HOME
PROPOSED - (LOT A) SINGLE FAMILY HOME

ROADWAY CLASSIFICATION * LOCAL ROAD - E. TRAP POND ROAD (SCR 62) 50 MPH

SEWAGE DISPOSAL * INDIVIDUAL ON-SITE WASTEWATER DISPOSAL SYSTEMS (PRIVATE)

SEWERAGE IS SUBJECT TO APPROVAL OF THE THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.

WATER SUPPLY * INDIVIDUAL ON-SITE WELLS (PRIVATE)

WATER IS SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE DIVISION OF PUBLIC HEALTH.

OWNER * KATHY M. LINGO
34118 CAITLINS COURT
LEWES, DE 19958
302-856-2836

MINIMUM LOT SIZE * 32,670 SF. 3/4 AC.

LOT AREA RATIONALE *
AREA IN LOT A = 1.0024 ACRES
AREA IN REMAINING LANDS =2.5832 ACRES
GROSS AREA =3.5856 ACRES

TOTAL No. OF LOTS * 1 EXISTING & 1 PROPOSED LOT (2 TOTAL LOTS)

(TID) PROXIMITY * 14 MILES TO HENLOPEN TID

BUILDING SETBACKS * FRONT 30' (40'), SIDE 15', REAR 20'

BUILDING HEIGHT * 3 STORY, MAX 42'

WOODED AREA * ±87,878.8 SF ±2 AC

FLOOD PLAIN * REF: FIRM MAP 10005C0300L (6/20/2018) Area of Minimal Flood Hazard

STATE STRATEGY * INVESTMENT LEVEL 2

SURVEY CONTROL * HORZ. NAD 83
VERT. NAVD 88

WETLANDS * THERE ARE NO FEDERAL OR STATE WETLANDS LOCATED ON THIS PARCEL

DELDOT NOTES:

1. ALL ENTRANCES SHALL CONFORM TO DELDOT'S DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL.
2. NO LANDSCAPING SHALL BE ALLOWED WITHIN THE RIGHT-OF-WAY UNLESS THE PLANS ARE COMPLIANT WITH SECTION 3.7 OF THE DEVELOPMENT COORDINATION MANUAL.
3. SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT OF WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
4. PRIVATE STREETS CONSTRUCTED WITHIN THIS SUBDIVISION SHALL BE MAINTAINED BY THE DEVELOPER, THE PROPERTY OWNERS WITHIN THIS SUBDIVISION OR BOTH (TITLE 17 §131). DELDOT ASSUMES NO RESPONSIBILITIES FOR THE FUTURE MAINTENANCE OF THESE STREETS.
5.
6. A PERPETUAL CROSS ACCESS INGRESS/EGRESS EASEMENT IS HEREBY ESTABLISHED AS SHOWN ON THIS PLAN.
7. LOT A SHALL HAVE ACCESS TO SCR 62 (E. TRAP POND ROAD) VIA THE 30 FOOT WIDE INGRESS/EGRESS EASEMENT AS SHOWN ON THIS PLAN.
8. RESIDUAL LANDS SHALL HAVE A SINGLE ACCESS FROM SCR 62, IN WHICH THE ENTRANCE SHALL BE ALONG THE SOUTHEAST PROPERTY LINE BORDERING SCR 62. SHOULD ADDITIONAL LOTS EVER BE DEVELOPED FROM THE RESIDUAL LANDS, THEN THE SINGLE ACCESS SHALL BE CONVERTED TO A COMBINED ACCESS.

OWNER'S CERTIFICATION

I HEREBY CERTIFY THAT I AM THE LEGAL OWNER OF THE PROPERTY SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION, THAT I ACKNOWLEDGE THE SAME TO BE MY ACT, AND DESIRE THE PLAN TO BE DEVELOPED IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

Kathy M. Lingo DATE
34118 Caitlins Court
Lewes, DE 19947
302-856-2836

ENGINEER'S CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEGE COMPLIES WITH THE APPLICABLE STATE AND LOCAL REGULATIONS AND ORDINANCES.

JOHN B. ROACH, JR., P.E. DATE

SUSSEX COUNTY COUNCIL PRESIDENT DATE

Revision Number	Revision Date	Revision Description

SUBDIVISION PLAN

FOR PROPERTY KNOWN AS:

LANDS OF "KATHY M. LINGO"

ALSO KNOWN AS:

22888 EAST TRAP POND ROAD, GEORGETOWN, DE

SITUATE IN:

GEORGETOWN HUNDRED * SUSSEX COUNTY
STATE OF DELAWARE

TAX MAP#: 135-19.00-50.00

JOHN B. ROACH Engineering LLC
22184 MELSON ROAD
GEORGETOWN, DELAWARE 19947
PHONE NO. 302-856-1565

Drawn By: JBR	Date: 11-23-2020
Scale: 1"=40'	Sheet 1/1

JOHN B. ROACH
Engineering LLC

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

January 12, 2022

RE: Lands of Kathy Lingo Minor Subdivision Lot A
Project 2021-16
Sussex County Tax Map Number 135-19.00 Parcel 50.00

Mr. Whitehouse,

A final plan has been submitted to Sussex County Planning and Zoning to allow for a minor subdivision of a single lot off SCR 469 – Trap Pond Road. Since preliminary approval we have received a letter of no objection for the entrance location from DelDOT. One of the requirements for final approval noted in the letter of preliminary approval is 1 foot topographical contours be included in the final Minor Subdivision Plan. Since this is a 1 lot minor subdivision and there are no drainage issues on this parcel, we would like to request this requirement be removed.

Please let me know if you any questions or concerns.

Sincerely,

John B Roach, Jr.

John B Roach Engineering, LLC

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

NICOLE MAJESKI
SECRETARY

November 30, 2021

Mr. Jamie Whitehouse, Director
Sussex County Planning & Zoning Commission
Sussex County Administration Building
P.O. Box 417
Georgetown, Delaware 19947

SUBJECT: Minor Subdivision - Letter of No Objection to Recordation
LOT A KATHY M. LINGO MINOR SUBDIVISION
Tax Parcel # 135-19.00-50.00
SCR00062-TRAP POND ROAD
Georgetown Hundred, Sussex County

Dear Mr. Whitehouse:

The Department of Transportation has reviewed the Minor Subdivision Plan dated November 23, 2020 (last revised November 23, 2021), for the above referenced site, and has no objection to its recordation as shown on the enclosed drawing. This "No Objection to Recordation" approval shall be valid for a period of **five (5) years**. If the Minor Subdivision Plan is not recorded and/or an entrance permit is not issued for the lot(s) prior to the expiration of the "No Objection to Recordation", then the plan must be updated to meet current requirements and resubmitted for review and approval.

Entrances(s) must be installed prior to the sale of the lot(s). All entrances shall conform to DelDOT's Development Coordination Manual and shall be subject to its approval. **This letter does not authorize the commencement of entrance construction.**

This "No Objection to Recordation" letter is not a DelDOT endorsement of the project discussed above. Rather, it is a recitation of the transportation improvements, which the applicant may be required to make as a pre-condition to recordation steps and deed restrictions as required by the respective county/municipality in which the project is located. If transportation investments are necessary, they are based on an analysis of the proposed project, its location, and its estimated impact on traffic movements and densities. The required improvements conform to DelDOT's published rules, regulations and standards. Ultimate responsibility for the approval of any project rests with the local government in which the land use decisions are authorized. There may be other

reasons (environmental, historic, neighborhood composition, etc.) which compel that jurisdiction to modify or reject this proposed plan even though DelDOT has established that these enumerated transportation improvements are acceptable.

The owner shall be responsible to submit a copy of the **recorded Minor Subdivision Plan** showing all appropriate signatures, seals, plot book and page number to the South District Public Works office (302) 853-1341 in order to obtain the entrance permit(s) for the proposed minor subdivision.

Sincerely,

R. Stephen McCabe
Sussex County Review Coordinator
Development Coordination

cc: John Roach, John B. Roach Engineering, LLC
Sussex County Planning & Zoning
Jessica L. Watson, Sussex Conservation District
Matt Schlitter, South District Public Works Engineer
James Argo, South District Project Reviewer
William Kirsch, South District Entrance Permit Supervisor
Shannon Anderson, South District Public Work Admin Specialist
Wendy L. Polasko, P.E., Subdivision Engineer
John Andrescavage, Sussex County Reviewer

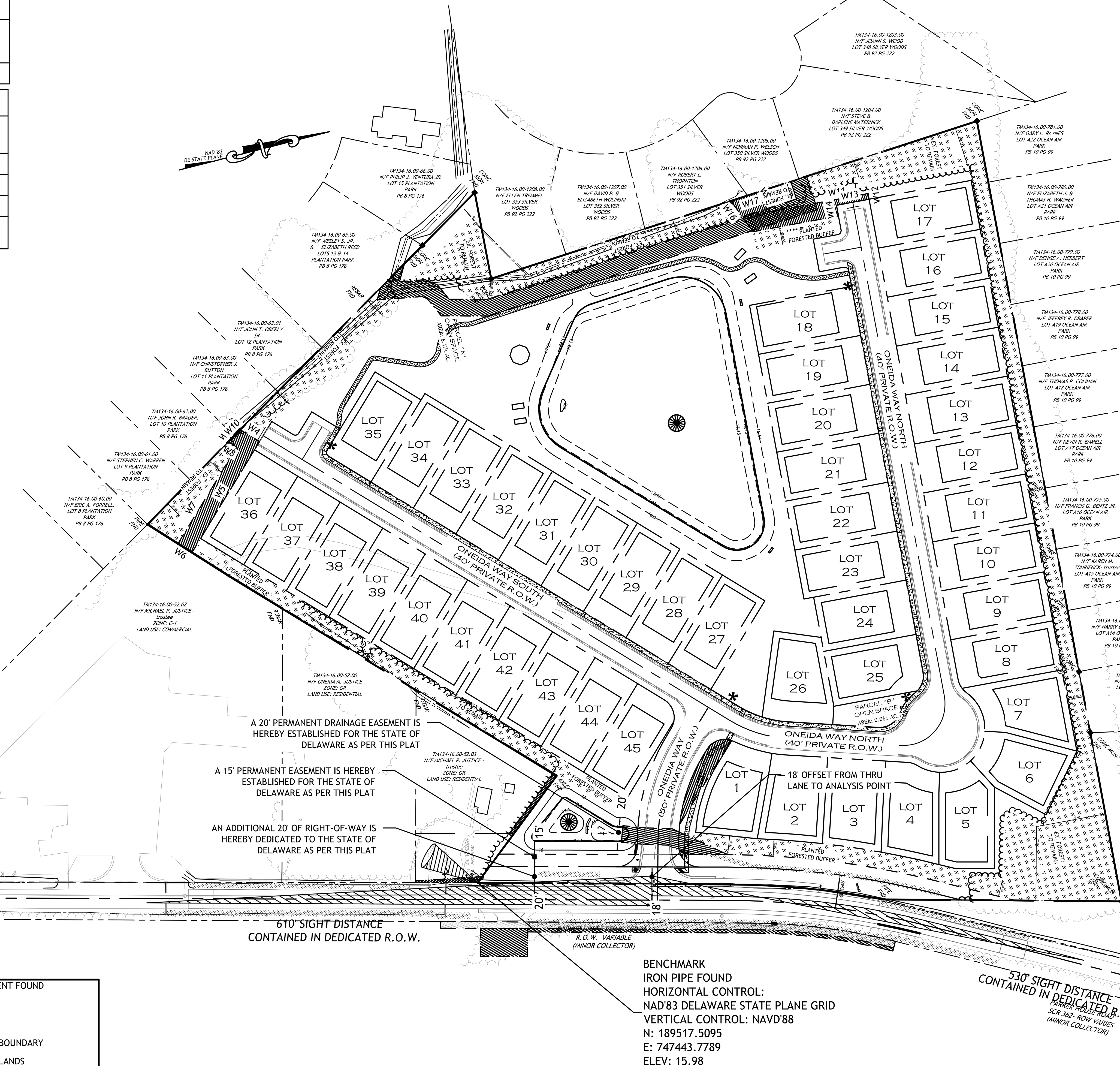
SHEET LIST TABLE			
SHEET NUMBER	SHEET TITLE	ORIGINAL DATE	REVISION DATE
RP-1	RECORD PLAN COVER SHEET	10-21-2020	12-27-201
RP-2	RECORD PLAN	10-21-2020	11-15-2021
RP-3	RECORD PLAN	10-21-2020	11-15-2021
RP-4	NOTES, LINE, CURVE & EASEMENT TABLES	10-21-2020	11-15-2021
RP-5	EXISTING & PROPOSED CONDITIONS EXHIBITS	10-21-2020	11-15-2021

SHEET LIST TABLE			
SHEET NUMBER	SHEET TITLE	ORIGINAL DATE	REVISION DATE
LP-1	LIGHTING AND AMENITY PLAN	11-15-2021	12-27-2021
LS-1	LANDSCAPE PLAN	9-3-2021	12-27-2021
LS-2	LANDSCAPE PLAN	9-3-2021	12-27-2021
LS-3	LANDSCAPE DETAILS	9-3-2021	12-27-2021

ASSAWOMAN LAKES RPC
RECORD PLAN
BALTIMORE HUNDRED, SUSSEX COUNTY DELAWARE

NOTES:

1. FORESTED BUFFERS, STREETS, STORMWATER MANAGEMENT FACILITIES AND OTHER COMMON AREAS SHALL BE MAINTAINED BY THE DEVELOPER UNTIL SUCH TIME AS A HOMEOWNER'S ASSOCIATION CAN PROVIDE FOR REQUIRED MAINTENANCE. SUSSEX COUNTY AND THE STATE OF DELAWARE ASSUME NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THESE FACILITIES WITHIN THE SITE.
2. ACCESS TO LOTS SHALL BE PROVIDED FROM THE SUBDIVISION STREETS PROPOSED WITH THIS PLAN. NO DIRECT ACCESS TO PUBLIC STREETS IS PROPOSED EXCEPT THE ENTRANCE SPECIFICALLY SHOWN ON THIS PLAN.
3. BASED UPON FLOOD INSURANCE RATE MAP (FIRM) NUMBER 10005C0513K, DATED MARCH 16, 2015; THE ENTIRE PROPERTY IS LOCATED IN AN AREA DESIGNATED AS ZONE "X" (UNSHADED), WHICH IS AN AREA DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN.
4. THE BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN ON THIS PLAT WAS TAKEN FROM A FIELD SURVEY PREPARED BY AXIOM ENGINEERING, LLC IN JULY 2019. HORIZONTAL CONTROL IS REFERENCED TO NAD '83 STATE PLANE GRID, VERTICAL CONTROL IS REFERENCED TO NAVD '88.
5. ALL SUBDIVISION LOTS SHALL HAVE FIVE-FOOT-WIDE EASEMENTS ALONG ALL LOT LINES FOR A TOTAL EASEMENT WIDTH OF AT LEAST TEN (10) FEET ALONG A LOT LINE COMMON TO TWO LOTS. EASEMENTS ALONG PERIMETER BOUNDARIES OF THE SUBDIVISION SHALL BE TEN (10) FEET IN WIDTH ON THE INTERIOR SIDE OF THE BOUNDARY. NO BUILDING, STRUCTURE OR OTHER PERMANENT OBSTRUCTION SHALL BE PLACED IN ANY EASEMENT.
6. THIS PLAN DOES NOT VERIFY TO THE LOCATION AND/OR EXISTENCE OF EASEMENTS OR RIGHT-OF-WAYS CROSSING SUBJECT PROPERTY AS NO TITLE SEARCH WAS PROVIDED.
7. ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS.
8. THE LANDSCAPE PLAN FOREST AND/OR LANDSCAPE BUFFER PLANS SHALL BE INSTALLED WITHIN 18 MONTHS FROM THE DATE SITE WORK IS AUTHORIZED TO COMMENCE. IF THE SUBDIVISION IS TO BE CONSTRUCTED IN PHASES, THE BUFFER FOR EACH PHASE MUST BE COMPLETED BEFORE COUNTY APPROVALS OR PERMITS WILL BE GRANTED TO CONSTRUCT THE NEXT PHASE.
9. BUS STOPS SHALL BE LOCATED AT THE DISCRETION OF THE INDIAN RIVER SCHOOL DISCTICT.
10. THE U.S. ARMY CORPS OF ENGINEERS ISSUED JURISDICTIONAL DETERMINATION CENAP-OP-R-2020-189-23(NPR) ON MARCH 26, 2021, INDICATING THAT THE SUBJECT PROPERTY DOES NOT CONTAIN REGULATED WETLANDS.



SITE DATA:

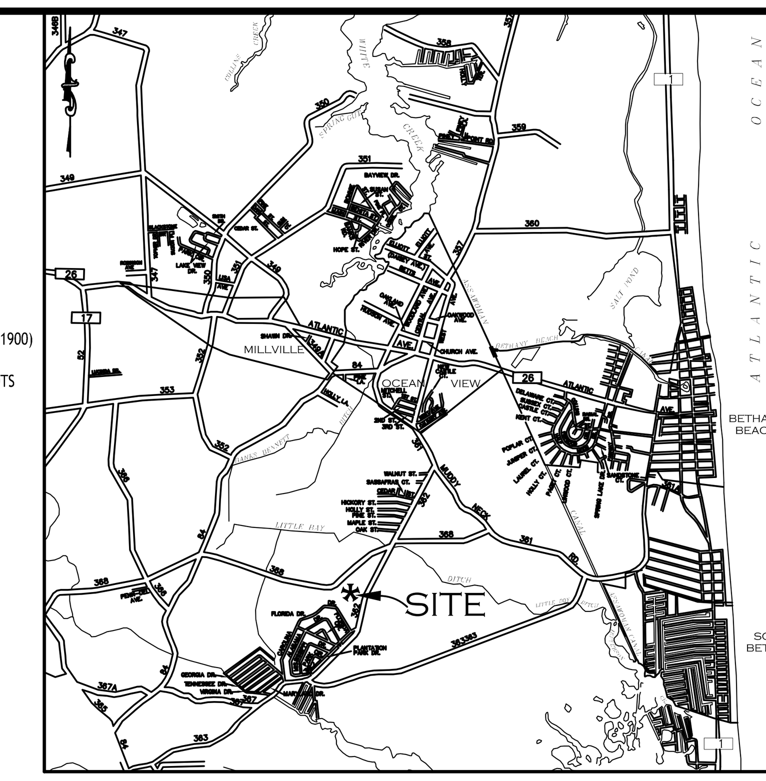
OWNER/APPLICANT:	KAMM PROPERTIES, LLC MICHAEL P. JUSTICE 29687 SAWMILL DRIVE DAGSBORO, DE 19939 302-745-8155 mike@paulspaving.com
TAX MAP	134-16.00-51.00
DEED REFERENCE	DB 5600 - PG 198
STATE INVESTMENT LEVEL	3
TRANSPORTATION IMPROVEMENT DISTRICT	N/A
HIGHWAY NAME / MAINTENANCE NUMBER	PARKER HOUSE ROAD / SCR 362
FUNCTIONAL CLASSIFICATION / POSTED SPEED LIMIT	MINOR COLLECTOR / 40 MPH
ZONING JURISDICTION / ZONING DISTRICT	SUSSEX COUNTY / GR-RPC (CZ #1900)
EXISTING USE	VACANT
PROPOSED USE	45 SINGLE FAMILY DWELLING LOTS
DENSITY	2.82 DWELLING UNITS/ACRE
REQUIRED LOT SIZE	
MIN. WIDTH	60'*
MIN. DEPTH	100'
MIN. AREA	7,500 SQ. FT.*
BUILDING SETBACKS	
FRONT	25'*
CORNER	15'
SIDE	8'*
REAR	8'*

* REDUCED LOT WIDTH, LOT AREA AND SETBACKS APPROVED WITH RPC CHANGE OF ZONE

PROPOSED BUILDING HEIGHT	42' MAX.
SITE AREA CALCULATIONS:	
DEDICATION TO STATE OF DELAWARE	0.35± AC.
PRIVATE ROAD R.O.W.	1.85± AC.
LOTS	7.78± AC.
OPEN SPACE	6.34± AC. (39%)
TOTAL SITE AREA	16.10± AC.
OPEN SPACE CALCULATIONS:	
WETLANDS	0.00± AC.*
STORMWATER MANAGEMENT AREA	1.81± AC.
EXISTING FOREST TO REMAIN	1.45± AC.
PLANTED FOREST BUFFERS	0.62± AC.
DELDOT PERMANENT EASEMENT	0.17± AC.
OTHER OPEN SPACE	2.24± AC.

* MARCH 26, 2021 JURISDICTIONAL DETERMINATION ISSUED BY THE U.S. ARMY CORPS OF ENGINEERS

FOREST CONDITIONS	
EXISTING FOREST ON PROPERTY	4.93± AC.
FOREST CLEARED	3.46± AC.
FOREST TO REMAIN	1.47± AC. (30%)
FOREST BUFFERS PLANTED	0.38± AC.
TOTAL FOREST	1.86± AC.
WATER SUPPLY	TIDEWATER UTILITIES
SEWAGE DISPOSAL	SUSSEX COUNTY



VICINITY MAP
SCALE: 1" = 1 MILE

CZ #1900 CONDITIONS OF APPROVAL:

A. THE MAXIMUM NUMBER OF DWELLING UNITS SHALL NOT EXCEED 45 SINGLE FAMILY UNITS.
B. A HOMEOWNER'S ASSOCIATION SHALL BE FORMED TO PROVIDE FOR THE PERPETUAL MAINTENANCE, REPAIR AND REPLACEMENT OF BUFFERS, STORMWATER MANAGEMENT FACILITIES, STREETS, AMENITIES AND OTHER COMMON AREAS. A COPY OF THE EXECUTED AGREEMENT, TO INCLUDE PROVISION FOR THE MAINTENANCE OF ALL DRAINAGE EASEMENTS, SHALL BE SUBMITTED AS PART OF THE FINAL SITE PLAN.
C. ALL ENTRANCES, INTERSECTIONS, INTERCONNECTIONS, ROADWAYS AND MULTI-MODAL IMPROVEMENTS REQUIRED BY DELDOT SHALL BE COMPLETED IN ACCORDANCE WITH DELDOT'S REQUIREMENTS OR IN ACCORDANCE WITH ANY FURTHER MODIFICATIONS REQUIRED BY DELDOT BASED ON ITS REVIEW OF THE TRAFFIC IMPACT STUDY.
D. THE RPC SHALL BE SERVED BY SUSSEX COUNTY SEWER. THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS AND SPECIFICATIONS OF THE COUNTY ENGINEERING DEPARTMENT.
E. THE RPC SHALL BE SERVED BY CENTRAL WATER FOR DRINKING WATER AND FIRE PROTECTION, AS REQUIRED BY APPLICABLE REGULATIONS.
F. STORMWATER MANAGEMENT AND EROSION AND SEDIMENTATION CONTROL FACILITIES SHALL BE CONSTRUCTED IN ACCORDANCE WITH ALL APPLICABLE STATE AND COUNTY REQUIREMENTS. THESE FACILITIES SHALL BE OPERATED IN A MANNER THAT IS CONSISTENT WITH BEST MANAGEMENT PRACTICES.
G. INTERIOR STREET DESIGN SHALL MEET OR EXCEED SUSSEX COUNTY'S STREET DESIGN REQUIREMENTS. THERE SHALL ALSO BE STREET LIGHTING AND SIDEWALKS ON AT LEAST ONE SIDE OF THE STREETS WITHIN THE RPC.
H. A 20-FOOT WIDE VEGETATED OR FORESTED BUFFER SHALL BE ESTABLISHED ALONG THE PERIMETER OF THE SITE. THIS MAY INCLUDE THE EXISTING TREES. THERE WAS TESTIMONY DURING THE HEARING ABOUT THE NEED TO IMPROVE THE DRAINAGE ALONG THE NORTHWEST BOUNDARY OF THE SITE IN AN AREA THAT IS CURRENTLY WOODED. IN THIS AREA, THE BUFFER SHALL BE LOCATED OUTSIDE OF THE AREA NEEDED FOR THESE DRAINAGE IMPROVEMENTS.
I. IF REQUESTED BY THE LOCAL DISTRICT, A SCHOOL BUS STOP SHALL BE PROVIDED BY THE ENTRANCE TO THE DEVELOPMENT, WITH THE LOCATION AND ANY RELATED PARKING TO BE APPROVED BY THE SCHOOL DISTRICT'S TRANSPORTATION SUPERVISOR. THE LOCATION OF THE BUS STOP AREA SHALL BE SHOWN ON THE FINAL SITE PLAN.
J. ROAD NAMING AND ADDRESSING SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE SUSSEX COUNTY MAPPING AND ADDRESSING DEPARTMENTS.
K. THE FINAL SITE PLAN SHALL CONTAIN THE APPROVAL OF THE SUSSEX CONSERVATION DISTRICT FOR THE DESIGN AND LOCATION OF ALL STORMWATER MANAGEMENT AREAS AND EROSION AND SEDIMENTATION CONTROL FACILITIES.
L. THE FINAL SITE PLAN SHALL INCLUDE A LANDSCAPE PLAN FOR ALL OF THE BUFFER AREAS, SHOWING ALL OF THE LANDSCAPING AND VEGETATION TO BE INCLUDED IN THE BUFFER AREAS. THE LANDSCAPE PLAN SHALL ALSO INCLUDE THE EXISTING FORESTED AREAS THAT WILL BE MAINTAINED.
M. THE FINAL SITE PLAN SHALL INCLUDE A GRADING PLAN THAT SHALL BE SUBMITTED TO COUNTY STAFF FOR REVIEW AND APPROVAL.
N. CONSTRUCTION, SITE WORK, GRADING, AND DELIVERIES OF CONSTRUCTION MATERIALS SHALL ONLY OCCUR FROM MONDAY THROUGH SATURDAY AND ONLY BETWEEN THE HOURS OF 7:00 AM AND 6:00 PM.
O. THE FINAL SITE PLAN SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE SUSSEX COUNTY PLANNING & ZONING COMMISSION.

LEGEND

EXISTING	PROPOSED / OTHER
EX. PROPERTY LINE	CONCRETE MONUMENT FOUND
PROPOSED SUBDIVISION LINE	IRON PIPE FOUND
EX. ADJACENT PROPERTY LINES	IRON PIPE SET
	BENCHMARK
EX. 404 WETLANDS	ZONE X / ZONE AE (ELEV. 7) FEMA FLOODPLAIN BOUNDARY
EX. MINOR CONTOUR (22)	STATE (TIDAL) WETLANDS
EX. MAJOR CONTOUR (20)	PR. CONTOUR (25.5)
EX. BUILDING RESTRICTION LINES	PR. BUILDING RESTRICTION LINES
EX. ROAD CENTERLINE	PR. ROAD CENTERLINE
EX. EASEMENT	PR. EASEMENT
EX. BUILDING (EX. SHED)	PR. BUILDING
EX. SWALE	PR. SWALE
EX. SIDEWALK	PR. SIDEWALK
EX. CURB	PR. CURB
EX. STORM SEWER (EX. CATCH BASIN, DRAINAGE MANHOLE)	PR. STORM SEWER CL (PR. CATCH BASIN)
EX. SANITARY SEWER (EX. SANITARY MANHOLE)	PR. SANITARY SEWER (PR. SANITARY MANHOLE)
EX. WOODS LINE	PR. WOODS LINE
EX. WATER LINE (EX. REDUCER, EX. METER, EX. VALVE)	PR. WATER LINE (PR. REDUCER, PR. METER, PR. VALVE, PR. FIRE HYDRANT)
EX. WELL	PR. WELL
TRAFFIC SIGN	PARKING SPACE COUNTS: 9 PERPENDICULAR 10' X 20'; 9 DIAGONAL 9' X 18'; 1 HANDICAP 8' X 20' + PAINTED AISLE; 1 COMPACT 8' X 17'
EX. ZONING BOUNDARY	
EX. ELECTRIC LINES UTILITIES	
EX. UTILITY POLES/LIGHT POLES	PROPOSED LIGHT POLES
EX. FENCE	PR. SPOT ELEVATION (00.00)
EX. SPOT ELEVATION (X 25.21)	PROPOSED DRAINAGE FLOW
PR. DELDOT ENTRANCE PAVING	TYPE 1 IP-1, TYPE 2 IP-2 PR. INLET PROTECTION
PR. ROTOMILL 1 1/4" & OVERLAY	CIP PR. CULVERT INLET PROTECTION
SOIL BORING (SB-1)	
TEST PIT (TP-1)	TYPE 1 ROP-1, TYPE 2 ROP-2 ROCK OUTLET PROTECTION
EX. STREAM	
DRAINAGE DIVIDES	PR. FOREBAY
TIME OF CONCENTRATION	SCE CONSTRUCTION ENTRANCE
COMPOST LOG CHECK DAM (CCD)	CW CONCRETE WASHOUT
SKIMMER DRAWDOWN DEVICE (SDD)	LOD LIMIT OF DISTURBANCE
	SF SILT FENCE

SCR 362 - PARKER HOUSE ROAD
HIGHWAY FUNCTIONAL CLASSIFICATION = MINOR COLLECTOR
POSTED SPEED LIMIT = 40 MPH (DESIGN SPEED = 45 MPH)
AADT = 1,725 (FROM 2019 DelDOT TRAFFIC SUMMARY)
10-YEAR PROJECTED AADT = 1.16 X AADT TRIPS = 2,001
10-YEAR PROJECTED AADT + SITE ADT = 2,500
TPG = TRAFFIC PATTERN GROUP = 3
DESIGN HOUR K FACTOR = 12.09%
DHV = DESIGN HOURLY VOLUME = AADT x K FACTOR = 302
DESIGN HOUR D-FACTOR = 61.35%
DDHV = DIRECTIONAL DESIGN HOURLY VOLUME = DHV X D-FACTOR = 185
TRUCK FACTOR = 8.06%
TRUCK AADT = AADT x TRUCK FACTOR = 201

SITE TRIPS GENERATED:
SOURCE: ITE TRIP GENERATION MANUAL 10TH EDITION
ITE CODE 210 - SINGLE FAMILY DETACHED HOUSING - 45 DWELLING UNITS
ADT = 499 (WEEKDAY) AM PEAK=37 (9 IN/28 OUT) PM PEAK=47 (30 IN/17 OUT)
<2% TRUCKS AND BUSSES x 45 TRIPS = 1 TRIPS DESIGN VEHICLE: WB-40

DIRECTIONAL DISTRIBUTION:
50% TO AND FROM NORTH, 50% TO AND FROM SOUTH

50% TO AND FROM NORTH = 250 ADT / (125 ENTER/125 EXIT)
= 18 AM PEAK (4 ENTER/14 EXIT)
= 24 PM PEAK (15 ENTER/9 EXIT)

50% TO AND FROM SOUTH = 249 ADT / (125 ENTER/124 EXIT)
= 18 AM PEAK (5 ENTER/14 EXIT)
= 24 PM PEAK (15 ENTER/9 EXIT)

RT 362 ACCESS DESIGN VOLUMES
RIGHT-TURN ADT: = 125
LEFT-TURN PEAK HOUR VOLUME = 15

OWNER'S CERTIFICATION:
I HEREBY CERITFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED ON THIS PLAN, AND THAT THE RESIDENTIAL PLANNED COMMUNITY SHOWN REPRESENTS MY ACT, AND THAT I DESIRE THE PROPERTY TO BE RECORDED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS, ORDINANCES AND REGULATIONS.

KAMM PROPERTIES, LLC - MICHAEL P. JUSTICE
29687 SAWMILL DRIVE
DAGSBORO, DE 19939
302-745-8155
mike@paulspaving.com

TRIP GENERATION PARKER HOUSE ROAD S.C.R. 362 FULL ACCESS ENTRANCE

PROPOSED ENTRANCE
125 (14) [8])
125 (14) [9])
1000
125 (4) [15])
125 (5) [15])
1000
PARKER HOUSE ROAD
TRAFFIC FLOW SCHEMATIC
TRIPS PER DAY
(VEHICLES IN A.M.)
[P.M. PEAK HOUR]
Z

ENGINEER'S CERTIFICATION
I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE COMPLIES WITH THE APPLICABLE STATE AND LOCAL REGULATIONS AND ORDINANCES.

KENNETH R. CHRISTENBURY, P.E. - DATE
DELAWARE P.E. #11553 (EXPIRES JUNE 30, 2022)
AXIOM ENGINEERING, LLC - 18 CHESTNUT STREET - GEORGETOWN, DE 19947
(302) 855-0810 - ken@axeng.com

WETLAND CERTIFICATION:
I, KENNETH W. REDINGER, CERTIFY THAT THE PROJECT AREA WAS EVALUATED FOR WETLANDS AND OTHER WATERS OF THE UNITED STATES SUBJECT TO THE U.S. ARMY CORPS OF ENGINEERS REGULATORY PROGRAM UNDER SECTION 404 OF THE CLEAN WATER ACT. A ROUTINE LEVEL ON-SITE INVESTIGATIONS WAS CONDUCTED JUNE 22, 2021IN ACCORDANCE WITH THE 1987 CORPS OF ENGINEERS WETLAND DELINEATION MANUAL IN CONJUNCTION WITH THE REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL: ATLANTIC AND GULF COASTAL PLAIN REGION, VERSION 2.0 (NOVEMBER 2010) AND ASSOCIATED REGULATORY GUIDANCE DOCUMENTS. NO WETLANDS OR OTHER WATERS OF THE UNITED STATES ARE PRESENT WITHIN THE PROJECT AREA.

KENNETH W. REDINGER, PROFESSIONAL WETLAND SCIENTIST #2126 DATE
P.O. BOX 479 / HORNTOWN, VA 23395
PHONE: (757) 894-7032 / EMAIL: KWREDINGER@GMAIL.COM

SUSSEX COUNTY APPROVAL:

PLANNING AND ZONING DEPARTMENT DATE

SUSSEX COUNTY COUNCIL PRESIDENT DATE

SUSSEX CONSERVATION DISTRICT APPROVAL:
23818 SHORTLY ROAD - GEORGETOWN, DE 19947 302-856-7219 FAX 856-0951

REV	DESCRIPTION OF REVISION	REVISED BY/DATE	CHECKED BY/DATE
3	LANDSCAPE PLAN REVISIONS	MAV 12-27-2021	KRC 12-27-2021
2	RESPONSE TO AGENCY COMMENTS	MAV 11-15-2021	KRC 11-15-2021
1	RESPONSE TO AGENCY COMMENTS	MAV 4-9-2021	KRC 4-9-2021

THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THERETO AND APPURTENANT.

RECORD PLAN COVER SHEET
PARKER HOUSE ROAD SCR 362
ASSAWOMAN LAKES
RESIDENTIAL PLANNED COMMUNITY - CZ #1900 - F.K.A. EVERGREEN RPC
BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE

AXIOM ENGINEERING L.L.C.
18 CHESTNUT STREET
GEORGETOWN, DE 19947
(302) 855-0810
FAX: 855-0812
E-MAIL: AXIOM@AXENG.COM
WEB: WWW.AXENG.COM

ENGINEER:	KRC
DESIGNER:	KRC
DRAFTER:	MAV
CHECKED BY:	KRC
DATE:	10/21/2020
TAX MAP:	134-16.00-51.00

0 100' 200'
24" X 36" 1 inch = 100 ft.
11" X 17" 1 inch = 200 ft.

SEAL

PROJECT NO: 0188-1502
DRAWING: RP-1
SHEET: 1 OF 5

J:\Files\CIVIL 3D 2018 PROJECTS\0188-1502 Evergreen SUBD-ENGINEERING\DWG\0188-1902-RP1 RECORD PLAN COVER SHEET.dwg

TM134-16.00-781.00
N/F GARY L. RAYNES
LOT A22 OCEAN AIR PARK
PB 10 PG 99

TM134-16.00-780.00
N/F ELIZABETH J. & THOMAS H. WAGNER
LOT A21 OCEAN AIR PARK
PB 10 PG 99

TM134-16.00-779.00
N/F DENISE A. HERBERT
LOT A20 OCEAN AIR PARK
PB 10 PG 99

TM134-16.00-778.00
N/F JEFFREY R. DRAPER
LOT A19 OCEAN AIR PARK
PB 10 PG 99

TM134-16.00-777.00
N/F THOMAS P. COLHAN
LOT A18 OCEAN AIR PARK
PB 10 PG 99

TM134-16.00-776.00
N/F KEVIN R. EMMELL
LOT A17 OCEAN AIR PARK
PB 10 PG 99

TM134-16.00-775.00
N/F FRANCIS G. BENTZ JR.
LOT A16 OCEAN AIR PARK
PB 10 PG 99

TM134-16.00-774.00
N/F KAREN M. ZDURIENCK- trustee
LOT A15 OCEAN AIR PARK
PB 10 PG 99

TM134-16.00-773.00
N/F HARRY D. CONKLIN
LOT A14 OCEAN AIR PARK
PB 10 PG 99

TM134-16.00-772.00
N/F JOAN A. McHALE
LOT A13 OCEAN AIR PARK
PB 10 PG 99

TM134-16.00-771.00
N/F JAMES P. KNIGHT
LOT A12 OCEAN AIR PARK
PB 10 PG 99

BENCHMARK - CONCRETE MONUMENT FOUND
NAD '83
NORTH = 190324.52
EAST = 746699.38
NAVD '88 ELEV. = 20.37

BENCHMARK
CONCRETE MONUMENT FOUND
NAD '83 NORTHING = 190265.11
EASTING = 747654.10
NAVD '88 ELEVATION = 16.93

S 75°17'20" E 71.89' (TIE LINE)

N87°29'04"E 188.94' (TIE LINE)

450.00'

S86°26'22"E 956.57' (OVERALL)

N86°26'22"W 699.64' (OVERALL)

206.57'

99.54'

215.10'

EX. FOREST TO REMAIN

LOT 17 | LOT 16 | LOT 15 | LOT 14 | LOT 13 | LOT 12 | LOT 11 | LOT 10 | LOT 9 | LOT 8 | LOT 7 | LOT 6

8' BRL - TYP

25' BRL - TYP

PARCEL "A"
OPEN SPACE
AREA: 6.16 AC. ±

EX. FOREST TO REMAIN

S30°16'11"E 85.20'

N28°39'42"E 88.89'

N2°09'09"E 70.98'

N17°41'09"E 25.00'

79.44'

89.56'

ONEIDA WAY N
(40' PRIVATE R.O.W.)

S86°26'22"E 588.73' (OVERALL)

N86°26'22"W 492.62' (OVERALL)

48.73'

S74°30'09"W 267.55' (OVERALL)

TM134-16.00-1204.00
N/F ROBERT E. & DEBRA A. STATTERNICK
LOT 349 SILVER WOODS
PB 92 PG 222

N86°26'22"W 30.00'

N86°26'22"W 40.00'

PLANTED FORESTED BUFFER

EX. FOREST TO REMAIN

WATER MAIN EASEMENT GRANTED TO TIDEWATER UTILITIES
3,247± SQ. FT.

LOT 18 | LOT 19 | LOT 20 | LOT 21 | LOT 22 | LOT 23 | LOT 24 | LOT 25

PARCEL "B"
OPEN SPACE
AREA: 1.06 AC. ±

S86°26'22"E 360.00' (OVERALL)

N86°26'22"W 133.73' (OVERALL)

S72°24'25"E 22.04'

N3°33'38"E 102.30'

S51°33'38"W 57.52'

LOT 26

S68°06'25"E 104.61'

N17°35'35"E 100.59' (OVERALL)

N3°55'14"W 615.83' (OVERALL)

20' WIDE PERPETUAL DRAINAGE EASEMENT GRANTED TO
TM 1-34-16.00-1204.00 &
TM 1-34-16.00-1025.00
11,711 ± SQ. FT.

TM134-16.00-1206.00
N/F ROBERT L. THORNTON
LOT 351 SILVER WOODS
PB 92 PG 222

EX. FOREST TO REMAIN

TM134-16.00-1207.00
N/F DAVID P. & ELIZABETH WOLINSKI
LOT 352 SILVER WOODS
PB 92 PG 222

WATER LINE EASEMENT GRANTED TO TIDEWATER UTILITIES
1,614.38 SQ. FT.±

LOT 27 | LOT 28

N44°33'38"W 125.00'

S45°26'22"W 480.00' (OVERALL)

ONEIDA WAY N
(40' PRIVATE R.O.W.)

LOT 5 | LOT 4 | LOT 3 | LOT 2 | LOT 1

A 15' PERMANENT EASEMENT IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAT

AN ADDITIONAL 20' OF RIGHT-OF-WAY IS HEREBY DEDICATED TO THE STATE OF DELAWARE AS PER THIS PLAT

PARKER HOUSE ROAD SCR 362
R.O.W. VARIABLE

L=185.15', R=1020.82'
CB=S19°39'33"W
CL=184.90'
Δ=010°23'31"

TM134-16.00-699.00
N/F DONALD D. CAREY III
ZONE: GR
LAND USE: RESIDENTIAL

MATCHLINE - SEE SHEET RP-3

REV	DESCRIPTION OF REVISION	REVISED BY/DATE	CHECKED BY/DATE
3	RESPONSE TO AGENCY COMMENTS	MAV 11-15-2021	KRC 11-15-2021
2	RESPONSE TO AGENCY COMMENTS	MAV 4-9-2021	KRC 4-9-2021

ENGINEER:	KRC
DESIGNER:	KRC
DRAFTER:	MAV
CHECKED BY:	KRC
DATE:	10-21-2020
TAX MAP:	134-16.00-51.00

0 30' 60'
24" X 36" 1 inch = 30 ft.
11" X 17" 1 inch = 60 ft.

THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THERETO AND APPURTENANT.

KENNETH R. CHESTNUT
No. 11853
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RECORD PLAN

PARKER HOUSE ROAD SCR 362

ASSAWOMAN LAKES

RESIDENTIAL PLANNED COMMUNITY - CZ #1900 - F.K.A. EVERGREEN RPC

BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE

PROJECT NO: 0188-1502

DRAWING: RP-2

SHEET: 2 OF 5

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MATCHLINE - SEE SHEET RP-2

TM134-16.00-1208.00
N/F ELLEN TREMMEL
LOT 353 SILVER WOODS
PB 92 PG 222

BENCHMARK
CONCRETE MONUMENT FOUND
NAD '83 NORTHING =189710.13
EASTING =746741.49
NAVD 88 ELEV.=17.48

586°45'48"E 105.65'

20' WIDE PERPETUAL DRAINAGE EASEMENT GRANTED TO TM 1-34-16.00-1204.00 & TM 1-34-16.00-1025.00 11,711 ± SQ. FT.

EX. FOREST TO REMAIN

CONC MON FND

PARCEL "A" OPEN SPACE
AREA: 6.16± AC.

TM134-16.00-64.00
N/F PHILIP J. HOFFMAN, JR.
LOT 13 PLANTATION PARK
PB 8 PG 176

N37°15'16"W 412.22'

REBAR FND

EX. FOREST TO REMAIN

TM134-16.00-65.00
N/F WESLEY S. JR. & ELIZABETH REED
LOTS 13 & 14
PLANTATION PARK
PB 8 PG 176

TM134-16.00-63.01
N/F JOHN T. OBERLY SR.
LOT 12 PLANTATION PARK
PB 8 PG 176

TM134-16.00-63.00
N/F CHRISTOPHER J. BUTTON
LOT 11 PLANTATION PARK
PB 8 PG 176

PIPE FND

N37°35'03"W 149.39'

EX. FOREST TO REMAIN

TM134-16.00-62.00
N/F JOHN R. BRAUER.
LOT 10 PLANTATION PARK
PB 8 PG 176

S 31°35'03" E 1.02

TM134-16.00-61.00
N/F STEPHEN C. WARREN
LOT 9 PLANTATION PARK
PB 8 PG 176

PIPE FND

ONEIDA WAY S (40' PRIVATE R.O.W.)

LOT 29
LOT 30
LOT 31
LOT 32
LOT 33
LOT 34
LOT 35
LOT 36
LOT 37
LOT 38
LOT 39
LOT 40
LOT 41
LOT 42
LOT 43
LOT 44
LOT 45

8' BRL - TYP
25' BRL - TYP

S45°26'22"W 480.00' (OVERALL)
S45°26'22"W 461.25' (OVERALL)
N45°26'22"E 541.50' (OVERALL)
S45°26'22"W 199.08'
S45°26'22"W 462.86'
N45°26'22"E 188.73'

N44°33'38"W 125.00'
N44°33'38"W 116.00'
N44°33'38"W 81.00'
N44°33'38"W 108.88'
N44°33'38"W 30.00'

S44°33'38"E 30.00'
N45°26'22"E 30.00'

C15 R=25.00' L=39.27' CH=N 89°33'38" W 35.36'
C16 R=25.00' L=39.27' CH=N 00°26'22" E 35.36'
C17 R=25.00' L=37.63' CH=N 43°23'38" W 34.19'
C18 R=25.00' L=39.27' CH=N 89°33'38" W 35.36'

WATER LINE EASEMENT GRANTED TO TIDEWATER UTILITIES 3,310 SQ. FT. ±

WATER LINE EASEMENT GRANTED TO TIDEWATER UTILITIES 1614.38 SQ. FT.±

PLANTED FORESTED BUFFER

A 20-FOOT WIDE PERMANENT EASEMENT CONTAINING 2,171 SQUARE FEET IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAT, FOR EMERGENCY ACCESS TO DRAINAGE FACILITIES COVERING RUNOFF FROM STATE MAINTAINED ROADS AND/OR RIGHTS-OF-WAY, THE PORTIONS OF THE DRAINAGE EASEMENT AND SYSTEM THAT ARE UPSTREAM OR OFFSITE AS WELL AS SECTIONS THAT ARE NOT DIRECTLY COLLECTING AND CONVEYING THE DRAINAGE RUNOFF OF SITE AS SHOWN ON THE APPROVED PLANS. THE DEVELOPER, PROPOSED STATE MAINTAINED ROADS AND/OR RIGHTS-OF-WAY SHALL BE THE RESPONSIBILITY OF THE STATE OF DELAWARE AND/OR ITS FUTURE MAINTENANCE OF ANY DEEMED PORTIONS OF THE STORM DRAIN SYSTEM AND/OR DRAINAGE EASEMENTS.

A 15' PERMANENT EASEMENT IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAT

AN ADDITIONAL 20'OF RIGHT-OF-WAY IS HEREBY DEDICATED TO THE STATE OF DELAWARE AS PER THIS PLAT

EX. FOREST BUFFER TO REMAIN

30' WIDE FOREST BUFFER

1' WIDE STRIP OF LAND TO BE TRANSFERRED TO TM 134-16.00-52.03 AREA = 188.73 S.F.

1' WIDE STRIP OF LAND TO BE TRANSFERRED TO TM 134-16.00-52.03 AREA = 190.70 S.F.

TM134-16.00-52.03
N/F MICHAEL P. JUSTICE - trustee
ZONE: GR
LAND USE: RESIDENTIAL

TM134-16.00-52.00
N/F ONEIDA M. JUSTICE
ZONE: GR
LAND USE: RESIDENTIAL

TM134-16.00-52.02
N/F MICHAEL P. JUSTICE - trustee
ZONE: C1
LAND USE: COMMERCIAL

ONEIDA WAY (50' PRIVATE R.O.W.)

N 39°26'02" W 1.00'
N 75°48'06" W 1.17'
N 75°50'03" W 1.17'

REBAR FND
AXLE FND
PIPE FND

N22°28'03"W 160.00'

S14°27'46"W 304.75'
S14°13'49"W 133.94'
N14°13'49"E 132.78'
N14°13'49"E 100.00'

PARKER HOUSE ROAD SCR 362
R.O.W. VARIABLE
(MINOR COLLECTOR)

EX. 46' R/W
EX. 47' R/W
DEDICATED 40' R/W
PR. 40' R/W

EX. VEGETATION TO BE REMOVED

EX. DRAINAGE EASEMENT IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER 1900 PLAT

24" RCP

15" ADS
INV.=13.45

15" RCP
INV.=13.60

15" ADS
INV.=13.45

15" ADS
INV.=13.66

15" CMP
INV.=13.30

15" CMP
INV.=13.56

TM 134-16.00-391.00
STATE OF DELAWARE
15" RCP ZONE: MR
LAND USE: OPEN SPACE

EX. VEGETATION

REV	DESCRIPTION OF REVISION	REVISED BY/DATE	CHECKED BY/DATE
2	RESPONSE TO AGENCY COMMENTS	MAV 11-15-2021	KRC 11-15-2021
1	RESPONSE TO AGENCY COMMENTS	MAV 4-9-2021	KRC 4-9-2021

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ENGINEER:	KRC
DESIGNER:	KRC
DRAFTER:	MAV
CHECKED BY:	KRC
DATE:	10-21-2020
TAX MAP:	134-16.00-51.00

0 30' 60'
24" X 36" 1 inch = 30 ft.
11" X 17" 1 inch = 60 ft.

SEAL

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RECORD PLAN

PARKER HOUSE ROAD SCR 362

ASSAWOMAN LAKES

RESIDENTIAL PLANNED COMMUNITY - CZ #1900 - F.K.A. EVERGREEN RPC

BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE

PROJECT NO: 0188-1502
DRAWING: RP-3
SHEET: 3 OF 5

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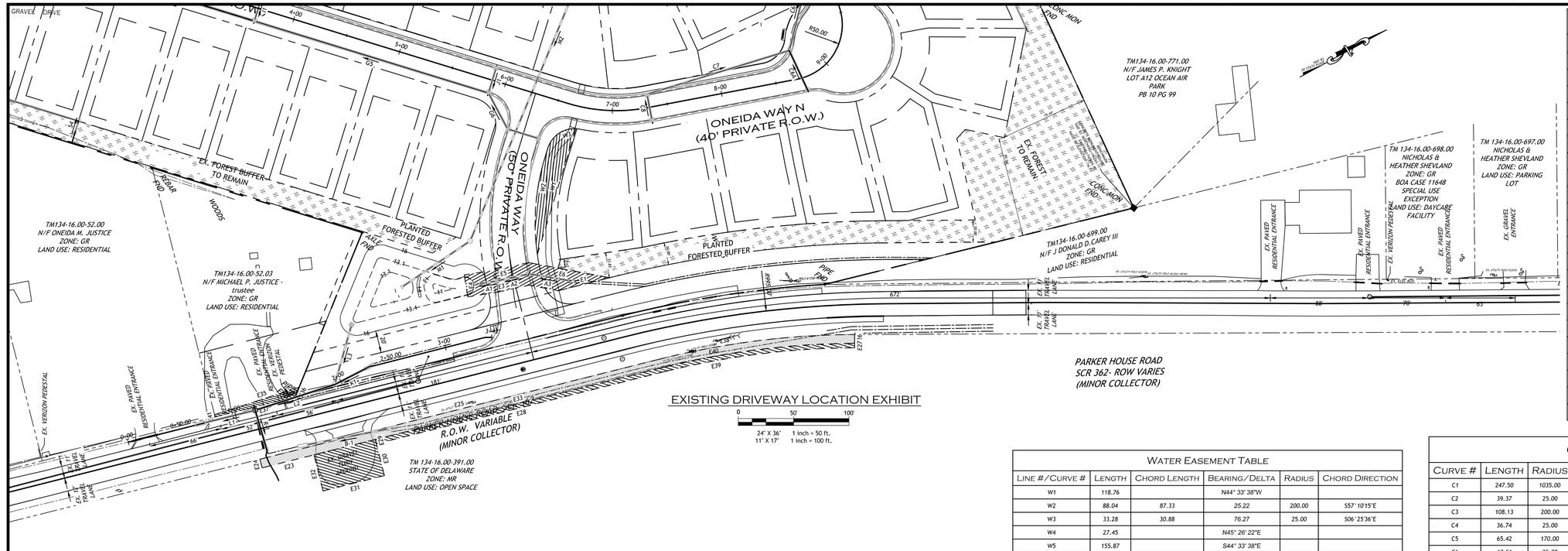


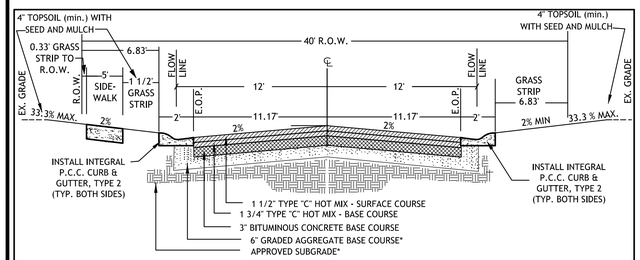
EXISTING DRIVEWAY LOCATION EXHIBIT

0 50' 100'

24" X 36" 1 inch = 50 ft.
11" X 17" 1 inch = 100 ft.

DRAINAGE EASEMENT LINE TABLE

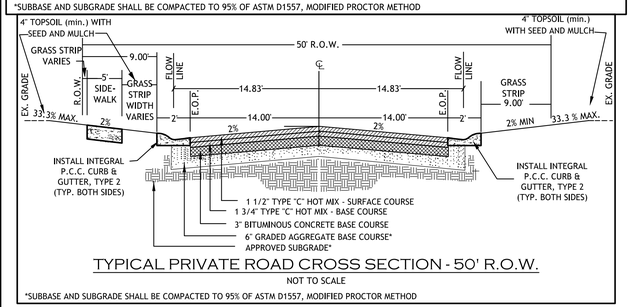
LINE #	LENGTH	DIRECTION
E1	47.70	N14°12'31"E
E2	26.98	N38°59'53"E
E3	27.53	N15°49'57"E
E4	20.00	S70°42'07"E
E5	31.03	S15°49'57"W
E6	74.38	S38°59'53"W
E7	42.25	N86°04'46"E
E8	415.46	S03°55'14"E
E9	58.35	S14°16'11"W
E10	26.59	S64°53'33"W
E11	6.68	S37°14'38"W
E12	54.47	S09°50'51"W
E13	15.13	N60°24'16"W
E14	41.06	N31°15'16"W
E15	22.56	S60°24'16"E
E16	30.92	N09°50'51"E
E17	16.47	N37°14'38"E
E18	22.06	N64°53'33"E
E19	45.69	N14°16'11"E
E20	392.26	N03°55'14"W
E21	22.25	S86°04'46"W
E22	20.00	N03°55'14"W



TYPICAL PRIVATE ROAD CROSS SECTION - 40' R.O.W.

NOT TO SCALE

*SUBBASE AND SUBGRADE SHALL BE COMPACTED TO 95% OF ASTM D1557, MODIFIED PROCTOR METHOD



TYPICAL PRIVATE ROAD CROSS SECTION - 50' R.O.W.

NOT TO SCALE

*SUBBASE AND SUBGRADE SHALL BE COMPACTED TO 95% OF ASTM D1557, MODIFIED PROCTOR METHOD

PARCEL AREA TABLE

LOT #	SQ. FT.
1	7,511
2	7,500
3	7,501
4	7,547
5	7,788
6	7,514
7	8,111
8	7,502
9	7,500
10	7,500
11	7,500
12	7,500
13	7,500
14	7,500
15	7,500
16	7,500
17	7,500
18	7,506
19	7,506
20	7,506

PARCEL AREA TABLE

LOT #	SQ. FT.
21	7,506
22	7,506
23	7,506
24	7,524
25	7,540
26	7,769
27	7,500
28	7,500
29	7,500
30	7,500
31	7,500
32	7,500
33	7,500
34	7,500
35	7,535
36	7,625
37	7,500
38	7,500
39	7,500
40	7,500

PARCEL AREA TABLE

LOT #	SQ. FT.
41	7,500
42	7,500
43	7,500
44	7,500
45	7,522
PARCEL A	268,137
PARCEL B	2,600

WATER EASEMENT TABLE

LINE #/CURVE #	LENGTH	CHORD LENGTH	BEARING/DELTA	RADIUS	CHORD DIRECTION
W1	118.76		N44° 33' 38"W		
W2	88.04	87.33	25.22	200.00	S57°10'15"E
W3	33.28	30.88	76.27	25.00	S06°25'36"E
W4	27.45		N45° 26' 22"E		
W5	155.87		S44° 33' 38"E		
W6	20.00		S46° 25' 15"W		
W7	135.52		N44° 33' 38"W		
W8	12.12		S45° 26' 22"W		
W9	10.32		N31° 34' 55"W		
W10	10.21		N31° 15' 16"W		
W11	120.91		N03° 33' 38"E		
W12	7.00		S86° 26' 22"E		
W13	40.00		S03° 33' 38"W		
W14	13.00		S86° 26' 22"E		
W15	104.64		S03° 33' 38"W		
W16	45.85		S68° 12' 52"W		
W17	31.52		N03° 55' 14"W		
W18	28.26		N68° 12' 52"E		

OFFSITE EASEMENT TABLE

LINE #/CURVE #	LENGTH	CHORD LENGTH	BEARING/DELTA	RADIUS	CHORD DIRECTION
E23	48.36		S14° 20' 13"W		
E24	8.00		N75° 39' 47"W		
E25	373.58		N14° 20' 13"E		
E26	8.00		S61° 52' 12"E		
E27	4.00		S61° 52' 12"E		
E28	268.08		S14° 20' 13"W		
E29	4.00		S75° 39' 47"E		
E30	29.59		N75° 39' 47"W		
E31	57.15		N14° 20' 13"E		
E32	33.59		N75° 39' 47"W		
E33	268.08		N14° 20' 13"E		
E35	80.29		N10° 28' 37"E		
E36	9.06		S39° 26' 02"E		
E37	69.45		S14° 08' 24"W		
E38	176.76	176.34	13.79	734.27	N21°14'01"E
E39	173.87	173.46	13.79	722.27	S21°14'01"W
E40	174.84	174.42	13.79	726.27	N21°14'01"E

CURVE TABLE

CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	247.50	1035.00	013°42'04"	N21°04'50"E	246.91
C2	39.37	25.00	090°13'56"	N59°20'48"E	35.43
C3	108.13	200.00	030°58'36"	S60°02'56"E	106.82
C4	36.74	25.00	084°12'11"	S02°27'33"E	33.52
C5	65.42	170.00	022°02'57"	S28°37'04"W	65.02
C6	12.51	25.00	028°39'36"	S31°55'23"W	12.38
C7	163.42	53.00	176°40'09"	S42°04'53"E	105.96
C8	19.19	25.00	043°58'35"	S71°34'21"W	18.72
C9	7.85	5.00	090°00'00"	N41°26'22"W	7.07
C10	7.85	5.00	090°00'00"	S48°33'38"W	7.07
C11	28.04	25.00	064°15'51"	S54°18'26"E	26.59
C12	31.63	53.00	034°11'18"	S39°16'09"E	31.16
C13	32.27	25.00	073°57'24"	S19°23'07"E	30.08
C14	63.18	130.00	027°50'47"	N31°30'59"E	62.56
C15	7.85	5.00	090°00'00"	S89°33'38"E	7.07
C16	7.85	5.00	090°00'00"	N00°26'22"E	7.07
C17	39.27	25.00	090°00'00"	N89°33'38"W	35.36
C18	135.16	250.00	030°58'36"	N60°02'56"W	133.52
C19	39.41	24.46	092°17'33"	N30°39'12"W	35.28
C20	221.60	1070.30	011°51'46"	N22°08'17"E	221.21

CURVE TABLE

CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C21	71.40	1070.29	003°49'19"	N26°09'30"E	71.38
C22	71.56	1070.57	003°49'48"	N22°19'56"E	71.55
C23	78.64	1070.30	004°12'36"	N18°18'41"E	78.62
C24	86.65	180.00	027°34'51"	S58°21'03"E	85.81
C25	2.50	25.00	005°44'24"	S36°46'21"W	2.50
C26	48.68	170.00	016°24'28"	N31°26'19"E	48.52
C27	16.74	170.00	005°38'30"	N20°24'50"E	16.73
C28	28.13	53.00	030°24'48"	S31°02'48"W	27.80
C29	40.77	53.00	044°04'25"	S06°11'49"E	39.77
C30	40.77	53.00	044°04'20"	S50°16'11"E	39.77
C31	53.75	53.00	058°06'36"	N78°38'21"E	51.48
C32	7.38	25.00	016°54'44"	N58°02'25"E	7.35
C33	11.81	25.00	027°03'52"	N80°01'42"E	11.70
C34	24.22	25.00	055°30'32"	S58°41'06"E	23.28
C35	31.84	130.00	014°01'52"	N24°36'31"E	31.76
C36	31.35	130.00	013°48'55"	S38°31'55"W	31.27
C37	30.19	25.00	069°11'43"	S80°02'14"W	28.39

REV	DESCRIPTION OF REVISION	REVISED BY/DATE	CHECKED BY/DATE
2	RESPONSE TO AGENCY COMMENTS	MAV 11-15-2021	KRC 11-15-2021
1	RESPONSE TO AGENCY COMMENTS	MAV 4-9-2021	KRC 4-9-2021

ENGINEER:	KRC
DESIGNER:	KRC
DRAFTER:	MAV
CHECKED BY:	KRC
DATE:	10-21-2020
TAX MAP:	134-16.00-51.00

THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THERETO AND APPURTENANT.

KENNETH R. CHRISTENSEN No. 11853 PROFESSIONAL ENGINEER

SEAL

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GEORGETOWN, DE 19947
(302) 855-0810
FAX: 855-0812
E-MAIL: AXIOM@AXENG.COM
WEB: WWW.AXENG.COM

NOTES, LINE, CURVE & EASEMENT TABLES

PARKER HOUSE ROAD SCR 362

ASSAWOMAN LAKES

RESIDENTIAL PLANNED COMMUNITY - CZ #1900 - F.K.A. EVERGREEN RPC

BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE

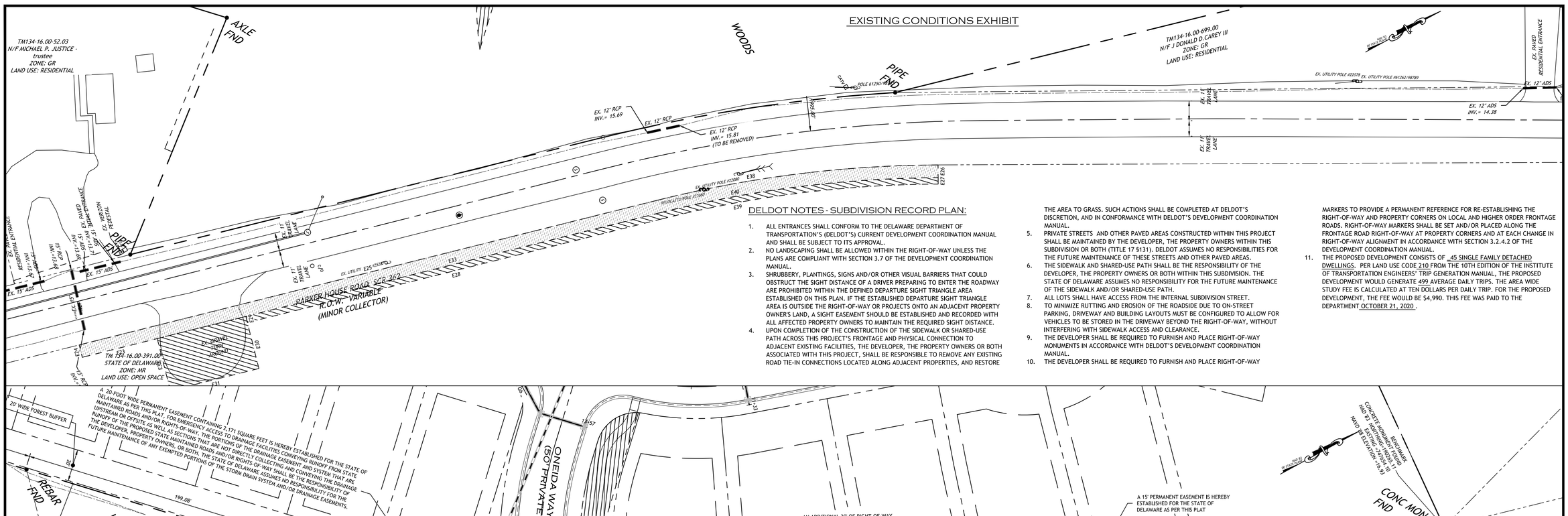
PROJECT NO: 0188-1502

DRAWING: RP-4

SHEET: 4 OF 5

J:\Files\CIVIL 3D 2018 PROJECTS\0188-1502 Evergreen SUBD-ENGINEERING\DWG\0188-1902-RP2-RP5 RECORD PLAN.dwg

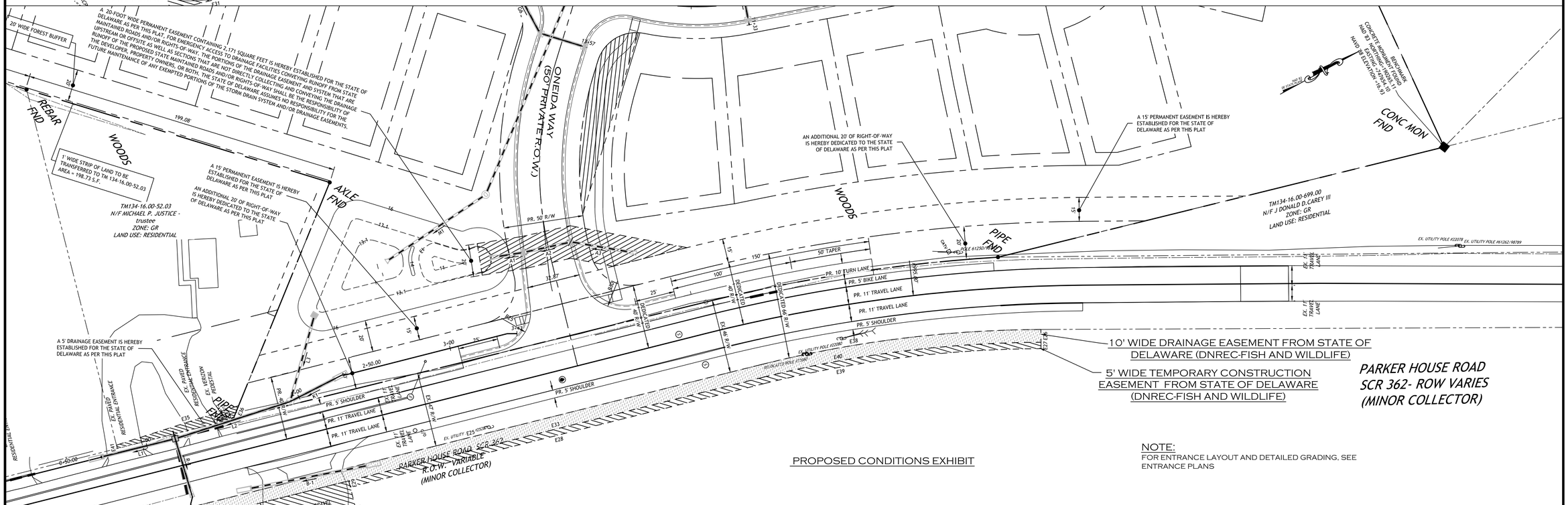
EXISTING CONDITIONS EXHIBIT



DELDOT NOTES - SUBDIVISION RECORD PLAN:

1. ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOT'S) CURRENT DEVELOPMENT COORDINATION MANUAL AND SHALL BE SUBJECT TO ITS APPROVAL.
2. NO LANDSCAPING SHALL BE ALLOWED WITHIN THE RIGHT-OF-WAY UNLESS THE PLANS ARE COMPLIANT WITH SECTION 3.7 OF THE DEVELOPMENT COORDINATION MANUAL.
3. SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
4. UPON COMPLETION OF THE CONSTRUCTION OF THE SIDEWALK OR SHARED-USE PATH ACROSS THIS PROJECT'S FRONTAGE AND PHYSICAL CONNECTION TO ADJACENT EXISTING FACILITIES, THE DEVELOPER, THE PROPERTY OWNERS OR BOTH ASSOCIATED WITH THIS PROJECT, SHALL BE RESPONSIBLE TO REMOVE ANY EXISTING ROAD TIE-IN CONNECTIONS LOCATED ALONG ADJACENT PROPERTIES, AND RESTORE THE AREA TO GRASS. SUCH ACTIONS SHALL BE COMPLETED AT DELDOT'S DISCRETION, AND IN CONFORMANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.
5. PRIVATE STREETS AND OTHER PAVED AREAS CONSTRUCTED WITHIN THIS PROJECT SHALL BE MAINTAINED BY THE DEVELOPER, THE PROPERTY OWNERS WITHIN THIS SUBDIVISION OR BOTH (TITLE 17 §131). DELDOT ASSUMES NO RESPONSIBILITIES FOR THE FUTURE MAINTENANCE OF THESE STREETS AND OTHER PAVED AREAS.
6. THE SIDEWALK AND SHARED-USE PATH SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, THE PROPERTY OWNERS OR BOTH WITHIN THIS SUBDIVISION. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THE SIDEWALK AND/OR SHARED-USE PATH.
7. ALL LOTS SHALL HAVE ACCESS FROM THE INTERNAL SUBDIVISION STREET.
8. TO MINIMIZE RUTTING AND EROSION OF THE ROADSIDE DUE TO ON-STREET PARKING, DRIVEWAY AND BUILDING LAYOUTS MUST BE CONFIGURED TO ALLOW FOR VEHICLES TO BE STORED IN THE DRIVEWAY BEYOND THE RIGHT-OF-WAY, WITHOUT INTERFERING WITH SIDEWALK ACCESS AND CLEARANCE.
9. THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS IN ACCORDANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.
10. THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MARKERS TO PROVIDE A PERMANENT REFERENCE FOR RE-ESTABLISHING THE RIGHT-OF-WAY AND PROPERTY CORNERS ON LOCAL AND HIGHER ORDER FRONTAGE ROADS. RIGHT-OF-WAY MARKERS SHALL BE SET AND/OR PLACED ALONG THE FRONTAGE ROAD RIGHT-OF-WAY AT PROPERTY CORNERS AND AT EACH CHANGE IN RIGHT-OF-WAY ALIGNMENT IN ACCORDANCE WITH SECTION 3.2.4.2 OF THE DEVELOPMENT COORDINATION MANUAL.
11. THE PROPOSED DEVELOPMENT CONSISTS OF 45 SINGLE FAMILY DETACHED DWELLINGS. PER LAND USE CODE 210 FROM THE 10TH EDITION OF THE INSTITUTE OF TRANSPORTATION ENGINEERS' TRIP GENERATION MANUAL, THE PROPOSED DEVELOPMENT WOULD GENERATE 499 AVERAGE DAILY TRIPS. THE AREA WIDE STUDY FEE IS CALCULATED AT TEN DOLLARS PER DAILY TRIP. FOR THE PROPOSED DEVELOPMENT, THE FEE WOULD BE $4,990. THIS FEE WAS PAID TO THE DEPARTMENT OCTOBER 21, 2020 .

PROPOSED CONDITIONS EXHIBIT



NOTE:
FOR ENTRANCE LAYOUT AND DETAILED GRADING, SEE ENTRANCE PLANS

REV	DESCRIPTION OF REVISION	REVISED BY/DATE	CHECKED BY/DATE
1	RESPONSE TO AGENCY COMMENTS	MAV 11-15-2021	KRC 11-15-2021
2	RESPONSE TO AGENCY COMMENTS	MAV 4-9-2021	KRC 4-9-2021

THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THERETO AND APPURTENANT.

ENGINEER:	KRC
DESIGNER:	KRC
DRAFTER:	MAV
CHECKED BY:	KRC
DATE:	10-21-2020
TAX MAP:	134-16.00-51.00

0 30' 60'
24" X 36" 1 inch = 30 ft.
11" X 17" 1 inch = 60 ft.

SEAL

AXIOM ENGINEERING L.L.C.
18 CHESTNUT STREET
GEORGETOWN, DE 19947
(302) 855-0810
FAX: 855-0812
E-MAIL: AXIOM@AXENG.COM
WEB: WWW.AXENG.COM

EXISTING & PROPOSED CONDITIONS EXHIBITS

PARKER HOUSE ROAD SCR 362

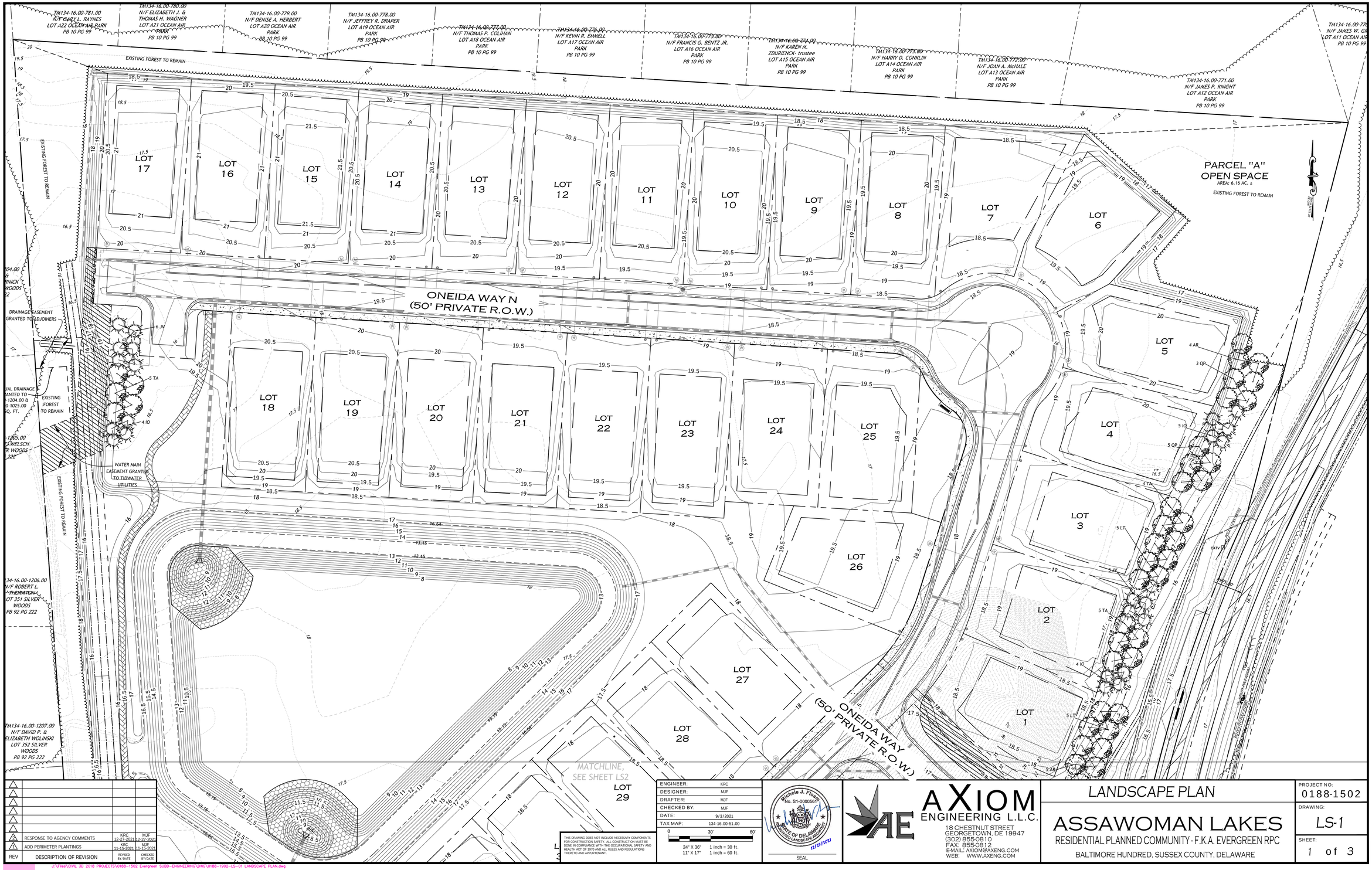
ASSAWOMAN LAKES

RESIDENTIAL PLANNED COMMUNITY - CZ #1900 - F.K.A. EVERGREEN RPC

BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE

PROJECT NO: 0188-1502
DRAWING: RP-5
SHEET: 5 OF 5

J:\Files\CIVIL 3D 2018 PROJECTS\0188-1502 Evergreen SUBD-ENGINEERING\DWG\0188-1902-RP2-RP5 RECORD PLAN.dwg



REV	DESCRIPTION OF REVISION	REVISED BY/DATE	CHECKED BY/DATE
2	RESPONSE TO AGENCY COMMENTS	KRC 12-27-2021	MJF 12-27-2021
1	ADD PERIMETER PLANTINGS	KRC 11-15-2021	MJF 11-15-2021

J:\Files\CIVIL 3D 2018 PROJECTS\0188-1502 Evergreen SUBD-ENGINEERING\DWG\0188-1502-LS-01 LANDSCAPE PLAN.dwg

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ENGINEER:	KRC
DESIGNER:	MJF
DRAFTER:	MJF
CHECKED BY:	MJF
DATE:	9/3/2021
TAX MAP:	134-16.00-51.00

0 30' 60'

24" X 36" 1 inch = 30 ft.
11" X 17" 1 inch = 60 ft.

Michele J. Fiore
No. S1-0000867
STATE OF DELAWARE
REGISTERED LANDSCAPE ARCHITECT
12/27/2021
SEAL

AXIOM ENGINEERING L.L.C.
18 CHESTNUT STREET
GEORGETOWN, DE 19947
(302) 855-0810
FAX: 855-0812
E-MAIL: AXIOM@AXENG.COM
WEB: WWW.AXENG.COM

LANDSCAPE PLAN

ASSAWOMAN LAKES

RESIDENTIAL PLANNED COMMUNITY - F.K.A. EVERGREEN RPC

BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE

PROJECT NO: 0188-1502

DRAWING: LS-1

SHEET: 1 of 3

TM134-16.00-1207.00
N/F DAVID P. &
ELIZABETH WOLINSKI
LOT 352 SILVER
WOODS
PB 92 PG 222

TM134-16.00-1208.00
N/F ELLEN TREMMEL
LOT 353 SILVER
WOODS
PB 92 PG 222

DE STATE HWY 30

EXISTING FOREST TO REMAIN

PARCEL "A"
OPEN SPACE
AREA: 6.16± AC.

LOT 28
LOT 29
LOT 30
LOT 31
LOT 32
LOT 33
LOT 34
LOT 35
LOT 36
LOT 37
LOT 38
LOT 39
LOT 40
LOT 41
LOT 42
LOT 43
LOT 44
LOT 45

ONEIDA WAY
(50' PRIVATE R.O.W.)

ONEIDA WAY'S
(50' PRIVATE R.O.W.)

MATCHLINE
SEE SHEET LS-1

ZONE 1
ZONE 2
ZONE 3

PARKER HOUSE ROAD
(VARIABLE WIDTH R.O.W.)
(MINOR COLLECTOR)

SIGHT DISTANCE

DEDICATED R.O.W.

TM134-16.00-52.03
N/F MICHAEL P. JUSTICE -
trustee
ZONE: GR
LAND USE: RESIDENTIAL

TM134-16.00-52.00
N/F ONEIDA M. JUSTICE
ZONE: GR
LAND USE: RESIDENTIAL

TM 134-16.00-391.00
STATE OF DELAWARE
ZONE: AR-1
LAND USE: OPEN SPACE

TM134-16.00-65.00
N/F WESLEY S. JR.
& ELIZABETH REED
LOTS 13 & 14
PLANTATION PARK
PB 8 PG 176

TM134-16.00-63.01
N/F JOHN T. OBERLY
SR.,
LOT 12 PLANTATION
PARK
PB 8 PG 176

TM134-16.00-63.00
N/F CHRISTOPHER J.
BUTTON
LOT 11 PLANTATION
PARK
PB 8 PG 176

TM134-16.00-62.00
N/F JOHN R. BRAUER,
LOT 10 PLANTATION
PARK
PB 8 PG 176

TM134-16.00-61.00

WATER MAIN
EASEMENT GRANTED
TO TIDWATER
UTILITIES

WATER MAIN
EASEMENT GRANTED
TO TIDWATER
UTILITIES

2 IO
4 IO
3 IO
3 LT
4 TA
4 LT
5 QP
3 QP
5 AR
4 AR
3 JV
5 OT
5 RM
6 RM
6 SWM
5 SWM

REV	DESCRIPTION OF REVISION	BY/DATE	CHECKED BY/DATE
2	RESPONSE TO AGENCY COMMENTS	KRC 12-27-2021	MJF 12-27-2021
1	ADD PERIMETER PLANTINGS	KRC 11-15-2021	MJF 11-15-2021

J:\Files\CIVIL 3D 2018 PROJECTS\0188-1502 Evergreen SUBD-ENGINEERING\DWG\0188-1902-LS-01 LANDSCAPE PLAN.dwg

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ENGINEER:	KRC
DESIGNER:	MJF
DRAFTER:	MJF
CHECKED BY:	MJF
DATE:	9/3/2021
TAX MAP:	134-16.00-51.00

0 30' 60'
24" X 36" 1 inch = 30 ft.
11" X 17" 1 inch = 60 ft.

Michele J. Fiore
No. S1-0000561
STATE OF DELAWARE
LICENSED LANDSCAPE ARCHITECT
12/27/2021
SEAL

AXIOM ENGINEERING L.L.C.
18 CHESTNUT STREET
GEORGETOWN, DE 19947
(302) 855-0810
FAX: 855-0812
E-MAIL: AXIOM@AXENG.COM
WEB: WWW.AXENG.COM

LANDSCAPE PLAN

ASSAWOMAN LAKES

RESIDENTIAL PLANNED COMMUNITY - F.K.A. EVERGREEN RPC

BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE

PROJECT NO: 0188-1502
DRAWING: LS-2
SHEET: 2 of 3

SWM POND PLANTING SCHEDULE

ZONE 1 - ELEVATON 12.6-13.1

QTY	SCIENTIFIC NAME	COMMON NAME	SIZE
50	IRIS VERSICOLOR	BLUE IRIS	2" PLUG
50	SAGITTARIA LATIFOLIA	DUCK POTATO	2" PLUG
50	SCIRPUS PUNGENS	THREE-SQUARE BULRUSH	2" PLUG

ZONE 2 - ELEVATON 13.1-14.1

QTY	SCIENTIFIC NAME	COMMON NAME	SIZE
40	SYMPHYOTRICHUM NOVAE-ANGLIAE	NEW ENGLAND ASTER	2" PLUG
40	CAREX STRICTA	TUSSOCK SEDGE	2" PLUG
40	EUTROCHIUM DUBIUM	JOE-PYE WEED	2" PLUG
11	CORNUS RACEMOSA	GRAY DOGWOOD	3 GAL CONT
11	VIRBUNRNUM DENTATUM	SOUTHERN ARROWWOOD	3 GAL CONT

ZONE 3 - ELEVATON 14.1-15.93

QTY	SCIENTIFIC NAME	COMMON NAME	SIZE
70	ECHINACEA PURPUREA	PURPLE CONE FLOWER	2" PLUG
70	PANICUM VIRGATUM	SWITCH GRASS	2" PLUG
70	LOBELIA CARDINALIS	CARDINAL FLOWER	2" PLUG
21	CORNUS RACEMOSA	GRAY DOGWOOD	3 GAL CONT
21	VACCINUM CORYMBOSUM	HIGHBUSH BLUEBERRY	3 GAL CONT

DECIDUOUS TREE PLANTING SCHEDULE

QTY	SCIENTIFIC NAME	COMMON NAME	SIZE
23	ACER RUBRUM	RED MAPLE	1.5" CAL B&B
17	LIRIODENDRON TULIPFERA	YELLOW POPLAR	1.5" CAL B&B
18	TILIA AMERICANA	BASSWOOD	1.5" CAL B&B
16	QUERCUS PHELLOS	WILLOW OAK	1.5" CAL B&B

EVERGREEN TREE PLANTING SCHEDULE

QTY	SCIENTIFIC NAME	COMMON NAME	SIZE
12	ILEX OPACA	AMERICAN HOLLY	5' HT B&B
14	JUNIPERUS VIRGINIANA	EASTER RED CEDAR	5' HT B&B

SUSSEX COUNTY CODE, CHAPTER 99-5
DEFINITION OF FORESTED AND/OR LANDSCAPE BUFFER STRIP:

THE FOLLOWING CONDITIONS SHALL APPLY TO THE FORESTED BUFFER:

1. ALL DECIDUOUS TREES THAT ARE PLANTED TO ESTABLISH THE BUFFER PLANTINGS SHALL HAVE A MINIMUM CALIPER OF 1.5 INCHES AND A MINIMUM HEIGHT OF SIX FEET ABOVE GROUND WHEN PLANTED IN ORDER TO INSURE THAT THE TREES WILL BE CAPABLE OF OBTAINING A MINIMUM HEIGHT OF 10 FEET ABOVE GROUND WITHIN FIVE YEARS OF BEING PLANTED.

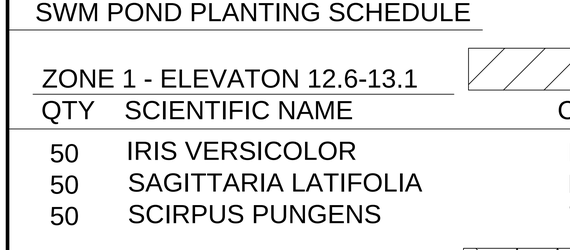
2. ALL EVERGREEN TREES THAT ARE PLANTED TO ESTABLISH THE BUFFER PLANTINGS SHALL HAVE A MINIMUM HEIGHT OF FIVE FEET ABOVE GROUND WHEN PLANTED IN ORDER TO INSURE THAT THEY ARE REASONABLY CAPABLE OF ATTAINING A MINIMUM HEIGHT OF 10 FEET ABOVE GROUND WITHIN FIVE YEARS OF BEING PLANTED.

3. THE BUFFER AREA SHALL HAVE A FINAL GRADE THAT CONTAINS A MINIMUM OF FOUR INCHES OF TOPSOIL AND A SUITABLE GRASS MIX PLANTED AS SACRIFICIAL COVER BETWEEN THE BUFFER TREES FOR SOIL STABILIZATION UNTIL THE NEWLY PLANTED TREES BECOME LARGER. THE PLAN MAY SUBSTITUTE WOODCHIPS FOR PLANTED GRASS BETWEEN THE BUFFER TREES IN RESPECT TO BOTH NEWLY PLANTED AND EXISTING TREES, AS DETERMINED BY THE LANDSCAPE ARCHITECT.

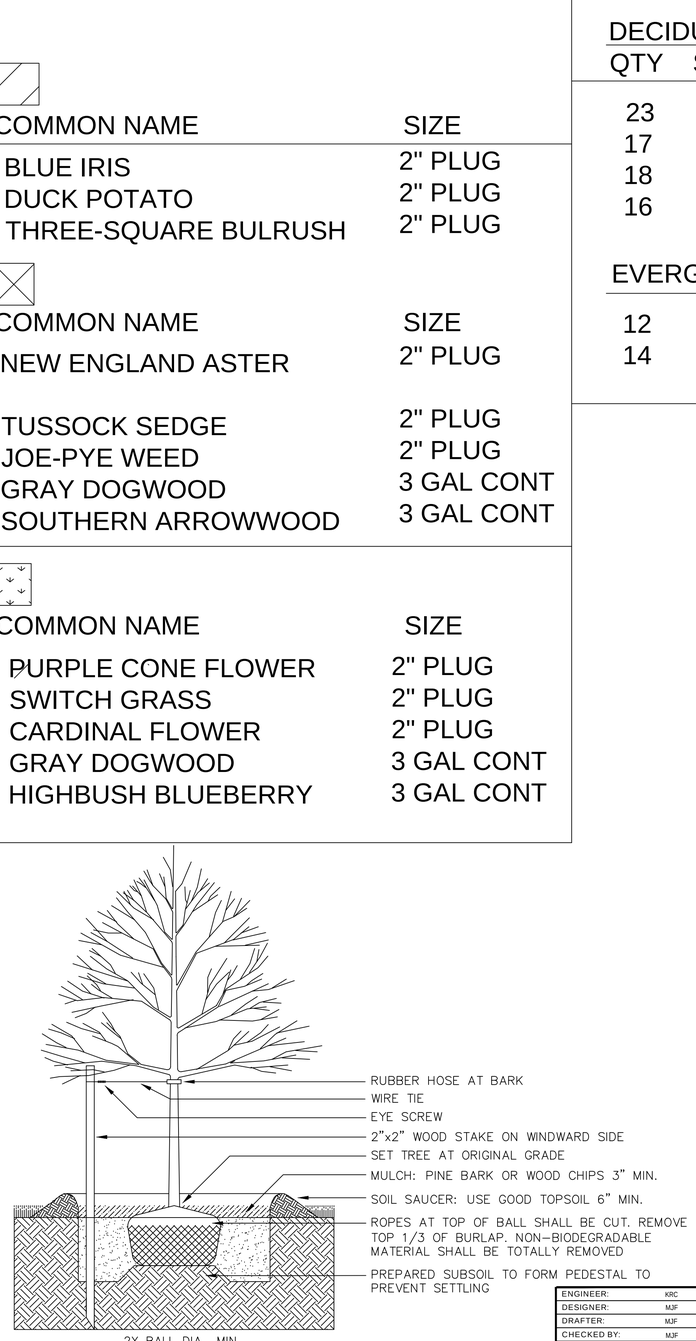
4. THE FORESTED AND/OR LANDSCAPE BUFFER SHALL BE INSTALLED WITHIN 18 MONTHS FROM THE DATE SITE WORK IS AUTHORIZED TO COMMENCE, AS DOCUMENTED BY A NOTICE TO PROCEED LETTER FROM THE COMMISSION. FOR SUBDIVISIONS THAT ARE APPROVED TO BE CONSTRUCTED IN PHASES, THE BUFFER FOR EACH PHASE MUST BE COMPLETED BEFORE COUNTY APPROVALS OR PERMITS WILL BE GRANTED TO CONSTRUCT THE NEXT PHASE.

5. THE LAND DEVELOPER SHALL BE HELD RESPONSIBLE FOR THE HEALTH AND SURVIVAL OF THE TREES, INCLUDING REGULAR NECESSARY WATERING FOR A MINIMUM OF TWO YEARS OR UNTIL SUCH LATER DATE AS THE MAINTENANCE RESPONSIBILITIES ARE TRANSFERRED TO A HOMEOWNERS' ASSOCIATION; PROVIDED, HOWEVER, THAT THE DEVELOPER SHALL REPLACE ANY TREES THAT DIE DURING THE MINIMUM TWO-YEAR DEVELOPER MAINTENANCE PRIOR TO TRANSFERRING MAINTENANCE RESPONSIBILITIES TO A HOMEOWNERS' ASSOCIATION.

6. THE PERPETUAL MAINTENANCE OF THE BUFFER PLANTINGS BY A HOMEOWNERS' ASSOCIATION SHALL BE ASSURED THROUGH THE RESTRICTIVE COVENANTS AND/OR HOMEOWNERS' ASSOCIATION DOCUMENTS. THE PERPETUAL MAINTENANCE PLAN SHALL INCLUDE THE REQUIREMENT THAT ANY TREES THAT DIE MUST BE REPLANTED WITH TREES OF THE SAME TYPE AND SPECIES AND IN ACCORDANCE WITH THE ORIGINAL LANDSCAPE PLAN APPROVED BY THE COUNTY. THE PERPETUAL MAINTENANCE PLAN SHALL ALSO INCLUDE A REQUIREMENT THAT THE FORESTED BUFFER AREA BE PLANTED AND MAINTAINED ACCORDING TO BEST MANAGEMENT PRACTICES IN THE FORESTRY INDUSTRY. THE RESPONSIBILITY FOR THE PERPETUAL MAINTENANCE OF THE BUFFER STRIP AND ITS PLANTINGS SHALL BE ASSURED THROUGH RESTRICTIVE COVENANTS WHICH ARE OBLIGATORY UPON THE PURCHASERS THROUGH ASSESSMENTS BY THE HOMEOWNERS' ASSOCIATION. THE APPLICANT AND/OR LAND DEVELOPER MUST PROVIDE THE COMMISSION WITH SATISFACTORY PROOF THAT THE COVENANTS INCLUDE A PERPETUAL MAINTENANCE PLAN WHICH SHALL BE BINDING UPON THE APPLICANT AND/OR DEVELOPER DURING THE MINIMUM TWO-YEAR PERIOD DESCRIBED IN SUBSECTION G ABOVE AND THEREAFTER BY THE HOMEOWNERS' ASSOCIATION. THE COMMISSION AND ITS ATTORNEY SHALL REVIEW AND APPROVE THE PERPETUAL MAINTENANCE PLAN PRIOR TO THE RESTRICTIVE COVENANTS BEING RECORDED AND PRIOR TO GRANTING FINAL SITE PLAN APPROVAL.



HERBACEOUS PLANTING DETAIL – PLUG



DECIDUOUS/EVERGREEN TREE PLANTING DETAIL – B&B

REV	DESCRIPTION OF REVISION	REVISED BY/DATE	CHECKED BY/DATE
2	RESPONSE TO AGENCY COMMENTS	KRC 12-27-2021	MJF 12-27-2021
1	ADD PERIMETER PLANTINGS	KRC 11-15-2021	MJF 11-15-2021

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ENGINEER:	KRC
DESIGNER:	MJF
DRAFTER:	MJF
CHECKED BY:	MJF
DATE:	9/3/2021
TAX MAP:	134-16.00-51.00

Michele J. Fiore, No. S1-0000567, State of Delaware, Certified Landscape Architect, 12/27/2021
SEAL

AXIOM ENGINEERING L.L.C.
18 CHESTNUT STREET
GEORGETOWN, DE 19947
(302) 855-0810
FAX: 855-0812
E-MAIL: AXOM@AXENG.COM
WEB: WWW.AXENG.COM

LANDSCAPE DETAILS

ASSAWOMAN LAKES

RESIDENTIAL PLANNED COMMUNITY - F.K.A. EVERGREEN RPC

BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE

PROJECT NO: 0188-1502
DRAWING: LS-3
SHEET: 3 of 3

J:\Files\CIVIL 3D 2018 PROJECTS\0188-1502 Evergreen SUBD-ENGINEERING\DWG\0188-1902-LS-03 LANDSCAPE DETAIL.dwg

OFFICE OF THE STATE FIRE MARSHAL
Technical Services

22705 Park Avenue
Georgetown, DE 19947

SFMO PERMIT

Plan Review Number: 2020-04-205249-MJS-01
Status: Approved as Submitted

Tax Parcel Number: 134-16.00-51.00
Date: 11/13/2020

Project

Evergreen Subdivision

Michael Justice Property

Parker House Road
Frankford DE 19945

Scope of Project

Number of Stories:
Square Footage:
Construction Class:
Fire District: 84 - Millville Volunteer Fire Co

Occupant Load Inside:
Occupancy Code: 9601

Applicant

Kenneth R Christenbury
18 Chestnut Street
Georgetown, DE 19947

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.

The owner understands that this construction start approval is limited to preliminary site construction and foundation work only. No other construction of any kind shall be permitted until the required building plan review is completed.

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.

This Plan Review Project was prepared by:

Duane Fox
Fire Protection Specialist III

FIRE PROTECTION PLAN REVIEW COMMENTS

Plan Review Number: 2020-04-205249-MJS-01
Status: Approved as Submitted
Tax Parcel Number: 134-16.00-51.00
Date: 11/13/2020

PROJECT COMMENTS

1002 A	This project has been reviewed under the provisions of the Delaware State Fire Prevention Regulations (DSFPR) UPDATED March 11, 2016. The current 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.
1000	The site plans have been approved as submitted. The Office of DE State Fire Marshal has no objection to recordation.
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.
2710 A	The following items will be field verified by this Agency at the time of final inspection:
1130 A	Provide a water flow test on the subdivision hydrant(s) once they have been installed, and before they are placed into service (DSFPR Part I, Section 4 4.2 and Part III, Chapter 3). Results are to be forwarded to this Agency for review.
1132 A	Fire hydrants shall be color coded in accordance with the DSFPR, Part III, Section 3 4. This includes both color coding the bonnet and 2" reflective tape around the barrel under the top flange.
1232 A	All threads provided for fire department connections, to sprinkler systems, standpipes, yard hydrants or any other fire hose connections shall be uniform to those used by the fire department in whose district they are located. DSFPR Part III,Section 1.1.5.1.
1332 A	The distance between a fire hydrant and the fire lane shall not be greater than seven feet (DSFPR Part V, Chapter 5, Section 5 10.4).

1432 A	The steamer connection of all fire hydrants shall be so positioned so as to be facing the street or fire lane. (DSFPR Regulation 705, Chapter 5, Section 10). The center of all hose outlet(s) on fire hydrants shall be not less than 18 inches above finalgrade (NFPA 24, Section 7.3.3).
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 orrevisions to the plans occur, plans are required to be submitted, reviewed, and approved.

From: James, LuAnn (FireMarshal)
To: ken@axeng.com
Cc: rwalls711@gmail.com
Subject: Evergreen Subdivision
Date: Tuesday, November 17, 2020 10:58:43 AM
Attachments: 4171_001.pdf

Please find attached the approved Fire Protection Plan Review Report for the above listed project. The accompanying comments constitute conditions of your approval and the inspection requirements. Please be sure to provide a copy of these documents to your superintendent, project manager and/or any contractors who will be affected by the conditions. If you should have any questions, please feel free to contact the fire protection specialist at (302) 856-5298.

LuAnn James
Admin. Specialist 1
Office of the State Fire Marshal
22705 Park Ave
Georgetown DE 19947
Office 302-856-5298
Fax 302-856-5800

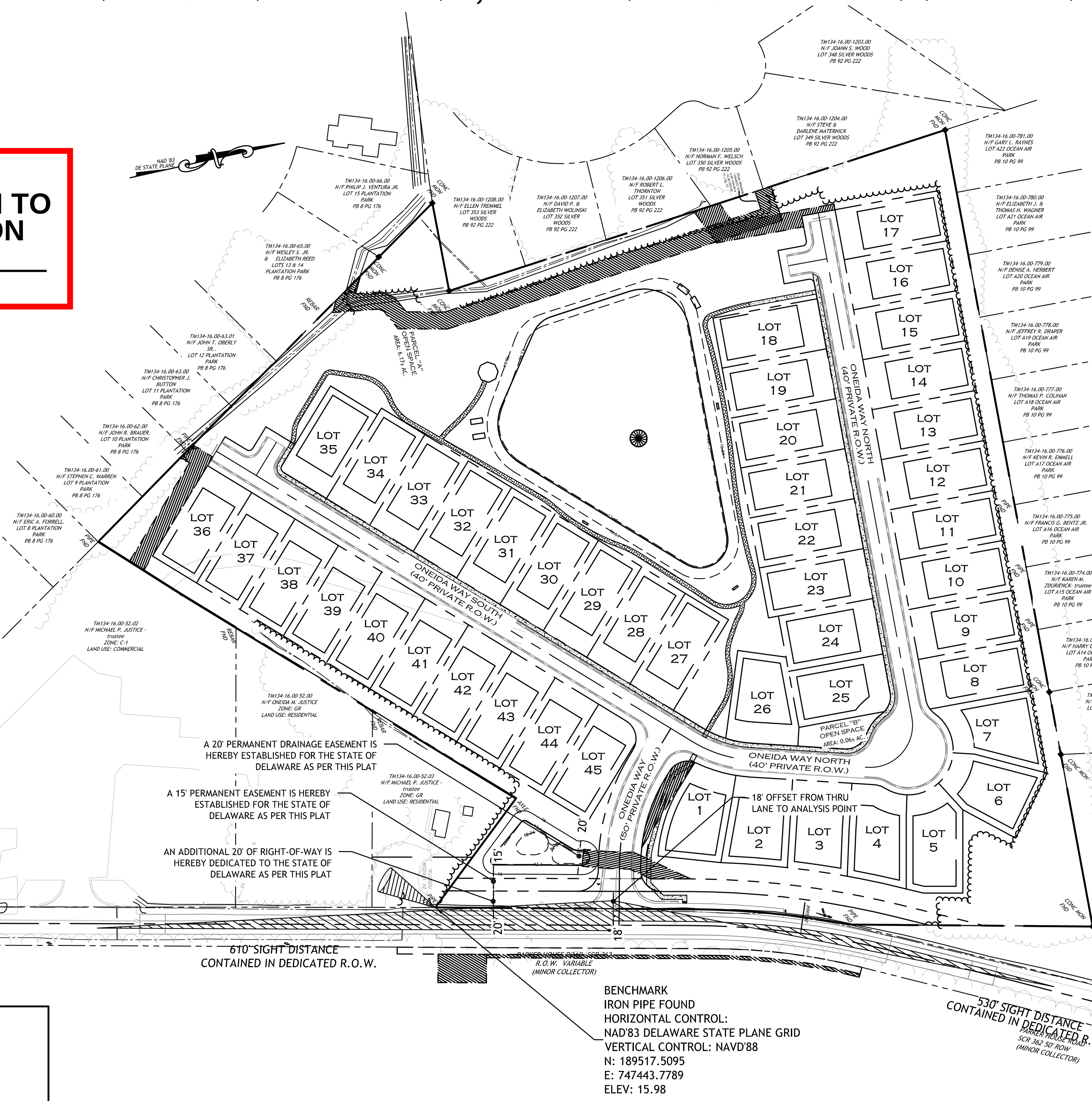
ASSAWOMAN LAKES RPC
RECORD PLAN
BALTIMORE HUNDRED, SUSSEX COUNTY DELAWARE

SHEET LIST TABLE			
SHEET NUMBER	SHEET TITLE	ORIGINAL DATE	REVISION DATE
RP-1	RECORD PLAN COVER SHEET	10-21-2020	4-9-2021
RP-2	RECORD PLAN	10-21-2020	4-9-2021
RP-3	RECORD PLAN	10-21-2020	4-9-2021
RP-4	NOTES, LINE, CURVE & EASEMENT TABLES	10-21-2020	4-9-2021
RP-5	EXISTING & PROPOSED CONDITIONS EXHIBITS	10-21-2020	4-9-2021

DelDOT NO OBJECTION TO RECORDATION
June 16, 2021
DATE

NOTES:

1. FORESTED BUFFERS, STREETS, STORMWATER MANAGEMENT FACILITIES AND OTHER COMMON AREAS SHALL BE MAINTAINED BY THE DEVELOPER UNTIL SUCH TIME AS A HOMEOWNER'S ASSOCIATION CAN PROVIDE FOR REQUIRED MAINTENANCE. SUSSEX COUNTY AND THE STATE OF DELAWARE ASSUME NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THESE FACILITIES WITHIN THE SITE.
2. ACCESS TO LOTS SHALL BE PROVIDED FROM THE SUBDIVISION STREETS PROPOSED WITH THIS PLAN. NO DIRECT ACCESS TO PUBLIC STREETS IS PROPOSED EXCEPT THE ENTRANCE SPECIFICALLY SHOWN ON THIS PLAN.
3. BASED UPON FLOOD INSURANCE RATE MAP (FIRM) NUMBER 10005C0513K, DATED MARCH 16, 2015; THE ENTIRE PROPERTY IS LOCATED IN AN AREA DESIGNATED AS ZONE "X" (UNSHADED), WHICH IS AN AREA DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN.
4. THE BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN ON THIS PLAT WAS TAKEN FROM A FIELD SURVEY PREPARED BY AXIOM ENGINEERING, LLC IN JULY 2019. HORIZONTAL CONTROL IS REFERENCED TO NAD '83 STATE PLANE GRID, VERTICAL CONTROL IS REFERENCED TO NAVD '88.
5. ALL SUBDIVISION LOTS SHALL HAVE FIVE-FOOT-WIDE EASEMENTS ALONG ALL LOT LINES FOR A TOTAL EASEMENT WIDTH OF AT LEAST TEN (10) FEET ALONG A LOT LINE COMMON TO TWO LOTS. EASEMENTS ALONG PERIMETER BOUNDARIES OF THE SUBDIVISION SHALL BE TEN (10) FEET IN WIDTH ON THE INTERIOR SIDE OF THE BOUNDARY. NO BUILDING, STRUCTURE OR OTHER PERMANENT OBSTRUCTION SHALL BE PLACED IN ANY EASEMENT.
6. THIS PLAN DOES NOT VERIFY TO THE LOCATION AND/OR EXISTENCE OF EASEMENTS OR RIGHT-OF-WAYS CROSSING SUBJECT PROPERTY AS NO TITLE SEARCH WAS PROVIDED.
7. ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS.
8. THE LANDSCAPE PLAN FOREST AND/OR LANDSCAPE BUFFER PLANS SHALL BE INSTALLED WITHIN 18 MONTHS FROM THE DATE SITE WORK IS AUTHORIZED TO COMMENCE. IF THE SUBDIVISION IS TO BE CONSTRUCTED IN PHASES, THE BUFFER FOR EACH PHASE MUST BE COMPLETED BEFORE COUNTY APPROVALS OR PERMITS WILL BE GRANTED TO CONSTRUCT THE NEXT PHASE.
9. BUS STOPS SHALL BE LOCATED AT THE DISCRETION OF THE INDIAN RIVER SCHOOL DISCTICT.
10. THE U.S. ARMY CORPS OF ENGINEERS ISSUED JURISDICTIONAL DETERMINATION CENAP-OP-R-2020-189-23(NPR) ON MARCH 26, 2021, INDICATING THAT THE SUBJECT PROPERTY DOES NOT CONTAIN REGULATED WETLANDS.



LEGEND

- EX. PROPERTY LINE
- PROPOSED SUBDIVISION LINE
- EX. ADJACENT PROPERTY LINES
- EX. 404 WETLANDS
- EX. MINOR CONTOUR (22)
- EX. MAJOR CONTOUR (20)
- EX. BUILDING RESTRICTION LINES
- EX. ROAD CENTERLINE
- EX. EASEMENT
- EX. BUILDING (EX. SHED)
- EX. SWALE
- EX. SIDEWALK
- EX. CURB
- EX. STORM SEWER (EX. CATCH BASIN, DRAINAGE MANHOLE, PR. CATCH BASIN)
- EX. SANITARY SEWER (EX. SANITARY MANHOLE, PR. SANITARY MANHOLE)
- EX. WOODS LINE
- EX. WATER LINE (EX. REDUCER, EX. METER, EX. VALVE, PR. REDUCER, PR. METER, PR. VALVE, PR. FIRE HYDRANT)
- EX. WELL
- TRAFFIC SIGN
- EX. ZONING BOUNDARY
- EX. ELECTRIC LINES UTILITIES
- EX. UTILITY POLES/LIGHT POLES
- EX. FENCE
- EX. SPOT ELEVATION (X 25.21)
- PR. DELDOT ENTRANCE PAVING
- PR. ROTOMILL 1 1/4" & OVERLAY
- SOIL BORING (SB-1)
- TEST PIT (TP-1)
- EX. STREAM
- DRAINAGE DIVIDES
- TIME OF CONCENTRATION
- CONCRETE MONUMENT FOUND
- IRON PIPE FOUND
- IRON PIPE SET
- BENCHMARK
- FEMA FLOODPLAIN BOUNDARY (ZONE X / ZONE AE (ELEV. 7))
- STATE (TIDAL) WETLANDS
- PR. CONTOUR (25.5)
- PR. BUILDING RESTRICTION LINES
- PR. ROAD CENTERLINE
- PR. EASEMENT
- PR. BUILDING
- PR. SWALE
- PR. SIDEWALK
- PR. CURB
- PR. STORM SEWER CL
- PR. SANITARY SEWER
- PR. WOODS LINE
- PR. WATER LINE
- PR. WELL
- PARKING SPACE COUNTS: 9 PERPENDICULAR 10' X 20'; 9 DIAGONAL 9' X 18'; 1 HANDICAP 8' X 20' + PAINTED AISLE; 1 COMPACT 8' X 17'
- PROPOSED LIGHT POLES
- PR. SPOT ELEVATION (00.00)
- PROPOSED DRAINAGE FLOW
- PR. INLET PROTECTION (TYPE 1 IP-1, TYPE 2 IP-2)
- PR. CULVERT INLET PROTECTION (CIP)
- ROCK OUTLET PROTECTION (TYPE 1 ROP-1, TYPE 2 ROP-2)
- PR. FOREBAY
- CONSTRUCTION ENTRANCE (SCE)
- CONCRETE WASHOUT (CW)
- LIMIT OF DISTURBANCE (LOD)
- SILT FENCE (SF)

SCR 362 - PARKER HOUSE ROAD

HIGHWAY FUNCTIONAL CLASSIFICATION = MINOR COLLECTOR
POSTED SPEED LIMIT = 40 MPH (DESIGN SPEED = 45 MPH)
AADT = 1,725 (FROM 2019 DelDOT TRAFFIC SUMMARY)
10-YEAR PROJECTED AADT = 1.16 X AADT TRIPS = 2,001
10-YEAR PROJECTED AADT + SITE ADT = 2,500
TPG = TRAFFIC PATTERN GROUP = 3
DESIGN HOUR K FACTOR = 12.09%
DHV = DESIGN HOURLY VOLUME = AADT x K FACTOR = 302
DESIGN HOUR D-FACTOR = 61.35%
DDHV = DIRECTIONAL DESIGN HOURLY VOLUME = DHV X D-FACTOR = 185
TRUCK FACTOR = 8.06%
TRUCK AADT = AADT x TRUCK FACTOR = 201

SITE TRIPS GENERATED:

SOURCE: ITE TRIP GENERATION MANUAL 10TH EDITION
ITE CODE 210 - SINGLE FAMILY DETACHED HOUSING - 45 DWELLING UNITS
ADT = 499 (WEEKDAY) AM PEAK=37 (9 IN/28 OUT) PM PEAK=47 (30 IN/17 OUT)
<2% TRUCKS AND BUSSES x 45 TRIPS = 1 TRIPS DESIGN VEHICLE: WB-40

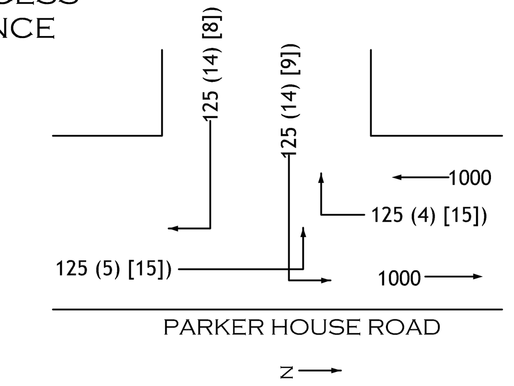
DIRECTIONAL DISTRIBUTION:
50% TO AND FROM NORTH, 50% TO AND FROM SOUTH

50% TO AND FROM NORTH = 250 ADT / (125 ENTER/125 EXIT)
= 18 AM PEAK (4 ENTER/14 EXIT)
= 24 PM PEAK (15 ENTER/9 EXIT)

50% TO AND FROM SOUTH = 249 ADT / (125 ENTER/124 EXIT)
= 18 AM PEAK (5 ENTER/14 EXIT)
= 24 PM PEAK (15 ENTER/9 EXIT)

RT 362 ACCESS DESIGN VOLUMES
RIGHT-TURN ADT: = 125
LEFT-TURN PEAK HOUR VOLUME = 15

TRIP GENERATION PARKER HOUSE ROAD S.C.R. 362 FULL ACCESS ENTRANCE



TRAFFIC FLOW SCHEMATIC
TRIPS PER DAY (VEHICLES IN A.M.) [P.M. PEAK HOUR]

SITE DATA:

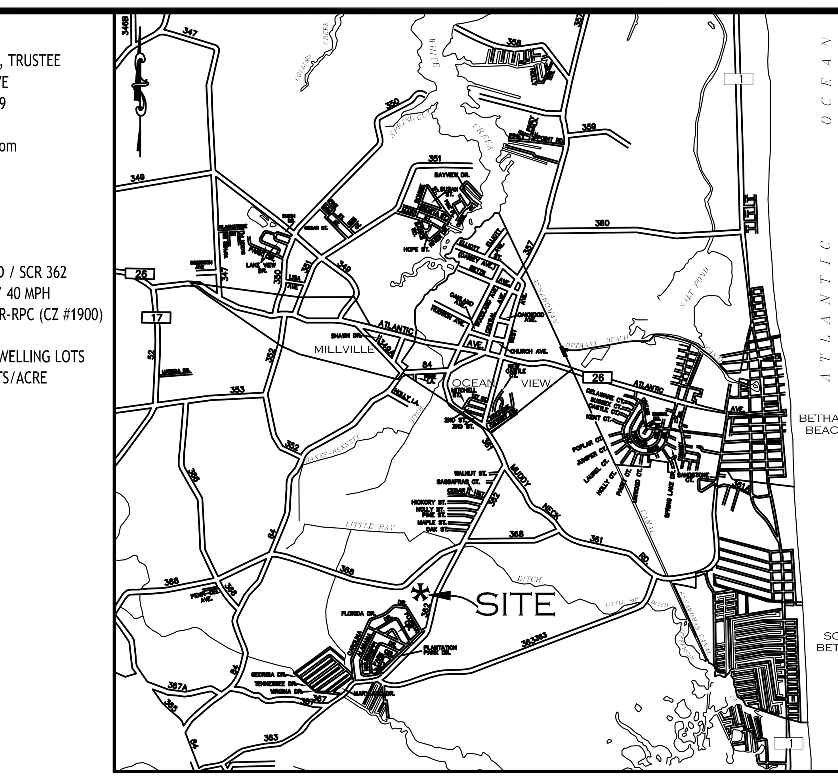
OWNER/APPLICANT:	MICHAEL P. JUSTICE, TRUSTEE 29687 SAWMILL DRIVE DAGSBORO, DE 19939 302-745-8155 mike@paulspaving.com
TAX MAP	134-16.00-51.00
DEED REFERENCE	DB 4741 - PG 240
STATE INVESTMENT LEVEL	3
TRANSPORTATION IMPROVEMENT DISTRICT	N/A
HIGHWAY NAME / MAINTENANCE NUMBER	PARKER HOUSE ROAD / SCR 362
FUNCTIONAL CLASSIFICATION / POSTED SPEED LIMIT	MINOR COLLECTOR / 40 MPH
ZONING JURISDICTION / ZONING DISTRICT	SUSSEX COUNTY / GR-RPC (CZ #1900)
EXISTING USE	VACANT
PROPOSED USE	45 SINGLE FAMILY DWELLING LOTS
DENSITY	2.82 DWELLING UNITS/ACRE
REQUIRED LOT SIZE	
MIN. WIDTH	60'*
MIN. DEPTH	100'
MIN. AREA	7,500 SQ. FT.*
BUILDING SETBACKS	
FRONT	25'*
CORNER	15'
SIDE	8'*
REAR	8'*

* REDUCED LOT WIDTH, LOT AREA AND SETBACKS APPROVED WITH RPC CHANGE OF ZONE

PROPOSED BUILDING HEIGHT	42' MAX.
SITE AREA CALCULATIONS:	
DEDICATION TO STATE OF DELAWARE	0.35± AC.
PRIVATE ROAD R.O.W.	1.85± AC.
LOTS	7.78± AC.
OPEN SPACE	6.34± AC. (39%)
TOTAL SITE AREA	16.10± AC.
OPEN SPACE CALCULATIONS:	
WETLANDS	0.00± AC.*
STORMWATER MANAGEMENT AREA	1.81± AC.
EXISTING FOREST TO REMAIN	1.45± AC.
PLANTED FOREST BUFFERS	0.62± AC.
DELDOT PERMANENT EASEMENT	0.17± AC.
OTHER OPEN SPACE	2.24± AC.

* MARCH 26, 2021 JURISDICTIONAL DETERMINATION ISSUED BY THE U.S. ARMY CORPS OF ENGINEERS

FOREST CONDITIONS	
EXISTING FOREST ON PROPERTY	4.93± AC.
FOREST CLEARED	3.46± AC.
FOREST TO REMAIN	1.47± AC. (30%)
FOREST BUFFERS PLANTED	0.38± AC.
TOTAL FOREST	1.86± AC.
WATER SUPPLY	TIDEWATER UTILITIES
SEWAGE DISPOSAL	SUSSEX COUNTY



VICINITY MAP
SCALE: 1" = 1 MILE

CZ #1900 CONDITIONS OF APPROVAL:

A. THE MAXIMUM NUMBER OF DWELLING UNITS SHALL NOT EXCEED 45 SINGLE FAMILY UNITS.
B. A HOMEOWNER'S ASSOCIATION SHALL BE FORMED TO PROVIDE FOR THE PERPETUAL MAINTENANCE, REPAIR AND REPLACEMENT OF BUFFERS, STORMWATER MANAGEMENT FACILITIES, STREETS, AMENITIES AND OTHER COMMON AREAS. A COPY OF THE EXECUTED AGREEMENT, TO INCLUDE PROVISION FOR THE MAINTENANCE OF ALL DRAINAGE EASEMENTS, SHALL BE SUBMITTED AS PART OF THE FINAL SITE PLAN.
C. ALL ENTRANCES, INTERSECTIONS, INTERCONNECTIONS, ROADWAYS AND MULTI-MODAL IMPROVEMENTS REQUIRED BY DELDOT SHALL BE COMPLETED IN ACCORDANCE WITH DELDOT'S REQUIREMENTS OR IN ACCORDANCE WITH ANY FURTHER MODIFICATIONS REQUIRED BY DELDOT BASED ON ITS REVIEW OF THE TRAFFIC IMPACT STUDY.
D. THE RPC SHALL BE SERVED BY SUSSEX COUNTY SEWER. THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS AND SPECIFICATIONS OF THE COUNTY ENGINEERING DEPARTMENT.
E. THE RPC SHALL BE SERVED BY CENTRAL WATER FOR DRINKING WATER AND FIRE PROTECTION, AS REQUIRED BY APPLICABLE REGULATIONS.
F. STORMWATER MANAGEMENT AND EROSION AND SEDIMENTATION CONTROL FACILITIES SHALL BE CONSTRUCTED IN ACCORDANCE WITH ALL APPLICABLE STATE AND COUNTY REQUIREMENTS. THESE FACILITIES SHALL BE OPERATED IN A MANNER THAT IS CONSISTENT WITH BEST MANAGEMENT PRACTICES.
G. INTERIOR STREET DESIGN SHALL MEET OR EXCEED SUSSEX COUNTY'S STREET DESIGN REQUIREMENTS. THERE SHALL ALSO BE STREET LIGHTING AND SIDEWALKS ON AT LEAST ONE SIDE OF THE STREETS WITHIN THE RPC.
H. A 20-FOOT WIDE VEGETATED OR FORESTED BUFFER SHALL BE ESTABLISHED ALONG THE PERIMETER OF THE SITE. THIS MAY INCLUDE THE EXISTING TREES. THERE WAS TESTIMONY DURING THE HEARING ABOUT THE NEED TO IMPROVE THE DRAINAGE ALONG THE NORTHWEST BOUNDARY OF THE SITE IN AN AREA THAT IS CURRENTLY WOODED. IN THIS AREA, THE BUFFER SHALL BE LOCATED OUTSIDE OF THE AREA NEEDED FOR THESE DRAINAGE IMPROVEMENTS.
I. IF REQUESTED BY THE LOCAL DISTRICT, A SCHOOL BUS STOP SHALL BE PROVIDED BY THE ENTRANCE TO THE DEVELOPMENT, WITH THE LOCATION AND ANY RELATED PARKING TO BE APPROVED BY THE SCHOOL DISTRICT'S TRANSPORTATION SUPERVISOR. THE LOCATION OF THE BUS STOP AREA SHALL BE SHOWN ON THE FINAL SITE PLAN.
J. ROAD NAMING AND ADDRESSING SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE SUSSEX COUNTY MAPPING AND ADDRESSING DEPARTMENTS.
K. THE FINAL SITE PLAN SHALL CONTAIN THE APPROVAL OF THE SUSSEX CONSERVATION DISTRICT FOR THE DESIGN AND LOCATION OF ALL STORMWATER MANAGEMENT AREAS AND EROSION AND SEDIMENTATION CONTROL FACILITIES.
L. THE FINAL SITE PLAN SHALL INCLUDE A LANDSCAPE PLAN FOR ALL OF THE BUFFER AREAS, SHOWING ALL OF THE LANDSCAPING AND VEGETATION TO BE INCLUDED IN THE BUFFER AREAS. THE LANDSCAPE PLAN SHALL ALSO INCLUDE THE EXISTING FORESTED AREAS THAT WILL BE MAINTAINED.
M. THE FINAL SITE PLAN SHALL INCLUDE A GRADING PLAN THAT SHALL BE SUBMITTED TO COUNTY STAFF FOR REVIEW AND APPROVAL.
N. CONSTRUCTION, SITE WORK, GRADING, AND DELIVERIES OF CONSTRUCTION MATERIALS SHALL ONLY OCCUR FROM MONDAY THROUGH SATURDAY AND ONLY BETWEEN THE HOURS OF 7:00 AM AND 6:00 PM.
O. THE FINAL SITE PLAN SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE SUSSEX COUNTY PLANNING & ZONING COMMISSION.

OWNER'S CERTIFICATION:

I HEREBY CERITFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED ON THIS PLAN, AND THAT THE RESIDENTIAL PLANNED COMMUNITY SHOWN REPRESENTS MY ACT, AND THAT I DESIRE THE PROPERTY TO BE RECORDED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS, ORDINANCES AND REGULATIONS.

SIGNATURE 6-9-21 DATE

MICHAEL P. JUSTICE, TRUSTEE
29687 SAWMILL DRIVE
DAGSBORO, DE 19939
302-745-8155
mike@paulspaving.com

WETLAND CERTIFICATION:

I, KENNETH W. REDINGER, CERTIFY THAT THE SUBJECT PROPERTY WAS EVALUATED FOR WETLANDS AND OTHER WATERS OF THE UNITED STATES THAT MAY BE SUBJECT TO REGULATION UNDER SECTION 404 OF THE CLEAN WATER ACT. ON-SITE INVESTIGATIONS WERE CONDUCTED IN ACCORDANCE WITH THE 1987 CORPS OF ENGINEERS WETLAND DELINEATION MANUAL IN CONJUNCTION WITH THE REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL: ATLANTIC AND GULF COASTAL PLAIN REGION, VERSION 2.0 (NOVEMBER 2010). THE DELINEATION HERE SHOWN, IN MY BEST PROFESSIONAL JUDGMENT, ACCURATELY DEPICTS THE LIMITS OF WETLANDS AND OTHER WATERS OF THE UNITED STATES WITHIN THE SUBJECT PROPERTY.

KENNETH W. REDINGER, PROFESSIONAL WETLAND SCIENTIST #2126 DATE
P.O. BOX 479 / HORNTOWN, VA 23395
PHONE: (757) 894-7032 / EMAIL: KWREDINGER@GMAIL.COM

ENGINEER'S CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE COMPLIES WITH THE APPLICABLE STATE AND LOCAL REGULATIONS AND ORDINANCES.

6/9/2021

KENNETH R. CHRISTENBURY, P.E. DATE
DELAWARE P.E. #11553 (EXPIRES JUNE 30, 2022)
AXIOM ENGINEERING, LLC - 18 CHESTNUT STREET - GEORGETOWN, DE 19947
(302) 855-0810 - ken@axeng.com

SUSSEX CONSERVATION DISTRICT APPROVAL:

23818 SHORTLY ROAD - GEORGETOWN, DE 19947 302-856-7219 FAX 856-0951

REV	DESCRIPTION OF REVISION	REVISED BY/DATE	CHECKED BY/DATE
1	RESPONSE TO AGENCY COMMENTS	MAV 4-9-2021	KRC 4-9-2021

THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THERETO AND APPURTENANT.

RECORD PLAN COVER SHEET
PARKER HOUSE ROAD SCR 362
ASSAWOMAN LAKES
RESIDENTIAL PLANNED COMMUNITY - CZ #1900 - F.K.A. EVERGREEN RPC
BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE

AXIOM ENGINEERING L.L.C.
18 CHESTNUT STREET
GEORGETOWN, DE 19947
(302) 855-0810
FAX: 855-0812
E-MAIL: AXIOM@AXENG.COM
WEB: WWW.AXENG.COM

ENGINEER: KRC
DESIGNER: KRC
DRAFTER: MAV
CHECKED BY: KRC
DATE: 10/21/2020
TAX MAP: 134-16.00-51.00
0 100' 200'
24" X 36" 1 inch = 100 ft.
11" X 17" 1 inch = 200 ft.

KENNETH R. CHRISTENBURY REGISTERED No. 11553 PROFESSIONAL ENGINEER DELAWARE 4/9/21
SEAL

PROJECT NO: 0188-1502
DRAWING: RP-1
SHEET: 1 OF 5

J:\Files\CIVIL 3D 2018 PROJECTS\0188-1502 Evergreen SUBD-ENGINEERING\DWG\0188-1902-RP1 RECORD PLAN COVER SHEET.dwg

TM134-16.00-781.00
N/F GARY L. RAYNES
LOT A22 OCEAN AIR PARK
PB 10 PG 99

TM134-16.00-780.00
N/F ELIZABETH J. &
THOMAS H. WAGNER
LOT A21 OCEAN AIR
PARK
PB 10 PG 99

TM134-16.00-779.00
N/F DENISE A. HERBERT
LOT A20 OCEAN AIR
PARK
PB 10 PG 99

TM134-16.00-778.00
N/F JEFFREY R. DRAPER
LOT A19 OCEAN AIR
PARK
PB 10 PG 99

TM134-16.00-777.00
N/F THOMAS P. COLIHAN
LOT A18 OCEAN AIR
PARK
PB 10 PG 99

TM134-16.00-776.00
N/F KEVIN R. EMMELL
LOT A17 OCEAN AIR
PARK
PB 10 PG 99

TM134-16.00-775.00
N/F FRANCIS G. BENTZ JR.
LOT A16 OCEAN AIR
PARK
PB 10 PG 99

TM134-16.00-774.00
N/F KAREN M.
ZDURIENCK- trustee
LOT A15 OCEAN AIR
PARK
PB 10 PG 99

TM134-16.00-773.00
N/F HARRY D. CONKLIN
LOT A14 OCEAN AIR
PARK
PB 10 PG 99

TM134-16.00-772.00
N/F JOAN A. McHALE
LOT A13 OCEAN AIR
PARK
PB 10 PG 99

TM134-16.00-771.00
N/F JAMES P. KNIGHT
LOT A12 OCEAN AIR
PARK
PB 10 PG 99

BENCHMARK - CONCRETE
MONUMENT FOUND
NAD '83
NORTH = 190324.52
EAST = 746699.38
NAVD '88 ELEV.= 20.37

BENCHMARK
CONCRETE MONUMENT FOUND
NAD '83 NORTHING = 190265.11
EASTING = 747654.10
NAVD '88 ELEVATION = 16.93

S 70°17'09" E
71.89' (TIE LINE)

450.00'

S86°26'22"E 956.57' (OVERALL)

PIPE FND

CONC MON FND

N87°29'04"E 188.94' (TIE LINE)

206.57'

99.54'

LOT 17
LOT 16
LOT 15
LOT 14
LOT 13
LOT 12
LOT 11
LOT 10
LOT 9
LOT 8
LOT 7
LOT 6
LOT 5
LOT 4
LOT 3
LOT 2
LOT 1
LOT 18
LOT 19
LOT 20
LOT 21
LOT 22
LOT 23
LOT 24
LOT 25
LOT 26
LOT 27
LOT 28

8' BRL - TYP
25' BRL - TYP

N3°33'38"E 125.00'
N3°33'38"E 122.26'

N86°26'22"W 699.64' (OVERALL)

S86°26'22"E 588.73' (OVERALL)

N86°26'22"W 492.62' (OVERALL)

S86°26'22"E 360.00' (OVERALL)

ONEIDA WAY N
(40' PRIVATE R.O.W.)

PARCEL "A"
OPEN SPACE
AREA: 6.16 AC. ±

PARCEL "B"
OPEN SPACE
AREA: 0.06± AC.

S90°16'11"E 89.20'
N59°39'42"E 88.89'
N42°09'09"E 70.86'
N17°41'09"E 25.80'
S75°59'20"E 98.34'
S61°45'39"W 42.60'
S74°09'37"E 25.00'
S75°59'20"E 86.16'
N27°55'52"E 20.78'
N14°09'42"E 46.59'
S72°24'25"E 55.22'
S73°38'31"E 54.67'
S72°24'25"E 103.96'
S66°49'55"E 25.00'
S65°53'14"E 79.44'
S44°33'38"E 33.25'
S20°00'17"W 74.47'
S72°24'25"E 22.04'
N86°26'22"W 133.73' (OVERALL)
S21°35'39"W 57.32'
S68°06'25"E 104.61'
N17°35'13"E 109.59' (OVERALL)
N44°33'38"W 125.00'
S40°26'22"W 480.00' (OVERALL)
S74°30'07"W 287.55' (OVERALL)
S17°35'39"W 147.14' (OVERALL)
N3°55'14"W 615.83' (OVERALL)

A 15' PERMANENT EASEMENT IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAT

AN ADDITIONAL 20' OF RIGHT-OF-WAY IS HEREBY DEDICATED TO THE STATE OF DELAWARE AS PER THIS PLAT

PARKER HOUSE ROAD SCR 362
R.O.W. VARIABLE

L=185.15', R=1020.82'
CB=S19°39'33"W
CL=184.90'
Δ =010°23'31"

PIPE FND

CONC MON FND

CATV

20'

95.00'

15'

94.92'

W1 W2 W3 W4 W5 W6 W7 W8 W9 W10 W11 W12 W13 W14 W15 W16 W17 W18

E1 E2 E3 E4 E5 E6 E7 E8 E9 E10 E11 E12 E13 E14 E15 E16 E17 E18 E19 E20 E21

C1 C2 C3 C4 C5 C6 C7 C8 C9 C10 C11 C12 C13 C14 C15 C16 C17 C18 C19 C20 C21 C22 C23 C24 C25 C26 C27 C28 C29 C30 C31 C32 C33 C34

TM134-16.00-1204.00
N/F STEVE BRANCH
LOT 349 SILVER WOODS
PB 92 PG 222

TM134-16.00-1205.00
N/F MARK A. SCH
LOT 350 SILVER WOODS
PB 92 PG 222

TM134-16.00-1206.00
N/F ROBERT L.
THORNTON
LOT 351 SILVER
WOODS
PB 92 PG 222

TM134-16.00-1207.00
N/F DAVID P. &
ELIZABETH WOLINSKI
LOT 352 SILVER
WOODS
PB 92 PG 222

TM134-16.00-1208.00
N/F DONALD D. CAREY III
USE: GR
LAND USE: RESIDENTIAL

WATER MAIN EASEMENT
GRANTED TO TIDEWATER
UTILITIES
3,247± SQ. FT.

20' WIDE PERPETUAL DRAINAGE
EASEMENT GRANTED TO
TM 1-34-16.00-1204.00 &
TM 1-34-16.00-1025.00
11,711 ± SQ. FT.

WATER LINE EASEMENT GRANTED
TO TIDEWATER UTILITIES
1,614.38 SQ. FT.±

DelDOT
NO OBJECTION TO RECORDATION
June 16, 2021
DATE

MATCHLINE - SEE SHEET RP-3

REV	DESCRIPTION OF REVISION	REVISED BY/DATE	CHECKED BY/DATE
1	RESPONSE TO AGENCY COMMENTS	MAV 4-9-2021	KRC 4-9-2021

THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THERETO AND APPURTENANT.

ENGINEER:	KRC
DESIGNER:	KRC
DRAFTER:	MAV
CHECKED BY:	KRC
DATE:	10-21-2020
TAX MAP:	134-16.00-51.00

0 30' 60'
24" X 36" 1 inch = 30 ft.
11" X 17" 1 inch = 60 ft.

SEAL

AXIOM ENGINEERING L.L.C.
18 CHESTNUT STREET
GEORGETOWN, DE 19947
(302) 855-0810
FAX: 855-0812
E-MAIL: AXIOM@AXENG.COM
WEB: WWW.AXENG.COM

RECORD PLAN

PARKER HOUSE ROAD SCR 362

ASSAWOMAN LAKES

RESIDENTIAL PLANNED COMMUNITY - CZ #1900 - F.K.A. EVERGREEN RPC

BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE

PROJECT NO: 0188-1502
DRAWING: RP-2
SHEET: 2 OF 5

J:\Files\CIVIL 3D 2018 PROJECTS\0188-1502 Evergreen SUBD-ENGINEERING\DWG\0188-1902-RP2-RP5 RECORD PLAN.dwg

MATCHLINE - SEE SHEET RP-2

ONEIDA WAY (50' PRIVATE R.O.W.)

ONEIDA WAY S (40' PRIVATE R.O.W.)

PROPOSED SUBDIVISION SIGN

PARCEL "A" OPEN SPACE
AREA: 6.16± AC.

20' WIDE PERPETUAL DRAINAGE EASEMENT GRANTED TO TM 1-34-16.00-1204.00 & TM 1-34-16.00-1025.00 11,711 ± SQ. FT.

WATER LINE EASEMENT GRANTED TO TIDEWATER UTILITIES 1614.38 SQ. FT.±

WATER LINE EASEMENT GRANTED TO TIDEWATER UTILITIES 3,310 SQ. FT. ±

A 20-FOOT WIDE PERMANENT EASEMENT CONTAINING 2,171 SQUARE FEET IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAT, FOR EMERGENCY ACCESS TO DRAINAGE FACILITIES CONVEYING RUNOFF FROM STATE MAINTAINED ROADS AND/OR RIGHTS-OF-WAY, THE PORTIONS OF THE DRAINAGE FACILITIES CONVEYING RUNOFF FROM STATE MAINTAINED ROADS AND/OR RIGHTS-OF-WAY, THE PORTIONS OF THE DRAINAGE FACILITIES CONVEYING RUNOFF FROM STATE MAINTAINED ROADS AND/OR RIGHTS-OF-WAY, THAT ARE LOCATED UPSTREAM OF SITE AS WELL AS SECTIONS THAT ARE NOT DIRECTLY COLLECTING AND CONVEYING THE DRAINAGE RUNOFF OF THE PROPOSED STATE MAINTAINED ROADS AND/OR RIGHTS-OF-WAY, SHALL BE THE RESPONSIBILITY OF THE DEVELOPER. PROPERTY OWNERS, OR BOTH. THAT ARE NOT DIRECTLY COLLECTING AND CONVEYING THE DRAINAGE FUTURE MAINTENANCE OF ANY DEDICATED PORTIONS OF THIS STORM DRAIN SYSTEM AND/OR DRAINAGE EASEMENTS.

A 15' PERMANENT EASEMENT IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAT

AN ADDITIONAL 20' OF RIGHT-OF-WAY IS HEREBY DEDICATED TO THE STATE OF DELAWARE AS PER THIS PLAT

1' WIDE STRIP OF LAND TO BE TRANSFERRED TO TM 134-16.00-52.03 AREA = 198.73 S.F.

1' WIDE STRIP OF LAND TO BE TRANSFERRED TO TM 134-16.00-52.03 AREA = 188.73 S.F.

1' WIDE STRIP OF LAND TO BE TRANSFERRED TO TM 134-16.00-52.03 AREA = 190.70 S.F.

LOT 29
LOT 30
LOT 31
LOT 32
LOT 33
LOT 34
LOT 35
LOT 36
LOT 37
LOT 38
LOT 39
LOT 40
LOT 41
LOT 42
LOT 43
LOT 44
LOT 45

TM134-16.00-1208.00
N/F ELLEN TREMMEL
LOT 353 SILVER WOODS
PB 92 PG 222

TM134-16.00-65.00
N/F WESLEY S. JR. & ELIZABETH REED
LOTS 13 & 14 PLANTATION PARK
PB 8 PG 176

TM134-16.00-63.01
N/F JOHN T. OBERLY SR.,
LOT 12 PLANTATION PARK
PB 8 PG 176

TM134-16.00-63.00
N/F CHRISTOPHER J. BUTTON
LOT 11 PLANTATION PARK
PB 8 PG 176

TM134-16.00-62.00
N/F JOHN R. BRAUER,
LOT 10 PLANTATION PARK
PB 8 PG 176

TM134-16.00-61.00
N/F STEPHEN C. WARREN
LOT 9 PLANTATION PARK
PB 8 PG 176

TM134-16.00-52.03
N/F MICHAEL P. JUSTICE - trustee
ZONE: GR
LAND USE: RESIDENTIAL

TM134-16.00-52.02
N/F MICHAEL P. JUSTICE - trustee
ZONE: C1
LAND USE: COMMERCIAL

TM134-16.00-52.00
N/F ONEIDA M. JUSTICE
ZONE: GR
LAND USE: RESIDENTIAL

TM 134-16.00-391.00
STATE OF DELAWARE
ZONE: MR
LAND USE: OPEN SPACE

BENCHMARK
CONCRETE MONUMENT FOUND
NAD '83 NORTHING =189710.13
EASTING =746741.49
NAVD 88 ELEV.=17.48

S86°45'48"E 105.65'

CONC MON FND

N37°15'16"W 412.27'

REBAR FND

PIPE FND

N 75°48'06" W 1.17'

N 75°50'03" W 1.17'

S 31°35'03" E 1.02

N39°26'02"W 160.00'

N45°26'22"E 199.08'

S45°26'22"W 480.00' (OVERALL)

S45°26'22"W 461.25' (OVERALL)

N45°26'22"E 541.55' (OVERALL)

S45°26'22"W 462.86'

N45°26'22"E 188.73

N31°35'03"W 149.59'

N46°09'05"E 191.03'

N44°33'38"W 125.00'

N44°33'38"W 123.00'

N44°33'38"W 108.88'

N44°33'38"W 8.26'

S44°33'38"E 30.00'

N45°26'22"E 30.00'

N44°33'38"W 30.00'

N45°26'22"E 30.00'

8' BRL - TYP

25' BRL - TYP

60.00'

61.00'

20'

37.63'

12.15'

13.64'

12.24'

13.1'

PR. 50' R/W

PR. 40' R/W

EX. 46' R/W

EX. 47' R/W

DEDICATED 40' R/W

N44°13'49"E 132.78'

N44°13'49"E 180.00'

S14°27'46"W 304.25'

S14°16'33"W 132.94'

PARKER HOUSE ROAD SCR 362
R.O.W. VARIABLE
(MINOR COLLECTOR)

E. VERDON ROAD (SCR 362)

EX. VERDON FENCETAIL

FENCETAIL

CONC MON FND

AXLE FND

PIPE FND

REBAR FND

N 39°26'02" W 1.00'

15" ADS INV.=13.71

15" ADS INV.=13.69

15" RCP INV.=13.68

15" ADS INV.=13.67

15" ADS INV.=13.66

15" CMP INV.=13.30

15" CMP INV.=12.56

DelDOT
NO OBJECTION TO RECORDATION
June 16, 2021
DATE

REV	DESCRIPTION OF REVISION	MAV REVISED BY/DATE	KRC CHECKED BY/DATE
1	RESPONSE TO AGENCY COMMENTS	MAV 4-9-2021	KRC 4-9-2021

THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THERETO AND APPURTENANT.

ENGINEER:	KRC
DESIGNER:	KRC
DRAFTER:	MAV
CHECKED BY:	KRC
DATE:	10-21-2020
TAX MAP:	134-16.00-51.00

0 30' 60'
24" X 36" 1 inch = 30 ft.
11" X 17" 1 inch = 60 ft.

SEAL

AXIOM ENGINEERING L.L.C.
18 CHESTNUT STREET
GEORGETOWN, DE 19947
(302) 855-0810
FAX: 855-0812
E-MAIL: AXIOM@AXENG.COM
WEB: WWW.AXENG.COM

RECORD PLAN

PARKER HOUSE ROAD SCR 362

ASSAWOMAN LAKES

RESIDENTIAL PLANNED COMMUNITY - CZ #1900 - F.K.A. EVERGREEN RPC

BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE

PROJECT NO: 0188-1502

DRAWING: RP-3

SHEET: 3 OF 5

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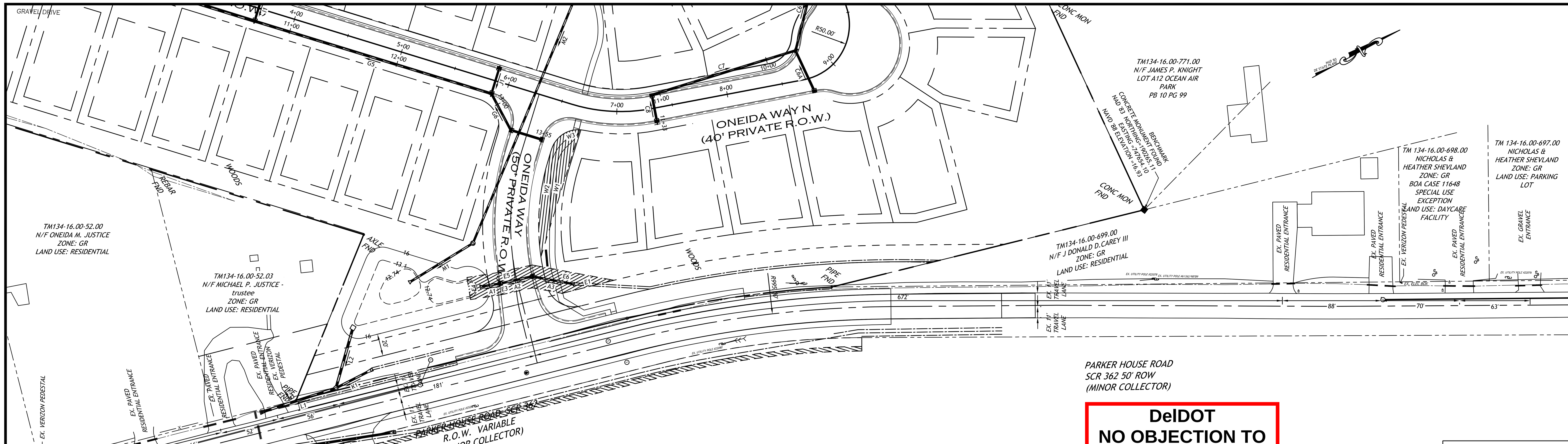


EXISTING DRIVEWAY LOCATION EXHIBIT

0 50' 100'

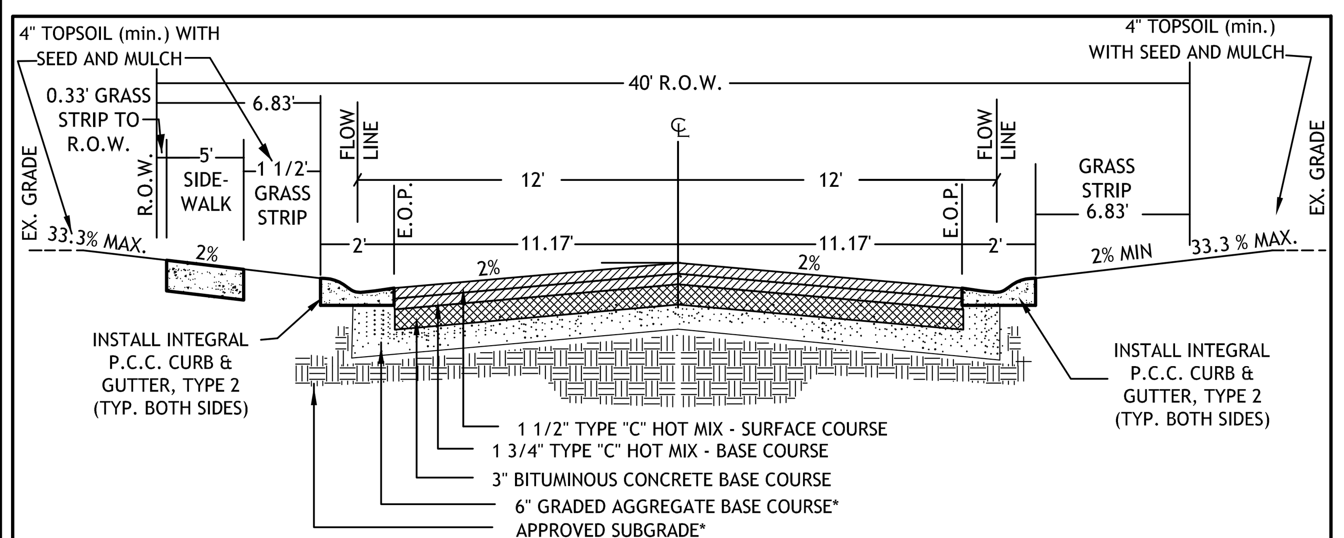
24" X 36" 1 inch = 50 ft.
11" X 17" 1 inch = 100 ft.

DelDOT
NO OBJECTION TO RECORDATION
June 16, 2021
DATE

Drainage Easement Line Table		
Line #	Length	Direction
E1	47.70	N14°12'31"E
E2	26.98	N38°59'53"E
E3	27.53	N15°49'57"E
E4	20.00	S70°42'07"E
E5	31.03	S15°49'57"W
E6	74.38	S38°59'53"W
E7	42.25	N86°04'46"E
E8	415.46	S03°55'14"E
E9	58.35	S14°16'11"W
E10	26.59	S64°53'33"W
E11	6.68	S37°14'38"W
E12	54.47	S09°50'51"W
E13	15.13	N60°24'16"W
E14	41.06	N31°15'16"W
E15	22.56	S60°24'16"E
E16	30.92	N09°50'51"E
E17	16.47	N37°14'38"E
E18	22.06	N64°53'33"E
E19	45.69	N14°16'11"E
E20	392.26	N03°55'14"W
E21	22.25	S86°04'46"W
E22	20.00	N03°55'14"W

Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C1	247.50	1035.00	013°42'04"	N21°04'50"E	246.91
C2	39.37	25.00	090°13'56"	N59°20'48"E	35.43
C3	108.13	200.00	030°58'36"	S60°02'56"E	106.82
C4	36.74	25.00	084°12'11"	S02°27'33"E	33.52
C5	65.42	170.00	022°02'57"	S28°37'04"W	65.02
C6	12.51	25.00	028°39'36"	S31°55'23"W	12.38
C7	163.42	53.00	176°40'09"	S42°04'53"E	105.96
C8	19.19	25.00	043°58'35"	S71°34'21"W	18.72
C9	7.85	5.00	090°00'00"	N41°26'22"W	7.07
C10	7.85	5.00	090°00'00"	S48°33'38"W	7.07
C11	28.04	25.00	064°15'51"	S54°18'26"E	26.59
C12	31.63	53.00	034°11'18"	S39°16'09"E	31.16
C13	32.27	25.00	073°57'24"	S19°23'07"E	30.08
C14	63.18	130.00	027°50'47"	N31°30'59"E	62.56
C15	7.85	5.00	090°00'00"	S89°33'38"E	7.07
C16	7.85	5.00	090°00'00"	N00°26'22"E	7.07
C17	39.27	25.00	090°00'00"	N89°33'38"W	35.36
C18	135.16	250.00	030°58'36"	N60°02'56"W	133.52
C19	39.41	24.46	092°17'33"	N30°39'12"W	35.28
C20	221.60	1070.30	011°51'46"	N22°08'17"E	221.21

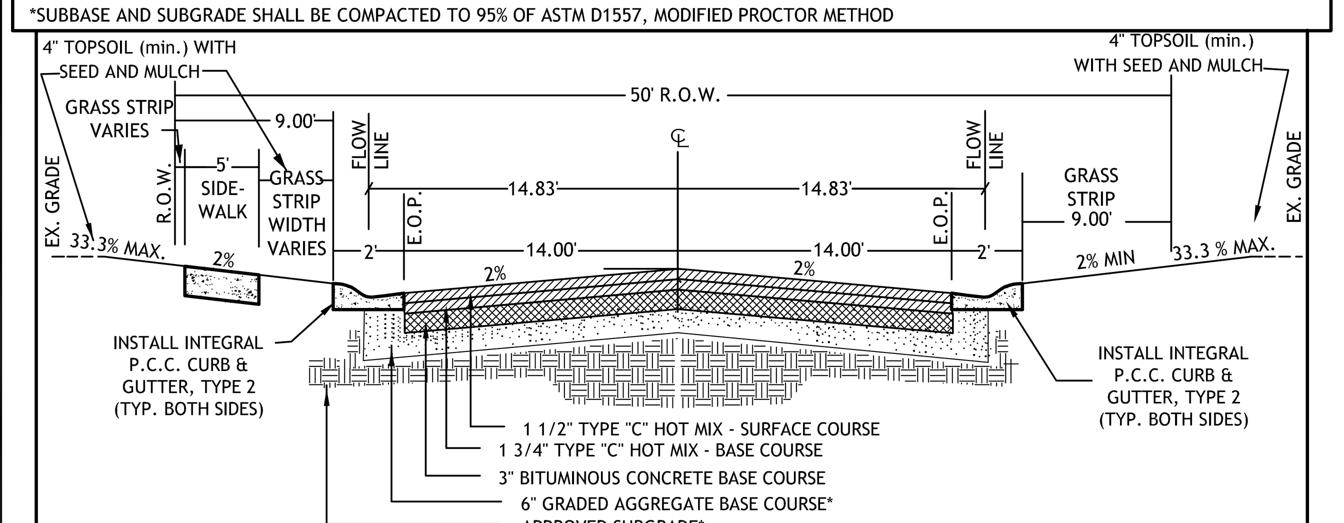
Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C21	71.40	1070.29	003°49'19"	N26°09'30"E	71.38
C22	71.56	1070.57	003°49'48"	N22°19'56"E	71.55
C23	78.64	1070.30	004°12'36"	N18°18'41"E	78.62
C24	86.65	180.00	027°34'51"	S58°21'03"E	85.81
C25	2.50	25.00	005°44'24"	S36°46'21"W	2.50
C26	48.68	170.00	016°24'28"	N31°26'19"E	48.52
C27	16.74	170.00	005°38'30"	N20°24'50"E	16.73
C28	28.13	53.00	030°24'48"	S31°02'48"W	27.80
C29	40.77	53.00	044°04'25"	S06°11'49"E	39.77
C30	40.77	53.00	044°04'20"	S50°16'11"E	39.77
C31	53.75	53.00	058°06'36"	N78°38'21"E	51.48
C32	7.38	25.00	016°54'44"	N58°02'25"E	7.35
C33	11.81	25.00	027°03'52"	N80°01'42"E	11.70
C34	24.22	25.00	055°30'32"	S58°41'06"E	23.28
C35	31.84	130.00	014°01'52"	N24°36'31"E	31.76
C36	31.35	130.00	013°48'55"	S38°31'55"W	31.27
C37	30.19	25.00	069°11'43"	S80°02'14"W	28.39



TYPICAL PRIVATE ROAD CROSS SECTION - 40' R.O.W.

NOT TO SCALE

*SUBBASE AND SUBGRADE SHALL BE COMPACTED TO 95% OF ASTM D1557, MODIFIED PROCTOR METHOD



TYPICAL PRIVATE ROAD CROSS SECTION - 50' R.O.W.

NOT TO SCALE

*SUBBASE AND SUBGRADE SHALL BE COMPACTED TO 95% OF ASTM D1557, MODIFIED PROCTOR METHOD

Parcel Area Table	
LOT #	SQ. FT.
1	7,511
2	7,500
3	7,501
4	7,547
5	7,788
6	7,514
7	8,111
8	7,502
9	7,500
10	7,500
11	7,500
12	7,500
13	7,500
14	7,500
15	7,500
16	7,500
17	7,500
18	7,506
19	7,506
20	7,506

Parcel Area Table	
LOT #	SQ. FT.
21	7,506
22	7,506
23	7,506
24	7,524
25	7,540
26	7,769
27	7,500
28	7,500
29	7,500
30	7,500
31	7,500
32	7,500
33	7,500
34	7,500
35	7,535
36	7,625
37	7,500
38	7,500
39	7,500
40	7,500

Parcel Area Table	
LOT #	SQ. FT.
41	7,500
42	7,500
43	7,500
44	7,500
45	7,522
PARCEL A	268,137
PARCEL B	2,600

Water Easement Table					
Line #/Curve #	Length	Chord Length	Bearing/Delta	Radius	Chord Direction
W1	118.76		N44° 33' 38"W		
W2	88.04	87.33	25.22	200.00	S57°10'15"E
W3	33.28	30.88	76.27	25.00	S06°25'36"E
W4	27.45		N45° 26' 22"E		
W5	155.87		S44° 33' 38"E		
W6	20.00		S46° 25' 15"W		
W7	135.52		N44° 33' 38"W		
W8	12.12		S45° 26' 22"W		
W9	10.32		N31° 34' 55"W		
W10	10.21		N31° 15' 16"W		
W11	120.91		N03° 33' 38"E		
W12	7.00		S86° 26' 22"E		
W13	40.00		S03° 33' 38"W		
W14	13.00		S86° 26' 22"E		
W15	104.64		S03° 33' 38"W		
W16	45.85		S68° 12' 52"W		
W17	31.52		N03° 55' 14"W		
W18	28.26		N68° 12' 52"E		

REV	DESCRIPTION OF REVISION	REVISED BY/DATE	CHECKED BY/DATE
1	RESPONSE TO AGENCY COMMENTS	MAV 4-9-2021	KRC 4-9-2021

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ENGINEER:	KRC
DESIGNER:	KRC
DRAFTER:	MAV
CHECKED BY:	KRC
DATE:	10-21-2020
TAX MAP:	134-16.00-51.00

SEAL

AXIOM ENGINEERING L.L.C.
18 CHESTNUT STREET
GEORGETOWN, DE 19947
(302) 855-0810
FAX: 855-0812
E-MAIL: AXIOM@AXENG.COM
WEB: WWW.AXENG.COM

NOTES, LINE, CURVE & EASEMENT TABLES

PARKER HOUSE ROAD SCR 362

ASSAWOMAN LAKES

RESIDENTIAL PLANNED COMMUNITY - CZ #1900 - F.K.A. EVERGREEN RPC

BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE

PROJECT NO: 0188-1502

DRAWING: RP-4

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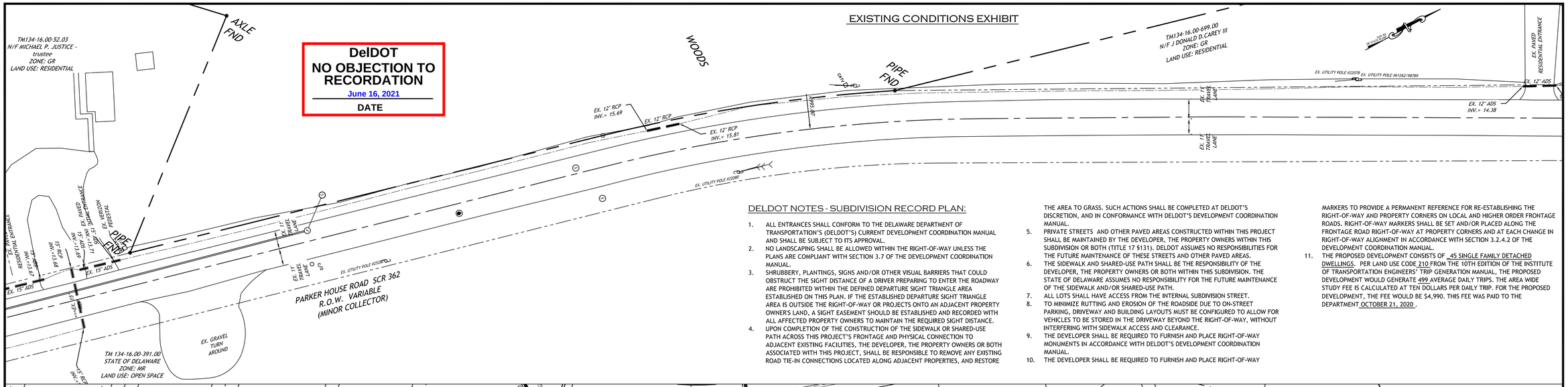
DelDOT
NO OBJECTION TO RECORDATION
June 16, 2021
DATE

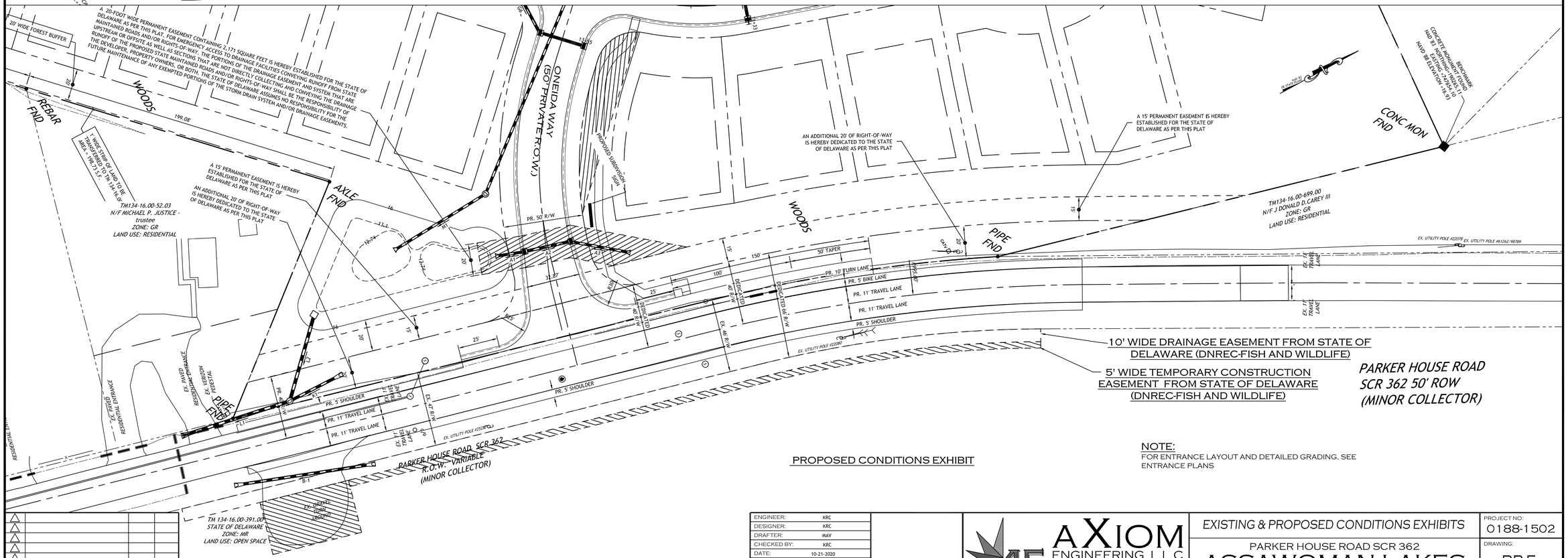
EXISTING CONDITIONS EXHIBIT



DELDOT NOTES - SUBDIVISION RECORD PLAN:

1. ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOT'S) CURRENT DEVELOPMENT COORDINATION MANUAL AND SHALL BE SUBJECT TO ITS APPROVAL.
2. NO LANDSCAPING SHALL BE ALLOWED WITHIN THE RIGHT-OF-WAY UNLESS THE PLANS ARE COMPLIANT WITH SECTION 3.7 OF THE DEVELOPMENT COORDINATION MANUAL.
3. SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
4. UPON COMPLETION OF THE CONSTRUCTION OF THE SIDEWALK OR SHARED-USE PATH ACROSS THIS PROJECT'S FRONTAGE AND PHYSICAL CONNECTION TO ADJACENT EXISTING FACILITIES, THE DEVELOPER, THE PROPERTY OWNERS OR BOTH ASSOCIATED WITH THIS PROJECT, SHALL BE RESPONSIBLE TO REMOVE ANY EXISTING ROAD TIE-IN CONNECTIONS LOCATED ALONG ADJACENT PROPERTIES, AND RESTORE THE AREA TO GRASS. SUCH ACTIONS SHALL BE COMPLETED AT DELDOT'S DISCRETION, AND IN CONFORMANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.
5. PRIVATE STREETS AND OTHER PAVED AREAS CONSTRUCTED WITHIN THIS PROJECT SHALL BE MAINTAINED BY THE DEVELOPER, THE PROPERTY OWNERS WITHIN THIS SUBDIVISION OR BOTH (TITLE 17 §131). DELDOT ASSUMES NO RESPONSIBILITIES FOR THE FUTURE MAINTENANCE OF THESE STREETS AND OTHER PAVED AREAS.
6. THE SIDEWALK AND SHARED-USE PATH SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, THE PROPERTY OWNERS OR BOTH WITHIN THIS SUBDIVISION. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THE SIDEWALK AND/OR SHARED-USE PATH.
7. ALL LOTS SHALL HAVE ACCESS FROM THE INTERNAL SUBDIVISION STREET.
8. TO MINIMIZE RUTTING AND EROSION OF THE ROADSIDE DUE TO ON-STREET PARKING, DRIVEWAY AND BUILDING LAYOUTS MUST BE CONFIGURED TO ALLOW FOR VEHICLES TO BE STORED IN THE DRIVEWAY BEYOND THE RIGHT-OF-WAY, WITHOUT INTERFERING WITH SIDEWALK ACCESS AND CLEARANCE.
9. THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS IN ACCORDANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.
10. THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MARKERS TO PROVIDE A PERMANENT REFERENCE FOR RE-ESTABLISHING THE RIGHT-OF-WAY AND PROPERTY CORNERS ON LOCAL AND HIGHER ORDER FRONTAGE ROADS. RIGHT-OF-WAY MARKERS SHALL BE SET AND/OR PLACED ALONG THE FRONTAGE ROAD RIGHT-OF-WAY AT PROPERTY CORNERS AND AT EACH CHANGE IN RIGHT-OF-WAY ALIGNMENT IN ACCORDANCE WITH SECTION 3.2.4.2 OF THE DEVELOPMENT COORDINATION MANUAL.
11. THE PROPOSED DEVELOPMENT CONSISTS OF 45 SINGLE FAMILY DETACHED DWELLINGS. PER LAND USE CODE 210 FROM THE 10TH EDITION OF THE INSTITUTE OF TRANSPORTATION ENGINEERS' TRIP GENERATION MANUAL, THE PROPOSED DEVELOPMENT WOULD GENERATE 499 AVERAGE DAILY TRIPS. THE AREA WIDE STUDY FEE IS CALCULATED AT TEN DOLLARS PER DAILY TRIP. FOR THE PROPOSED DEVELOPMENT, THE FEE WOULD BE $4,990. THIS FEE WAS PAID TO THE DEPARTMENT OCTOBER 21, 2020 .

PROPOSED CONDITIONS EXHIBIT



NOTE:
FOR ENTRANCE LAYOUT AND DETAILED GRADING, SEE ENTRANCE PLANS

REV	DESCRIPTION OF REVISION	REVISED BY/DATE	CHECKED BY/DATE
1	RESPONSE TO AGENCY COMMENTS	MAV 4-9-2021	KRC 4-9-2021

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ENGINEER:	KRC
DESIGNER:	KRC
DRAFTER:	MAV
CHECKED BY:	KRC
DATE:	10-21-2020
TAX MAP:	134-16.00-51.00

0 30' 60'
24" X 36" 1 inch = 30 ft.
11" X 17" 1 inch = 60 ft.

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EXISTING & PROPOSED CONDITIONS EXHIBITS

PARKER HOUSE ROAD SCR 362
ASSAWOMAN LAKES
RESIDENTIAL PLANNED COMMUNITY - CZ #1900 - F.K.A. EVERGREEN RPC
BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE

PROJECT NO: 0188-1502
DRAWING: RP-5
SHEET: 5 OF 5

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

NICOLE MAJESKI
SECRETARY

June 16, 2021

Mr. Jamie Whitehouse, Director
Sussex County Planning & Zoning Commission
Sussex County Administration Building
P.O. Box 417
Georgetown, Delaware 19947

SUBJECT: Letter of No Objection to Recordation
Evergreen RPC
Tax Parcel # 134-16.00-51.00
SCR00362-PARKER HOUSE ROAD
Baltimore Hundred, Sussex County

Dear Mr. Whitehouse:

The Department of Transportation has reviewed the Site Plan, dated June 9, 2021 (last revised April 9, 2021), for the above referenced site, and has no objection to its recordation as shown on the enclosed drawings. This "No Objection to Recordation" approval shall be valid for a period of **five (5) years**. If the Site Plan is not recorded prior to the expiration of the "No Objection to Recordation", then the plan must be updated to meet current requirements and resubmitted for review and approval.

This letter does not authorize the commencement of entrance construction. Entrance plans shall be developed in accordance with DelDOT's Development Coordination Manual and submitted to the Development Coordination Section for review and approval.

This "No Objection to Recordation" letter is not a DelDOT endorsement of the project discussed above. Rather, it is a recitation of the transportation improvements, which the applicant may be required to make as a pre-condition to recordation steps and deed restrictions as required by the respective county/municipality in which the project is located. If transportation investments are necessary, they are based on an analysis of the proposed project, its location, and its estimated impact on traffic movements and densities. The required improvements conform to DelDOT's published rules, regulations and standards. Ultimate responsibility for the approval of any project rests with the local government in which the land use decisions are authorized. There

may be other reasons (environmental, historic, neighborhood composition, etc.) which compel that jurisdiction to modify or reject this proposed plan even though DelDOT has established that these enumerated transportation improvements are acceptable.

If I can be of any further assistance, please call me at (302) 760-2266.

Very truly yours,

R. Stephen McCabe
Sussex County Review Coordinator
Development Coordination

cc: Michael Justice, Michael P. Justice Revocable Trust
Ken Christenbury, Axiom Engineering LLC
William Kirsch, South District Entrance Permit Supervisor
Rusty Warrington, Sussex County Planning & Zoning
Jessica L. Watson, Sussex Conservation District
Matt Schlitter, South District Public Works Engineer
Scott Rust, South District Public Work Manager
James Argo, South District Project Reviewer
Richard Larkin, South District Subdivision Manager
Jennifer Pinkerton, Chief Materials & Research Engineer
Linda Osiecki, Pedestrian Coordinator
John Fiori, Bicycle Coordinator
Mark Galipo, Traffic Development Coordination Engineer
Tim Phillips, Maintenance Support Manager
Dan Thompson, Safety Officer North District
Jared Kauffman, DTC Planner
James Kelley, JMT
Wendy L. Polasko, Subdivision Engineer
Kevin Hickman, Sussex County Reviewer

DELAWARE HEALTH AND SOCIAL SERVICES
Division of Public Health

Office of Engineering
Phone: (302) 741-8640
Fax: (302) 741-8631

September 17, 2021

TIDEWATER UTILITIES, INC.

APPROVAL TO CONSTRUCT
Bethany Bay/Ocean View District
Assawoman Lakes Connection
PWS #DE0000221
Approval #21W133

Mr. Michael P. Justice
29687 Sawmill Drive
Dagsboro, DE 19939

Dear Mr. Justice:

As provided by Section 2.11 of the *State of Delaware Regulations Governing Public Drinking Water Systems*, you are granted approval to connect Assawoman Lakes to the existing main in accordance with the plans submitted by Axiom Engineering, LLC. The plans consist of:

1. Transmittal letter dated September 17, 2021.
2. One copy of the plans entitled "Assawoman Lakes" dated October 21, 2020 and revised September 3, 2021.

These plans, as noted, are made a part of this approval. This approval is granted subject to the enclosed list of conditions.

It is the owner's responsibility to ensure as-built drawings are maintained throughout all phases of construction. Prior to receiving an Approval to Operate, the Office of Engineering requires one set of as-built drawings, including profile markups.

The Office of Engineering recommends detectable tracer tape that is three inches wide and blue in color to be installed directly above all water mains larger than two inches in diameter.

Should you have any questions regarding this matter, please feel free to contact Bill Milliken at (302) 741-8646.

Plans reviewed by:

William J. Milliken, Jr.
Engineer III
Office of Engineering

Sincerely,

Doug Lodge, P.E.
Supervisor of Engineering
Office of Engineering

cc: Public Service Commission
Kenneth R. Christenbury, P.E., Axiom Engineering, LLC
Alexis Virdin-Gede, Tidewater Utilities, Inc.
Ashley Kunder, Office of Drinking Water

1. The approval is void if construction has not started by September 17, 2022.

2. The project shall be constructed in accordance with the approved plans and all required conditions listed in this Approval to Construct. If any changes are necessary, revised plans shall be submitted and a supplemental approval issued prior to the start of construction. As-built plans including profile mark-ups must be submitted to the Office of Engineering after construction has been completed.

3. Representatives of the Division of Public Health may inspect this project at any time during the construction.

4. This approval does not cover the structural stability of any units or parts of this project.

5. The water system shall be operated in conformance with the *State of Delaware Regulations Governing Public Drinking Water Systems*.

6. All potable water lines and appurtenances shall be disinfected using one of the methods in the American Water Works Association Standard C651, current edition.

7. Water mains crossing sanitary and storm sewers should be laid to provide a minimum vertical distance of 18 inches between the outside of the water main and the outside of the sewer, and the water main should be above the sewer. At crossings, one full length of water pipe should be located so both joints will be as far from the sewer as possible. Special structural support for the water and sewer pipes may be required. In cases where it is not practical to maintain an 18-inch separation, the Division may allow deviation on a case-by-case basis if supported by data from the design engineer.

8. Water mains should be laid 10 feet horizontally from any existing or proposed sanitary or storm sewers. The distance should be measured edge to edge. In cases where it is not practical to maintain a 10-foot separation, the Division may allow deviation on a case-by-case basis if supported by data from the design engineer.

9. All chemicals, materials, mechanical devices, and coatings in contact with potable water shall comply with National Sanitation Foundation/American National Standards Institute Standards (NSF/ANSI) 60 and 61 and shall be inert, nontoxic, and shall not import any taste, odor, or color to the water.

10. Sufficient valves should be provided so that inconvenience and sanitary hazards will be minimized during repairs. Valves should be located at not more than 500-foot intervals in commercial districts and at not more than one block or 800-foot intervals in other districts.

11. There shall be no connection between the distribution system and any pipes, pumps, hydrants, or tanks whereby unsafe water or other contaminating materials may be discharge or drawn into the system.

12. Fire hydrant drains shall not be connected to or located within 10 feet of sanitary sewers, storm sewers, or storm drains.

13. Prior to usage of water from this new well, water plant, storage plant, or distribution system, approval for the water quality must be obtained from the Division of Public Health.

14. The water system should be capable of providing at least 25 psi at ground level at all times throughout the distribution system.

15. All plastic pipe utilized in this drinking water system shall be approved for potable water use (NSF-pw). If any piping is joined with solder or flux, the solder and flux shall be lead free (less than or equal to 0.2 percent lead).

16. All water lines should be buried to a depth of at least 3 feet.

17. A Certificate of Public Conveniences and Necessity should be acquired from the Public Service Commission, (302) 739-4247.

18. This approval is for the distribution system only. Plans and specifications for all well plumbing, pumps, storage (including any interior coatings), and treatment must be submitted to and approved by this office prior to their installation.

19. The approval is subject to immediate revocation upon violation of any of the preceding conditions.

20. All other local (county/city/town) approvals or permits needed must be obtained prior to beginning construction.

21. Upon completion of construction and before the system is placed into operation, a "Notice of Completion" must be submitted to the Office of Engineering. Before placing the system into operation, the following must be adhered to:
    a. Submit a set of as-built plans with profile markups to the Office of Engineering.
    b. Obtain an Approval to Operate from the Office of Engineering.

DELAWARE DEPARTMENT OF
NATURAL RESOURCES AND
ENVIRONMENTAL CONTROL

89 Kings Highway
Dover, DE 19901
(302) 739-9000
dnrec.delaware.gov

November 23, 2021

Mr. Michael P. Justice, Trustee
29687 Sawmill Drive
Dagsboro, DE 19939

Ref: Assawoman Lakes
State Wastewater Construction Permit No. WPCC 3067/21

To Mr. Justice:

Please find enclosed a copy of the construction permit that was issued for the referenced project.

We expect the permitted construction to be completed within the permit term. If the construction cannot be completed by the permit expiration date, a one-time, no-cost two-year permit extension is available, as long as the request is received in writing prior to the expiration date and as long as the scope of the project has not changed significantly, as determined by the Department.

Per Part II.A.2.a of the enclosed permit, notify the Department of any changes to the construction authorized therein. Per Part II.B.1, submit a set of "as-built" plans of the constructed wastewater facilities within ninety (90) days of construction completion. The as-built plans must be signed and sealed by a Professional Engineer licensed in Delaware.

If you have any questions, please contact me at (302) 739-9351 or via email at Keith.Kooker@delaware.gov.

From,

Keith Kooker

Keith Kooker, P.E.
Environmental Finance

Email Enclosure:

1. Ken Christenbury – Axiom Engineering (Ken@axeng.com)
2. Lauren DeVore – Sussex County Planning (Lauren.Devore@sussexcountyde.gov)
3. Keith Bryan – Sussex County Utility Construction (KBryan@sussexcountyde.gov)
4. Susan Isaacs - Sussex Co. Engineering Project Coordinator (SIsaacs@sussexcountyde.gov)

AUTHORIZATION TO CONSTRUCT UNDER THE

LAWS OF THE STATE OF DELAWARE

PART I

1. **In compliance with the provisions of 7 Del. C., §6003,**

Sussex County Council
P.O. Box 589
Georgetown, DE 19947

and

Michael P. Justice, Trustee
29687 Sawmill Drive
Dagsboro, DE 19939

are authorized, jointly and individually, to construct facilities consisting of the following:

Approximately one thousand seven hundred and fifty linear feet (1,750 LF) of eight (8) inch diameter gravity sewer main, seven (7) gravity manholes, laterals, cleanouts and related appurtenances to serve forty-five (45) single family homes in the proposed Assawoman Lakes subdivision located on the west side of Parker House Road approximately one half mile south of the Beaver Dam Road intersection about a mile south of Ocean View in Sussex County, Delaware. The proposed sanitary sewer will connect to an existing Sussex County gravity manhole and eight (8) inch diameter main located just south of the development's entrance on Parker House Road.

in accordance with plans and specifications as described below and limitations, requirements and other conditions set forth in Parts I, II and III hereof.

2. The plans, specifications, municipality standards and other documents submitted with the permit application consist of the following, which are incorporated by reference and made part of this authorization:

Six (6) drawings** prepared Axiom Engineering, LLC, titled "Assawoman Lakes RPC", dated 10-21-20, signed and stamped by Kenneth Christenbury, P.E. on 11-15-21 and the current Sussex County Standard Specifications for Design and Construction of Ordinance 38 Projects.

**Drawings include:

Sheet C1 – Cover Sheet
Sheets C2-C3 – Sanitary Sewer Plan

Greg Pope, Engineer VI
By Agreement with Surface Water Discharges Section
Division of Water
State of Delaware Department of Natural Resources
and Environmental Control

11/23/2021
Date Signed

Sheets C4-C5 – Sanitary Sewer Profile
Sheet C6 – Utility Details

3. The liquid waste will be discharged through an existing wastewater collection and transmission system to the South Coastal Wastewater Treatment Facility, which discharges treated wastewater to the Atlantic Ocean, in accordance with NPDES Permit No. DE 0050008.

A. Effluent Limitations on Pollutants Attributable to Industrial Users

The use of the constructed facility is conditioned on meeting all applicable pretreatment standards under 40 CFR, Part 403, or toxic pollutant discharge limitations under Section 307(a) of the Clean Water Act of 1977, PL 95-217.

B. Flow and Usage Limitations

This permit authorizes a daily average discharge of N/A gallons*. The flow in the system shall be measured at least every N/A.

The estimated average daily discharge for the subject project is 13,800 GPD, which is based on 45 single family homes and a pool bath house (1 EDU) at 300 GPD/EDU.

* This permit authorizes only the construction of the wastewater collection and conveyance facilities referenced herein.

C. Monitoring and Reporting (When Required)

1. Representative sampling of the volume and nature of the monitored discharge shall be conducted at the request of the Division of Water.

2. Reporting

Monitoring results shall be reported to the:
Delaware Department of Natural Resources and Environmental Control
Division of Water, Surface Water Discharges Section
89 Kings Highway
Dover, DE 19901
302-739-9946

3. Definitions

a. "Daily average flow" means the total flow during a calendar month divided by the number of days in the month that the facility was operating.

b. "Daily maximum flow" means the highest total flow during any calendar day.

c. "Daily Peak Flow" means the flow which can be safely transported within the sewage system without causing an overflow or a backup into the building(s) or residence(s).

d. "Bypass" means the intentional diversion of wastes from any portion of a treatment facility.

e. "Measured flow" means any method of liquid volume measurement, the accuracy of which has been previously demonstrated in engineering practice, or for which a relationship to absolute volume has been obtained.

f. "Estimate" means a value to be based on a technical evaluation of the sources contributing to the discharge including, but not limited to, pump capabilities, water meters and batch discharge volumes.

4. Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

a. The date, exact place and time of sampling or measurement;

b. The person(s) who performed the sampling and/or measurement;

c. The date(s) and time(s) analysis was performed;

d. The individual(s) who performed each analysis;

e. The analytical technique(s) or method(s) used;

f. The results of each analysis; and

g. Appropriate quality assurance information.

5. Records Retention

All records and information resulting from the monitoring activities required by this permit, including all records of analyses performed, all records of instrument calibration and maintenance and all charts from continuous monitoring instruments, shall be retained for three (3) years. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the Department.

6. Test Procedures

Test procedures for the analysis of pollutants shall conform to the applicable test procedures identified in 40 CFR, Part 136, unless otherwise specified in this permit.

END OF PART I

PART II

A. Management Requirements

1. Duty to Comply

The permittee must comply with the terms and conditions of this permit. Failure to do so constitutes a violation of this permit, which is grounds for enforcement and the imposition of penalties as provided in 7 Del.C., Chapter 60, grounds for permit termination or loss of authorization to discharge or operate pursuant to this permit, grounds for permit revocation and reissuance or permit modification, or denial of a permit renewal application.

2. Notification

a. Changes in Authorized Activities

The permittee shall notify the Department of any proposed change in the activity authorized herein, of any proposed substantive change in the operation of the facility or facilities authorized herein, or of any anticipated facility expansions, production increases, or process modifications. Notification is required only when such alteration, addition or change may justify the inclusion of conditions that are absent or different from those specified in this permit. This includes, for example, the construction of additional wastewater collection, transmission or treatment facilities and changes which will result in new, different, or increased discharges of pollutants. Following such notice, the Department may require the submission of a new permit application and this permit may be reopened and modified to address the proposed changes.

b. Noncompliance

If, for any reason, the permittee does not comply with or will be unable to comply with any limitation specified in this permit, the permittee shall provide the Department with the following information, in writing, within five (5) days of becoming aware of such condition:

A description of the discharge and cause of noncompliance; and

The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

3. Facilities Operation

The permittee shall, at all times, maintain in good working order and operate as efficiently as possible all collection and treatment facilities and systems (and related appurtenances) installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes, but is not limited to, effective management, adequate operator staffing and training and adequate laboratory process controls, including appropriate quality assurance procedures.

4. Adverse Impact

The permittee shall take all reasonable steps to minimize any adverse impact to waters of the State resulting from noncompliance with this permit, including such accelerated or

additional monitoring as necessary to determine the nature and extent of the noncomplying discharge.

5. Bypassing

Any bypass or intentional diversion of waste streams from the facilities authorized by this permit, or any portion thereof, is prohibited, except (i) where unavoidable to prevent loss of human life, personal injury or severe property damage, or (ii) where excessive storm drainage or run-off would damage any facilities necessary for compliance with the effluent limitations and prohibitions of this permit. The permittee shall promptly notify the Department, in writing, of each such diversion or bypass.

6. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewater shall be disposed of in a manner such as to prevent any pollutant from such materials from entering the surface water or groundwater.

B. Responsibilities

1. Within 90 days following the completion of construction, the permittee shall submit to the Department an "as-built" set of plans of the facility or facilities constructed, bearing the seal and signature of a licensed Professional Engineer registered in the State of Delaware.

2. Right of Entry

The permittee shall allow the Secretary of the Department of Natural Resources and Environmental Control, or his authorized representative(s), upon the presentation of credentials:

a. To enter upon the permittee's premises for inspection of any records, flow measurements, construction or other activity authorized by this permit or any condition required under the terms of this permit; and

b. At reasonable times, to have access to and to copy any records required to be kept under the terms and conditions of this permit; to inspect any monitoring equipment or monitoring method required in this permit; and

c. To sample any discharge.

3. Transferability

This permit is transferable with the Department's consent, provided that an intention to transfer accompanied by a copy of the permit is provided to the Department, signed by both the transferor and the transferee at least ten (10) days prior to the actual transfer.

4. Availability of Reports

All reports submitted with the application and those reports required under the terms of this permit shall be available for public inspection at the offices of the Department of Natural Resources and Environmental Control. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in 7 Del. C., §6013. Any person who causes or contributes to the discharge of a pollutant into State waters either in excess of any conditions specified in this permit or in absence of a specific permit condition shall report such an incident to the Department required

under 7 Del. C. §6028.

5. Permit Modification

This permit may be modified, suspended or revoked in whole or in part during its term for cause including, but not limited to, the following:

a. Violation of any term or condition of this permit;

b. Obtaining this permit by misrepresentation or failure to fully disclose all relevant facts;

c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized activity; or

d. Information that the permitted activity poses a threat to human health or welfare, or to the environment.

6. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject to under 7 Del. C., Chapter 60.

7. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation.

8. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

9. Severability

The provisions of this permit are severable. If any provision of this permit is held invalid, or if the application of any provision of this permit to any circumstances is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

END OF PART II

PART III

A. Special Conditions

1. This permit authorizes only the construction of the wastewater facilities and related work referenced herein.

2. If wellpointing is required during construction, the wells must be installed by a licensed well driller, and a permit to construct such wells must first be obtained from the Well Permits Branch of the Water Supply Section.

3. All construction shall be in agreement with plans and specifications submitted under this project and approved by the Department of Natural Resources and Environmental Control.

4. All construction shall be in accordance with Ten States Standards and other applicable local utility construction specifications and standards.

5. Connections or additions to the proposed system, other than those proposed on the plans, will not be allowed without prior approval from the Department.

END OF PART III

December 21, 2021

Kenneth Christenbury, Axiom Engineering LLC
ken@axeng.com

RE: Assawoman Lakes, LLC – Ocean View, DE

Mr. Christenbury,

Sussex Conservation District has reviewed the sediment and stormwater management plans submitted for the above referenced project. The District has found the submittal to be acceptable, please provide the District with the following:

- ☑ Submit 5 sets of plans for approval.
- ☑ Submit 1 set scaled 12 x 18 for approval.
- ☑ Submit an electronic copy (PDF) of the project's complete construction set.
- ☑ Submit an electronic copy (PDF) of the Stormwater Report (and all exhibits).
- ☑ Provide a check for inspection fee for $6,900 and maintenance fee for $1,700. (These fees can be combined on one check.)

Please note:

- ☑ Every plan sheet is to be signed and sealed by a qualified design professional.
- ☑ The SCD Owners Certification Statement is to be signed in ink on each set of plans.
- ☑ DelDOT Entrance Permit is required prior to scheduling a Pre-Construction Meeting.

If plans are submitted with any of the above items missing, they will **not** be approved. Be advised if there are any deficiencies which cannot be addressed within 72 hours the plans will be considered withdrawn and therefore, you will need to entirely resubmit. We appreciate your cooperation in this matter as we are trying to maintain a professional and structured office to better serve you.

Mike,
Is KAMM PROPERTIES, LLC the owner that will develop the property?
Ken

If ownership is going to change, the District will require a new application and two sets of plans with the new owner's information and signed certification statement. In addition, the authorization to discharge stormwater under the regulations *Part 2 Special Conditions for Storm*

Water Discharges Associated with Construction Activities, must be transferred by the original owner to the new owner, please contact DNREC at 302-739-9921 for assistance.

If you have any questions or concerns regarding the aforementioned, please do not hesitate to contact the District at 302-856-2105.

Sincerely,

John Justice

Plan Reviewer

Cc:

ENGINEERING DEPARTMENT

JOHN J. ASHMAN
SR. MANAGER OF UTILITY PLANNING
& DESIGN REVIEW

(302) 855-7370 T
(302) 854-5391 F
jashman@sussexcountyde.gov

Sussex County

DELAWARE
sussexcountyde.gov

HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

January 07, 2022

Axiom Engineering L.L.C.
18 Chestnut Street
Georgetown, DE 19947
Attn: Kenneth R. Christenbury, P.E.

RE: **ASSAWOMAN LAKES (FKA EVERGREEN)**
MILLER CREEK SANITARY SEWER DISTRICT
SUBDIVISION NO. CZ# 1900
SUSSEX COUNTY TAX MAP NUMBERS 1-34-16.00-51.00 – CLASS-1
AGREEMENT NO. 867-1

Dear Mr. Christenbury,

A review of the above referenced plans has been completed by the Sussex County Engineering Department. Please have a completed review, **with confirmation** from DNREC for this projects wastewater construction permit before submitting plans for Sussex County approval. Provide five (5) sets of plans in a size of 24" x 36", and one (1) CD or file transfer of PDFs for each sheet. One set of plans will be returned to the Engineer/Consultant for their record.

Each sheet must be signed and sealed by the Engineer and the cover sheet of the plan shall have the owner/developer's and wetland consultant signature, this includes PDFs being submitted prior to Sussex County Engineering Department approval.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

SUSSEX COUNTY ENGINEERING DEPARTMENT

Scott A. Thornton
Engineering Technician IV

MAPPING & ADDRESSING

MEGAN NEHRBAS
MANAGER OF GEOGRAPHIC
INFORMATION SYSTEMS (GIS)
(302) 855-1176 T
(302) 853-5889 F

Sussex County
DELAWARE
sussexcountyde.gov

November 10, 2020

KAMM Properties LLC
Attn: Michael P Justice

RE: **Assawoman Lakes**

I have received proposed street name(s) for the proposed subdivision, **Assawoman Lakes**, located in **Frankford**. In reviewing the proposed street name(s) the following have been approved:

Oneida Way	Oneida Way N	Oneida Way S

Use only **approved** road names that you have written confirmation for or you will be required to rerecord. Each street name is to be used only once.

Upon final approval of **Assawoman Lakes** please forward a copy of the recorded site plan to my attention. Our office would appreciate a digital copy if at all possible, for the purpose of addressing. Should you have any questions, please contact the **Sussex County Addressing Department** at 302-855-1176.

Sincerely,

Terri L Dukes

Terri L. Dukes
Addressing Technician II

CC: Christin Headley
Planning & Zoning

MAPPING & ADDRESSING

MEGAN NEHRBAS
MANAGER OF GEOGRAPHIC
INFORMATION SYSTEMS (GIS)
(302) 855-1176 T
(302) 853-5889 F

Sussex County
DELAWARE
sussexcountyde.gov

November 4, 2020

KAMM Properties LLC.

Attn: Michael P Justice

RE: Change of Sub Division Name(s)/Formally known as:

Evergreen

I have received your request to change the subdivision previously approved as **Evergreen**, which is located in **Frankford** (134-16.00-51.00). The name change has been approved and will now been known as:

Assawoman Lakes

Should you have any questions please contact the **Sussex County Addressing Department at 302-853-5888 or 302-855-1176.**

Sincerely,

Terri L Dukes

Terri L. Dukes
Addressing Technician II

CC: Christin Headley
Planning & Zoning

MAPPING & ADDRESSING

MEGAN NEHRBAS
MANAGER OF GEOGRAPHIC
INFORMATION SYSTEMS (GIS)
(302) 855-1176 T
(302) 853-5889 F

Sussex County
DELAWARE
sussexcountyde.gov

November 4, 2020

KAMM Properties LLC
Attn: **Michael P Justice**

RE: Proposed Subdivision Name(s)

I have reviewed the name(s) submitted for your proposed subdivision which is located in Frankford (134-16.00-51.00). In reviewing the proposed name(s) the following has been approved for this subdivision:

Assawoman Lakes

Should you have any questions please contact the Sussex County Addressing Department at 302-853-5888 or 302-855-1176.

Sincerely,

Terri L Dukes

Terri L. Dukes
Addressing Technician II

CC: Christin Headley
Planning & Zoning

www.axeng.com

From: Tidwell Shawn <Shawn.Tidwell@irsd.k12.de.us>
Sent: Monday, July 12, 2021 1:30 PM
To: ken@axeng.com
Subject: RE: [External] FW: Residential Subdivision on Parker House Road

Yes that is correct

From: ken@axeng.com <ken@axeng.com>
Sent: Monday, July 12, 2021 12:44 PM
To: Tidwell Shawn <Shawn.Tidwell@irsd.k12.de.us>
Subject: RE: [External] FW: Residential Subdivision on Parker House Road

Shawn,

Can I notify Planning and Zoning that you are not asking for any changes to our plan?

Thanks,
Ken

From: Tidwell Shawn <Shawn.Tidwell@irsd.k12.de.us>
Sent: Monday, July 12, 2021 12:21 PM
To: ken@axeng.com
Subject: RE: [External] FW: Residential Subdivision on Parker House Road

The current design doesn't allow for a stop within the community. We would pick up at the entrance if needed.

Thank you!

Shawn

From: ken@axeng.com <ken@axeng.com>
Sent: Monday, July 12, 2021 9:18 AM
To: Tidwell Shawn <Shawn.Tidwell@irsd.k12.de.us>
Cc: Mike Justice <mike@paulspaving.com>
Subject: [External] FW: Residential Subdivision on Parker House Road

WARNING: External Email - This email originated outside of the State email system.
DO NOT CLICK links or attachments unless you recognize the sender and *are expecting* the email.

Mr. Tidwell,

On May 4, I send the attached to Joseph Booth and never heard a response. I called in to the office today and was directed to follow up with you.

I am a civil engineer working on a 45 lot subdivision on Parker House Road, just south of Ocean View. We are not proposing a bus stop because the target market for this community is retirees, but Sussex County Planning and Zoning would like the School District's input before issuing a plan approval.

Please respond by e-mail or give me a call at 302-542-8417 if you have any questions or comments.

Thank you,

Ken

Kenneth R. Christenbury, P.E.
President, Axiom Engineering, LLC
18 Chestnut Street
Georgetown, DE 19947
(302) 855-0810
Fax 855-0812

ken@axeng.com
www.axeng.com

AXIOM ENGINEERING L.L.C.
18 Chestnut Street
Georgetown, DE 19947
Phone: 302.855.0810
Fax: 302.855.0812
E-mail: ken@axeng.com
www.axeng.com

Kenneth R. Christenbury, P.E.
President

From: Ken Christenbury <ken@axeng.com>
Sent: Tuesday, May 4, 2021 10:40 AM
To: joseph.booth@IRSD.k12.de.us
Cc: John.Eckrich@IRSD.k12.de.us
Subject: FW: Residential Subdivision on Parker House Road

Mr. Booth,

Can you take a look at the attached subdivision plan and let me know if Indian River School District will require a bus stop. If so, where?

The project is located on Parker House Road just south of Ocean View.

Thank you,

Ken

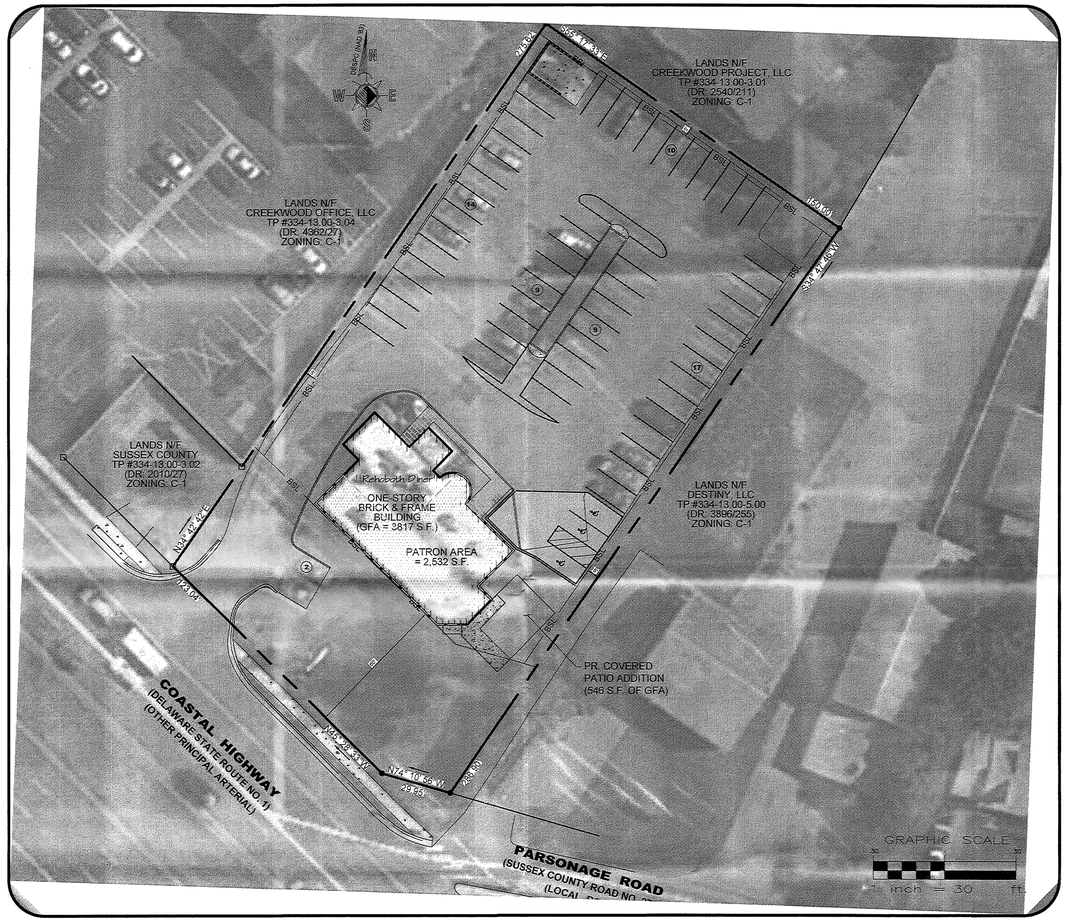
Kenneth R. Christenbury, P.E.
President, Axiom Engineering, LLC
18 Chestnut Street
Georgetown, DE 19947
(302) 855-0810
Fax 855-0812

ken@axeng.com
www.axeng.com

COMMERCIAL SITE PLAN

FOR PROPERTY KNOWN AS:

REHOBOTH DINER * PATIO ADDITION



SITE LOCATION PLAN

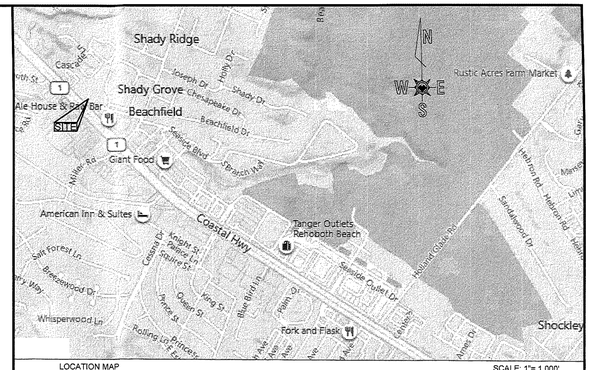
(SCALE: 1"=30')

TAX PARCEL NO. 334-13.00-4.00

SITUATE IN

LEWES & REHOBOTH HUNDRED

SUSSEX COUNTY * STATE OF DELAWARE



LOCATION MAP SCALE: 1"= 1,000'

GENERAL NOTES:

1. ALL CONSTRUCTION AND MATERIALS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE STATE OF DELAWARE STATE HIGHWAY DEPARTMENT STANDARD SPECIFICATIONS, DATED AUGUST 2020 AND THE DELAWARE EROSION AND SEDIMENT CONTROL HANDBOOK, DATED FEBRUARY 2019, AND ALL AMENDMENTS THERETO.
2. EXISTING UTILITIES, UNLESS OTHERWISE NOTED ON THE PLANS, ARE SHOWN IN ACCORDANCE WITH THE BEST AVAILABLE INFORMATION. IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO CONTACT "MISS UTILITY" 1-800-282-8555 (3) THREE DAYS PRIOR TO CONSTRUCTION IN ORDER TO VERIFY AND ALLOW FOR THEIR LOCATION AND DEPTH IN THE FIELD.
3. THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PROTECT ALL EXISTING UTILITIES AND MAINTAIN UNINTERRUPTED SERVICE. ANY AND ALL DAMAGES DONE TO EXISTING UTILITIES DUE TO HIS/HER NEGLIGENCE SHALL BE IMMEDIATELY AND COMPETENTLY REPAIRED AT HIS/HER EXPENSE.
4. THE CONTRACTOR SHALL PRESERVE ALL TREES ON THE SITE EXCEPT WHERE NECESSARY TO CONSTRUCT PROPOSED BUILDINGS, UTILITIES, DRIVEWAYS, OR PARKING AREAS.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, LICENSING AND INSURANCE REQUIRED FOR CONSTRUCTION.
6. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO COMPLETELY AND ADEQUATELY CONTROL WATER PRESENT IN THE EXCAVATION. THE CONTRACTOR SHALL PROVIDE FOR THE DISPOSAL OF WATER REMOVED FROM EXCAVATIONS, IN SUCH A MANNER AS SHALL NOT CAUSE DAMAGE TO PUBLIC OR PRIVATE PROPERTY OR TO ANY PORTION OF THE WORK COMPLETED OR IN PROGRESS OR CAUSE ANY IMPEDIMENT TO THE USE OF ANY AREA BY THE PUBLIC, IF APPLICABLE. THE CONTRACTOR SHALL BE REQUIRED TO OBTAIN THE NECESSARY DEWATERING WELL PERMITS FROM THE STATE OF DELAWARE, DNREC PRIOR TO EXCAVATION.
7. NO DEBRIS WILL BE BURIED ON THIS SITE.
8. PLAN LOCATION AND DIMENSIONS SHALL BE STRICTLY ADHERED TO UNLESS OTHERWISE DIRECTED BY THE ENGINEER.
9. ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS.
10. THE SITE IS LOCATED WITHIN ZONE "X", AREA OF MINIMAL FLOOD HAZARD AS DESIGNATED ON THE FLOOD INSURANCE RATE MAP NUMBER 10005C0332K LAST REVISED MARCH 16TH, 2015.
11. NO SITE PREPARATION, SITE DISTURBANCE, EXCAVATION OR OTHER CONSTRUCTION ACTIVITY SHALL TAKE PLACE UNTIL ALL PERMITS HAVE BEEN ACQUIRED BY THE DEVELOPER AND THE SITE PLAN HAS BEEN APPROVED AND RECORDED, IF APPLICABLE.
12. THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THERETO APPURTENANT.
13. COPYRIGHT © 2021 MERESTONE CONSULTANTS, INC. ALL RIGHTS RESERVED. NO PART OF THIS DRAWING MAY BE REPRODUCED BY PHOTOCOPYING, RECORDING OR BY ANY OTHER MEANS, OR STORED, PROCESSED, OR TRANSMITTED IN OR BY ANY COMPUTER OR OTHER SYSTEMS WITHOUT THE PRIOR WRITTEN PERMISSION OF MERESTONE CONSULTANTS, INC. COPIES OF THIS PLAN WITHOUT COLORED INK SIGNATURE AND A RAISED IMPRESSION SEAL ARE NOT VALID.
14. THE STATE OF DELAWARE CRITICAL AREA MAPS WERE REVIEWED FOR THIS SITE AND NO STATE OR FEDERALLY REGULATED WETLAND AREAS WERE FOUND TO EXIST.
15. NO ADDITIONAL OUTSIDE LIGHTING IS PROPOSED, HOWEVER ANY FUTURE LIGHTING INSTALLATION ON THE SITE SHALL BE ARRANGED TO MINIMIZE GLARE ON PROPERTY IN RESIDENTIAL AREAS.
16. THE SURVEY FOR THIS PROJECT WAS PERFORMED BY MERESTONE CONSULTANTS, INC. ON FEBRUARY 23, 2021.
17. THIS SITE LIES WITHIN THE COMBINED HIGHWAY CORRIDOR OVERLAY ZONE (CHCOZ) AND SHALL HAVE A 20 FOOT WIDE LANDSCAPE BUFFER TO BE SEEDED OR PLANTED WITH IVY UNLESS NATURAL GROUND COVER IS ESTABLISHED, PER §115-194.1-E(6)(B).
18. THIS SITE DOES NOT LIE WITHIN AN EXCELLENT AND GOOD GROUNDWATER RECHARGE PROTECTION AREA AS SHOWN ON THE WATER SUPPLY, WELLHEAD & EXCELLENT RECHARGE AREAS MAP FOR SUSSEX COUNTY.
19. THE DEVELOPER IS SEEKING A REDUCTION IN THE REQUIRED PARKING FROM 65 SPACES TO 61 SPACES IN ACCORDANCE WITH § 115-164 MODIFICATION OF REQUIREMENTS. WHERE, IN THE JUDGMENT OF THE PLANNING AND ZONING COMMISSION, THE PARKING REQUIREMENTS LISTED IN § 115-162 ARE CLEARLY EXCESSIVE AND UNREASONABLE, THE COMMISSION MAY MODIFY THE REQUIREMENTS.

LEGEND

PROPERTY LINE		CAPPED REBAR SET	
BUILDING SETBACK LINE	BSL	CAPPED REBAR FOUND	
RIGHT-OF-WAY LINE	R/W	REBAR FOUND	
EASEMENT LINE	+ +	SOIL BORING	
CENTERLINE		FIRE DEPARTMENT CONNECTION	
TREELINE		TELEPHONE UTILITY BOX	TELE
LIMIT OF DISTURBANCE	LOD	EXISTING PATRON AREA	

MAIL BOX	MB		
CLEAN OUT	CO		
PR. SITE LIGHT			
NUMBER OF PARKING STALLS IN ROW	8		
HANDICAP MARKER			
PR. SIGN			

	EXISTING	PROPOSED
SANITARY SEWER	SS — S MH	SS — S MH
WATER LINE	W — W.V.	W — W.V.
STORM SEWER	C.B.	C.B. ST ST
ELECTRIC	OHE — U.P.	E — U.P.
CONTOUR	20	8
HYDRANT		
SPOT ELEVATIONS	x18.50	X (18.50)
CULVERT (w/F.E.S.)	15"RCP	15"RCP
WATER LINE	W — W	W

PLAN DATA:

PARCEL I.D. NO.	*	334-13.00-4.00
DEED REFERENCE	*	DR: 2770/327
PLAT REFERENCE	*	PB 61, PG 38
EXISTING ZONING DISTRICT	*	C-1 (GENERAL COMMERCIAL)
SEWAGE DISPOSAL	*	SUSSEX COUNTY SANITARY SEWER SYSTEM SEWERAGE IS SUBJECT TO APPROVAL OF THE SUSSEX COUNTY DEPARTMENT OF PUBLIC WORKS AND THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.
WATER SUPPLY	*	TIDEWATER UTILITIES, INC. WATER IS SUBJECT TO THE APPROVAL OF TIDEWATER UTILITIES, INC. AND THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE DIVISION OF PUBLIC HEALTH.
WATERSHED	*	REHOBOTH CANAL - REHOBOTH BAY
OWNERS	*	VASILIKOS ENTERPRISES, LLC C/O FIKRET KOLTUK P.P. BOX 631 REHOBOTH BEACH, DE 19971 PHONE: —
DEVELOPER	*	FIKRET KOLTUK 19219 COASTAL HIGHWAY REHOBOTH BEACH, DE 19971 EMAIL: *rehobothdiner@yahoo.com* PHONE # 609-760-1758
LOCAL LAND USE AGENCY	*	SUSSEX COUNTY PLANNING AND ZONING
HORIZONTAL DATUM	*	NAD 83 (NA 2011, EPOCH 2010)
VERTICAL DATUM	*	NAVD '88
EXISTING USE	*	RESTAURANT
PROPOSED USE	*	RESTAURANT
NO. OF LOTS	*	1 EXISTING, 1 PROPOSED

LOT AREA RATIONALE *

GROSS AREA	(AC.)	0.987			
		EXISTING		PROPOSED	
BUILDING AREA	(AC.)	0.088	8.87%	0.100	10.14%
IMPERVIOUS AREA	(AC.)	0.575	58.26%	0.595	60.29%
OPEN SPACE	(AC.)	0.325	32.87%	0.292	29.56%

HEIGHT, AREA & BULK TABLE	*	MAX. BUILDING HEIGHT (FT.)= 42 MINIMUM LOT SIZE (S.F.) = 10,000 MINIMUM LOT WIDTH (FT.) = 75 MINIMUM LOT DEPTH (FT.) = 100 MINIMUM FRONT YARD (FT.) = 60 MINIMUM SIDE YARD (FT.) = 5 MINIMUM REAR YARD (FT.) = 5
PARKING RATIONALE	*	PR. RESTAURANT/DINER: 2,950 S.F. @ 1 SPACE PER 50 S.F. ASSIGNED TO PATRON USE PLUS 6 EMPLOYEES @ 1 SPACE PER 2 EMPLOYEES (LARGEST SHIFT): TOTAL PARKING REQUIRED= 65 SPACES (1) TOTAL PARKING PROVIDED= 61 SPACES (INCLUDING 3 HANDICAP SPACES) 1. A WAIVER OF THE REQUIRED NUMBER OF PARKING SPACES HAS BEEN REQUESTED BY THE APPLICANT (SEE GENERAL NOTE #19). PR. LOADING SPACE: 4,363 S.F. @ 1 SPACE PER 2,000 - 10,000 S.F. OF GFA TOTAL LOADING SPACES REQUIRED= 1 SPACES TOTAL LOADING SPACES PROVIDED= 1 SPACES
INVESTMENT LEVEL AREA	*	INVESTMENT LEVEL 1
HIGHWAY MAINTENANCE NO.	*	SCR 014
POSTED SPEED LIMIT	*	45 MPH ON FRONTAGE ROAD (COASTAL HIGHWAY)
FIRE MARSHALL NOTES	*	1. N.F.P.A BUILDING TYPE= TYPE-V (WOOD FRAME) 2. FIRE SUPPRESSION= NO AUTOMATIC SPRINKLERS ARE PROPOSED IN PATIO 3. MAX. BUILDING HEIGHT= H<35' 4. AN AUTOMATIC FIRE ALARM SYSTEM AND SIGNALING SYSTEM PLANS AND SPECIFICATIONS SHALL BE SUBMITTED FOR REVIEW PER DSFPR FIRE REGULATION 702, CHAPTER 6, SECTION 3. 5. A LOCK BOX IS REQUIRED; CONTACT LOCAL FIRE CHIEF FOR ORDERING INFORMATION AND LOCATION OF BOX ON THE BUILDING.
SITE ADDRESS	*	19219 COASTAL HIGHWAY

SUPERSEDENCE NOTE:

1. This plan, in part, supersedes the Final Site Plan for Lands of Gregg Coco as Recorded in Plat Book 61, Page 38, as recorded in the Recorder of Deeds Office, in anfor Sussex County, State of Delaware on April 22, 1998. Revisions to the plan are as follows:
   a. An outside covered patio has been added to the plan.
   b. The parking lot will be resurfaced and striped to provide additional parking.
   c. The stormwater management area has been revised to comply with contemporary stormwater regulations.

SHEET INDEX:

COMMERCIAL SITE PLAN COVER PAGE — SHEET No. SP-1
COMMERCIAL SITE PLAN — SHEET No. SP-2

DEVELOPER'S CERTIFICATION

I, FIKRET KOLTUK HEREBY CERTIFY THAT I AM THE LEGAL REPRESENTATIVE OF THE OWNER OF THE PROPERTY SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION, THAT I ACKNOWLEDGE THE SAME TO BE MY ACT, AND DESIRE THE PLAN TO BE RECORDED IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

FIKRET KOLTUK DATE:
19219 COASTAL HIGHWAY
REHOBOTH BEACH, DE 19971
email: *rehobothdiner@yahoo.com*
PHONE: 609-760-1758

ENGINEER'S CERTIFICATION

I, ROGER A. GROSS, P.E. HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF DELAWARE, AND THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

12/15/21
ROGER A. GROSS, P.E. DATE:
MERESTONE CONSULTANTS, INC.
33516 CROSSING AVENUE, UNIT 1
FIVE POINTS SQUARE
LEWES, DELAWARE 19958
(302) 226-5880

DATE	REVISION	CHKD.
12/15/21	PER P&Z COMMENTS 12/7/21	R.A.G.

MERESTONE CONSULTANTS, INC.
ENGINEERS - PLANNERS - SURVEYORS

5215 WEST WOODMILL DRIVE, UNIT 38, WILMINGTON, DE 19808, PH: 302-992-7900
35516 CROSSING AVENUE, UNIT 1, FIVE POINTS SQUARE, LEWES, DE 19958, PH: 302-226-5880

DRAWN BY: RAG | DATE: 22 OCTOBER 2021 | SHEET#: SP-1

PLAN #: 25126L-330623

Revisions Copy

© MERESTONE CONSULTANTS, INC. 2021

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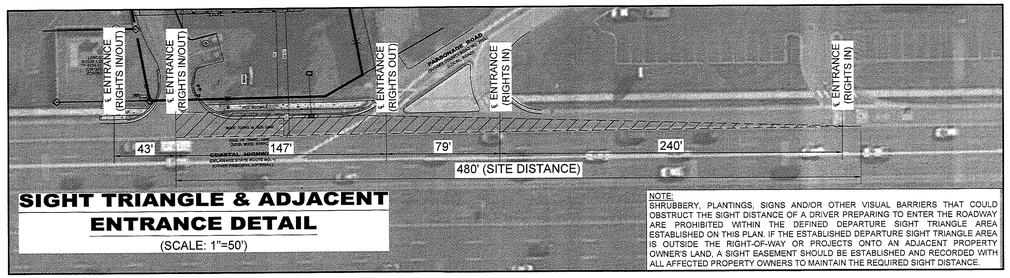
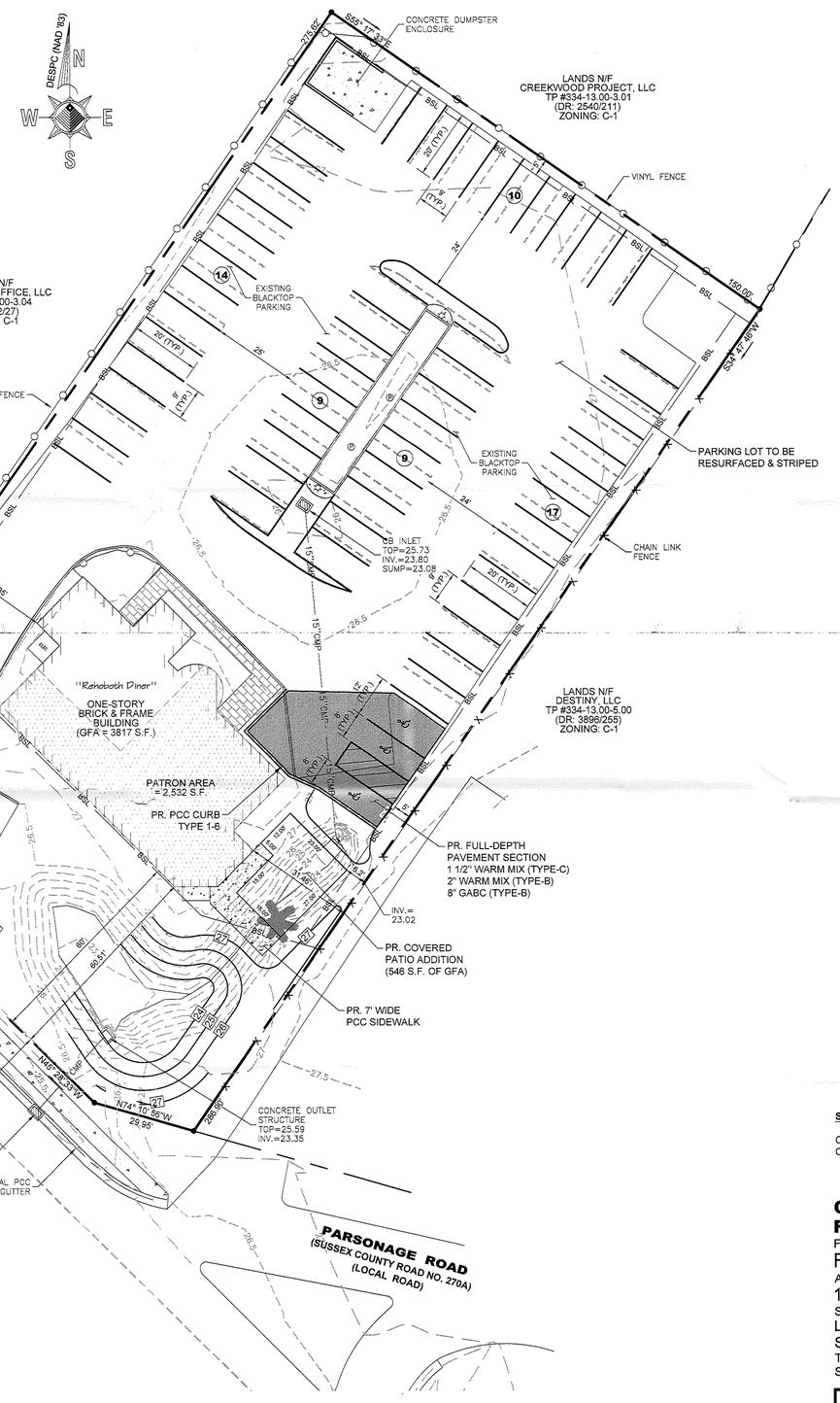


SIGHT TRIANGLE & ADJACENT ENTRANCE DETAIL

(SCALE: 1"=50')

NOTE:
SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.



LEGEND

PROPERTY LINE			
BUILDING SETBACK LINE	BSL		
RIGHT-OF-WAY LINE	R/W		
EASEMENT LINE			
CENTERLINE			
TREELINE			
LIMIT OF DISTURBANCE	LOD		
EXISTING PATRON AREA			
CAPPED REBAR SET		MAIL BOX	
CAPPED REBAR FOUND		CLEAN OUT	
REBAR FOUND		PR. SITE LIGHT	
SOIL BORING		NUMBER OF PARKING STALLS IN ROW	
FIRE DEPARTMENT CONNECTION		HANDICAP MARKER	
TELEPHONE UTILITY BOX	TELE	PR. SIGN	

	EXISTING	PROPOSED
SANITARY SEWER	SS MH	SS MH
WATER LINE	W W.V.	W W.V.
STORM SEWER	C.B.	C.B. ST
ELECTRIC	OHE U.P.	E U.P.
CONTOUR	20	8
HYDRANT		
SPOT ELEVATIONS	x18.50	X (18.50)
CULVERT (w/F.E.S.)	15"RCP	15"RCP
WATER LINE	W	W

PROPOSED TRAFFIC GENERATION DIAGRAM

Coastal Highway
ONE ENTRANCE - Rights In/Out

"SITE"

50.0% to the north = 245 | 50.0% rom the south = 245

245 (20) [16] | 245 (24) [26]

Coastal Highway
SR 1
TRAFFIC GENERATION DIAGRAM
ADT (AM PEAK HOUR) [PM PEAK HOUR]

ROAD TRAFFIC DATA:

FUNCTIONAL CLASSIFICATION: OTHER PRINCIPAL ARTERIAL					SR 1	
POSTED SPEED LIMIT	50 MPH					
AADT=	45,643 TRIPS (FROM 2020 DELDOT TRAFFIC SUMMARY)					
10 YEAR PROJECTED AADT:	1.16 X	45,643.0 TRIPS	=	52,945.9 TRIPS		
10 YEAR PROJECTED AADT + SITE ADT =		53,435.3 TRIPS				
TRAFFIC PATTERN GROUP	8 (FROM 2020 DELDOT TRAFFIC SUMMARY)					
DESIGN HOURLY VOLUME =	12.68 % X	53,435.3	=	6,775.6 TRIPS		

SITE TRAFFIC DATA:
SOURCE: ITE TRIP GENERATION MANUAL 10TH EDITION.

932-High-Turnover Restaurant @ 4,363 s.f.=			489.4		
TOTAL SITE ADT=	489.4 (	244.7	ENTER/	244.7	EXIT)

ONE ENTRANCE - Rights In/Out
DESIGN VEHICLE: WB-50

DIRECTION DISTRIBUTION:

50.0%	from the	south	ADT=	244.7 (	244.7	ENTER/ 0.0 EXIT)
100.0%	from the	south	AM PK=	23.9 (	23.9	ENTER/ 0.0 EXIT)
100.0%	from the	south	PM PK=	26.4 (	26.4	ENTER/ 0.0 EXIT)
50.0%	to the	north	ADT=	244.7 (	0.0	ENTER/ 244.7 EXIT)
100.0%	to the	north	AM PK=	19.5 (	0	ENTER/ 19.5 EXIT)
100.0%	to the	north	PM PK=	16.2 (	0	ENTER/ 16.2 EXIT)
12%	Trucks and Buses x	489.4	=	60.9 at PR. Entrance		

EXISTING TRAFFIC GENERATION DIAGRAM

Coastal Highway
ONE ENTRANCE - Rights In/Out

"SITE"

50.0% to the north = 214 | 50.0% rom the south = 214

214 (17) [14] | 214 (21) [23]

Coastal Highway
SR 1
TRAFFIC GENERATION DIAGRAM
ADT (AM PEAK HOUR) [PM PEAK HOUR]

ROAD TRAFFIC DATA:

FUNCTIONAL CLASSIFICATION: OTHER PRINCIPAL ARTERIAL					SR 1	
POSTED SPEED LIMIT	50 MPH					
AADT=	45,643 TRIPS (FROM 2020 DELDOT TRAFFIC SUMMARY)					
10 YEAR PROJECTED AADT:	1.16 X	45,643.0 TRIPS	=	52,945.9 TRIPS		
10 YEAR PROJECTED AADT + SITE ADT =		53,374.1 TRIPS				
TRAFFIC PATTERN GROUP	8 (FROM 2020 DELDOT TRAFFIC SUMMARY)					
DESIGN HOURLY VOLUME =	12.68 % X	53,374.1	=	6,767.8 TRIPS		

SITE TRAFFIC DATA:
SOURCE: ITE TRIP GENERATION MANUAL 10TH EDITION.

932-High-Turnover Restaurant @ 3,817 s.f.=			428.2		
TOTAL SITE ADT=	428.2 (	214.1	ENTER/	214.1	EXIT)

ONE ENTRANCE - Rights In/Out
DESIGN VEHICLE: WB-50

DIRECTION DISTRIBUTION:

50.0%	from the	south	ADT=	214.1 (	214.1	ENTER/ 0.0 EXIT)
100.0%	from the	south	AM PK=	20.9 (	20.9	ENTER/ 0.0 EXIT)
100.0%	from the	south	PM PK=	23.1 (	23.1	ENTER/ 0.0 EXIT)
50.0%	to the	north	ADT=	214.1 (	0.0	ENTER/ 214.1 EXIT)
100.0%	to the	north	AM PK=	17.1 (	0	ENTER/ 17.1 EXIT)
100.0%	to the	north	PM PK=	14.2 (	0	ENTER/ 14.2 EXIT)
12%	Trucks and Buses x	428.2	=	53.3 at PR. Entrance		

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SHEET INDEX:

COMMERCIAL SITE PLAN COVER PAGE	SHEET No. SP-1
COMMERCIAL SITE PLAN	SHEET No. SP-2

COMMERCIAL SITE PLAN FOR A PATIO ADDITION

FOR PROPERTY KNOWN AS:
REHOBOTH DINER
ALSO KNOWN AS:
19219 COASTAL HIGHWAY
SITUATE IN:
LEWES & REHOBOTH * SUSSEX COUNTY
STATE OF DELAWARE
TAX PARCEL #: 334-13.00-4.00
SCALE: 1"=20'

GRAPHIC SCALE
20 0 20 40
1 inch = 20 ft.

DATE	REVISION	CHKD.	DRAWN BY: RAG	DATE: 22 OCTOBER 2021	SHEET#: SP-2
12/15/21	PER P&Z COMMENTS 12/7/21	R.A.G.			

MERESTONE CONSULTANTS, INC.
ENGINEERS - PLANNERS - SURVEYORS
5215 WEST WOODMILL DRIVE UNIT 38 WILMINGTON, DE 19808 PH: 302-992-7900
35516 CROSSING AVENUE, UNIT 1 FIVE POINTS SQUARE LEWES, DE 19958 PH: 302-226-5880

PLAN #: 25126L-330623

12/15/21

MERESTONE
Consultants, Inc.

Civil Engineers - Land Surveyors - Site Planners

15 December 2021

RECEIVED
DEC 20 2021
SUSSEX COUNTY
PLANNING & ZONING

Elliott Young, Planner 1
Sussex County
Planning & Zoning Department
2 The Circle
P.O. Box 417
Georgetown, DE 19947

Re: Rehoboth Diner – Site Plan Review Comment Response Letter
Tax Parcel #334-13.00-4.00

Dear Mr. Young:

Attached for your review and consideration please one (1) copy of the Revised Preliminary Site Plan and one (1) CD with a PDF copy of same. Revisions have been made in accordance with your review letter dated December 7, 2021, as follows. Please place this site plan on the soonest available Planning Commission agenda for Preliminary Site Plan approval.

1. The handicap parking rationale has been added to the plan data column as requested.
2. Interconnectivity is not warranted for this parcel. The parcel immediately adjacent to the north is a Sussex County sanitary sewer pump station and the parcel adjacent to the south has just been developed as multi-family residential. The stormwater management basin for this site is in the front yard and would conflict with any future interconnection.

In advance, thanks for your consideration regarding this request and feel free to contact me if you should require additional information or have any questions.

Sincerely,
Merestone Consultants, Inc.

Roger A. Gross, P.E.
Cc: Fikret Kultuk, File

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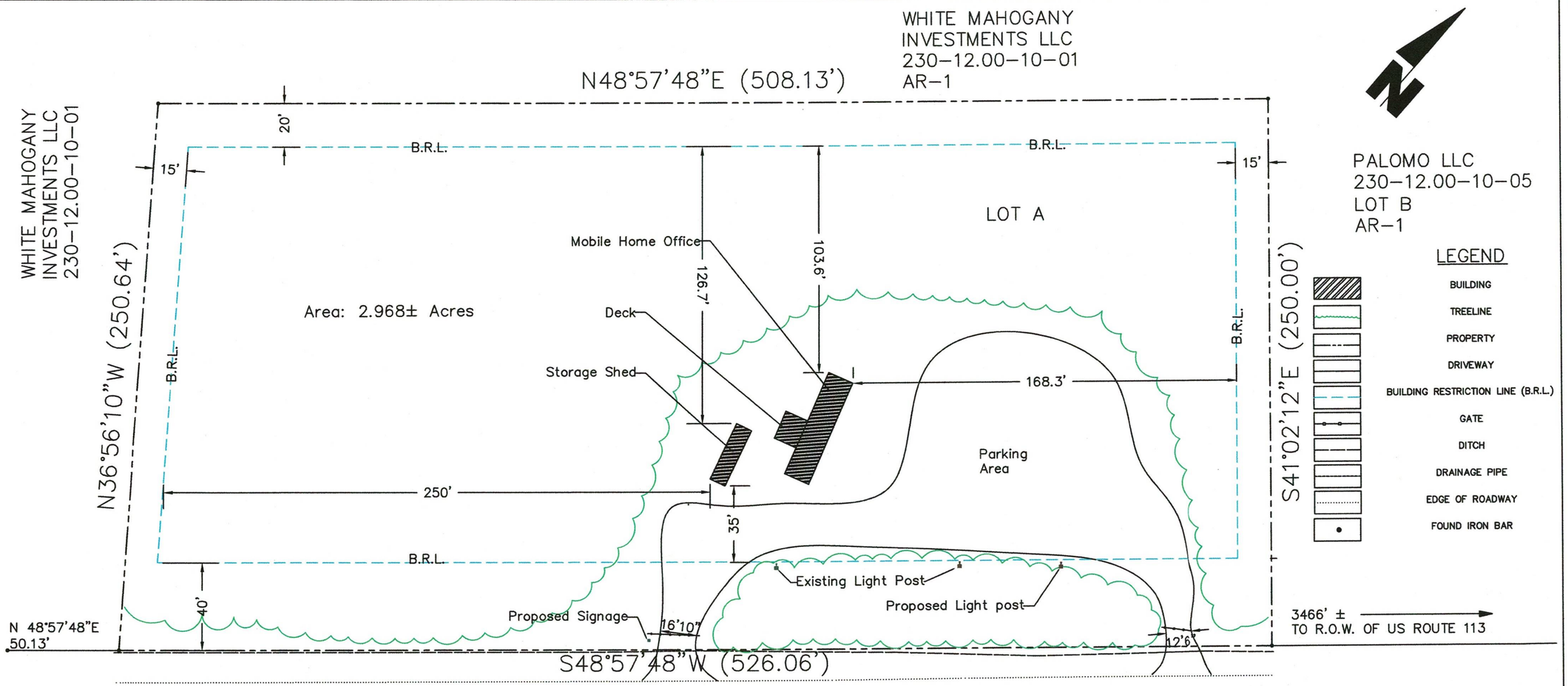


BUILDING DIMENSIONS

Description	Length	Width	Area Sf	Height
Mobile Home Office	50'	12'	600	13'
Storage Shed	28'	7.5'	210	10'
Deck	13.4'	11'	147.4	N/A

SITE DATA	
OWNER	PAOLA PACHECO VASQUEZ
SETBACK	REAR 20' FRONT 40' SIDES 15'
WETLANDS	0
PARKING	3
ZONING	AR-1
100-YEAR FLOOD PLAIN	N/A
ACREAGE	2.968

SITE PLAN

Address: not assigned, owners 911 address is 125 E Holly Dr, Lincoln, De 19960
Owner: Vazquez Paola de Jesus Pacheco & Elvis Rolando Menendez Uzzutia
PROPERTY KNOWN AS:
Lot A, Subdivision of Lands of QEW LLC, PLOT BOOK 111, PAGE 297
Cedar Creek Hundred Sussex County State of Delaware

Tax Map: 230-12.00-10.04
AR-1 District
Date: Oct. 1st 2021

TITLE NOTE:

THIS MAP WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT, WHICH MAY SHOW ADDITIONAL CONVEYANCES, EASEMENT, COVENANTS, RIGHTS-OF-WAY OR MORE STRINGENT BUILDING RESTRICTION LINES THAN THOSE SHOWN HEREON. NO RECORDED RIGHTS-OF-WAY OR EASEMENTS WERE PROVIDED BY OTHERS FOR THE PREPARATION OF THIS SURVEY.

PLAN NOTE

1. All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the State Fire Prevention Regulations.
2. Property will be used for Construction Business.
2. Water source is a private well located on the property.
3. Existing mobile trailer and storage building does not have an automatic sprinkler system.

LAND USE

This property shall be utilized in accordance with Sussex County Commission Conditional Use No. 2250 granted to Paola Pacheco Vazquez as follows:

a. This use shall be limited to the applicant´s construction business with work trailer and equipment storage. No retail sales or other business shall be conducted from the site.
b. No manufacturing or concrete mixing shall occur on the site. This prohibition includes the shedding or grinding of any materials.
c. One lighted sign, not to exceed 32 square feet per side, shall be permitted.
d. Any security lighting shall be screened so that it does not shine on the neighboring properties or roadways.
e. The applicant shall comply with all DelDOT requirements, including any entrance or roadway improvements.
f. There shall be no dumping or storage of concrete or similar materials on the site.
g. Any maintenance of vehicles or equipment, except routine light maintenance such as oil changes and power washing, shall be performed indoors or off site.
h. The Final Site Plan shall clearly show all areas for vehicle and equipment storage and parking, and these areas shall be clearly marked on the site itself. There shall not be any parking or storage within the property´s setbacks.
i. Failure to comply with any of these conditions shall be grounds for terminations of the Conditional Use approval.

JAVIER G. TORRIJOS LICENSE NO. 11223 DELAWARE PROFESSIONAL ENGINEER

Javier G. Torrijos, P.E. 12/10/21 Date

SCALE: 1"=48'

0 12 24 36 48 60 72

OVERSEEING ENGINEERING SOLUTIONS

TORR ENGINEERING

TORRENGINEERING LLC
Overseeing Engineering Solutions
26 E. Commerce St. Suite #1
Smyrna, DE. 19977
302-5085160
302-7609711
www.torrellc.com
Javier Torrijos, P.E.

REFERENCED BOUNDARY SURVEY PLAN PREPARED BY DOUGLAS J. ANNAND, PLS 822
DATED SEPT. 29, 2019

DATA MODELED using SPC83-DE

LEGEND

- BUILDING
- TREELINE
- PROPERTY
- DRIVEWAY
- BUILDING RESTRICTION LINE (B.R.L.)
- GATE
- DITCH
- DRAINAGE PIPE
- EDGE OF ROADWAY
- FOUND IRON BAR

SITE PLAN

FOR
VAZQUEZ PAOLA de JESUS & ELVIS ROLANDO MENENDEZ UZZUTIA

Revision History: By: Date:

Job Number: 21-00031

Scale: 1" = 48'

Drawn By: N.Torrijos/R.Zapata

Approved By: Javier G. Torrijos, P.E.

Plan Number: 1

TORREngineering LLC
26 E. Commerce Ste. 1
Smyrna DE 19977

December 10, 2021

Sussex County
Planning & Zoning Commission
2 The Cir, Georgetown, DE 19947

Attention: Mr. Elliott Young, Planner I

Reference: Submittal of Site Plan for Mr. Paola Pacheco Vazquez (S-21-33) for the establishment of a Construction Business with an AR-1 District, Tax Parcel No. 230-12.00-10.04

Dear Mr. Young,

TORREngineering LLC on behalf of Mr. Vazquez submits the attached site plan for Mr. Paola Pacheco Vazquez for Tax Parcel No. 230-12.00-10.04. As noted in your letter dated October 7, 2021, we are also concurrently submitting the site plan and the respective application to the following agencies as condition of approval by the Commission:

1. Delaware Department of Transportation
2. State Fire Marshall
3. Sussex County Conservation District

In addition, Mr. Vazquez is requesting that the requirement for a land grading topo for the property of the be waived as their will be no grading or other sitework in relation to this application that will change the existing topo of the property. All parking and storage areas have been clearly marked on our site plan as submitted which reflects the current conditions surveyed in the field and no grading changes will be made as stated by Mr. Vazquez. Should any future changes be warranted Mr. Vazquez will submit a grading plan to the Commission for approval prior to the start of any work.

Should you have any questions please feel free to contact me directly at 302-367-8365. Thank you for your assistance.

Sincerely,

Javier Torrijos

Javier G. Torrijos, P.E.
TORREngineering LLC

cc: File
Mr. Paola Pacheco Vazquez

Javier Torrijos <jtorrijos@torrellc.com>

A shipment from order #9625 is on the way

Sussex Conservation District <jessica.watson@sussexconservation.org>
To: jtorrijos@torrellc.com

Site Information

Site Location (911 Address or road name with distance to nearest intersection): County Road 625 , Lincoln DE, Approximately 3466' West of Rt. 113

Tax Parcel ID: 230-30-12.00-10.04

Proposed Impervious Area (square feet): 5,000 sq.ft

Parcel Total Acres (nearest 0.1ac): 2.968 Acres

Wooded area to be cleared: 5,000 s.f.

Disturbed Acres (nearest 0.1ac): Approximately 5,000 square feet

Applicant Information

Owner: Elvis Rolando Menendez Uzzutia

Builder: EYP Construction

Mailing Address: 125 E. Holly Dr

Mailing Address: 125 E. Holly Dr

Owner Phone: 3023933480

Builder Phone: 3023933480

Applicant Certification

I, the undersigned, certify that the information supplied on this Application for Standard Plan Approval is accurate, the proposed land disturbing activity meets the criteria established, and all conditions of this Standard Plan Approval wi builder, contractor, and owner during the construction and post construction.

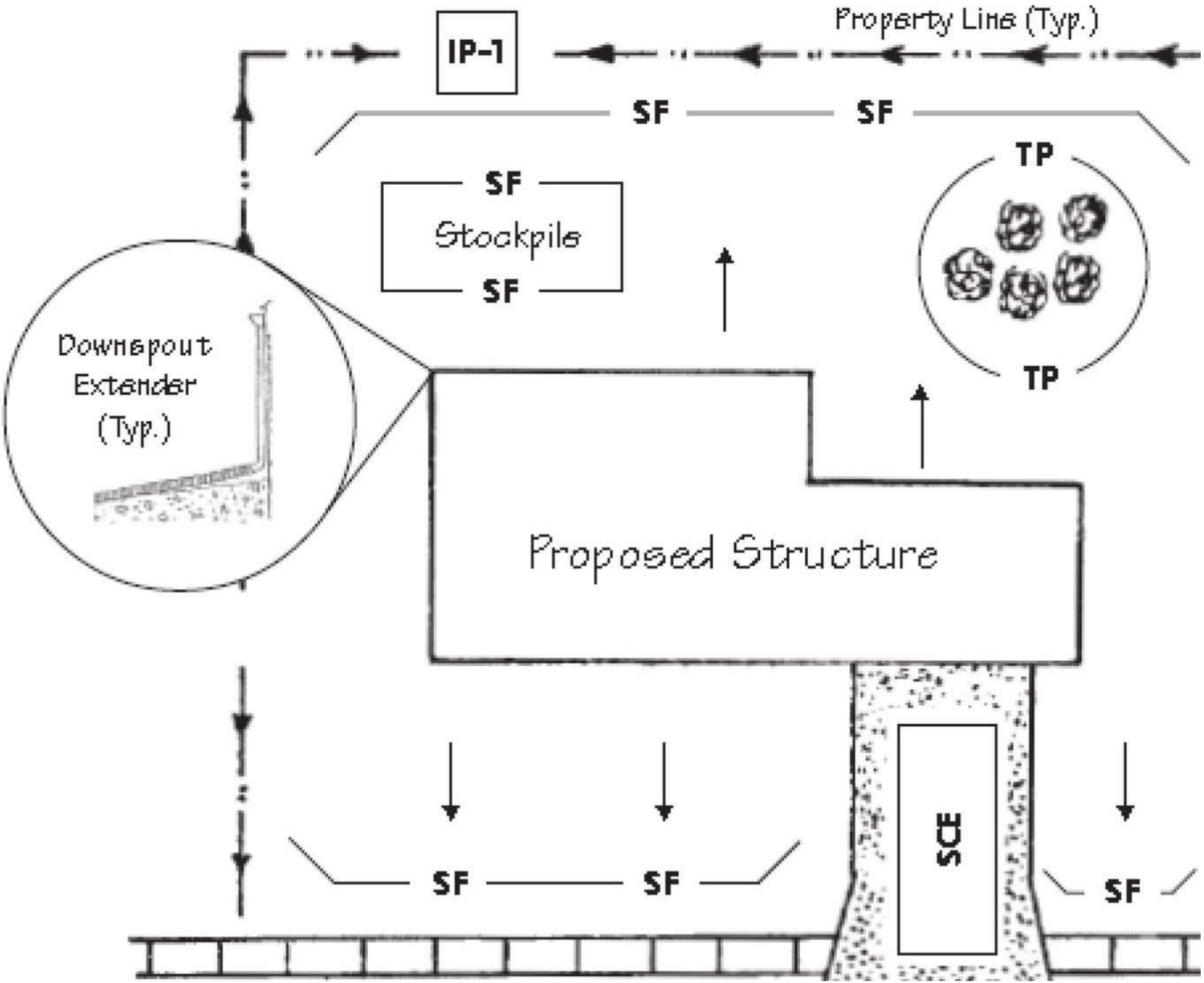
Applicant Signature:

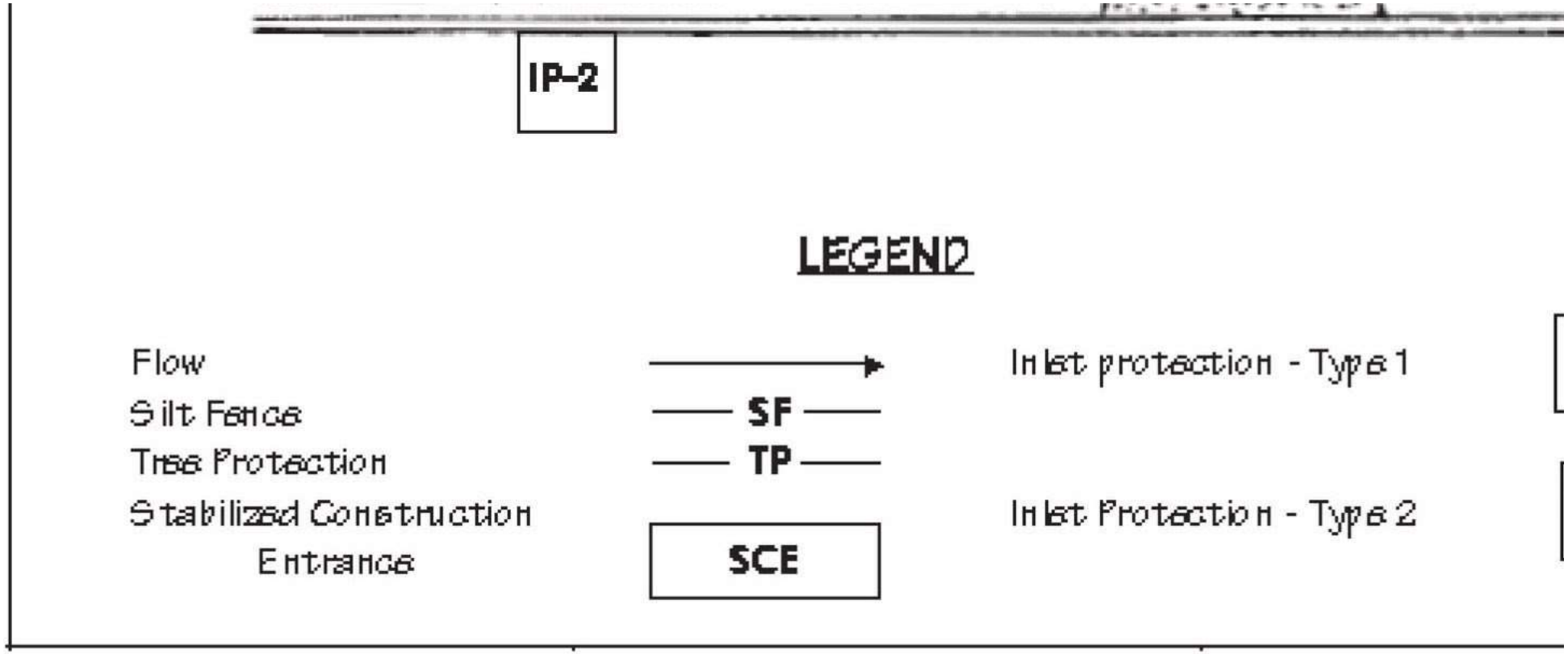
Date: December 14, 2021

Applicant Name: Javier Torrijos

Approval Information (for office use only)

Approval #: 2021-9625	Fee Paid: $125.00
Approved By: SCD Stormwater Program	Approval Date: December 14, 2021
Title: SCD Stormwater Program	Expiration Date: December 14, 2026


Property Line (Typ.)
IP-1
SF
SF
SF
Stockpile
SF
TP
TP
Downspout
Extender
(Typ.)
Proposed Structure
SCE
SF
SF
SF



Sussex Conservation District

ORDER #9625

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APPLICATION FOR STANDARD PLAN APPROVAL RESIDENTIAL CONSTRUCTION × 1

site_location: County Road 625 , Lincoln DE, Approximately 3466' West of Rt. 113
tax_parcel_id: 230-30-12.00-10.04
proposed_impervious_area: 5,000 sq.ft
parcel_total_acres: 2.968 Acres
wooded_area: 5,000 s.f.
disturbed_acres: Approximately 5,000 square feet
customizery_7: Cedar Creek Hundred
infinite_options_8: Lot A
owner: Elvis Rolando Menendez Uzzutia
owner_mailing_address: 125 E. Holly Dr
owner_phone: 3023933480
builder: EYP Construction
builder_mailing_address_1: 125 E. Holly Dr
builder_phone: 3023933480
agreed: I certify that the information supplied on this Application for Standard Plan Approval is accurate, the proposed land disturbing activity meets the criteria established, and all conditions of this Standard Plan Approval will be met by the applicant, builder, contractor, and owner during construction and post construction.
Status: Approved

If you have any questions, reply to this email or contact us at jessica.watson@sussexconservation.org

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: 2021-04-209166-MJS-01
Status: Approved as Submitted

Tax Parcel Number: 230-12.00-10.04
Date: 12/27/2021

Project

Vazquez Subdivision

Vazquez Property

Cedar Creek Hundred
Lincoln DE 19960

Scope of Project

Number of Stories:
Square Footage:
Construction Class:
Fire District: 75 - Ellendale Volunteer Fire Co Inc.

Occupant Load Inside:
Occupancy Code: 9680

Applicant

Javier Torrijos
26 E Commerce Street Ste 1
Smyrna, DE 19977

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: 2021-04-209166-MJS-01
Status: Approved as Submitted

Tax Parcel Number: 230-12.00-10.04
Date: 12/27/2021

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 orrevisions to the plans occur, plans are required to be submitted, reviewed, and approved.

BEACH TREE PRESERVE
SUBDIVISION 2018-04

SUSSEX COUNTY, DELAWARE

PRELIMINARY / FINAL AMENITIES SITE PLAN

TM 234-11.00-49.06

GMB FILE NO. 210141.00

CONDITIONS OF APPROVAL

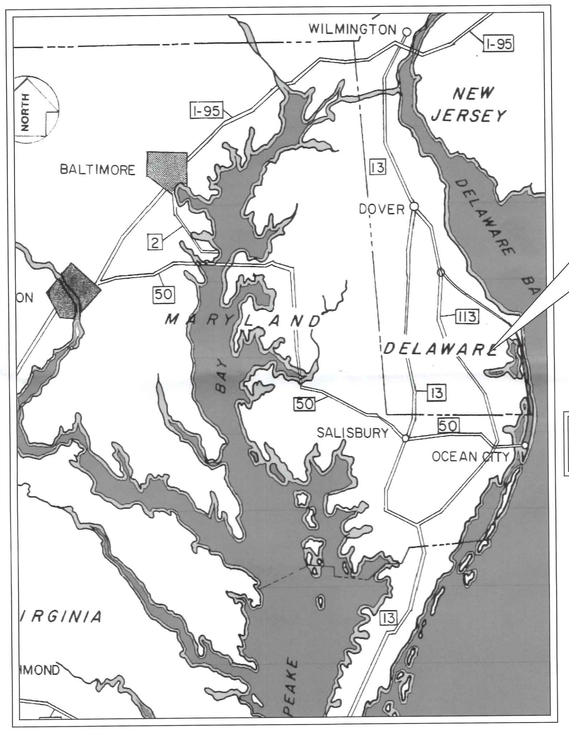
A. THERE SHALL BE NO MORE THAN 155 LOTS WITHIN THE SUBDIVISION.
B. THE APPLICANT SHALL FORM A HOMEOWNER'S ASSOCIATION TO BE RESPONSIBLE FOR THE MAINTENANCE OF STREETS, ROADS, BUFFERS, STORMWATER MANAGEMENT FACILITIES AND OTHER COMMON AREAS.
C. THE SUBDIVISION SHALL BE SERVED BY A PUBLIC REGULATED CENTRAL WATER SYSTEM PROVIDING DRINKING WATER AND FIRE PROTECTION.
D. THE SUBDIVISION SHALL BE ANNEXED INTO A COUNTY SEWER DISTRICT AND SERVED BY COUNTY SEWER.
E. A THIRTY (30) FOOT BUFFER SHALL BE PROVIDED FROM THE FOUR (4) ADJACENT LOTS TO THE NORTHEAST CORNER OF THE SITE.
F. THE STORMWATER MANAGEMENT SYSTEM SHALL MEET OR EXCEED THE REQUIREMENTS OF THE STATE AND COUNTY. THE FINAL SITE PLAN SHALL CONTAIN THE APPROVAL OF THE SUSSEX CONSERVATION DISTRICT FOR THE DESIGN AND LOCATION OF ALL STORMWATER MANAGEMENT AREAS AND EROSION AND SEDIMENTATION CONTROL FACILITIES.
G. A TWENTY (20) FOOT FORESTED AND LANDSCAPED BUFFER SHALL BE INSTALLED ALONG THE ENTIRE PERIMETER OF THE PROJECT. THE FINAL SITE PLAN SHALL CONTAIN A LANDSCAPE PLAN FOR THESE AREAS.
H. AS OFFERED BY THE APPLICANT, SIDEWALKS SHALL BE INSTALLED ON BOTH SIDES OF ALL INTERNAL STREETS IN THE SITE AND ANY STREET LIGHTING WITHIN THE DEVELOPMENT SHALL BE DOWNWARD SCREENED.
I. ALL ENTRANCE INTERSECTIONS, ROADWAY IMPROVEMENTS AND MULTI-USE FACILITIES REQUIRED BY DELDOT SHALL BE CONSTRUCTED IN ACCORDANCE WITH ALL DELDOT'S REQUIREMENTS.
J. STREET DESIGN SHALL MEET OR EXCEED SUSSEX COUNTY STANDARDS.
K. STREET NAMING AND ADDRESSING SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE SUSSEX COUNTY MAPPING AND ADDRESSING DEPARTMENT.
L. THE LOCATION FOR A SCHOOL BUS STOP SHELTER SHALL BE COORDINATED WITH THE LOCAL SCHOOL DISTRICT'S TRANSPORTATION MANAGER. THE LOCATION OF THE BUS SHELTER SHALL BE SHOWN ON THE FINAL SITE PLAN.
M. AS STATED BY THE APPLICANT, THERE SHALL BE AT LEAST A 25 FOOT BUFFER FROM ALL WETLANDS. THE WETLANDS SHALL BE MARKED WITH PERMANENT MARKERS TO PREVENT DISTURBANCE
N. DELIVERIES OF DIRT, FILL, OR OTHER SIMILAR MATERIALS SHALL ONLY BE MADE TO OR FROM THE SITE BETWEEN THE HOURS OF 8:00 A.M. THROUGH 5:00.P.M, MONDAY THROUGH FRIDAY.
O. NO OUTDOOR CONSTRUCTION ACTIVITIES SHALL OCCUR AT THE SITE EXCEPT BETWEEN THE HOURS OF 7:30. A.M. THROUGH 7:00 P. M., MONDAY THROUGH FRIDAY, AND 8:00 A.M THROUGH 2:00 P.PM ON SATURDAYS. THERE SHALL BE NO CONSTRUCTION ACTIVITIES AT THE SITE ON SUNDAYS.
P. ALL RECREATIONAL AMENITIES SHALL BE CONSTRUCTED ON OR BEFORE THE ISSUANCE OF THE 75TH BUILDING PERMIT.
Q. AS OFFERED BY THE APPLICANT, THE 11.4 ACRE PORTION OF THE SITE LOCATED TO THE EASTERN SIDE OF ROUTE 24 SHALL BE MADE SUBJECT TO A PERPETUAL CONSERVATION EASEMENT PROVIDING A SCENIC VISTA AND WILDLIFE CORRIDOR.
R. THE PRELIMINARY SITE PLAN SUBMITTED BY THE APPLICANT IDENTIFIES AN AREA CONSISTING OF 4.36 ACRES TO THE NORTH SIDE OF THE SITE AS "POSSIBLE BOUNDARY LINE OVERLAP". AS PROPOSED BY THE APPLICANT, THIS AREA SHALL NOT BE CONSIDERED AS PART OF THE SITE FOR THE PURPOSES OF DENSITY CALCULATIONS, SETBACK AND BUFFER DETERMINATIONS, OR DEVELOPMENT.
S. A REVISED SITE PLAN EITHER DEPICTING OR NOTING THESE CONDITIONS MUST BE SUBMITTED TO THE OFFICE OF PLANNING AND ZONING.
T. THE FINAL SITE PLAN SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE PLANNING AND ZONING COMMISSION.

GENERAL NOTES

1. THIS PROJECT SITE IS KNOWN AS BEACH TREE PRESERVE (TM 234-11.00-49.00) AND IS LOCATED AT THE NORTHEAST INTERSECTION OF ROUTE 24 (JOHN J. WILLIAMS HWY) AND SCR 277 (ROBINSONVILLE ROAD) IN LEWES, DELAWARE.
2. THE BOUNDARY, EXISTING FEATURES AND TOPOGRAPHIC INFORMATION SHOWN ON THIS PLAN IS THE RESULT OF A FIELD SURVEY BY FORESIGHT SERVICES, 2103 A COASTAL HWY, DEWEY BEACH, DELAWARE 19971. TOPOGRAPHY IS BASED ON NAVD88 AND NORTH REFERENCE IS DELAWARE STATE PLANE COORDINATE SYSTEM NAD83.
3. SUBDIVISION STREETS CONSTRUCTED WITHIN THE LIMIT OF THE RIGHT-OF-WAY ARE PRIVATE AS SHOWN ON THIS PLAN AND ARE TO BE MAINTAINED BY THE DEVELOPER, PROPERTY OWNERS, OR BOTH. THE STATE OF DELAWARE ASSUMES NO MAINTENANCE RESPONSIBILITIES FOR THE FUTURE MAINTENANCE OF THESE STREETS.
4. ALL PROPOSED STORMWATER MANAGEMENT FACILITIES ARE TO BE MAINTAINED BY THE DEVELOPER UNTIL SUCH TIME AS A HOMEOWNERS ASSOCIATION CAN PROVIDE FOR SAID MAINTENANCE.
5. ALL SUBDIVISION LOTS SHALL BE ACCESSED FROM INTERIOR SUBDIVISION STREETS ONLY. NO DIRECT ACCESS TO SCR 277 OR ROUTE 24 SHALL BE PERMITTED.
6. THIS PLAN DOES NOT VERIFY TO THE LOCATION AND/OR EXISTENCE OF EASEMENTS OR RIGHT-OF-WAYS CROSSING SUBJECT PROPERTY AS NO TITLE SEARCH WAS PROVIDED.
7. THE CONTRACTOR SHALL ENSURE THAT ALL NECESSARY PERMITS AND APPROVALS HAVE BEEN OBTAINED PRIOR TO COMMENCEMENT OF ANY SITE CONSTRUCTION ACTIVITIES.
8. ALL CONTRACTORS WORKING ON THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS OF THE DELAWARE EROSION AND SEDIMENT CONTROL HANDBOOK (LATEST EDITION).
9. CONSTRUCTION MATERIALS AND PROCEDURES SHALL FOLLOW THE SUSSEX COUNTY ENGINEERING DEPARTMENT SPECIFICATIONS AND STANDARD DRAWINGS (LATEST EDITION).
10. EXISTING SUBSURFACE UTILITY INFORMATION INDICATED IS BASED UPON VISUAL FIELD INSPECTION BY FORESIGHT SERVICES. SUCH INFORMATION CONCERNING THE SIZE, LOCATION, DEPTH, QUANTITY, ETC. OF SUBSURFACE UTILITIES IS APPROXIMATE IN NATURE AND HAS BEEN OBTAINED AS AN AID IN THE PROJECT DESIGN. THE INFORMATION PROVIDED IS REPRESENTATIVE OF SUBSURFACE CONDITIONS ONLY AT LOCATIONS AND DEPTHS WHERE SUCH INFORMATION WAS OBTAINED. THERE IS NO EXPRESSED OR IMPLIED AGREEMENT THAT UTILITY SIZE, LOCATION, DEPTH, QUANTITY, ETC.. AS SHOWN EXISTS BETWEEN EXPLORED LOCATIONS. ACCORDINGLY, UTILITY INFORMATION SHOWN SHOULD NOT BE RELIED UPON FOR CONSTRUCTION PURPOSES. IT IS INCUMBENT UPON THE CONTRACTOR TO VERIFY THE SIZE, LOCATION, DEPTH, QUANTITY, ETC. OF ALL UTILITIES BEFORE EXCAVATION.
11. BASED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) 100062 0341 K, MAP NUMBER 10005C0341K, DATED MARCH 16, 2015, THIS PROPERTY IS IN A ZONE "X"-UNSHADED, WHICH IS AN AREA DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN.
12. THE WETLANDS BOUNDARY SHOWN WAS DELINEATED BY TEN BEARS ENVIRONMENTAL, 1080 S. CHAPEL ST., NEWARK, DE 19702.
13. ALL CUL-DE-SACS ARE TO HAVE A 38' PAVED RADIUS. NO PARKING PERMITTED ON CUL-DE-SACS.
14. ALL PROPOSED LOT LINES ARE SUBJECT TO EASEMENTS FOR UTILITY, STORMWATER MANAGEMENT, SIDEWALKS AND/OR MAINTENANCE. THESE EASEMENTS ARE DEDICATED TO THE HOMEOWNERS ASSOCIATION AND ALL UTILITY COMPANIES (PUBLIC/PRIVATE). UNLESS OTHERWISE NOTED ON THE PLANS, EASEMENTS ARE AS FOLLOWS:
    FRONT LOT LINES – 10 FEET
    SIDE LOT LINES – 5 FEET
    REAR LOT LINES – 5 FEET.
15. ALL FIRE LANES, FIRE HYDRANTS AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS.
16. ALL PROPOSED BUILDING CONSTRUCTION SHALL BE WOOD FRAME TYPE II (000). NFPA 101 OCCUPANCY SHALL BE STORAGE, LOW & ORDINARY HAZARD.
17. AUTOMATIC FIRE SPRINKLERS ARE NOT PROPOSED FOR ANY STRUCTURE.
18. IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS PART V, CHAPTER 4, SECTION 4-1.1, THE DEVELOPER SHALL PROVIDE TO THE EMERGENCY DISPATCH CENTER HAVING JURISDICTION, A PLOT PLAN OF THE DEVELOPMENT SHOWING EACH BUILDING LOCATION. THE DEVELOPER SHALL ALSO ASSIGN NUMBERS TO ALL BUILDINGS IN A CONSECUTIVE MANNER AND HAVE PLACED THE ASSIGNED NUMBER IN A READILY VISIBLE LOCATION ON EACH BUILDING TO ELIMINATE CONFUSION IN THE EVENT THAT AN EMERGENCY VEHICLE IS NEEDED.
19. 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 CHEMICALS AND NIGHTTIME FARM OPERATIONS. THE USE AND ENJOYMENT OF PROPERTY IS EXPRESSLY CONDITIONED ON ACCEPTANCE OF ANY ANNOYANCE OR INCONVENIENCE WHICH MAY RESULT FROM SUCH NORMAL AGRICULTURAL USES AND ACTIVITIES.
20. DELDOT HAS IDENTIFIED IN AN AREA WIDE STUDY, LOCATIONS REQUIRING INFRASTRUCTURE IMPROVEMENTS NEAR BEACH TREE PRESERVE AND SEND RECOMMENDATIONS TO SUSSEX COUNTY PLANNING AND ZONING FOR THE IMPROVEMENTS IN A LETTER DATED AUGUST 22, 2018. THE FOLLOWING IMPROVEMENTS SHALL BE IMPLEMENTED BY THE OWNER/APPLICANT PER DELDOT'S DIRECTION
    1. THE PROPOSED DEVELOPMENT CONSISTS OF 155 SINGLE-FAMILY DETACHED HOUSES. PER THE 10TH EDITION OF THE INSTITUTE OF TRANSPORTATION ENGINEERS TRIP GENERATION MANUAL, THE PROPOSED DEVELOPMENT WOULD GENERATE 1,556 DAILY TRIPS AND 155 P.M. PEAK HOUR TRIPS. THE FEE IS CALCULATED AT TEN DOLLARS PER DAILY TRIP. FOR THE PROPOSED DEVELOPMENT, THE FEE WOULD BE $15,560.00. IT SHOULD BE PAID IN CONJUNCTION WITH THE INITIAL STAGE FEE.
    2. THE DEVELOPER SHALL ENTER INTO AN AGREEMENT WITH DELDOT TO FUND AN EQUITABLE SHARE OF THE IMPROVEMENTS PLANNED AS PART OF DELDOT'S HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) SR 24 AT CAMP ARROWHEAD ROAD AND SR 24 AT ROBINSONVILLE ROAD / ANGOLA ROAD PROJECT. BASED ON THE PROPOSED DEVELOPMENTS PROJECTED P.M. PEAK HOUR TRIPS, THE AMOUNT OF THE EQUITABLE SHARE IS $70,778.00. THE DEVELOPER SHALL COORDINATE WITH DELDOT'S DEVELOPMENT COORDINATION SECTION ON THE TIME OF THE PAYMENT.
21. ANY STREET LIGHTING WITHIN THE DEVELOPMENT SHALL BE DOWNWARD SCREENED.

LIST OF DRAWINGS

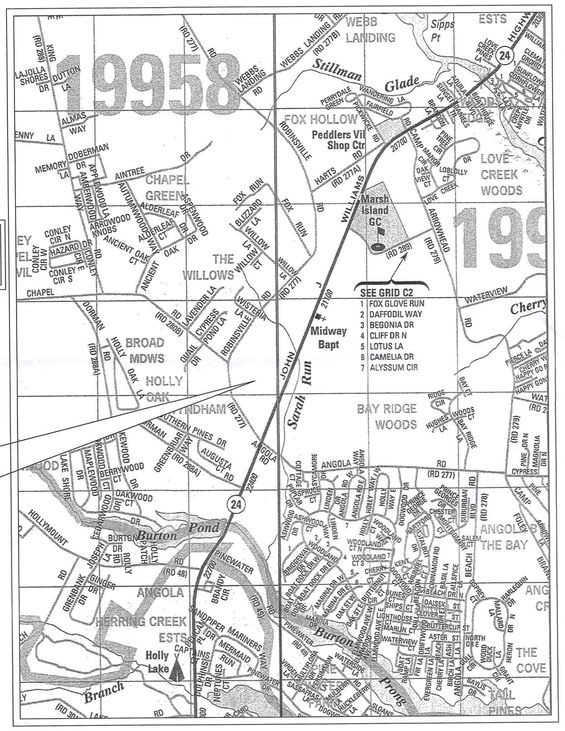
FSP1.0 COVER SHEET
FSP2.0 FINAL SITE PLAN, LANDSCAPING AND LIGHTING PLAN
C-1 GRADING PLAN



VICINITY MAP
SCALE: 1" = 20 MILES

BEACH TREE PRESERVE

PROJECT LOCATION



LOCATION MAP
SCALE: 1" = 2000'

GMB
GEORGE, MILES & BUHR, LLC
ARCHITECTS & ENGINEERS
SALISBURY · BALTIMORE · SEAFORD
206 WEST MAIN STREET
SALISBURY, MARYLAND 21801
410-742-3115, FAX 410-548-5790
www.gmbnet.com

NOVEMBER 2021

APPROVED _____ BY _____
DATE

SUSSEX COUNTY
PLANNING AND ZONING COMMISSION

SITE DATA:

TAX MAP #: T.M. ID 234-11.00-49.06

OWNER: BEACHTREE, LLC
507 NORTH YORK STREET, SUITE 2D
MECHANICSBURG, PA

ZONING CLASSIFICATION: AR COASTAL AREA CLUSTER
PRESENT USE: OPEN SPACE
PROPOSED USE: POOL AND POOL HOUSE, DOG PARK, PLAYGROUND, PICKLE BALL COURTS, PAVILION, GRILL AREA, FIRE PIT, MAIL KIOSK

WATER PROVIDER: TIDEWATER UTILITIES, INC.
SEWER PROVIDER: SUSSEX COUNTY

BUILDING SIZE: ±1,048 SQ.FT.
BUILDING HEIGHT: 18'-9" AT PEAK

BUILDING SETBACKS: 25' FRONT YARD
10' SIDE YARD
10' REAR YARD

POOL SETBACKS: 10' SIDE YARD
6' REAR YARD

PARKING PROVIDED: 18 PARKING SPACES (INCL. 2 ADA ACCESSIBLE)

	ACRES
TOTAL AREA:	±77.79
AMENITY LOT AREA:	±2.49
NET DEVELOPMENT AREA:	±2.49

RECREATIONAL AREAS:

POOL:	2,099 SQ.FT.
POOL DECK:	6,811 SQ.FT.
STORAGE/MECH :	352 SQ.FT.
RESTROOMS:	696 SQ.FT.
PICKLE BALL:	4,530 SQ.FT.
PAVILION:	760 SQ.FT.

FLOOD INFORMATION: ZONE X-UNSHADED PER FEMA MAP 10005C0341K, DATED MARCH 16, 2015

LIGHTING: STREET LIGHTING AS SHOWN ON SITE PLAN.
ADEQUATE LIGHTING SHALL BE PROVIDED ON AND AROUND THE POOL BUILDING. THE LIGHTING WILL BE ARRANGED AND INSTALLED TO MINIMIZE GLARE ON ANY ADJACENT RESIDENTIAL PROPERTIES.

DEVELOPER'S CERTIFICATION:

I HEREBY CERTIFY THAT I AM THE DEVELOPER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN AND THAT THE PLAN WAS MADE AT MY DIRECTION.

_____ DATE
WEBSTER GREY
BEACHTREE, LLC
507 NORTH YORK STREET, SUITE 2D
MECHANICSBURG, PA 17055

ENGINEER'S CERTIFICATION:

"I STEPHEN L. MARSH, P.E. HEREBY CERTIFY THAT I AM A REGISTERED ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HERE HAS BEEN PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEVE REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE."

_____ DATE
STEPHEN L. MARSH, P.E.
GEORGE, MILES, & BUHR, LLC.
206 W. MAIN STREET
SALISBURY, MD 21801

LANDSCAPE ARCHITECT CERTIFICATION:

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF DELAWARE.

_____
LANDSCAPE ARCHITECT DATE

Revised Copy

2019

0 15 30 60 90

SCALE: 1" = 30'

LEGEND

- LOT LINE
- UTILITY EASEMENT
- BUILDING SETBACK
- EXISTING CONTOUR
- CONTOUR
- PROPOSED PAVEMENT
- PROPOSED CONCRETE SIDEWALK

PLANT SCHEDULE

KEY	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY
TREES				
GA	GINKO BILOBA 'AUTUMN GOLD' TM	MAIDENHAIR TREE	2.5" CAL.	4
PA	PLATANUS ACERIFOLIA 'BLOODGOOD'	LONDON PLANE TREE	2–2 ½" CAL.	5
EVERGREEN TREES				
PR	PINUS RIGIDA	PITCH PINE	8–10'	5
FLOWERING TREES				
AC	AMELANCHIER CANADENSIS 'AUTUMN BRILLIANCE'	AUTUMN BRILLIANCE SERVICEBERRY	8–10'	5

LANDSCAPING GENERAL NOTES:

1. PLANTS SHALL CONFORM TO CURRENT "AMERICAN STANDARDS FOR NURSERY STOCK" BY AMERICAN ASSOCIATION OF NURSERYMEN (AAN). PARTICULARLY WITH REGARDS TO SITE, GROWTH AND SIZE OF BALL AND DENSITY OF BRANCH STRUCTURE.

2. CONTRACTOR IS TO ENSURE CONFORMANCE TO NATIONAL AND LOCAL BUILDING CODES AND ORDINANCES.

3. ALL PLANTS (B&B OR CONTAINER) SHALL BE PROPERLY IDENTIFIED BY WEATHERPROOF LABELS SECURELY ATTACHED HERETO BEFORE DELIVERY TO THE PROJECT SITE. LABELS SHALL IDENTIFY PLANTS BY NAME, SPECIES, AND SIZE. LABELS SHALL NOT BE REMOVED UNTIL THE FINAL INSPECTION BY THE OWNER'S REPRESENTATIVE.

4. ANY MATERIAL AND/OR WORK MAY BE REJECTED BY THE OWNER'S REPRESENTATIVE IF IT DOES NOT MEET THE REQUIREMENTS OF THE SPECIFICATIONS. THE CONTRACTOR SHALL REMOVE ALL REJECTED MATERIAL FROM THE SITE.

5. THE CONTRACTOR SHALL FURNISH ALL PLANTS IN QUANTITIES AND SIZES TO COMPLETE THE WORK AS SPECIFIED IN THE PLANT SCHEDULE. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE TO VERIFY ALL PLANT QUANTITIES ON THE PLANS PRIOR TO THE COMMENCEMENT OF WORK. QUANTITIES IN THE PLANT SCHEDULE ARE FOR THE CONTRACTOR'S CONVENIENCE ONLY AND DO NOT CONSTITUTE THE FINAL COUNT.

6. SUBSTITUTION IN PLANT SPECIES OR SIZE SHALL NOT BE PERMITTED EXCEPT WITH THE WRITTEN APPROVAL OF THE OWNER OR THE OWNER'S REPRESENTATIVE.

7. PLANTS SHALL BE LOCATED AS SHOWN ON THE DRAWINGS AND BY SCALING OR AS DESIGNED IN THE FIELD BY THE OWNER OR THE OWNER'S REPRESENTATIVE.

8. CONTRACTOR SHALL LOCATE AND MARK ALL UNDERGROUND UTILITY LINES AND IRRIGATION SYSTEMS PRIOR TO EXCAVATING PLANT BEDS OR PITS. ALL UTILITY EASEMENT AREAS WHERE NO PLANTING SHALL TAKE PLACE SHALL ALSO BE MARKED ON THE SITE PRIOR TO LOCATING AND DIGGING THE TREE PITS. IF UTILITY LINES ARE ENCOUNTERED IN EXCAVATION OF TREE PITS OTHER LOCATIONS FOR THE TREES SHALL BE SELECTED BY THE OWNER OR THE OWNER'S REPRESENTATIVE. SUCH CHANGE SHALL BE MADE BY THE CONTRACTOR WITHOUT ADDITIONAL COMPENSATION. NO CHANGES OF LOCATION SHALL BE MADE WITHOUT THE APPROVAL OF THE OWNER OR THE OWNER'S REPRESENTATIVE.

9. ALL EQUIPMENT AND TOOLS SHALL BE PLACED SO AS NOT TO INTERFERE OR HINDER THE PEDESTRIAN AND VEHICULAR TRAFFIC FLOW.

10. DURING PLANTING OPERATIONS, EXCESS AND WASTE MATERIALS SHALL BE PROMPTLY AND FREQUENTLY REMOVED FROM THIS SITE.

11. ALL TREE PITS ARE TO BE EXCAVATED TO A MINIMUM DEPTH TO ALLOW THE TREE ROOT BALL TO BE A MINIMUM OF 3" HIGHER THAN FINISHED GRADE. THE TREE ROOT BALL IS TO REST ON UNDISTURBED SOIL, OR A COMPACTED BED MUST BE PREPARED FOR THE TREE ROOT BALL TO REST ON AND WHICH WILL NOT SUBSIDE CAUSING THE TREE TO SINK BELOW FINISHED GRADE. ALL TREE PITS ARE TO BE A MINIMUM OF 12" LARGER ON EVERY SIDE OF THE TREE ROOT BALL.

12. THE TOP SOIL TO BE USED TO FILL THE TREE PITS, SHRUB BEDS AND PLANTERS IS TO BE PLANT SPECIFIC. THE TOPSOIL FOR TREES, SHRUBS AND PLANTERS SHALL CONSIST OF A MAXIMUM OF 2/3 EXISTING TOPSOIL FROM THE SITE, WHICH IS CLEANED AND FREE OF CLAY, A MINIMUM OF APPROVED ORGANIC MATERIALS OR IMPORTED NEW LOAMY TOPSOIL AND 10 % COW MANURE. ALL OF THESE MATERIALS ARE TO BE MIXED PRIOR TO PLACING IN THE PLANTER OR BACKFILLING WHEN PLANTING.

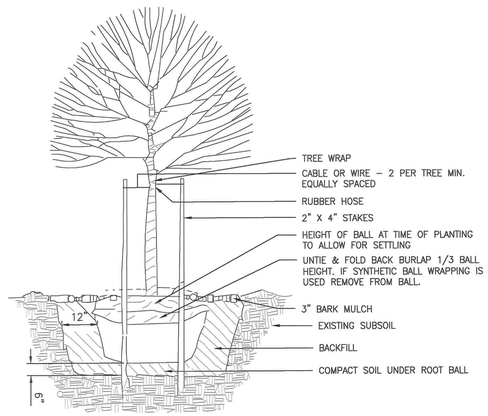
13. THE CONTRACTOR IS RESPONSIBLE TO ENSURE THAT ALL TREE PITS, SHRUB BEDS AND PLANTERS ARE WELL DRAINED. THE LANDSCAPE CONTRACTOR WILL REPLACE ALL PLANT MATERIAL WHICH IS AFFECTED BY POOR DRAINAGE, AT NO CHARGE TO THE OWNER.

14. THE TREES AND SHRUBS ARE TO BE HANDLED WITH THE BEST CARE AND ATTENTION TO ENSURE THAT THE PLANTS ARE NOT BRUISED, BROKEN, TORN, DAMAGED IN ANY WAY WHICH WILL AFFECT THE PLANTS GENERAL APPEARANCE AND WELL BEING.

15. THE TREES MUST BE STAKED IN ACCORDANCE WITH ACCEPTABLE NURSERY PRACTICES TO ENSURE THAT THEY ARE SECURE IN THE GROUND AND WILL GROW STRAIGHT AND UNIFORM. THE TREES ARE TO BE WRAPPED IF THE CONTRACTOR DEEMS IT NECESSARY TO PROTECT THE TREES FROM SUN SCALD OR INSECT ATTACK.

16. THE LANDSCAPE CONTRACTOR IS TO PROVIDE A ONE YEAR WARRANTY FOR ALL PLANT MATERIAL AND OTHER WORK DONE ON SITE. THIS WARRANTY WILL BEGIN AT EITHER SUBSTANTIAL COMPLETION OR AT FINAL ACCEPTANCE AS DETERMINED BY THE OWNER.

17. THE CONTRACTOR IS TO SLIGHTLY ADJUST PLANT LOCATIONS IN THE FIELD AS NECESSARY TO BE CLEAR OF DRAINAGE SWALES AND UTILITIES. FINISHED PLANTING BEDS SHALL BE GRADED SO AS NOT TO IMPEDE DRAINAGE AWAY FROM BUILDINGS.



TREE PLANTING DETAIL
NOT TO SCALE

PRINTS ISSUED FOR:
REVIEW AND APPROVAL

NO.	REVISIONS	DATE

- PREPARED BY -
LAND TECH LAND PLANNING, LLC
32895 SOUTH COASTAL HIGHWAY, SUITE 202
BETHANY BEACH, DELAWARE 19930
PHONE: (302) 539-2366

GMB
GEORGE, MILES & BUHR, LLC
ARCHITECTS & ENGINEERS
SALISBURY - BALTIMORE - STAFFORD
206 WEST MAIN STREET
SALISBURY, MARYLAND 21801
410-742-3115 FAX: 410-546-8780
www.gmbnet.com

BEACH TREE PRESERVE
SUSSEX COUNTY, DELAWARE

PROPOSED
AMENITY
SITE PLAN

SCALE	: 1" = 30'
DESIGN BY	: KK
DRAWN BY	: KK
CHECKED BY	:
GMB FILE	: 210141.00
DATE	: OCT 2021

SHEET NO.
FSP2.0

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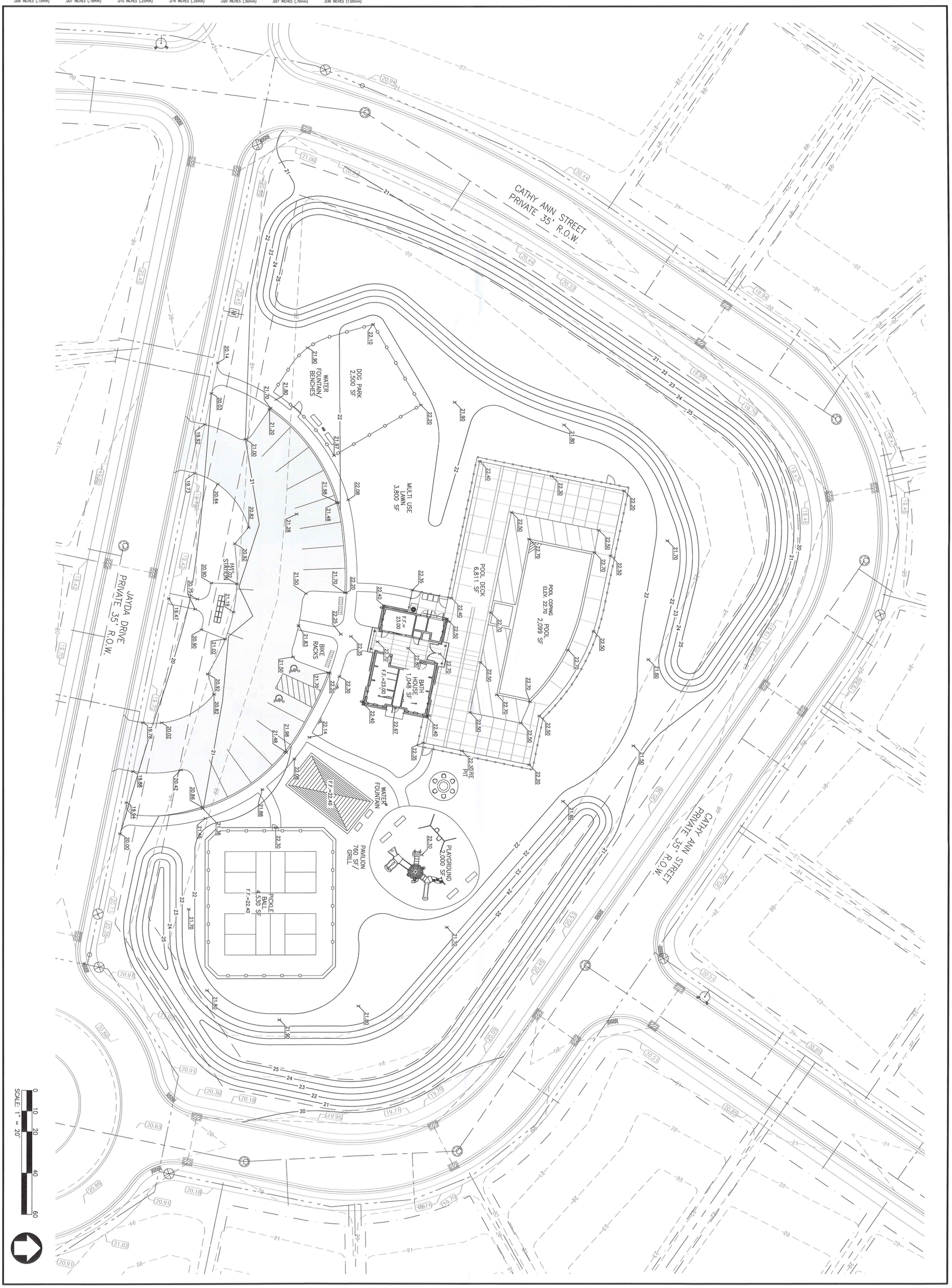
G:\Projects\2021\210141 Beach Tree Preserve Clubhouse Design\Drawings\Working Set\Preliminary Site Plan\FSP 1.0.dwg, 11/29/2021, Katja Kalnaki
PDN-WHITE .039 INCHES (1.00mm)
PDN-MAGENTA .027 INCHES (.70mm)
PDN-BLUE .020 INCHES (.50mm)
PLOT CODE PDN-BLACK .014 INCHES (.35mm)
PDN-GREEN .010 INCHES (.25mm)
PDN-YELLOW .007 INCHES (.18mm)
PDN-RED .006 INCHES (.15mm)

G:\Projects\2021\210141 Beach Tree Preserve Clubhouse Design\Drawings\Working Sets\Preliminary Site Plan\Clubhouse Grading Plan.dwg, 11/29/2021, Katja Kolinski

PEN1-RED .006 INCHES (.15mm) | PEN2-YELLOW .007 INCHES (.18mm) | PEN3-GREEN .010 INCHES (.25mm) | PLOT CODE PEN4-CYAN .014 INCHES (.35mm) | PEN5-BLUE .020 INCHES (.50mm) | PEN6-MAGENTA .027 INCHES (.70mm) | PEN7-WHITE .039 INCHES (1.00mm)



PROPOSED CLUBHOUSE GRADING PLAN

SCALE: 1" = 20'
DESIGN BY: RK
DRAWN BY: TMG
CHECKED BY:
DWG FILE: 210141.00
DATE: AUG 2021
SHEET NO. C-1

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BEACH TREE PRESERVE
SUSSEX COUNTY, DELAWARE

GMB
GEORGE, MILES & BUHR, LLC
ARCHITECTS & ENGINEERS
SALISBURY · BALTIMORE · SEAFORD
206 WEST MAIN STREET
SALISBURY, MARYLAND 21801
410-742-3115, FAX 410-548-5790
www.gmbnet.com

- PREPARED BY -

LAND TECH
LAND PLANNING, LLC
32895 SOUTH COASTAL HIGHWAY; SUITE 202
BETHANY BEACH, DELAWARE 19930
PHONE: (302) 539-2366

NO.	REVISIONS	DATE

PRINTS ISSUED FOR REVIEW AND APPROVAL

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: 2021-04-208589-MJS-01
Status: Approved as Submitted

Tax Parcel Number: 234-11.00-49.06
Date: 11/02/2021

Project

Beachtree Preserve Amenities

Beachtree LLC Property

22419 Cathy Ann Street
Lewes DE 19958

Scope of Project

Number of Stories:
Square Footage:
Construction Class:
Fire District: 82 - Lewes Fire Dept Inc

Occupant Load Inside:
Occupancy Code: 9625

Applicant

Christopher Pfeifer
206 West Main Street
Salisbury, MD 21801

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

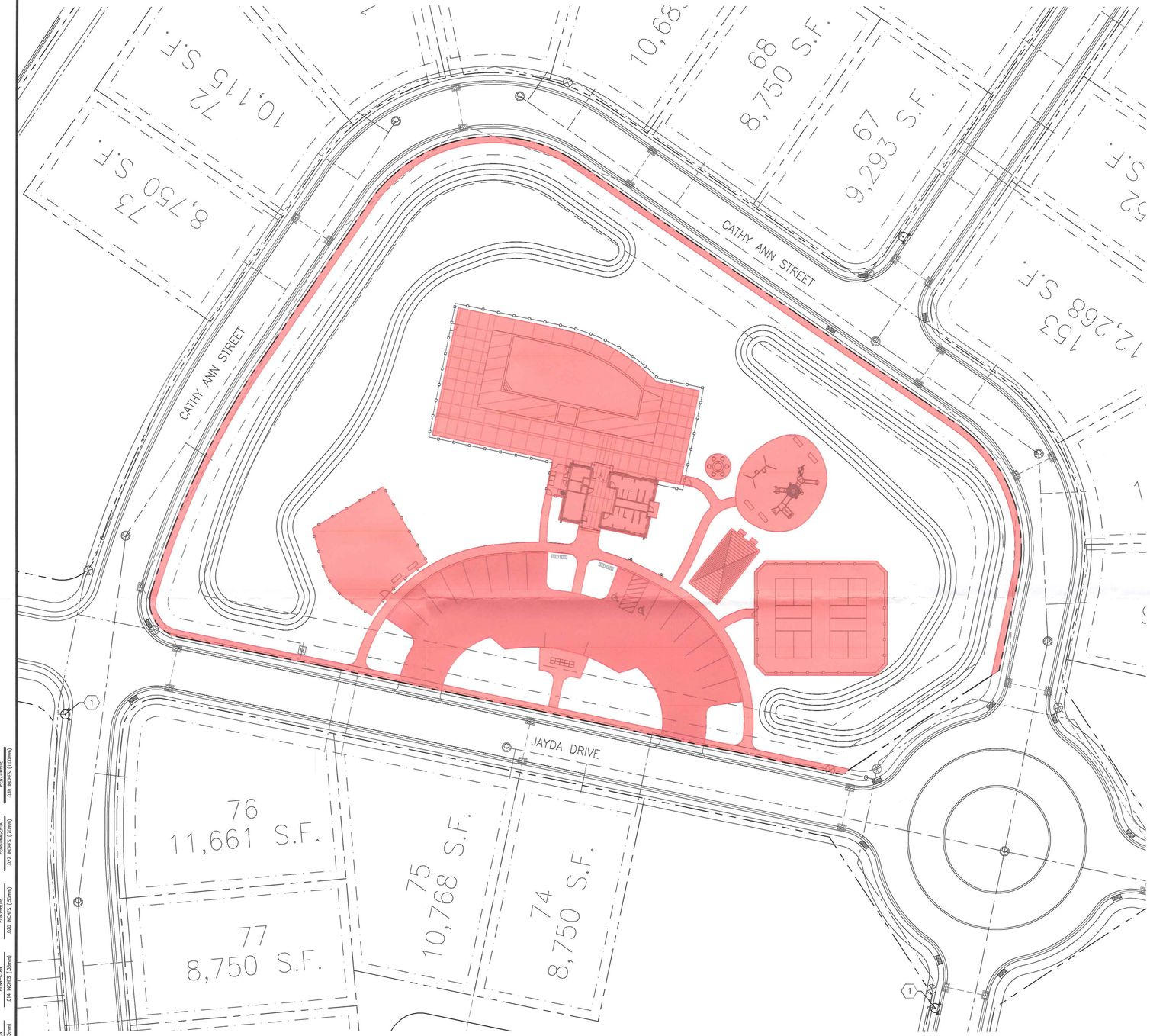
FIRE PROTECTION PLAN REVIEW COMMENTS

Plan Review Number: 2021-04-208589-MJS-01
Status: Approved as Submitted

Tax Parcel Number: 234-11.00-49.06
Date: 11/02/2021

PROJECT COMMENTS

1002 A	This project has been reviewed under the provisions of the Delaware State Fire Prevention Regulations (DSFPR) ADOPTED September 1, 2. The current 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.
1040 A	This site meets Water Flow Table 2, therefore the following water for fire protection requirements apply: Main Sizes: 6" minimum. Minimum Capacity: 1,000 gpm @ 20 psi residual for 1 hour duration. Hydrant Spacing: 800' on center.
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.
1190 A	Separate plan submittal is required for the building(s) proposed for this project.
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 orrevisions to the plans occur, plans are required to be submitted, reviewed, and approved.



REVISED
9:44 am, Dec 01, 2021

APPROVED
By Jessica.Watson at 9:44 am, Dec 01, 2021

LEGEND

- RIGHT OF WAY
- LOT LINE
- BUILDING RESTRICTION LINE (BRL)
- UTILITY EASEMENT
- PAVING
- EXISTING CONTOUR (30)
- CONTOUR (29, 30)
- SPOT ELEVATION (26.84)
- CONCRETE SIDEWALK
- SANITARY SEWER, MANHOLE AND CLEANOUT
- STORM DRAIN, INLET AND MANHOLE
- CURB & GUTTER
- WATER LINE, VALVE, FIRE HYDRANT
- IMPERVIOUS AREA (40,129 SF)

PLOT CODE
PEN#-COLOR
PEN1-RED .006 INCHES (.15mm)
PEN2-YELLOW .007 INCHES (.18mm)
PEN3-GREEN .010 INCHES (.25mm)
PEN4-BLUE .014 INCHES (.35mm)
PEN5-MAGEN. .020 INCHES (.50mm)
PEN6-WHITE .027 INCHES (.70mm)
PEN7-WHITE .039 INCHES (1.00mm)

G:\Projects\2021\210141 Beach Tree Preserve Clubhouse Design\Drawings\Exhibits\SSD Impervious Exhibit.dwg, 10/20/2021, Christopher Pfeifer

PRINTS ISSUED FOR:
REVIEW AND APPROVAL

NO.	REVISIONS	DATE

- PREPARED BY -

LAND TECH LAND PLANNING, LLC
32866 SOUTH COASTAL HIGHWAY, SUITE 202
BETHANY BEACH, DELAWARE 19930
PHONE: (302) 539-2366

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www.gmbnet.com

BEACHTREE PRESERVE
SUSSEX COUNTY, DELAWARE

CHRISTOPHER J. PFEIFER
LICENSE
No. 20587
DELAWARE
PROFESSIONAL ENGINEER
10/27/2021

IMPERVIOUS AREA SITE PLAN

SCALE	: 1" = 30'
DESIGN BY	: KK
DRAWN BY	: TMG
CHECKED BY	: CJP
GMB FILE	: 210141.00
DATE	: OCT 2021

SHEET NO.
EX-1

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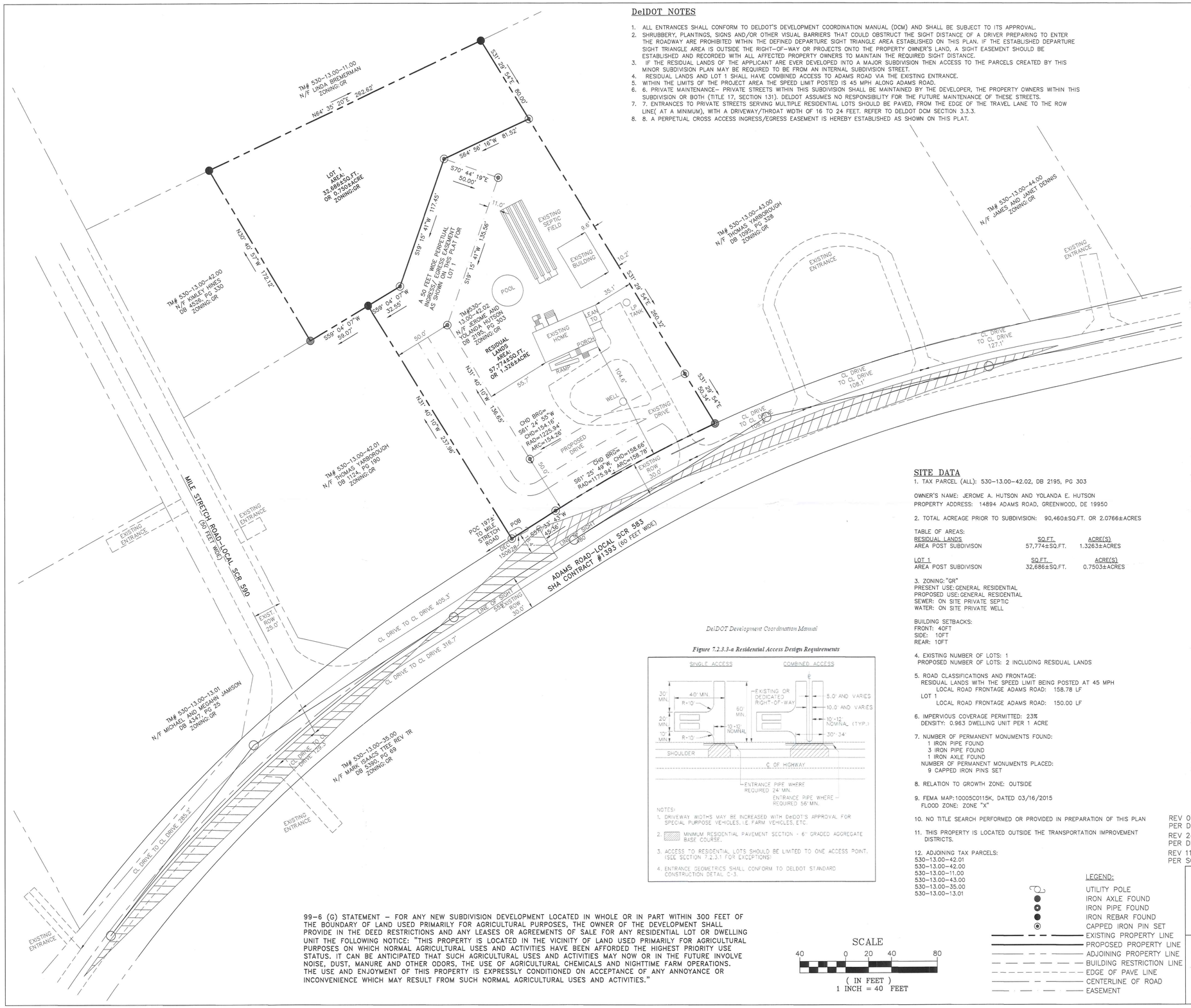


DelDOT NOTES

1. ALL ENTRANCES SHALL CONFORM TO DELDOT'S DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL.
2. SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO THE PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
3. IF THE RESIDUAL LANDS OF THE APPLICANT ARE EVER DEVELOPED INTO A MAJOR SUBDIVISION THEN ACCESS TO THE PARCELS CREATED BY THIS MINOR SUBDIVISION PLAN MAY BE REQUIRED TO BE FROM AN INTERNAL SUBDIVISION STREET.
4. RESIDUAL LANDS AND LOT 1 SHALL HAVE COMBINED ACCESS TO ADAMS ROAD VIA THE EXISTING ENTRANCE.
5. WITHIN THE LIMITS OF THE PROJECT AREA THE SPEED LIMIT POSTED IS 45 MPH ALONG ADAMS ROAD.
6. 6. PRIVATE MAINTENANCE– PRIVATE STREETS WITHIN THIS SUBDIVISION SHALL BE MAINTAINED BY THE DEVELOPER, THE PROPERTY OWNERS WITHIN THIS SUBDIVISION OR BOTH (TITLE 17, SECTION 131). DELDOT ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THESE STREETS.
7. 7. ENTRANCES TO PRIVATE STREETS SERVING MULTIPLE RESIDENTIAL LOTS SHOULD BE PAVED, FROM THE EDGE OF THE TRAVEL LANE TO THE ROW LINE(AT A MINIMUM), WITH A DRIVEWAY/THROAT WIDTH OF 16 TO 24 FEET. REFER TO DELDOT DCM SECTION 3.3.3.
8. 8. A PERPETUAL CROSS ACCESS INGRESS/EGRESS EASEMENT IS HEREBY ESTABLISHED AS SHOWN ON THIS PLAT.

SITE DATA

1. TAX PARCEL (ALL): 530-13.00-42.02, DB 2195, PG 303

OWNER'S NAME: JEROME A. HUTSON AND YOLANDA E. HUTSON
PROPERTY ADDRESS: 14894 ADAMS ROAD, GREENWOOD, DE 19950

2. TOTAL ACREAGE PRIOR TO SUBDIVISION: 90,460±SQ.FT. OR 2.0766±ACRES

TABLE OF AREAS:

	SQ.FT.	ACRE(S)
RESIDUAL LANDS AREA POST SUBDIVISON	57,774±SQ.FT.	1.3263±ACRES
LOT 1 AREA POST SUBDIVISON	32,686±SQ.FT.	0.7503±ACRES

3. ZONING: "GR"
PRESENT USE: GENERAL RESIDENTIAL
PROPOSED USE: GENERAL RESIDENTIAL
SEWER: ON SITE PRIVATE SEPTIC
WATER: ON SITE PRIVATE WELL

BUILDING SETBACKS:
FRONT: 40FT
SIDE: 10FT
REAR: 10FT

4. EXISTING NUMBER OF LOTS: 1
PROPOSED NUMBER OF LOTS: 2 INCLUDING RESIDUAL LANDS

5. ROAD CLASSIFICATIONS AND FRONTAGE:
RESIDUAL LANDS WITH THE SPEED LIMIT BEING POSTED AT 45 MPH
LOCAL ROAD FRONTAGE ADAMS ROAD: 158.78 LF
LOT 1
LOCAL ROAD FRONTAGE ADAMS ROAD: 150.00 LF

6. IMPERVIOUS COVERAGE PERMITTED: 23%
DENSITY: 0.963 DWELLING UNIT PER 1 ACRE

7. NUMBER OF PERMANENT MONUMENTS FOUND:
1 IRON PIPE FOUND
3 IRON PIPE FOUND
1 IRON AXLE FOUND
NUMBER OF PERMANENT MONUMENTS PLACED:
9 CAPPED IRON PINS SET

8. RELATION TO GROWTH ZONE: OUTSIDE

9. FEMA MAP: 10005C0115K, DATED 03/16/2015
FLOOD ZONE: ZONE "X"

10. NO TITLE SEARCH PERFORMED OR PROVIDED IN PREPARATION OF THIS PLAN

11. THIS PROPERTY IS LOCATED OUTSIDE THE TRANSPORTATION IMPROVEMENT DISTRICTS.

12. ADJOINING TAX PARCELS:
530-13.00-42.01
530-13.00-42.00
530-13.00-11.00
530-13.00-43.00
530-13.00-35.00
530-13.00-13.01

DelDOT Development Coordination Manual

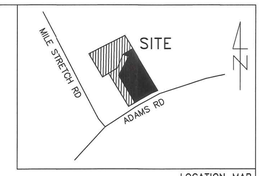
Figure 7.2.3.3-a Residential Access Design Requirements

99-6 (G) STATEMENT – FOR ANY NEW SUBDIVISION DEVELOPMENT LOCATED IN WHOLE OR IN PART WITHIN 300 FEET OF THE BOUNDARY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES, THE OWNER OF THE DEVELOPMENT SHALL PROVIDE IN THE DEED RESTRICTIONS AND ANY LEASES OR AGREEMENTS OF SALE FOR ANY RESIDENTIAL LOT OR DWELLING UNIT THE FOLLOWING NOTICE: "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."

SCALE
40 0 20 40 80
(IN FEET)
1 INCH = 40 FEET

LEGEND:
- UTILITY POLE
- IRON AXLE FOUND
- IRON PIPE FOUND
- IRON REBAR FOUND
- CAPPED IRON PIN SET
- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- ADJOINING PROPERTY LINE
- BUILDING RESTRICTION LINE
- EDGE OF PAVE LINE
- CENTERLINE OF ROAD
- EASEMENT

DSPC NSES 2011



LOCATION MAP
NOT TO SCALE

GENERAL DATA:
1. CURRENT USE AGRICULTURAL RESIDENTIAL AND FUTURE USE RESIDENTIAL.
2. SEWER & WATER WILL BE ON SITE WELL AND SEPTIC.
3. EXISTING NUMBER OF PARCELS 1, EXISTING NUMBER OF LOTS 1, PROPOSED NUMBER OF PARCELS 2, PROPOSED NUMBER OF LOTS 2.

FIRE MARSHAL

1. PROPOSED BUILDING USE RESIDENTIAL.
2. MAXIMUM HEIGHT PER SUSSEX COUNTY CODE 42FT.
3. PROPOSED CONSTRUCTION WOOD FRAMED.
4. ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS.

AGRICULTURE NOTES

1. THERE IS A FIFTY FOOT BUILDING SETBACK FROM LANDS USED FOR AGRICULTURAL PURPOSES UNLESS THE APPLICANT ACQUIRES A LETTER OF CONSENT FROM THE ADJACENT OWNER.

PURPOSE STATEMENT

THE PURPOSE OF THIS PLAN IS TO CREATE TWO PARCELS FROM ONE.

OWNER OF RECORD

I/WE, THE UNDERSIGNED, HEREBY CERTIFY TO THE OWNERSHIP OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY/OUR DIRECTION, AND THAT I/WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND THAT I/WE DESIRE THE PLAN TO BE RECORDED ACCORDING TO LAW.

I CERTIFY THAT TITLE 17, SECTION 530 IS APPLICABLE TO THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN BY VIRTUE OF: (CHECK APPLICABLE SECTION)

____THE PARCEL IS SUBDIVIDED INTO NO MORE THAN 2 PARCELS WHICH WILL BE CONTINUED TO BE USED AS A FARM OR FARMLAND, OR

_X_THE SUBDIVIDED PARCEL OR PARCELS WILL BE TRANSFERRED TO A FAMILY MEMBER OR MEMBERS FOR PURPOSES OF USE AS A FAMILY MEMBER OR MEMBERS PRINCIPAL RESIDENCE OR FARMLAND.

Jerome A. Hutson 1/4/2022
JEROME A. HUTSON DATE
P.O. BOX 454 GREENWOOD, DE 19950
(302)-858-6337

Yolanda E. Hutson 1-11-2022
YOLANDA E. HUTSON DATE
P.O. BOX 454 GREENWOOD, DE 19950
(302)-858-6337

SURVEYOR'S CERTIFICATION

I, ALAN O'DALE KENT REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE AS ESTABLISHED BY THE STATE OF DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES TO THE PROPERTY CONDITIONS, IMPROVEMENTS, BOUNDARY OR PROPERTY CORNERS AFTER THE DATE SHOWN HEREON SHALL NECESSITATE A NEW REVIEW AND CERTIFICATION FOR ANY OFFICIAL OR LEGAL USE.

11JAN2022
DATE

ALAN O'DALE KENT, PLS#738
ALAN O KENT LAND SURVEYING LLC
9505 SUSSEX STREET
SEAFORD, DE 19973
PHONE: (302) 745-1735
EMAIL: aokllc@outlook.com

REV 07 SEP 2021
PER DELDOT COMMENTS
REV 24 SEP 2021
PER DELDOT COMMENTS
REV 11 JAN 2022
PER SCO COMMENTS

JOB # 2021191 THIS IS A SUBURBAN CLASS SURVEY

DATE OF PLAN
14 JUL 2021

DATE OF LAST FIELD WORK
02 JUN 2021

MINOR SUBDIVISION PLAN
OF THE LANDS NOW OR FORMERLY OF
JEROME A. HUTSON
AND YOLANDA E. HUTSON

GREENWOOD, DE
NORTHWEST FORK HUNDRED, SUSSEX COUNTY

PREPARED BY
ALAN O KENT LAND SURVEYING
9505 SUSSEX STREET
SEAFORD, DE 19973
(302) 745-1735

OFFICE OF THE STATE FIRE MARSHAL
Technical Services

22705 Park Avenue
Georgetown, DE 19947

SFMO PERMIT

Plan Review Number: 2021-04-208405-MIS-01
Status: Approved as Submitted

Tax Parcel Number: 530-13.00-42.02
Date: 10/07/2021

Project

Hutson Minor Subdivision

Hutson Property

14894 Adams Road
Greenwood DE 19950

Scope of Project

Number of Stories:
Square Footage:
Construction Class:
Fire District: 78 - Greenwood Volunteer Fire Co #1 Inc

Occupant Load Inside:
Occupancy Code: 9601

Applicant

Alan Kent
9505 Sussex Street
Seaford, DE 19973

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:

Duane Fox
Fire Protection Specialist III

RECEIVED
NOV 01 2021
SUSSEX COUNTY
PLANNING & ZONING

FIRE PROTECTION PLAN REVIEW COMMENTS

Plan Review Number: 2021-04-208405-MIS-01
Status: Approved as Submitted

Tax Parcel Number: 530-13.00-42.02
Date: 10/07/2021

PROJECT COMMENTS

1002 A	This project has been reviewed under the provisions of the Delaware State Fire Prevention Regulations (DSFPR) UPDATED March 11, 2016. The current 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.
1000	The site plans have been approved as submitted. The Office of DE State Fire Marshal has no objection to recordation.
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 orrevisions to the plans occur, plans are required to be submitted, reviewed, and approved.

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

NICOLE MAJESKI
SECRETARY

October 04, 2021

Mr. Jamie Whitehouse, Director
Sussex County Planning & Zoning Commission
Sussex County Administration Building
P.O. Box 417
Georgetown, Delaware 19947

SUBJECT: **Minor Subdivision - Letter of No Objection to Recordation**
2021191 HUTSON MIN SUB
Tax Parcel # 530-13.00-42.02
SCR00583-ADAMS ROAD
Northwest Fork Hundred, Sussex County

RECEIVED
NOV 01 2021
SUSSEX COUNTY
PLANNING & ZONING

Dear Mr. Whitehouse:

The Department of Transportation has reviewed the Minor Subdivision Plan dated July 14, 2021 (last revised September 24, 2021) for the above referenced site, and has no objection to its recordation as shown on the enclosed drawing. This "No Objection to Recordation" approval shall be valid for a period of **five (5) years**. If the Minor Subdivision Plan is not recorded and/or an entrance permit is not issued for the lot(s) prior to the expiration of the "No Objection to Recordation", then the plan must be updated to meet current requirements and resubmitted for review and approval.

Entrances(s) must be installed prior to the sale of the lot(s). All entrances shall conform to DelDOT's Development Coordination Manual and shall be subject to its approval. **This letter does not authorize the commencement of entrance construction.**

This "No Objection to Recordation" letter is not a DelDOT endorsement of the project discussed above. Rather, it is a recitation of the transportation improvements, which the applicant may be required to make as a pre-condition to recordation steps and deed restrictions as required by the respective county/municipality in which the project is located. If transportation investments are necessary, they are based on an analysis of the proposed project, its location, and its estimated impact on traffic movements and densities. The required improvements conform to DelDOT's published rules, regulations and standards. Ultimate responsibility for the approval of any project rests with the local government in which the land use decisions are authorized. There may be other

reasons (environmental, historic, neighborhood composition, etc.) which compel that jurisdiction to modify or reject this proposed plan even though DelDOT has established that these enumerated transportation improvements are acceptable.

The owner shall be responsible to submit a copy of the **recorded Minor Subdivision Plan** showing all appropriate signatures, seals, plot book and page number to the South District Public Works office (302) 853-1341 in order to obtain the entrance permit(s) for the proposed minor subdivision.

Sincerely,

Richard S. McCabe

R. Stephen McCabe
Sussex County Review Coordinator
Development Coordination

cc: Alan Kent, Alan O Kent Land Surveying LLC
Nicholas Torrance, Sussex County Planning & Zoning
Jessica L. Watson, Sussex Conservation District
Matt Schlitter, South District Public Works Engineer
James Argo, South District Project Reviewer
William Kirsch, South District Entrance Permit Supervisor
Shannon Anderson, South District Public Work Admin Specialist
Wendy L. Polasko, P.E., Subdivision Engineer
John Andrescavage, Sussex County Reviewer

TAX MAP NO. 2-35-29.00 PARCELS 25.06 & 27.00

LINE	BEARING	DISTANCE
L1	N 61°54'05" W	50.00'
L2	N 77°35'00" E	36.21'
L3	N 80°26'39" E	67.76'
L4	N 74°35'47" E	29.49'
L5	N 55°25'19" E	26.83'
L6	N 41°27'35" E	45.58'
L7	N 32°02'48" E	26.59'
L8	N 34°13'48" E	54.42'
L9	N 09°06'19" E	66.07'
L10	S 66°24'17" E	35.12'
L11	S 70°47'56" E	50.69'

LANDS N.O.F.
KENNETH P. SUNNERGREN &
BONNIE FAITH SUNNERGREN
DEED BOOK 2647, PAGE 290

LANDS N.O.F.
BARBARA A. HARDY
DEED BOOK 1918, PAGE 92

ROUND POLE BRANCH

N 65°55'58" W

348.13'

169.23'

N 50°58'00" E
178.90'

N 24°18'45" E
94.40'

S 26°46'47" W
101.93'

N 00°07'01" W
104.09'

S 04°18'59" W
127.03'

N 10°34'59" E
94.56'

S 06°48'28" W
129.69'

465.45'

PARCEL B-1
3.729± ACRES

PARCEL B-2
3.728± ACRES

NEW LINE

LANDS N.O.F.
JAMARR TABRON & KENDRA TABRON
DEED BOOK 4688, PAGE 225

LANDS N.O.F.
STEVEN THOMPSON & AMANDA THOMPSON
DEED BOOK 4756, PAGE 53

COUNTY ROAD 254
(A.K.A. PRETTYMAN ROAD)
(50' WIDE)

25'

25' EASEMENT FOR
UTILITIES AND DRAINAGE
(SEE PLOT BOOK 242, PAGE 36)

HAWTHORNE SUBDIVISION
LANDS N.O.F.
ROB THE RANGER, LLC
DEED 4308, PAGE 236

759.13'

S 66°25'34" E

LANDS N.O.F.
BONNIE V. NEAGLE
DEED BOOK 4695, PAGE 234

252.44'

288.07'

347.03

887.54' (TOTAL)

N 28°39'57" E

GRAVEL ROAD

50'

S 28°39'57" W

895.38'

EXISTING 50' WIDE ACCESS EASEMENT
LANDS N.O.F.
ROBERT M. DAVIDSON, III &
MEGHAN K. DAVIDSON
AS SHOWN IN PLOT BOOK 77, PAGE 334
TAX MAP 2-35-29.00 PARCEL 25.06
1.023± ACRES

LANDS N.O.F.
PRETTYMAN ROAD DEVELOPMENT, LLC
DEED BOOK 5476, PAGE 86
TAX MAP 2-35-29.00 PARCEL 25.00

Karins and Associates
ENGINEERS ● PLANNERS ● SURVEYORS
NEWARK, DE ● GEORGETOWN, DE
www.karinsengineering.com

17 POLLY DRUMMOND CENTER * SUITE 201
NEWARK, DELAWARE 19711
PHONE: (302) 369-2900

128 WEST MARKET STREET
GEORGETOWN, DELAWARE 19947
PHONE: (302) 856-6699

DATE: DECEMBER 23, 2021 | SCALE: 1" = 100' | DRAWN: RBK

CONCEPT SUBDIVISION SKETCH PLAN
PREPARED FOR
ROBERT M. DAVIDSON, III & MEGHAN K. DAVIDSON
PARCEL B, "BOUNDARY SURVEY PLAN-
LANDS OF WILLIAM H. AND IRMA PRETTYMAN"
PLOT BOOK 242, PAGE 36

SITUATE IN: BROADKILL HUNDRED, SUSSEX COUNTY, STATE OF DELAWARE

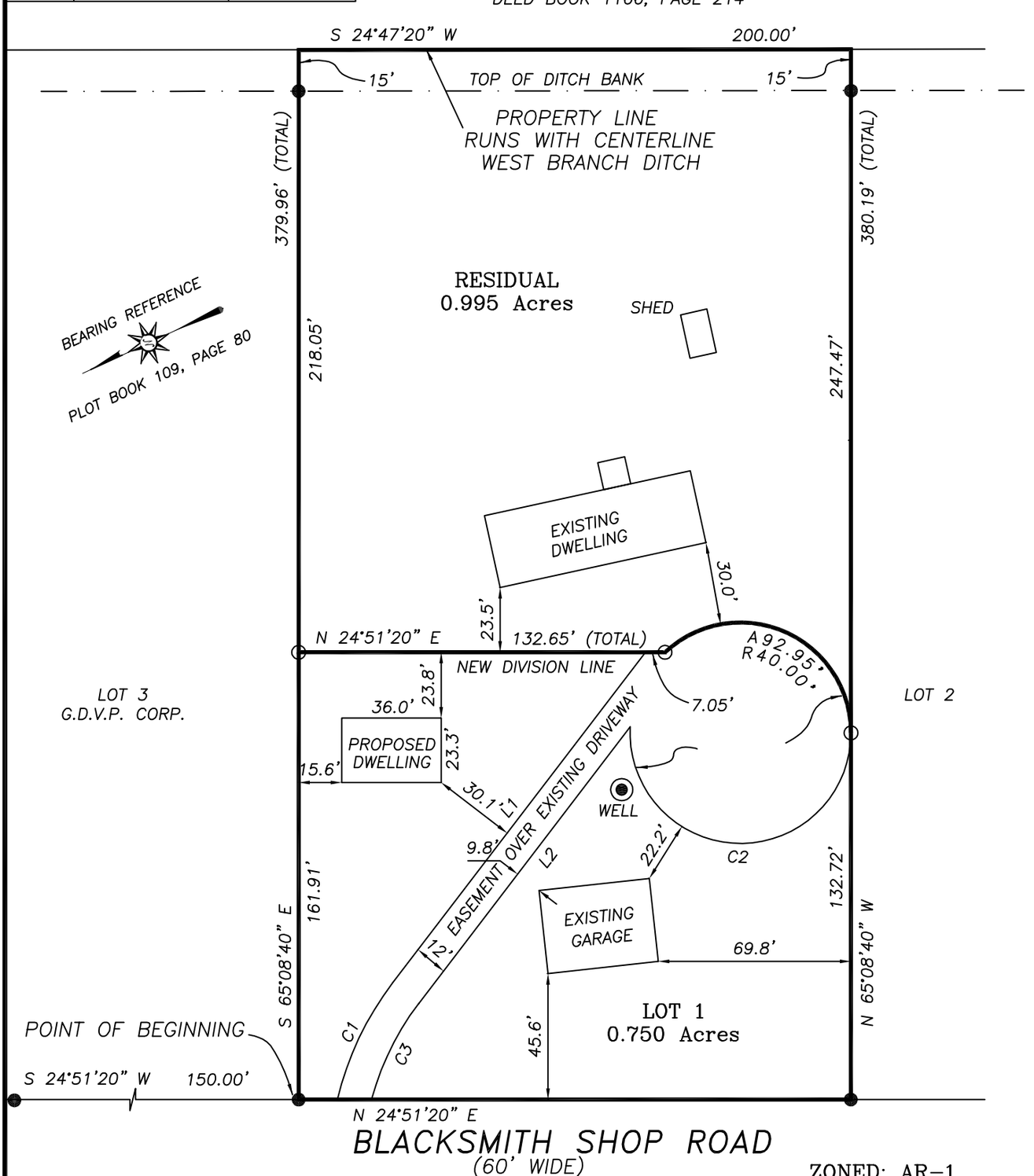
PLAN NO. G1757-B

TAX MAP NO. 4-30-3.00-65.00

COURSES, DISTANCES & CURVE DATA OF EASEMENT

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	112.00'	47.10'	46.76'	S 39°46'32" E	24°05'45"
C2	40.00'	127.88'	79.97'	N 26°25'19" E	183°10'16"
C3	100.00'	39.20'	38.95'	N 38°57'32" W	22°27'43"

LINE	BEARING	DISTANCE
L1	S 27°43'40" E	150.99'
L2	N 27°43'40" W	126.16'



BLACKSMITH SHOP ROAD
(60' WIDE)

ZONED: AR-1
CLASS "B", SUBURBAN SURVEY

SUBDIVISION SURVEY PLAN

PREPARED FOR

JAMES R. WORKMAN

FOR PROPERTY KNOWN AS
LOT 1, LANDS OF 1995 PROPERTY MANAGEMENT, INC.
PLOT BOOK 109, PAGE 80
A.K.A. 11021 BLACKSMITH SHOP ROAD
SITUATED IN NANTICOKE HUNDRED
SUSSEX COUNTY, STATE OF DELAWARE
TOTAL AREA: 1.745 ACRES+/-
SCALE: 1" = 50'
DATE: JANUARY 11, 2022

DOUGLAS J. ANNAND, PLS 622

LEGEND:

● FOUND IRON BAR

○

Prepared By
DOUGLAS J. ANNAND
PROFESSIONAL LAND SURVEYOR
10027 NORTH OLD STATE ROAD
LINCOLN, DELAWARE 19960
PHONE: (302) 448-0320
douglasannand7@gmail.com

PER DEED REF: 4993/151

JAMES E. SR. & SALLIE L. WHARTON
DEED REF: 2807/7
TAX MAP: 232-15.00
PARCEL: 13.00
AR-1 (AGRICULTURAL RESIDENTIAL)
GR (GENERAL RESIDENTIAL)

EXISTING DRIVEWAY ENTRANCE (TYP.)

GAIL A. STEVENSON
DEED REF: 2846/289
TAX MAP: 232-15.00
PARCEL: 14.00
AR-1 (AGRICULTURAL RESIDENTIAL)
GR (GENERAL RESIDENTIAL)

PROPOSED SEWAGE RESERVE AREA

ORLANDO C. JR. & TRUDY H. KING
DEED REF: 1844/93
TAX MAP: 232-15.00
PARCEL: 15.00
GR (GENERAL RESIDENTIAL)

EAST TRAP POND ROAD
MAINTENANCE ROAD 62
LOCAL ROAD

MADELINE E. HUDSON
TAX MAP: 232-15.00
PARCEL: 17.00
GR (GENERAL RESIDENTIAL)

ORLANDO C. JR. & TRUDY H. KING
TAX MAP: 232-15.00
PARCEL: 18.00
GR (GENERAL RESIDENTIAL)

PENNY LORRAINE NEAL WEST
TAX MAP: 232-15.00
PARCEL: 20.00
GR (GENERAL RESIDENTIAL)

ROBERT H. & ESTHER H. YOUNG
DEED REF: 1932/254
TAX MAP: 232-15.00
PARCEL: 38.02
GR (GENERAL RESIDENTIAL)

LORRI BRUSCA
& KENNETH D. AMEY
DEED REF: 4171/326
TAX MAP: 232-15.00
PARCEL: 21.00
AR-1 (AGRICULTURAL RESIDENTIAL)
GR (GENERAL RESIDENTIAL)

GARY L. & ANDREA L. OSTEN
TAX MAP: 232-15.00
PARCEL: 38.01
GR (GENERAL RESIDENTIAL)

CHRISTOPHER M. & MARCY RENEE WALLS
DEED REF: 4930/140
TAX MAP: 232-15.00
PARCEL: 40.00
GR (GENERAL RESIDENTIAL)

RALPH S. SINCLAIR
DEED REF: 3895/258
TAX MAP: 232-15.00
PARCEL: 37.02
GR (GENERAL RESIDENTIAL)

CHRISTOPHER M. & MARCY RENEE WALLS
DEED REF: 4930/140
TAX MAP: 232-15.00
PARCEL: 40.00
GR (GENERAL RESIDENTIAL)

N 208933.6510
E 643815.8880

N88°56'32"E — 1138.70 (TOTAL)

561.16'

10' BSL

433.00'

N 208944.0102
E 644376.9529

N 208952.0036
E 644809.8791

144.54'

N 208954.6718
E 644954.3938

N61°21'53"E
321.45'

N 209115.1216
E 645230.5364

LOT 1
176,459.64 ± SQ.FT.
4.05 ± ACRES

PARCEL 39
483,178.26 SQ.FT.
11.09 ACRES

LOT 2
145,890.80 ± SQ.FT.
3.35 ± ACRES

LOT 3
160,827.82 ± SQ.FT.
3.69 ± ACRES

S1°03'17"E
298.82'

S1°03'17"E
348.89'

249.85'

324.96' (TOTAL)

N1°03'17"W
30' BSL

469.30'

S3°58'57"E

10' BSL

N24°42'18"W
359.97' (TOTAL)
347.25'

16' BSL

EXISTING DRIVEWAY ENTRANCE

N85°46'43"E — 817.30 (TOTAL)

433.71'

20' BUILDING SETBACK LINE (BSL)

383.59'

30' BSL

N85°46'43"E
50.08'

N1°03'17"W
25.04'

75.11'

50.02'

N 208595.1723
E 644383.3758

PROPOSED 75' CROSS ACCESS EASEMENT

433.60'

N 208627.0952
E 644815.8614

453.11'

10' BSL

N 208660.4494
E 645267.7391

414.23'

S85°46'43"W — 1301.00 (TOTAL)

N 208564.6798
E 643976.2688

57.77'

SITE

VICINITY MAP
SCALE: 1" = 2000'

LEGEND

- ◉ = IRON PIPE W/ CAP SET
- ⊡ = CONCRETE MONUMENT FOUND
- = UTILITY POLE
- = PROPERTY LINE
- = ADJOINING PROPERTY LINE
- = PROPERTY LINE TO BE ADDED PER THIS PLAT
- = EDGE OF PAVEMENT
- = CENTER LINE OF ROAD
- = BUILDING SETBACK LINE
- = PROPOSED 50' CROSSED ACCESS EASEMENT
- = PROPOSED SEWAGE RESERVE AREA

NOTES

1. LOT 1, LOT 2, & LOT 3 SHALL HAVE ACCESS TO SCR62 VIA THE 75-FOOT WIDE INGRESS/EGRESS EASEMENT.
2. THE BOUNDARY INFORMATION SHOWN HEREON WAS DERIVED FROM THE LAND RECORDS OF SUSSEX COUNTY, DELAWARE AND WAS SUPPORTED BY BOUNDARY MONUMENTS LOCATED/FOUND DURING OUR FIELD RUN SURVEY.
3. THE GR (GENERAL RESIDENTIAL) ZONING SHOWN HEREON WAS DERIVED FROM SUSSEX COUNTY DE MAPPING.
4. THIS SUBDIVISION WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO ANY ENCUMBRANCES, RESTRICTIONS, EASEMENTS AND/OR RIGHTS-OF-WAY THAT MIGHT BE REVEALED BY A THOROUGH TITLE SEARCH.
5. ALL ENTRANCES SHALL CONFORM TO DELDOTS DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL.
6. NO BUILDING, STRUCTURE OR OTHER PERMANENT OBSTRUCTION SHALL BE PLACED ON ANY EASEMENT.
7. THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MARKERS TO PROVIDE A PERMANENT REFERENCE FOR RE-ESTABLISHING THE RIGHT-OF-WAY AND PROPERTY CORNERS ON LOCAL AND HIGHER ORDER FRONTAGE ROADS. RIGHT-OF-WAY MARKERS SHALL BE SET AND/OR PLACED ALONG THE FRONTAGE ROAD RIGHT-OF-WAY AT PROPERTY CORNERS AND AT EACH CHANGE IN RIGHT-OF-WAY ALIGNMENT IN ACCORDANCE WITH SECTION 3.4.2.1.E.
8. SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT OF DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE OF THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNERS LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
9. PRIVATE MAINTENANCE - PRIVATE STREETS WITHIN THIS SUBDIVISION SHALL BE MAINTAINED BY THE DEVELOPER, THE PROPERTY OWNERS WITHIN THIS SUBDIVISION OR BOTH (TITLE 17, SECTION 131). DELDOT ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THESE STREETS.
10. ENTRANCES TO PRIVATE STREETS SERVING MULTIPLE RESIDENTIAL LOTS SHOULD BE PAVED, FROM THE EDGE OF THE TRAVEL LANE TO THE ROW LINE (AT A MINIMUM), WITH A DRIVEWAY/THROAT WIDTH OF 16 TO 24 FEET. REFER TO DELDOT DCM SECTION 3.3.3.
11. A PERPETUAL CROSS ACCESS INGRESS/EGRESS EASEMENT IS HEREBY ESTABLISHED AS SHOWN ON THIS PLAT.

SITE DATA

1. THE PROPERTY SHOWN HEREON IS OWNED BY:
   PARCEL 39
   PAM PRICE & ASSOCIATES INC.
   302-846-0200
   MAILING ADDRESS: 34590 SUSSEX HIGHWAY LAUREL, DE 19956
   PREMISESS ADDRESS: EAST TRAP POND ROAD, PARCEL 39.00 LAUREL, DE 19956
2. DEED REF: 5444/314
3. TOTAL AREA OF PARCEL 39.00 = 483,235.96 ± SQ.FT. / 11.09 ± ACRES
4. TOTAL NUMBER OF PROPOSED LOTS = 3
5. TOTAL AREA OF PROPOSED LOT 1 = 176,459.64 ± SQ.FT. / 4.05 ± ACRES
   TOTAL AREA OF PROPOSED LOT 2 = 145,890.80 ± SQ.FT. / 3.35 ± ACRES
   TOTAL AREA OF PROPOSED LOT 3 = 160,827.82 ± SQ.FT. / 3.69 ± ACRES
6. THIS PROPERTY IS SHOWN ON F.I.R.M. COMMUNITY PANEL #10050C0450L, PANEL 450 OF 660, EFFECTIVE 06/20/2018, AS BEING IN FLOOD ZONE "X," AREA OF MINIMAL FLOODING.
7. THE PRESENT ZONING OF THE PROPERTY IS GR (GENERAL RESIDENTIAL) (SUSSEX).
8. SETBACKS:
   FRONT: 30'
   FRONT (CORNER LOT) : 15'
   SIDE: 10'
   REAR: 10'

FIRE MARSHAL NOTE

ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONC SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS.

DATA BLOCK

1. GROSS AREA OF PROPERTY = 483,178.26 SQ.FT. / 11.09 ± ACRES
2. ZONING = GR (GENERAL RESIDENTIAL)
3. PRESENT USE = RESIDENTIAL
4. PROPOSED USE = RESIDENTIAL
5. SEWER PROVIDER = PRIVATE SEPTIC
6. WATER PROVIDER = PRIVATE WELL
7. TAX PARCEL NUMBER = 232-15.00-39.00
8. TOTAL NUMBER OF EXISTING PARCELS = 1
9. TOTAL NUMBER OF PROPOSED LOTS = 3
10. EAST TRAP POND ROAD POSTED SPEED LIMIT = 50MPH

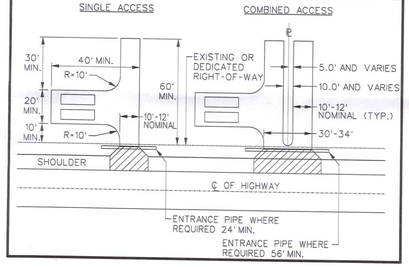
SUSSEX COUNTY NOTES

1. THE ENTRANCE MUST BE CONSTRUCTED UNDER A VALID PERMIT FROM THE DEPARTMENT OF TRANSPORTATION AND COMPLETED TO ALL REQUIRED STANDARDS.
2. THE ACCESS EASEMENT MUST BE CLEARED AND DRIVEWAY MATERIAL INSTALLED; PHOTOS MUST BE TAKEN OF BOTH ENTRANCE AND ACCESS EASEMENT.

0 80 120 160
GRAPHIC SCALE
1 inch = 80 feet

DelDOT
NO OBJECTION TO RECORDATION
November 30, 2021
DATE

Figure 7.2.3.3-a Residential Access Design Requirements



I, PAM PRICE, HEREBY CERTIFY TO THE OWNERSHIP OF THE PROPERTIES DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION, AND THAT I ACKNOWLEDGE THE SAME TO BE MY ACT AND I DESIRE THE PLAN TO BE RECORDED ACCORDING TO LAW.

PAM PRICE & ASSOCIATES, INC. OWNER OF PARCEL 39.00
C/O PAM PRICE

11/22/21
DATE

BROCK E. PARKER
No. 13137
DELAWARE
PROFESSIONAL ENGINEER

PROFESSIONAL CERTIFICATION. I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF DELAWARE
LICENSE NUMBER #56-0000767, RENEWAL DATE JUNE 30, 2021

BROCK E. PARKER
REGISTERED PROFESSIONAL LAND SURVEYOR
LIC. #56-0000767 RENEWAL DATE 06/30/21
528 RIVERSIDE DRIVE
SALISBURY, MD 21804

11/08/2021

DATE

REVISIONS	
DATE	INIT.
11/8/2021	RLPR
12/07/2021	RLPR

MINOR SUBDIVISION PLAT
EAST TRAP POND ROAD, ROUTE 62
AS SHOWN ON "SURVEY FOR WALTER R. TODD"
ABBY F. ATKINS & SEAN M. WILKERSON

LOCATION: BROAD CREEK HUNDRED ELECTION DISTRICT, SUSSEX COUNTY, DELAWARE

SCALE: 1" = 80'	DATE: 10/21/2021	TAX MAP: 232-15.00	
JOB NO.: S2380	DRAWN BY: RLPR	PARCEL: 39.00	
DWG: S2380-SUBDIVISION			

SURVEYING FORESTRY
PARKER & ASSOCIATES
ESTABLISHED 1977
SALISBURY, MARYLAND 410-749-1023
CIVIL ENGINEERING INC. SITE PLANNING

Dec 09, 2021-12:25pm

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: 2021-04-209022-MIS-01
Status: Approved as Submitted

Tax Parcel Number: 232-15.00-39.00
Date: 12/08/2021

Project

East Trap Pond Minor Subdivision
, Unit #: 3 Lots
Pam Price & Associates Inc Property

East Trap Pond Road
Laurel DE 19956

Scope of Project

Number of Stories:
Square Footage:
Construction Class:
Fire District: 81 - Laurel Fire Dept

Occupant Load Inside:
Occupancy Code: 9601

Applicant

Will Kernodle
528 Riverside Drive
Salisbury, MD 21801

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

RECEIVED
DEC 10 2021
SUSSEX COUNTY
PLANNING & ZONING

RECEIVED
DEC 13 2021
SUSSEX COUNTY
PLANNING & ZONING

FIRE PROTECTION PLAN REVIEW COMMENTS

Plan Review Number: 2021-04-209022-MIS-01 **Tax Parcel Number:** 232-15.00-39.00
Status: Approved as Submitted **Date:** 12/08/2021

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 orrevisions to the plans occur, plans are required to be submitted, reviewed, and approved.

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

NICOLE MAJESKI
SECRETARY

November 30, 2021

Mr. Jamie Whitehouse, Director
Sussex County Planning & Zoning Commission
Sussex County Administration Building
P.O. Box 417
Georgetown, Delaware 19947

SUBJECT: **Minor Subdivision - Letter of No Objection to Recordation**
EAST TRAP POND ROAD MINOR SUBDIVISION
Tax Parcel # 232-15.00-39.00
SCR00062-TRAP POND ROAD
Broad Creek Hundred, Sussex County

Dear Mr. Whitehouse:

The Department of Transportation has reviewed the Minor Subdivision Plan dated October 21, 2021 (last revised November 8, 2021), for the above referenced site, and has no objection to its recordation as shown on the enclosed drawing. This "No Objection to Recordation" approval shall be valid for a period of **five (5) years**. If the Minor Subdivision Plan is not recorded and/or an entrance permit is not issued for the lot(s) prior to the expiration of the "No Objection to Recordation", then the plan must be updated to meet current requirements and resubmitted for review and approval.

Entrances(s) must be installed prior to the sale of the lot(s). All entrances shall conform to DelDOT's Development Coordination Manual and shall be subject to its approval. **This letter does not authorize the commencement of entrance construction.**

This "No Objection to Recordation" letter is not a DelDOT endorsement of the project discussed above. Rather, it is a recitation of the transportation improvements, which the applicant may be required to make as a pre-condition to recordation steps and deed restrictions as required by the respective county/municipality in which the project is located. If transportation investments are necessary, they are based on an analysis of the proposed project, its location, and its estimated impact on traffic movements and densities. The required improvements conform to DelDOT's published rules, regulations and standards. Ultimate responsibility for the approval of any project rests with the local government in which the land use decisions are authorized. There may be other

reasons (environmental, historic, neighborhood composition, etc.) which compel that jurisdiction to modify or reject this proposed plan even though DelDOT has established that these enumerated transportation improvements are acceptable.

The owner shall be responsible to submit a copy of the **recorded Minor Subdivision Plan** showing all appropriate signatures, seals, plot book and page number to the South District Public Works office (302) 853-1341 in order to obtain the entrance permit(s) for the proposed minor subdivision.

Sincerely,

Richard S. McCabe

R. Stephen McCabe
Sussex County Review Coordinator
Development Coordination

cc: Wilbur Kernodle, Parker and Associates, Inc.
Sussex County Planning & Zoning
Jessica L. Watson, Sussex Conservation District
Matt Schlitter, South District Public Works Engineer
James Argo, South District Project Reviewer
William Kirsch, South District Entrance Permit Supervisor
Shannon Anderson, South District Public Work Admin Specialist
Wendy L. Polasko, P.E., Subdivision Engineer
John Andrescavage, Sussex County Reviewer

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

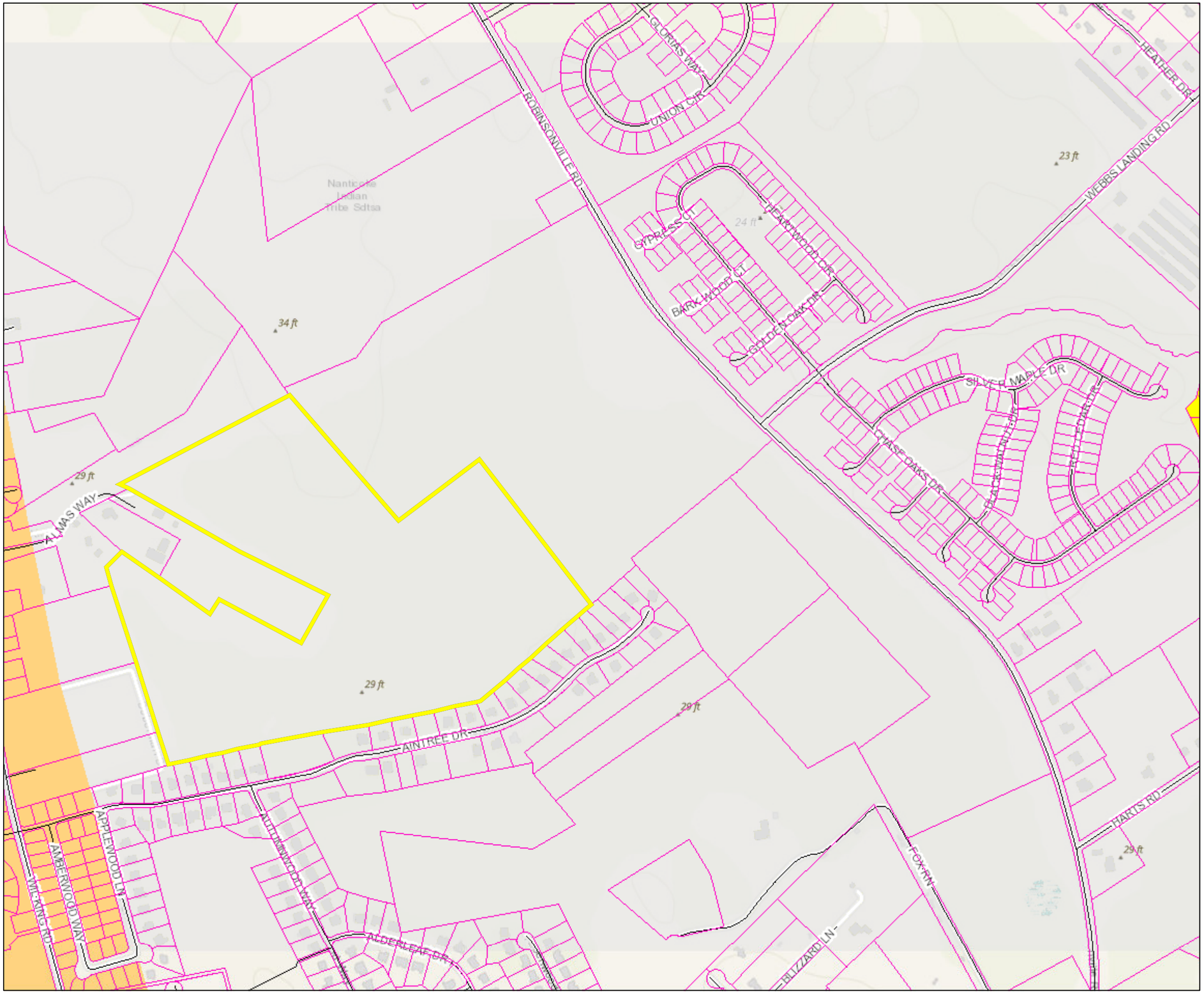
Sussex County
DELAWARE
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, AICP, MRTPI
DIRECTOR

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: January 13th, 2022

Application:	Coral Lakes (2021-26)
Applicant:	Schell Brothers, LLC 20184 Phillips Street Rehoboth Beach, DE 19971
Owner:	John and Linda Novosel (Parcel 84.00) 30363 Hollymount Road Harbeson, DE 19951 The Adkins Co. P.O. Box 156 Berlin, MD 21811
Site Location:	The property is on the southwest side of Robinsonville Road (S.C.R. 277), approximately 0.65 miles south of Kendale Road (S.C.R. 287)
Current Zoning:	Agricultural Residential (AR-1) Zoning District
Proposed Use:	315 single family lots as a cluster subdivision
Comprehensive Land Use Plan Reference:	Coastal Area
Councilmanic District:	Mr. Schaeffer
School District:	Cape Henlopen School District
Fire District:	Lewes Fire Company
Sewer:	Sussex County Engineering Department – To be annexed
Water:	Tidewater Utilities
TID:	Henlopen TID – DelDOT will require a TIS

Site Area:	Parcel 67.00 – Approximately 82.87 acres +/- Parcel 84.00 – Approximately 62.88 acres +/-
Tax Map ID:	234-6.00-67.00 234-6.00-84.00

Sussex County



PIN:	234-6.00-67.00
Owner Name	ADKINS THE CO
Book	0
Mailing Address	PO BOX 156
City	BERLIN
State	MD
Description	RD ANGOLA TO
Description 2	FIVE POINTS
Description 3	82.87 ACRES S
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

Streets

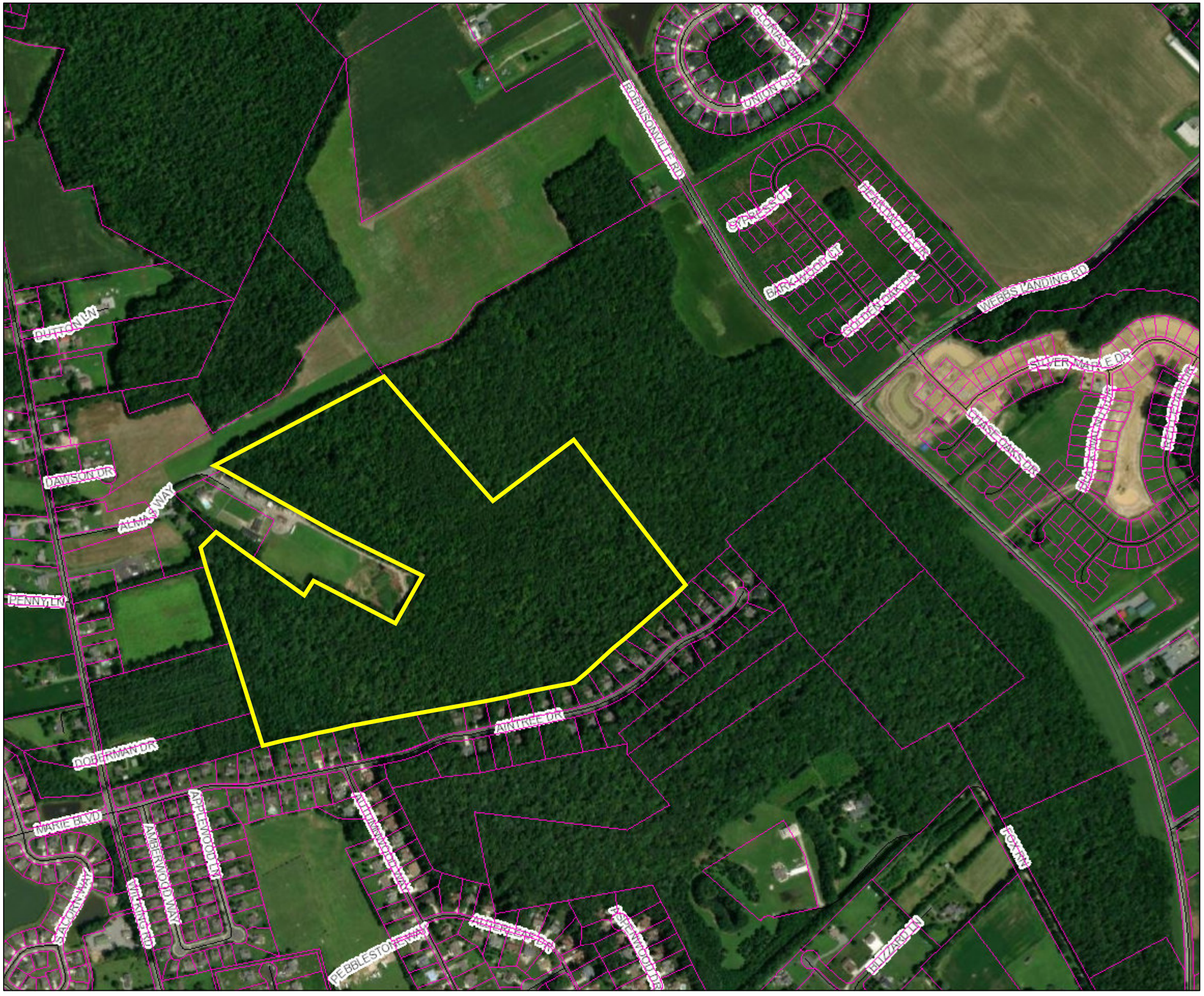
1:9,028

0 0.1 0.2 0.4 mi

0 0.175 0.35 0.7 km

January 20, 2022

Sussex County



PIN:	234-6.00-67.00
Owner Name	ADKINS THE CO
Book	0
Mailing Address	PO BOX 156
City	BERLIN
State	MD
Description	RD ANGOLA TO
Description 2	FIVE POINTS
Description 3	82.87 ACRES S
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

Streets

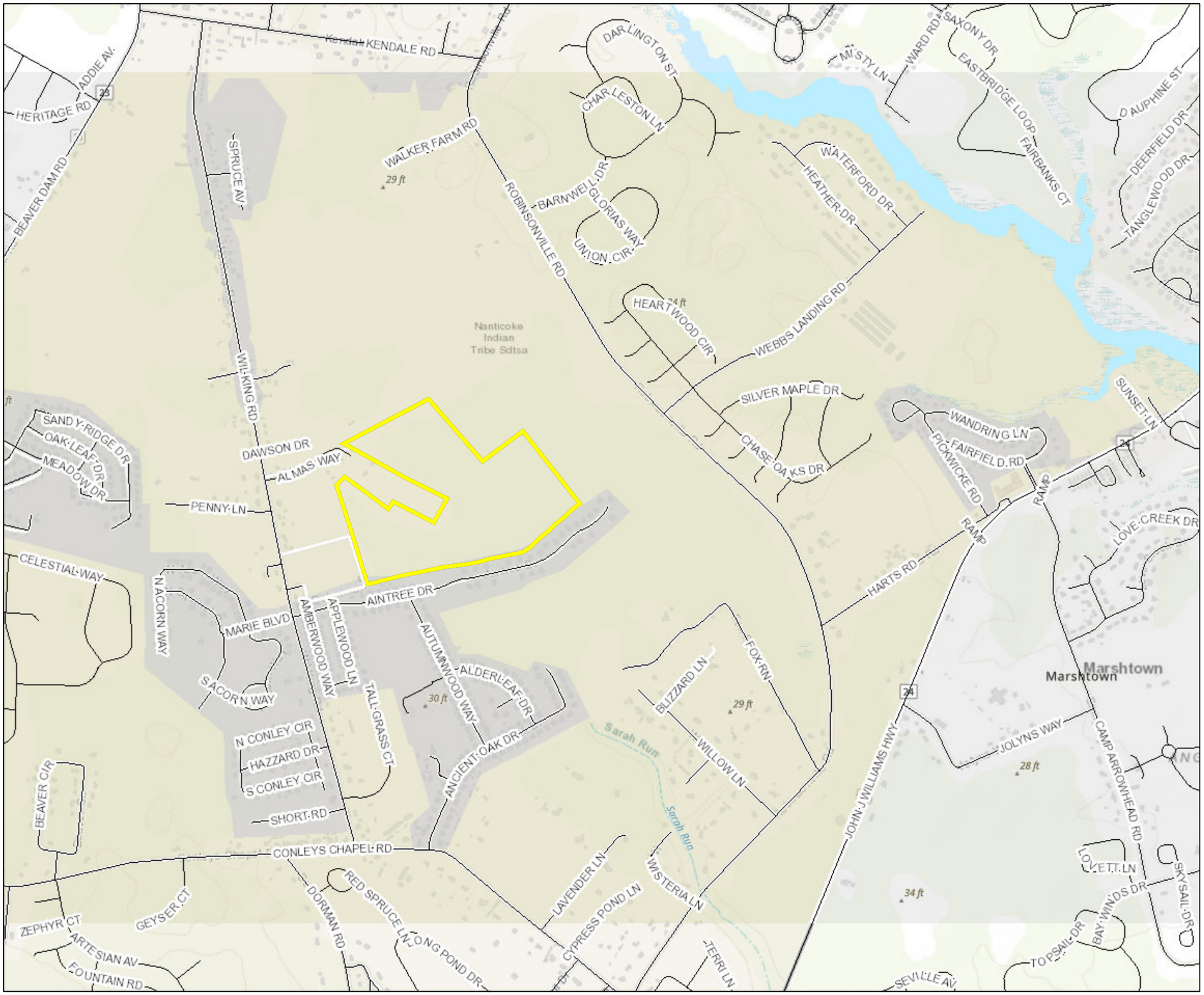
January 20, 2022

1:9,028

0 0.1 0.2 0.4 mi

0 0.175 0.35 0.7 km

Sussex County



PIN:	234-6.00-67.00
Owner Name	ADKINS THE CO
Book	0
Mailing Address	PO BOX 156
City	BERLIN
State	MD
Description	RD ANGOLA TO
Description 2	FIVE POINTS
Description 3	82.87 ACRES S
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

Streets

County Boundaries

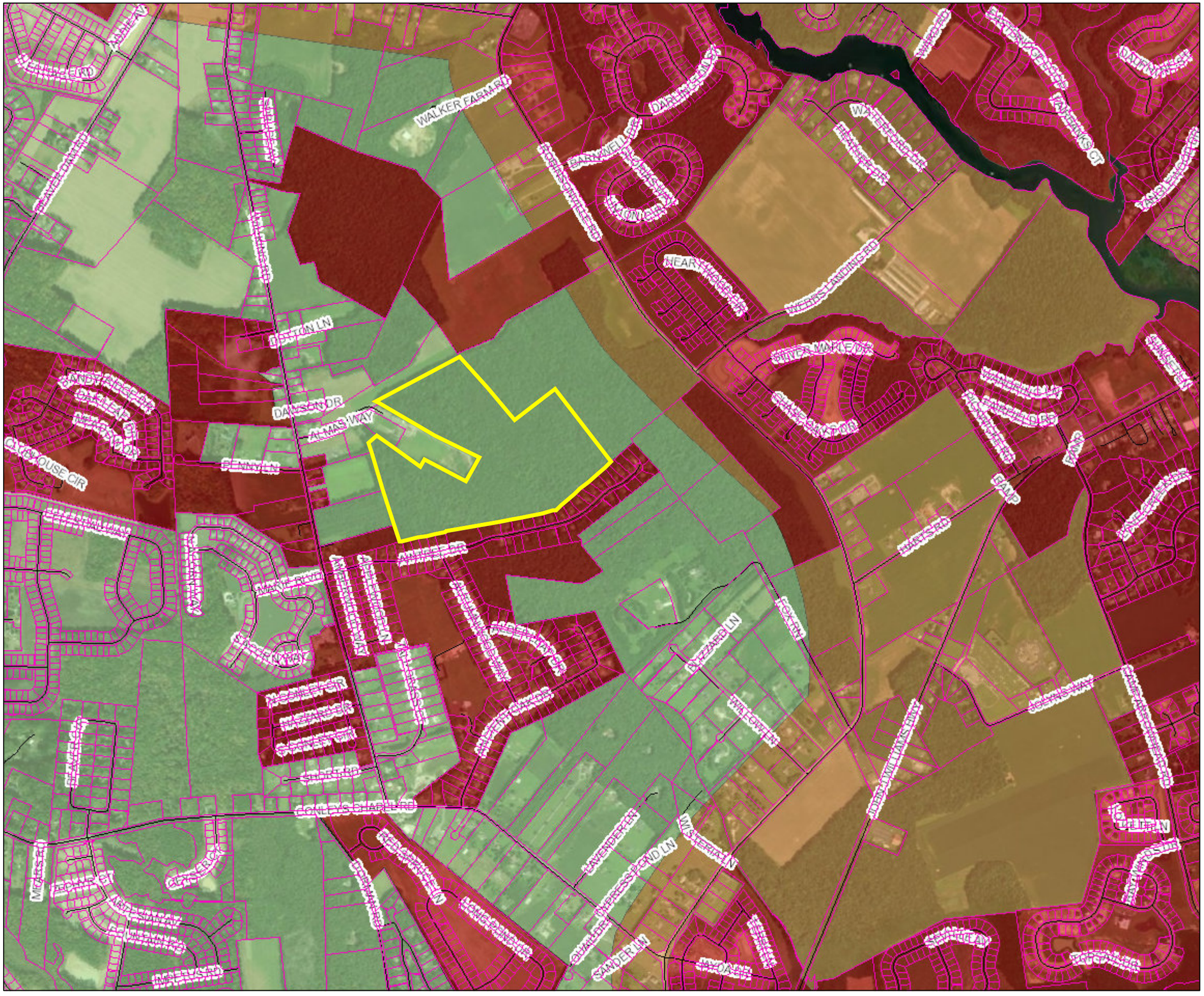
1:18,056

0 0.225 0.45 0.9 mi

0 0.35 0.7 1.4 km

January 20, 2022

Sussex County



PIN:	234-6.00-67.00
Owner Name	ADKINS THE CO
Book	0
Mailing Address	PO BOX 156
City	BERLIN
State	MD
Description	RD ANGOLA TO
Description 2	FIVE POINTS
Description 3	82.87 ACRES S
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

Streets

Sewer Tiers

Tier 1 - Sussex County Unified Sanitary Sewer District

Tier 2 - Sussex County Planning Area

Tier 3 - Coordinated CPCN Areas

Tier 4 - System Optional Areas

Tier 5 - Regulated On-site Area

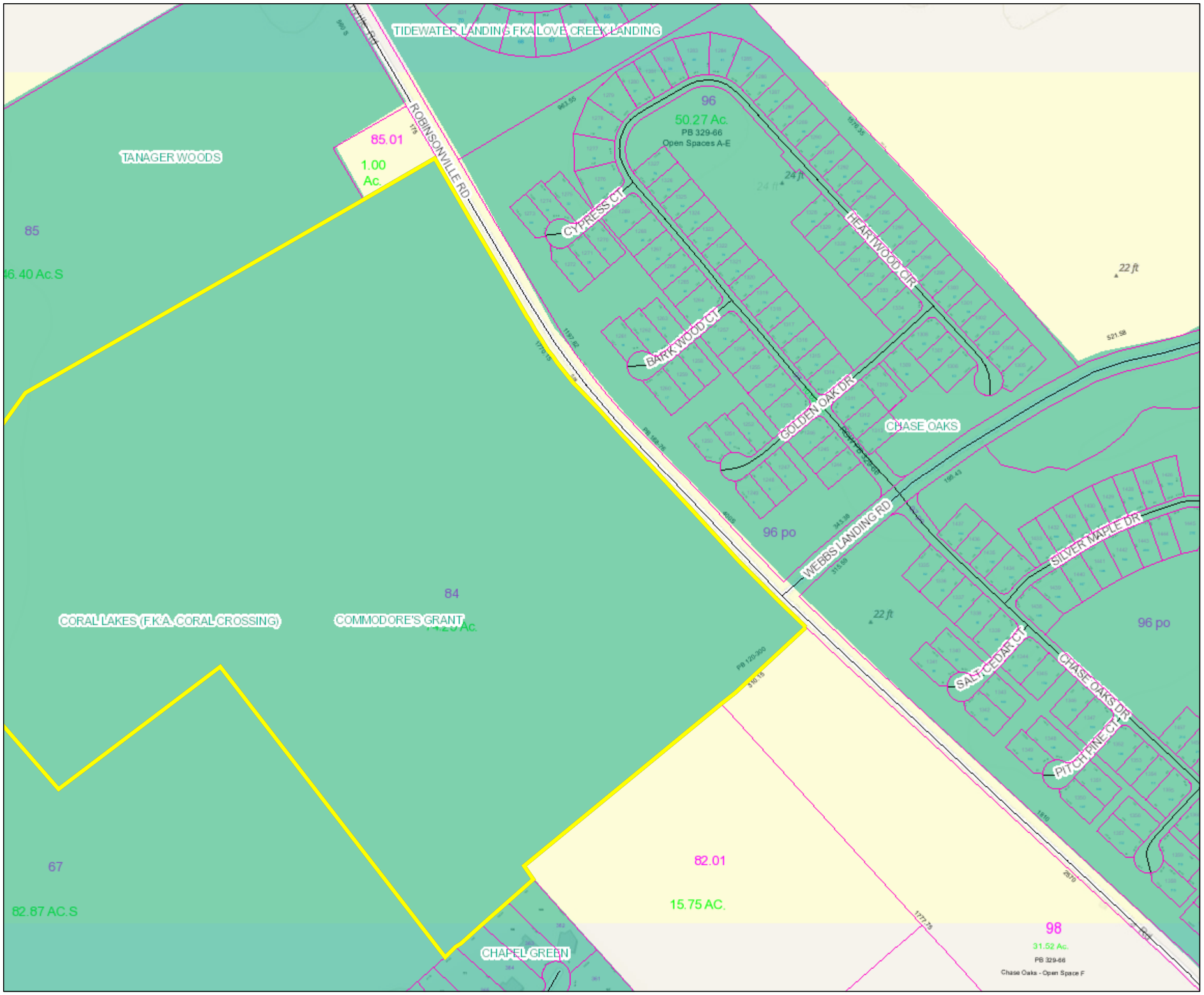
1:18,056

0 0.225 0.45 0.9 mi

0 0.35 0.7 1.4 km

January 20, 2022

Sussex County



PIN:	234-6.00-84.00
Owner Name	NOVOSEL JOHN M
Book	3586
Mailing Address	30363 HOLLYMOUNT RD
City	HARBESON
State	DE
Description	SW/RT 277
Description 2	SW/RT 277B
Description 3	
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

Streets

County Boundaries

Subdivisions

1:4,514

0 0.05 0.1 0.2 mi

0 0.075 0.15 0.3 km

January 20, 2022

File #: 2021-06
Pre-App Date: _____

Sussex County Major Subdivision 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)
Standard: ___
Cluster: ✓
Coastal Area: ✓

Location of Subdivision:
Robinsonville Road across from intersection with Webbs Landing Road

Proposed Name of Subdivision:
Coral Lakes

Tax Map #: 234-6.00-67.00 & 84. Total Acreage: 152.32

Zoning: AR-1 **Density:** 2.07 **Minimum Lot Size:** 7,500 **Number of Lots:** 315

Open Space Acres: 75.5 (50%)

Water Provider: Tidewater Utilities **Sewer Provider:** Sussex County

Applicant Information

Applicant Name: Schell Bothers, LLC
Applicant Address: 20184 Phillips Street
City: Rehoboth Beach State: DE ZipCode: 19971
Phone #: (302) 542-8349 E-mail: tgreen@schellbrothers.com

Owner Information

Owner Name: see attached John & Linda Novosel (see attached for other owner)
Owner Address: 30363 Hollymount Rd
City: Harbeson State: DE Zip Code: 19951
Phone #: _____ E-mail: _____

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Steve Marsh
Agent/Attorney/Engineer Address: 206 West Main Street
City: Salisbury State: MD Zip Code: 21801
Phone #: (410) 742-3115 E-mail: smarsh@gmbnet.com

EQUAL HOUSING OPPORTUNITY

Check List for Sussex County Major Subdivision Applications

The following shall be submitted with the application

✓ **Completed Application**

✓ **Provide ten (10) copies of the Site Plan or Survey of the property and a PDF (via e-mail)**

- Plan shall show the existing conditions, setbacks, roads, floodplain, wetlands, topography, proposed lots, landscape plan, etc. **Per Subdivision Code 99-22, 99-23 & 99-24**
- Provide compliance with Section 99-9.
- Deed or Legal description, copy of proposed deed restrictions, soil feasibility study

✓ **Provide Fee $500.00**

___ **Optional - Additional information for the Commission to consider** (ex. photos, exhibit books, etc.) If provided submit seven (7) 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.**

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

☑ **Environmental Assessment & Public Facility Evaluation Report** (if within Coastal Area)

___ **51% of property owners consent if applicable**

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 by behalf shall attend all public hearing before the Planning and Zoning Commission 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: 11/25/2020

Signature of Owner

Date: 11/25/2020

For office use only:

Date Submitted: 11/25/20

Staff accepting application: KBD

Fee: $500.00 Check #: _____

Application & Case #: _____

Location of property: _____

Date of PC Hearing: _____

Recommendation of PC Commission: _____

Coral Crossing – AR -1 Cluster Subdivision

Supplemental Subdivision Application Data

Property Owner Information

TM# 2-34-6.00-67.00

Owner: The Adkins Company
Address: P. O. Box 156
Berlin, MD 21811

TM# 2-34-6.00-84.00

Owner: John and Linda Novosel
Address: 30362 Hollymount Road
Harbeson, DE 19951

Sussex County, Delaware
Technical Advisory Committee

Comment Sheet

****

DATE OF REVIEW: January 6, 2021

REVIEWING AGENCY: **Delaware State Fire Marshal's Office, Sussex Office**

INDIVIDUAL REVIEWERS: **Duane T. Fox, CFPS, CFPE, CFI, Asst. Chief Technical Services**
Dennett E. Pridgeon, CFPS, CFPE, CFI, Sr. Fire Protection Specialist
Jefferson L. Cerri, CFI, Sr. Fire Protection Specialist
Desiree B. McCall, CFI, Sr. Fire Protection Specialist

AGENCY PHONE NUMBERS: **302-856-5298, Fax: 302-856-5800**

RE: CORAL CROSSING (2021-06)

The reasons and conditions applied to this project and their sources are itemized below:

****

At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulation (DSFPR):

a. **Fire Protection Water Requirements**:
   - Water distribution system capable of delivering at least 1000 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers. (Assembly)
   - Where a water distribution system is proposed for single-family dwellings it shall be capable of delivering at least 500 gpm for 1-hour duration, at 20-psi residual pressure. Fire hydrants with 1000 feet spacing on centers are required. (One & Two- Family Dwelling)
   - Where a water distribution system is proposed for the site, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

b. **Fire Protection Features:**
   - All structures over 10,000 sqft aggregate will require automatic sprinkler protection installed.
   - Buildings greater than 10,000 sqft, 3-stories or more, over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements.
   - Show Fire Department Connection location (Must be within 300 feet of fire hydrant), and detail as shown in the DSFPR.
   - Show Fire Lanes and Sign Detail as shown in DSFPR

c. **Accessibility**
   - All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from Robinsonville Road must be constructed so fire department apparatus may negotiate it.
   - Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
   - Any dead end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
   - The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
   - The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

d. **Gas Piping and System Information:**
   - Provide type of fuel proposed, and show locations of bulk containers on plan.

e. **Required Notes**:
   - Provide a note on the final plans submitted for review to read " All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations"
   - Proposed Use
   - Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
   - Square footage of each structure (Total of all Floors)
   - National Fire Protection Association (NFPA) Construction Type
   - Maximum Height of Buildings (including number of stories)
   - Note indicating if building is to be sprinklered
   - Name of Water Provider
   - Letter from Water Provider approving the system layout
   - Provide Lock Box Note (as detailed in DSFPR) if Building is to be sprinklered
   - Provide Road Names, even for County Roads

Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: www.statefiremarshal.delaware.gov, technical services link, plan review, applications or brochures.

THIS DOCUMENT IS INFORMATIONAL ONLY, AND DOES NOT CONSTITUTE ANY TYPE OF APPROVAL FROM THE DELAWARE STATE FIRE MARSHAL'S OFFICE

2021-06

Nick Torrance

From: Dickerson, Troy <TDickerson@delaware.coop>
Sent: Thursday, January 7, 2021 3:37 PM
To: Planning and Zoning
Subject: RE: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station

Categories: Nick

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 Afternoon,

Everyone one of the subdivisions that were sent are within DEC's service territory. We have adequate facilities in the area to serve the proposed subdivisions.

Thanks!!!

Troy W. Dickerson, P.E.
Assistant V.P. of Engineering
Voice: (302) 349-3125
Cell: (302) 535-9048
Fax: (302) 349-5891
tdickerson@delaware.coop

DELAWARE ELECTRIC CO-OP
"We Keep the Lights On"

From: Nick Torrance
Sent: Thursday, December 31, 2020 1:07 PM
To: Beth Krumrine <beth.krumrine@delaware.gov>; Brad Hawkes <bhawkes@sussexcountyde.gov>; Chris Calio <ccalio@sussexcountyde.gov>; dholden@chpk.com; C. Daniel Parsons <dparsons@sussexcountyde.gov>; Duane.Fox@delaware.gov; eileen.butler@delaware.gov; James Sullivan <James.Sullivan@delaware.gov>; jennifer.cinelli@delaware.gov; jessica.watson@sussexconservation.org; jmartin@chpk.com; John J. Ashman <jashman@sussexcountyde.gov>; kgabbard@chpk.com; meghan.crystall@delaware.gov; michael.tholstrup@delaware.gov; Mike Brady <MBRADY@sussexcountyde.gov>; Milton.melendez@delaware.gov; mindy.Anthony@delaware.gov; subdivision@delaware.gov; Susan Isaacs <sisaacs@sussexcountyde.gov>; susanne.laws@delaware.gov; Dickerson, Troy <TDickerson@delaware.coop>; Terri Dukes <tdukes@sussexcountyde.gov>; tgiroux@chpk.com; Vince Robertson <vrobertson@pgslegal.com>
Subject: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station

All,

Sussex County Planning Office has received five (5) applications that requires TAC review. Attached is a memo regarding the application and a PDF of the plans submitted.

Please provide comments on or before March 5th, 2021.

Please feel free to contact me with any questions.

Thanks,

PLEASE NOTE: As a new shared email system has been put in place; if emailing your response, please send to the following email: PANDZ@SUSSEXCOUNTYDE.GOV

Nick Torrance
Planner I
Department of Planning and Zoning
(302) 855-7878
2 The Circle
P.O. Box 417
Georgetown, DE 19947

DELAWARE HEALTH AND SOCIAL SERVICES
Division of Public Health

Office of Engineering
Phone: (302) 741-8640
Fax: (302) 741-8641

January 14, 2021

Mr. Nick Torrance
Sussex County Planning & Zoning Commission
PO Box 417
Georgetown, DE 19947

Re: Sussex County Technical Advisory Committee

Dear Mr. Torrance:

The Division of Public Health Office of Engineering is in receipt of the following applications:

1. ***Applications:*** ***2021-06 – Coral Crossing***
2021-08– The Knoll
2021-09- Brookland Farm
2021-10- Graywood Springs
CZ 1937- Will King Station

These applications indicate central water will be supplied by Tidewater Utilities, Inc. *These projects require an Approval to Construct and an Approval to Operate from the Office of Engineering when constructing a new water system or altering an existing water system.* In order to obtain an Approval to Construct, plans and specifications must be prepared by a registered Delaware professional engineer. Plans for the system, including water mains or extensions thereto, storage facilities, treatment works, and all related appurtenances, must be approved by the Office of Engineering prior to construction. It is the owner's responsibility to ensure as-built drawings are maintained throughout all phases of construction.

Prior to receiving an Approval to Operate for these projects, the Office of Engineering requires one set of as-built drawings, including profile markups, for all plans approved for construction. Approvals to Operate will be issued after all applicable requirements are met.

Please do not hesitate to contact me at 302-741-8646 with questions or comments.

Sincerely,

William J. Milliken, Jr.
Engineer III
Office of Engineering

the developer to incorporate specific improvement design criteria into the plat as a condition to its approval.

29. When special studies or investigations pertain to a regulatory program of another public agency, the developer shall submit the results of these studies or investigations to said public agencies for technical review and approval. Approvals and/or written comments from these agencies shall be supplied to Sussex County by the developer.

UTILITY PLANNING DIVISION COMMENTS

REVIEWER:	**Chris Calio**
APPLICATION:	**2021-06 – Coral Crossing**
APPLICANT:	Double DB, LP
FILE NO:	NCPA-5.03
TAX MAP & PARCEL(S):	**234-6.00-67.00 & 84.00**
LOCATION:	**Located on the southwest side of Robinsonville Road (SCR 277) approximately 0.65 mile south of Kendale Road (SCR 346)**
NO. OF UNITS:	315
GROSS ACREAGE:	152.34

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 3

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

17. When on site individual septic tank systems are to be used and the lot topography is to be modified by cuts and fills it is required that the Design Engineer contact the Delaware Department of Natural Resources and Environmental Control, Division of Groundwater Water Discharge Section, 20653 DuPont Boulevard, Unit 5, Georgetown, DE 19947 phone number 302-856-4561 subject to mass grading operations for documented approval.

18. Provide the limits and elevations of the one hundred (100) year flood. This may require the design engineer to complete an analysis and provide a report including the depiction of the subject watershed(s), calculations and other technical data necessary to determine the limits and elevations base flood.

19. The pavement radius for all cul-de-sacs shall be no less than 38 feet in diameter or as otherwise required by the State Fire Marshall's office or the County Engineering Department.

20. False berms shall not be utilized to create roadside drainage swale back slopes.

21. For parking lots and drives, provide spot elevations at the edge of pavement, right-of-way or travel way centerline, at changes in grade, and high points and low points, to the nearest drainage facilities. Show the limits of the various surface materials and provide construction sections.

22. Provide and show the locations and details of all ADA compliant accessible walks and ramp features.

23. If the site has a cemetery located on it the Developer shall contact the Delaware State Historic Preservation Office and satisfy the requirements of that Office prior to beginning any construction activity. This area shall not be disturbed by this project. Adequate access to the site and buffers to protect the site, shall be provided.

24. Private rights-of-way adjacent to and abutting parcels not part of the project shall be located and designed to provide adequate buffer so that construction activities do not encroach onto adjacent properties.

25. Provide statements explaining how and when the developer proposes to provide and install the required water supply, sewers or other means of sewage disposal, street pavement, drainage structures and any other required improvements.

26. Provide statements concerning any proposed deed restrictions to be imposed by the owner.

27. Where special physical conditions exist, which may act as constraints on normal development or may preclude development, the developer may be required to submit special technical data, studies or investigations. This information must be prepared by individuals technically qualified to perform such work. Additional information may include but is not limited to the following: on-site sanitary sewage disposal feasibility, water supply surveys, such as test well drilling, storm water runoff computations and identification of areas subject to periodic flooding.

28. If special conditions are found to exist, the Engineering Department may elect to withhold approval of a construction plan until it is determined that it is technically feasible to overcome such conditions. The Engineering Department may then require

The plans shall show and address the following items at minimum:

7. The project requires professional land surveying services to accurately delineate, and show the following items but is not limited to the following: all property and right-of-way lines, established at a minimum, two (2) horizontal and vertical control concrete project benchmarks, survey monuments, easements, existing and proposed topographic contours at 1-foot vertical intervals and spot elevations as necessary to establish grades, the locations of all existing structures, highway and roadway pavements, shoulders, curbs, driveways, sidewalks, lighting structures, traffic control signs, and all public and private utilities, including, but not limited to, electric power and telephone lines, poles and boxes, underground electric, telephone, and communication lines, potable water lines, fire hydrants and valve boxes, gas lines, wells, sanitary sewers including septic systems, rim and invert elevations of manholes and cleanouts, and the rims and invert elevations and type of storm water structures, drainage ditches, ponds, streams and waterways, flood zones and flood zone boundaries and elevations, and State and Federal wetlands, trees, cemeteries and historic features, and the finished floor elevations of buildings.

8. Plans shall show the seal and signature of a registered Delaware land surveyor or registered Delaware professional engineer.

9. The plan requires a Certification Signature and/or a Certification Block for the Delaware Professional Engineer or Delaware Land Surveyor.

10. The plan requires a Certification Signature and/or a Certification Block for the Owner or Representative of the Owner.

11. The plan requires a Certification Signature and/or a Certification Block for the Professional Wetlands Delineator.

12. The name, address, phone number and contact person's name of the Owner of Record, the Developer and the Engineer or Surveyor preparing the plan.

13. Indicate the location of all wetlands (both state and federal), in order to facilitate compliance with County, State and Federal requirements.

14. Define the courses and distances of the property perimeter and the approximate acreage contained therein. Establish and set in the field two (2) CONCRETE MONUMENT project benchmarks, preferably at property perimeter corners, geo-referenced to the Delaware State Plane Coordinate system NAD 83 and show the location including the North and East coordinates of the marks on the plans.

15. Indicate the development construction phases proposed showing the boundaries of each phase. Phasing boundaries shall include buildings, residential units, amenities, roads, storm water management facilities, wastewater systems and all other improvements and utilities required to service each phase.

16. Show the layout, width and names of all streets, alleys, crosswalks and easements proposed to be dedicated for private or public use. Street names shall not duplicate nor closely resemble existing street names in the same hundred or postal district, except for extensions of existing streets.

ENGINEERING DEPARTMENT

ADMINISTRATION	(302) 855-7718
AIRPORT & INDUSTRIAL PARK	(302) 855-7774
ENVIRONMENTAL SERVICES	(302) 855-7730
PUBLIC WORKS	(302) 855-7703
RECORDS MANAGEMENT	(302) 854-5033
UTILITY ENGINEERING	(302) 855-7717
UTILITY PERMITS	(302) 855-7719
UTILITY PLANNING	(302) 855-1299
FAX	(302) 855-7799

Sussex County
DELAWARE
sussexcountyde.gov

HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

MICHAEL E. BRADY
DIRECTOR OF PUBLIC WORKS

January 8, 2021

REF: **T. A. C. COMMENTS**
CORAL CROSSING
SEWER TIER 3
SUSSEX COUNTY ENGINEERING DEPARTMENT
SUSSEX COUNTY TAX MAP NUMBER
234-6.00 PARCEL 67.00 & 84.00
PROJECT CLASS-1
AGREEMENT NO. 961-2

The following comments are the result of the Sussex County Engineering Department's review of the preliminary site plan for the above referenced project:

PUBLIC WORKS DIVISION COMMENTS

1. Proposed developments with private roads or projects required to meet or exceed the County street design requirements shall be regulated by and conform to Sussex County Code and the comments here listed.
   a. Private road needs to meet or exceed road pavement design as specified in Chapter 99-18 H.
   b. Recommend removing center island in front of residential lots for ease of access to lots.

2. This project is not located within the limits of a Ground Water Management Zone (GMZ). Projects located within a GMZ must be forwarded to the County Engineer for review and comment.

3. Project Construction Drawings shall show, in detail, the proposed improvements. The work required includes preparation and delivery of an AutoCAD 2012 digitized plan showing existing and proposed lines, grades, topography and features in a given area, which was utilized in preparing plans for construction. The individual sheet types will be in a separate design to show plan views on sheets separate from profile views. In addition, each sheet of the plans shall be submitted in a PDF format.

4. All work shall be geo-referenced to the Delaware State Grid System NAD-83 (HARN) and provided in an AutoCAD 2012 format. North will always be shown in an up direction on all plans.

5. Topographic contours at one-foot intervals shall be shown and referenced to United States Geological Survey Mean Sea Level Datum NAVD 1988 Datum.

6. The plans shall be provided on 24" x 36" drawing sheets at a scale of 1" = 50'.

7. The project requires professional land surveying services to accurately delineate, and show the following items but is not limited to the following: all property and right-of-way lines, established at a minimum, two (2) horizontal and vertical control concrete project benchmarks, survey monuments, easements, existing and proposed topographic contours at 1-foot vertical intervals and spot elevations as necessary to establish grades, the locations of all existing structures, highway and roadway pavements, shoulders, curbs, driveways, sidewalks, lighting structures, traffic control signs, and all public and private utilities, including, but not limited to, electric power and telephone lines, poles and boxes, underground electric, telephone, and communication lines, potable water lines, fire hydrants and valve boxes, gas lines, wells, sanitary sewers including septic systems, rim and invert elevations of manholes and cleanouts, and the rims and invert elevations and type of storm water structures, drainage ditches, ponds, streams and waterways, flood zones and flood zone boundaries and elevations, and State and Federal wetlands, trees, cemeteries and historic features, and the finished floor elevations of buildings.

8. Plans shall show the seal and signature of a registered Delaware land surveyor or registered Delaware professional engineer.

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12. The name, address, phone number and contact person's name of the Owner of Record, the Developer and the Engineer or Surveyor preparing the plan.

13. Indicate the location of all wetlands (both state and federal), in order to facilitate compliance with County, State and Federal requirements.

14. Define the courses and distances of the property perimeter and the approximate acreage contained therein. Establish and set in the field two (2) CONCRETE MONUMENT project benchmarks, preferably at property perimeter corners, geo-referenced to the Delaware State Plane Coordinate system NAD 83 and show the location including the North and East coordinates of the marks on the plans.

15. Indicate the development construction phases proposed showing the boundaries of each phase. Phasing boundaries shall include buildings, residential units, amenities, roads, storm water management facilities, wastewater systems and all other improvements and utilities required to service each phase.

16. Show the layout, width and names of all streets, alleys, crosswalks and easements proposed to be dedicated for private or public use. Street names shall not duplicate nor closely resemble existing street names in the same hundred or postal district, except for extensions of existing streets.

17. When on site individual septic tank systems are to be used and the lot topography is to be modified by cuts and fills it is required that the Design Engineer contact the

Delaware Department of Natural Resources and Environmental Control, Division of Groundwater Water Discharge Section, 20653 DuPont Boulevard, Unit 5, Georgetown, DE 19947 phone number 302-856-4561 subject to mass grading operations for documented approval.

18. Provide the limits and elevations of the one hundred (100) year flood. This may require the design engineer to complete an analysis and provide a report including the depiction of the subject watershed(s), calculations and other technical data necessary to determine the limits and elevations base flood.

19. The pavement radius for all cul-de-sacs shall be no less than 38 feet in diameter or as otherwise required by the State Fire Marshall's office or the County Engineering Department.

20. False berms shall not be utilized to create roadside drainage swale back slopes.

21. For parking lots and drives, provide spot elevations at the edge of pavement, right-of-way or travel way centerline, at changes in grade, and high points and low points, to the nearest drainage facilities. Show the limits of the various surface materials and provide construction sections.

22. Provide and show the locations and details of all ADA compliant accessible walks and ramp features.

23. If the site has a cemetery located on it the Developer shall contact the Delaware State Historic Preservation Office and satisfy the requirements of that Office prior to beginning any construction activity. This area shall not be disturbed by this project. Adequate access to the site and buffers to protect the site, shall be provided.

24. Private rights-of-way adjacent to and abutting parcels not part of the project shall be located and designed to provide adequate buffer so that construction activities do not encroach onto adjacent properties.

25. Provide statements explaining how and when the developer proposes to provide and install the required water supply, sewers or other means of sewage disposal, street pavement, drainage structures and any other required improvements.

26. Provide statements concerning any proposed deed restrictions to be imposed by the owner.

27. Where special physical conditions exist, which may act as constraints on normal development or may preclude development, the developer may be required to submit special technical data, studies or investigations. This information must be prepared by individuals technically qualified to perform such work. Additional information may include but is not limited to the following: on-site sanitary sewage disposal feasibility, water supply surveys, such as test well drilling, storm water runoff computations and identification of areas subject to periodic flooding.

28. If special conditions are found to exist, the Engineering Department may elect to withhold approval of a construction plan until it is determined that it is technically feasible to overcome such conditions. The Engineering Department may then require the developer to incorporate specific improvement design criteria into the plat as a condition to its approval.

USDA
United States Department of Agriculture

Natural Resources
Conservation Service

Georgetown
Service Center

21315 Berlin Road
Unit 3
Georgetown, DE
19947

Voice 302.856.3990
Fax 855.306.8272

February 15, 2021

Jamie Whitehouse, Director
Sussex County Planning & Zoning
Sussex County Courthouse
Georgetown, DE 19947

RE: Coral Crossing
315 single family lots

Dear Mr. Whitehouse:

Soils within the delineated area on the enclosed map are:

DoA	Downer sandy loam, 0 to 2 percent slopes
FgA	Fallsington loam, 0 to 2 percent slopes
HnA	Hammonton sandy loam, 0 to 2 percent slopes
PyA	Pineyneck loam, 0 to 2 percent slopes

Soil Interpretation Guide

Soil Limitation Class

Buildings

Map Symbol	Urbanizing Subclass	With Basement	Without Basement	Septic Filter Fields
DoA	G1	Not limited	Not limited	Not limited
FgA	R2	Very limited	Very limited	Very limited
HnA	Y2	Very limited	Somewhat limited	Very limited
PyA	Y2	Very limited	Somewhat limited	Very limited

Definition of soil limitation ratings classes:

Rating class terms indicate the extent to which the soils are limited by all of the soil features that affect building site development.

"Not limited" indicates that the soil has features that are very favorable for the specified use. Good performance and very low maintenance can be expected.

"Somewhat limited" indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design, or installation. Fair performance and moderate maintenance can be expected.

"Very limited" indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected.

G1:
These soils are on nearly level to strongly sloping (0-10% slopes), well drained, mostly permeable soils. As sites for large commercial, industrial, institutional, and residential developments, these soils have fewer limitations than any other soils in the state. Slopes are favorable, and grading can be done without difficulty. Foundation conditions are generally good. Grasses, trees, and do well. Principal soil limitations: No apparent soil limitations for conventional uses.

R2:
The soils in this classification are nearly or gently sloping, very poorly, poorly, and somewhat poorly drained. Seasonal high water tables, local ponding, and high potential frost action severely limit these soils for residential developments. The principal soil limitations are: 1) soil is highly susceptible to frost action, 2) excavations are likely to fill with water in late winter or early spring, 3) wet foundations or basements probable, and 4) hazard of temporary ponding of water in areas lacking outlets. Loose running sand commonly encountered in deep excavations.

Y2:
The soils in this classification are nearly level or gently sloping, moderately well drained or well drained with ground water between four to six feet from the surface, and are subject to seasonal high water tables. Seasonal wetness and seepage around foundations moderately limits these soils for residential use. The principal soil limitations are: 1) lateral seepage in subsoil causes concentration of water around foundations, 2) soil is highly susceptible to frost action, 3) excavations are likely to fill with water in late winter or early spring, and 4) wet basements or foundations are probable.

The soil interpretations above do not eliminate the need for detailed investigations at each proposed construction site. However, the interpretations can serve as a guide to planning more detailed investigations. No consideration was given in these interpretations regarding the size and shape of the soil area; nor to the pattern they form with other soils in the landscape. Also, because of the scale of the maps used, small areas of other kinds of soils may be included within some delineations of the soil map. Thus, an individual lot or building site could occupy a small area that would not fit the

interpretations given for the soils symbol representing the entire delineation of the map. Interpretations apply to the soils in their natural state and not for areas that may have been altered through grading, compacting, and the like.

Sincerely,

Thelton D. Savage
District Conservationist
USDA, Natural Resources Conservation Service

TDS/bh

An Equal Opportunity Provider and Employer

2021-06
TM #234-6.00-67.00 & 84.00
Coral Crossing

2021-06
TM #234-6.00-67.00 & 84.00
Coral Crossing

Nick Torrance

From: Anthony, Mindy (DNREC) <Mindy.Anthony@delaware.gov>
Sent: Wednesday, March 3, 2021 10:36 AM
To: Planning and Zoning
Subject: FW: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station
Attachments: 2021-09 Brookland Farm Subdivision Plan.pdf; 2021-10 Graywood Springs Subdivision Plan.pdf; CZ 1937 Double DB, LP (Wil King Station) Subdivision Plan.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.

Good morning,

DNREC's Division of Waste and Hazardous Substances has reviewed the applications for Project #s 2021-06, 2021-08, 2021-09, 2021-10 and CZ 1937 and has no comments on any of them.

Thank you,

Mindy Anthony
Planner IV
DNREC-Div. of Waste & Hazardous Substances
89 Kings Hwy
Dover, DE 19901
Phone: 302-739-9466
Fax: 302-739-5060
Mindy.Anthony@delaware.gov

Integrity. Respect. Openness. Customer Focus. Quality.

DELAWARE RECYCLES
It's second nature.

https://de.gov/recycling
www.facebook.com/delawarerecycles

From: Nick Torrance <nicholas.torrance@sussexcountyde.gov>
Sent: Monday, January 04, 2021 10:44 AM
To: Krumrine, Beth (DNREC) <Beth.Krumrine@delaware.gov>; Brad Hawkes <bhawkes@sussexcountyde.gov>; Chris Calio <ccalio@sussexcountyde.gov>; dholden@chpk.com; C. Daniel Parsons <dparsons@sussexcountyde.gov>; Fox, Duane T. (FireMarshal) <Duane.Fox@delaware.gov>; Butler, Eileen M. (DNREC) <Eileen.Butler@delaware.gov>; Sullivan, James C. (DNREC) <James.Sullivan@delaware.gov>; Cinelli, Jennifer (DelDOT) <jennifer.cinelli@delaware.gov>; jessica.watson@sussexconservation.org; jmartin@chpk.com; John J. Ashman <jashman@sussexcountyde.gov>; kgabbard@chpk.com; Crystall, Meghan (DNREC) <Meghan.Crystall@delaware.gov>; Tholstrup, Michael S. (DNREC) <Michael.Tholstrup@delaware.gov>; Mike Brady <MBRADY@sussexcountyde.gov>; Melendez, Milton (DDA) <milton.melendez@delaware.gov>; Anthony, Mindy (DNREC) <Mindy.Anthony@delaware.gov>; Subdivision (MailBox Resources) <Subdivision@delaware.gov>; Susan Isaacs <sisaacs@sussexcountyde.gov>; Laws, Susanne K (DelDOT) <Susanne.Laws@delaware.gov>; tdickerson@decoop.com; Terri Dukes <tdukes@sussexcountyde.gov>; tgiroux@chpk.com; Vince Robertson <vrobertson@pgslegal.com>
Subject: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station

All,

Sussex County Planning Office has received five (5) applications that requires TAC review. Attached is a memo regarding the application and a PDF of the plans submitted.

Please provide comments on or before March 5th, 2021. This may be a duplicate email to some, but I received quite a few returned emails for the size being too large to send. So I will be sending out 2 separate emails. Please look for both.

Please feel free to contact me with any questions.

Thanks,

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Nick Torrance

Nick Torrance
Planner I
Department of Planning and Zoning
(302) 855-7878
2 The Circle
P.O. Box 417
Georgetown, DE 19947

DELAWARE DEPARTMENT OF
AGRICULTURE

2320 South DuPont Highway
Dover, Delaware 19901
agriculture.delaware.gov

Telephone: (302) 698-4500
Toll Free: (800) 282-8685
Fax: (302) 697-6287

March 5, 2021

Nick Torrance, Planner I
Planning & Zoning Commission
P.O. Box 417
Georgetown, Delaware 19947

Subject: **Preliminary Plans for Coral Crossing**

Dear Mr. Torrance,

Thank you for providing preliminary plans for Coral Crossing subdivision submitted by George, Miles & Buhr, LLC Architects & Engineers to our section dated December, 2020.

The Delaware Forest Service recommends the plans reflect tree planting specifications and that the ISA ANSI A300 best management practices are followed for newly installed trees. DFS recommends planting a 70/30 mix of hardwood and evergreen tree species. There are several tree species that are not recommended for planting in the state due to their invasive nature or the susceptibility to pests and diseases. These species are listed on our department website. The Delaware Forest Service requests planting details and tree species to be added to the preliminary plans before being approved. Please resubmit the preliminary plans to Delaware Forest Service once the updates are completed.

The Delaware Forest Service will await resubmission of plans.

If you have any questions please feel free to contact me at taryn.davidson@delaware.gov.

Sincerely,

Taryn Davidson

Taryn Davidson
Urban Forestry Program
Delaware Forest Service

Nick Torrance

From: Cullen, Kathleen M <kathleen_cullen@fws.gov>
Sent: Monday, March 8, 2021 11:11 AM
To: Planning and Zoning
Subject: FWS review of multiple subdivisions

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-

This email is regarding the following subdivisions: Coral Crossing, The Knolll, Brookland Farm, Graywood Springs, and Wil King Station. There are no federally listed species at any of these locations, so no further Section 7 consultation is needed. You can fill out the Online Certification Letter if further documentation is needed: https://www.fws.gov/chesapeakebay/saving-wildlife/project-review/online-certification-letter.html

Our office is currently teleworking for the foreseeable future, so there may be delays in mail pick up. For future projects, the fastest way to get a response is to submit through IPaC: https://ecos.fws.gov/ipac/. Please let me know if you have any questions!

Thank you,
Kathleen

Kathleen Cullen
U.S. Fish & Wildlife Service - Chesapeake Bay Field Office
177 Admiral Cochrane Dr., Annapolis MD, 21401
410-573-4579 - kathleen_cullen@fws.gov

Nick Torrance

From: Anthony, Mindy (DNREC) <Mindy.Anthony@delaware.gov>
Sent: Wednesday, March 3, 2021 10:36 AM
To: Planning and Zoning
Subject: FW: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station
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Mindy Anthony
Planner IV
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Dover, DE 19901
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Subject: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station

All,

Sussex County Planning Office has received five (5) applications that requires TAC review. Attached is a memo regarding the application and a PDF of the plans submitted.

Please provide comments on or before March 5th, 2021. This may be a duplicate email to some, but I received quite a few returned emails for the size being too large to send. So I will be sending out 2 separate emails. Please look for both.

Please feel free to contact me with any questions.

Thanks,

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Nick Torrance

Nick Torrance
Planner I
Department of Planning and Zoning
(302) 855-7878
2 The Circle
P.O. Box 417
Georgetown, DE 19947

Sussex County, Delaware
Technical Advisory Committee

Comment Sheet

****

DATE OF REVIEW: January 6, 2021

REVIEWING AGENCY: **Delaware State Fire Marshal's Office, Sussex Office**

INDIVIDUAL REVIEWERS: **Duane T. Fox, CFPS, CFPE, CFI, Asst. Chief Technical Services**
Dennett E. Pridgeon, CFPS, CFPE, CFI, Sr. Fire Protection Specialist
Jefferson L. Cerri, CFI, Sr. Fire Protection Specialist
Desiree B. McCall, CFI, Sr. Fire Protection Specialist

AGENCY PHONE NUMBERS: **302-856-5298, Fax: 302-856-5800**

RE: CORAL CROSSING (2021-06)

The reasons and conditions applied to this project and their sources are itemized below:

****

At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulation (DSFPR):

a. **Fire Protection Water Requirements**:
- Water distribution system capable of delivering at least 1000 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers. (Assembly)
- Where a water distribution system is proposed for single-family dwellings it shall be capable of delivering at least 500 gpm for 1-hour duration, at 20-psi residual pressure. Fire hydrants with 1000 feet spacing on centers are required. (One & Two- Family Dwelling)
- Where a water distribution system is proposed for the site, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

b. **Fire Protection Features:**
- All structures over 10,000 sqft aggregate will require automatic sprinkler protection installed.
- Buildings greater than 10,000 sqft, 3-stories or more, over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements.
- Show Fire Department Connection location (Must be within 300 feet of fire hydrant), and detail as shown in the DSFPR.
- Show Fire Lanes and Sign Detail as shown in DSFPR

c. **Accessibility**
   - All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from Robinsonville Road must be constructed so fire department apparatus may negotiate it.
   - Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
   - Any dead end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
   - The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
   - The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

d. **Gas Piping and System Information:**
   - Provide type of fuel proposed, and show locations of bulk containers on plan.

e. **Required Notes**:
   - Provide a note on the final plans submitted for review to read " All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations"
   - Proposed Use
   - Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
   - Square footage of each structure (Total of all Floors)
   - National Fire Protection Association (NFPA) Construction Type
   - Maximum Height of Buildings (including number of stories)
   - Note indicating if building is to be sprinklered
   - Name of Water Provider
   - Letter from Water Provider approving the system layout
   - Provide Lock Box Note (as detailed in DSFPR) if Building is to be sprinklered
   - Provide Road Names, even for County Roads

Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: www.statefiremarshal.delaware.gov, technical services link, plan review, applications or brochures.

THIS DOCUMENT IS INFORMATIONAL ONLY, AND DOES NOT CONSTITUTE ANY TYPE OF APPROVAL FROM THE DELAWARE STATE FIRE MARSHAL'S OFFICE

USDA

United States Department of Agriculture

Natural Resources
Conservation Service

Georgetown
Service Center

21315 Berlin Road
Unit 3
Georgetown, DE
19947

Voice 302.856.3990
Fax 855.306.8272

February 15, 2021

Jamie Whitehouse, Director
Sussex County Planning & Zoning
Sussex County Courthouse
Georgetown, DE 19947

RE: Coral Crossing
315 single family lots

Dear Mr. Whitehouse:

Soils within the delineated area on the enclosed map are:

DoA	Downer sandy loam, 0 to 2 percent slopes
FgA	Fallsington loam, 0 to 2 percent slopes
HnA	Hammonton sandy loam, 0 to 2 percent slopes
PyA	Pineyneck loam, 0 to 2 percent slopes

Soil Interpretation Guide

Soil Limitation Class

Buildings

Map Symbol	Urbanizing Subclass	With Basement	Without Basement	Septic Filter Fields
DoA	G1	Not limited	Not limited	Not limited
FgA	R2	Very limited	Very limited	Very limited
HnA	Y2	Very limited	Somewhat limited	Very limited
PyA	Y2	Very limited	Somewhat limited	Very limited

Definition of soil limitation ratings classes:

Rating class terms indicate the extent to which the soils are limited by all of the soil features that affect building site development.

"Not limited" indicates that the soil has features that are very favorable for the specified use. Good performance and very low maintenance can be expected.

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"**Somewhat limited**" indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design, or installation. Fair performance and moderate maintenance can be expected.

"Very limited" indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected.

G1:
These soils are on nearly level to strongly sloping (0-10% slopes), well drained, mostly permeable soils. As sites for large commercial, industrial, institutional, and residential developments, these soils have fewer limitations than any other soils in the state. Slopes are favorable, and grading can be done without difficulty. Foundation conditions are generally good. Grasses, trees, and do well. Principal soil limitations: No apparent soil limitations for conventional uses.

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The soils in this classification are nearly or gently sloping, very poorly, poorly, and somewhat poorly drained. Seasonal high water tables, local ponding, and high potential frost action severely limit these soils for residential developments. The principal soil limitations are: 1) soil is highly susceptible to frost action, 2) excavations are likely to fill with water in late winter or early spring, 3) wet foundations or basements probable, and 4) hazard of temporary ponding of water in areas lacking outlets. Loose running sand commonly encountered in deep excavations.

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The soil interpretations above do not eliminate the need for detailed investigations at each proposed construction site. However, the interpretations can serve as a guide to planning more detailed investigations. No consideration was given in these interpretations regarding the size and shape of the soil area; nor to the pattern they form with other soils in the landscape. Also, because of the scale of the maps used, small areas of other kinds of soils may be included within some delineations of the soil map. Thus, an individual lot or building site could occupy a small area that would not fit the

interpretations given for the soils symbol representing the entire delineation of the map. Interpretations apply to the soils in their natural state and not for areas that may have been altered through grading, compacting, and the like.

Sincerely,

Thelton D. Savage
District Conservationist
USDA, Natural Resources Conservation Service

TDS/bh

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2021-06
TM #234-6.00-67.00 & 84.00
Coral Crossing

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DELAWARE DEPARTMENT OF
AGRICULTURE

2320 South DuPont Highway
Dover, Delaware 19901
agriculture.delaware.gov

Telephone: (302) 698-4500
Toll Free: (800) 282-8685
Fax: (302) 697-6287

March 5, 2021

Nick Torrance, Planner I
Planning & Zoning Commission
P.O. Box 417
Georgetown, Delaware 19947

Subject: **Preliminary Plans for Coral Crossing**

Dear Mr. Torrance,

Thank you for providing preliminary plans for Coral Crossing subdivision submitted by George, Miles & Buhr, LLC Architects & Engineers to our section dated December, 2020.

The Delaware Forest Service recommends the plans reflect tree planting specifications and that the ISA ANSI A300 best management practices are followed for newly installed trees. DFS recommends planting a 70/30 mix of hardwood and evergreen tree species. There are several tree species that are not recommended for planting in the state due to their invasive nature or the susceptibility to pests and diseases. These species are listed on our department website. The Delaware Forest Service requests planting details and tree species to be added to the preliminary plans before being approved. Please resubmit the preliminary plans to Delaware Forest Service once the updates are completed.

The Delaware Forest Service will await resubmission of plans.

If you have any questions please feel free to contact me at taryn.davidson@delaware.gov.

Sincerely,

Taryn Davidson

Taryn Davidson
Urban Forestry Program
Delaware Forest Service

Nick Torrance

From: Terri Dukes
Sent: Thursday, December 31, 2020 3:23 PM
To: Nick Torrance
Subject: RE: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station

Nick, All but Brookland Farm has been approved.

From: Nick Torrance <nicholas.torrance@sussexcountyde.gov>
Sent: Thursday, December 31, 2020 1:07 PM
To: Beth Krumrine <beth.krumrine@delaware.gov>; Brad Hawkes <bhawkes@sussexcountyde.gov>; Chris Calio <ccalio@sussexcountyde.gov>; dholden@chpk.com; C. Daniel Parsons <dparsons@sussexcountyde.gov>; Duane.Fox@delaware.gov; eileen.butler@delaware.gov; James Sullivan <James.Sullivan@delaware.gov>; jennifer.cinelli@delaware.gov; jessica.watson@sussexconservation.org; jmartin@chpk.com; John J. Ashman <jashman@sussexcountyde.gov>; kgabbard@chpk.com; meghan.crystall@delaware.gov; michael.tholstrup@delaware.gov; Mike Brady <MBRADY@sussexcountyde.gov>; Milton.melendez@delaware.gov; mindy.Anthony@delaware.gov; subdivision@delaware.gov; Susan Isaacs <sisaacs@sussexcountyde.gov>; susanne.laws@delaware.gov; tdickerson@decoop.com; Terri Dukes <tdukes@sussexcountyde.gov>; tgiroux@chpk.com; Vince Robertson <vrobertson@pgslegal.com>
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All,

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Please provide comments on or before March 5th, 2021.

Please feel free to contact me with any questions.

Thanks,

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Nick Torrance
Planner I
Department of Planning and Zoning
(302) 855-7878
2 The Circle
P.O. Box 417
Georgetown, DE 19947

LAND TECH
LAND PLANNING, LLC

Landscape Architecture
New Urbanism Design
Land Use Planning/Permitting
Community Design
Prime Consultant – Project Management

December 28, 2020

Jamie Whitehouse, Director
Sussex County Planning & Zoning Department
2 The Circle
Georgetown, DE 19947

Re: Coral Crossing
AR – 1 Coastal Area Cluster Option Subdivision with Central Sewer
Sussex TM# 2-34-6.00-67.00 & 2-34-67.00-84.00

Dear Jamie,

Land Tech Land Planning, LLC represents Double DB, LP, the developer/applicant for the above referenced proposed subdivision. Enclosed, please find an application filed on behalf of Double DP, LP which includes the following:

- Completed and signed Application
- Ten (10) copies of a Preliminary Site Plan
- Deed
- The required $ 500.00 application fee.
- PLUS response letter.
- DelDOT Service Level Evaluation Request Form (response not received from P&Z)
- Subdivision Considerations (Chapter 99-9)
- Environmental Assessment & Public Facility Evaluation Report

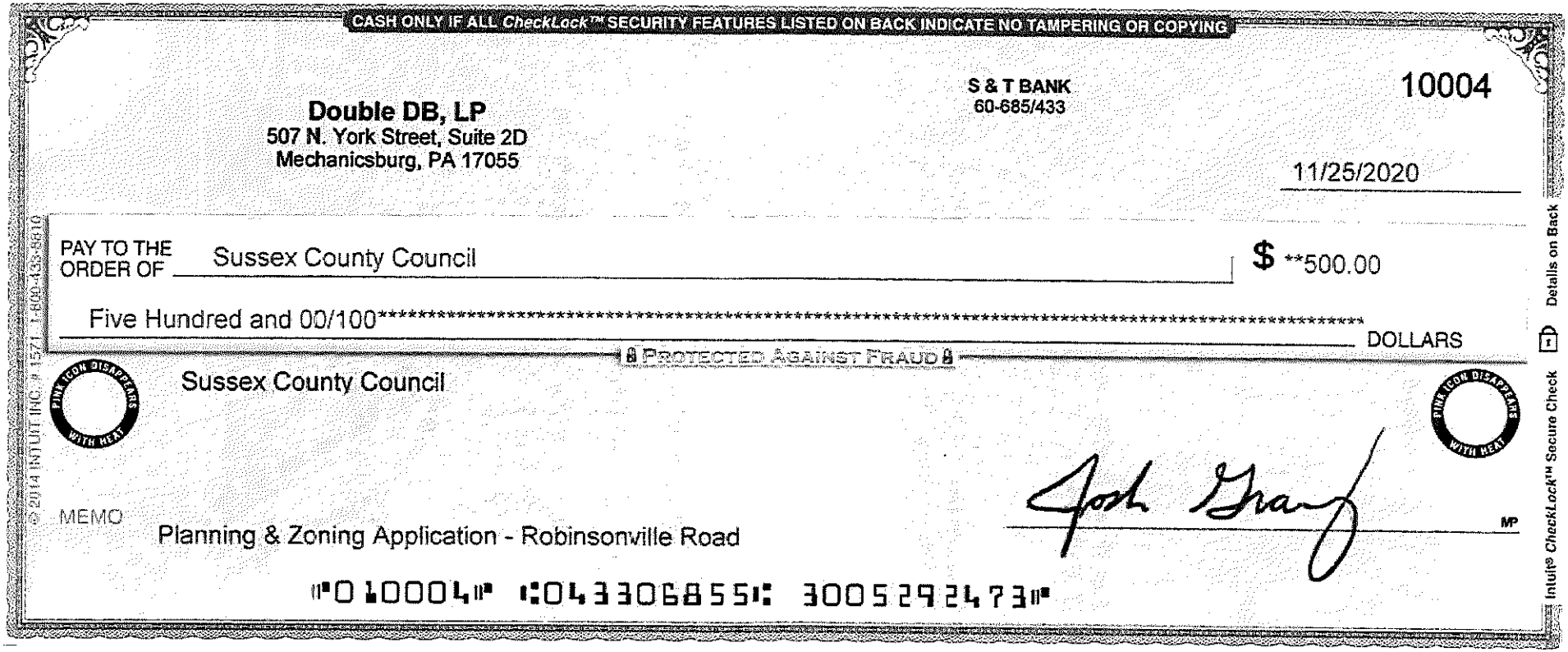
Please contact our office if there are any questions or need for additional information in order to confirm this application is complete. A complete PDF copy of the above referenced documents will be forwarded to your attention.

Thank you.

Sincerely,
Land Tech Land Planning, LLC

Jeffrey A. Clark, RLA
jeffc@landtechllc.com

file: coralcrossing.ltr
enclosures: noted
cc: Josh Gray via PDF



Double DB, LP - Adkins

10004

Sussex County Council

11/25/2020

Date	Type	Reference	Original Amt.	Balance Due	Discount	Payment
11/25/2020	Bill	Zoning App. - Adkins	500.00	500.00		500.00
					Check Amount	500.00

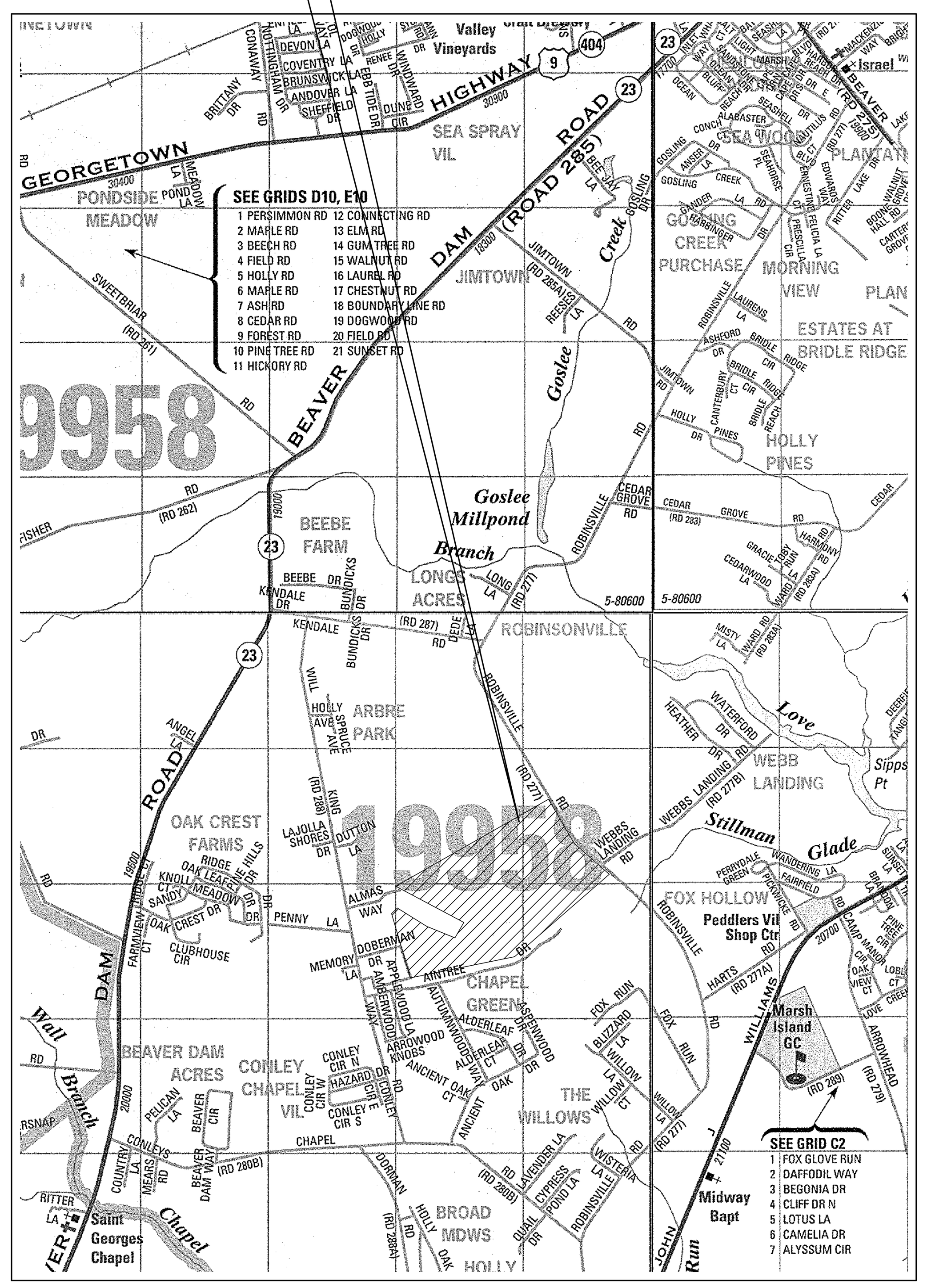
S&T Bank - Adkins Pr Planning & Zoning Application - Robinsonville Ro 500.00

CORAL LAKES

PRELIMINARY SITE PLAN
SUSSEX COUNTY, DELAWARE
SUBDIVISION 2021-06

GMB File No. 210127

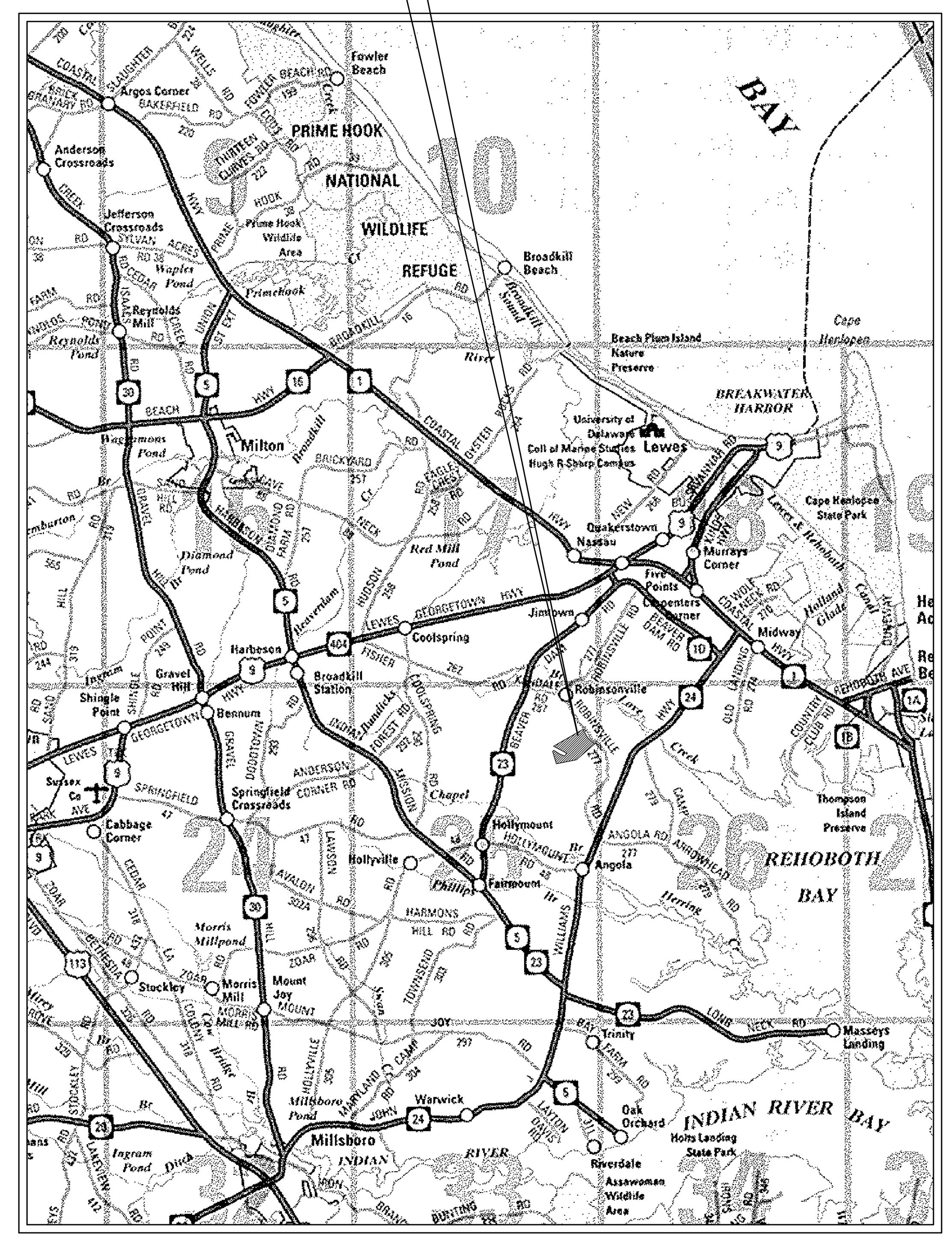
PROJECT AREA



LOCATION MAP

SCALE: 1" = 1,000'

PROJECT AREA



VICINITY MAP

SCALE: 1" = 1 MILE

	EXISTING	PROPOSED
PROPERTY LINE		
EASEMENT LINE		
SETBACK LINE		
R.O.W. LINE		
PROPERTY CORNER (NOT SPECIFIED)	⊙	N/A
CONCRETE MONUMENT FOUND	CMF □	CMS □
IRON PIPE FOUND	IPF ●	N/A
CONTOUR		N/A
EDGE OF PAVEMENT		
CURB		
SIDEWALK		
SIDEWALK HATCH		
EDGE OF POND		
STORM MANHOLE	(D)	(D)
CURB INLET		
STORM PIPE	SD	
SANITARY MANHOLE	(S)	(S)
SANITARY PIPE	SS	SS
WATER PIPE	W	W
OVERHEAD ELECTRIC	E	N/A
UTILITY POLE		N/A
TREE LINE		
FLOOD ZONES		

PLOT CODE

PEN7–WHITE .039 INCHES (1.00mm)
PEN6–MAGENTA .027 INCHES (.70mm)
PEN5–BLUE .020 INCHES (.50mm)
PEN4–CYAN .014 INCHES (.35mm)
PEN3–GREEN .010 INCHES (.25mm)
PEN2–YELLOW .007 INCHES (.18mm)
PEN1–RED .006 INCHES (.15mm)

G:\Projects\2021\210127 Coral Crossing\Drawings\Working Sets\Preliminary Site Plan\PSP-1 COVER SHEET.dwg, 1/12/2022 3:26 PM, Katja Kalinski

PSP-1.0	COVER SHEET
PSP-2.0	EXISTING CONDITIONS
PSP-3.0	KEY SHEET
PSP-3.1-3.4	PRELIMINARY SITE PLANS
PSP-4.0	PRELIMINARY SITE PLAN RENDERING

APPROVED ________ BY ______________________
SUSSEX COUNTY COUNCIL
PRESIDENT

APPROVED ________ BY ______________________
SUSSEX COUNTY
PLANNING AND ZONING COMMISSION

OWNER'S CERTIFICATION:
I HEREBY CERTIFY THAT I AM AN OWNER OF THE PROPERTY DESCRIBED AN SHOWN ON THIS PLAN AND THAT THE PLAN WAS MADE AT MY DIRECTION. THE UNDERSIGNED, CERTIFY THAT ALL LAND CLEARING, CONSTRUCTION AND DEVELOPMENT SHALL BE DONE PURSUANT TO THE APPROVED PLAN AND THAT THE SUSSEX CONSERVATION DISTRICT OR THEIR DESIGNATED AGENT SHALL HAVE RIGHT TO CONDUCT ON–SITE INSPECTIONS.

OWNER DATE

OWNER DATE

ENGINEER'S CERTIFICATION:
"I STEPHEN L. MARSH, P.E. HEREBY CERTIFY THAT I AM A REGISTERED ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE."

ENGINEER DATE
SENIOR VICE PRESIDENT, GEORGE, MILES & BUHR, LLC.

SITE DATA:

OWNERS:	JOHN M & LINDA C NOVOSEL 30363 HOLLYMOUNT RD HARBESON, DE 19951 TM 234–6.00–84.00
	THE ADKINS CO. PO BOX 156 BERLIN, MD 21811 TM 234–6.00–67.00
APPLICANT:	SCHELL BROTHERS, LLC 20184 PHILLIPS STREET REHOBOTH BEACH, DE 19971 PHONE: 302.266.1994 CONTACT: TIM GREEN
CIVIL ENGINEER:	GEORGE, MILES & BUHR, LLC 206 WEST MAIN ST SALISBURY, MD 21801 PHONE: 410.742.3115 CONTACT: STEPHEN L. MARSH, P.E.
TAX MAP:	234–6.00–84.00
DEED REFERENCE:	3586/229
TAX MAP:	234–6.00–67.00
DEED REFERENCE:	NOT AVAILABLE
EXISTING ZONING:	AR–1 AGRICULTURAL RESIDENTIAL
PROPOSED ZONING:	AR– CLUSTER – DEVELOPMENT OPTION FOR LOTS USING A CENTRAL SEWER SYSTEM
COMPREHENSIVE PLAN MAP:	COASTAL AREA
TOTAL SITE AREA:	152.34 ACRES
DNREC WETLANDS:	0 ACRES
FEDERAL WETLANDS:	5.65 ACRES
GROSS DEVELOPMENT AREA:	152.34 ACRES
DENSITY PERMITTED GROSS AREA/21,780 SF:	304 LOTS
LOTS PROPOSED:	315 LOTS
($20,000 DENSITY BONUS ALL LOTS EXCEEDING 304):	11 LOTS
MINIMUM ALLOWABLE LOT SIZE:	7,500 SF
MINIMUM LOT SIZE PROPOSED:	7,500 SF
ACRES OPEN SPACE PROPOSED:	75.51 ACRES (50%)

"A"	6.30 AC.	AMENITY AREA INCL. POOL, POOL HOUSE, DOG PARK, WALKING TRAIL, SWM
"B"	4.97 AC.	PASSIVE RECREATION, SWM, WALKING TRAIL
"C"	3.74 AC.	PASSIVE RECREATION, SWM, WALKING TRAIL
"D"	1.67 AC.	SWM
"E"	3.40 AC.	PASSIVE RECREATION, SWM
"F"	4.37 AC.	PASSIVE RECREATION, SWM
"G"	4.96 AC.	PASSIVE RECREATION, SWM

EXISTING WOODLANDS:	141.5 ACRES
WOODLANDS TO REMAIN:	33 ACRES (21.5%)

ALL AMENITIES ARE SUBJECT TO THE APPROVAL OF A SEPARATE AMENITIES SITE PLAN.
THE PROJECT LIES WITHIN THE HENLOPEN TID.

UNIT COUNT

SINGLE FAMILY LOTS:	315
REQUIRED PARKING: (2/UNIT)	630
PROVIDED PARKING:	673

BUILDING SETBACKS:

FRONT:	25'
SIDE:	10'
REAR:	10'
MAX BUILDING HEIGHT:	42'

AMENITIES:

CLUB HOUSE, POOL, PLAYGROUND, PICKLE BALL, DOG PARK, MAIL KIOSKS, WALKING TRAILS

FLOOD ZONE: FLOOD INFORMATION: SPECIAL FLOOD HAZARD AREA ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER FIRM MAPS 10005C0330J, 10005C0333K, DATED MARCH 16, 2015.

UTILITIES:

CENTRAL WATER:	TIDEWATER UTILITIES, INC.
PUBLIC SEWER:	SUSSEX COUNTY

GENERAL NOTES:

1. STORMWATER MANAGEMENT AND STORM DRAINAGE SHALL BE IN ACCORDANCE WITH THE SUSSEX CONSERVATION DISTRICT, AND SUSSEX COUNTY ENGINEERING REQUIREMENTS. THE SITE IS TO BE TREATED BY GREEN TECHNOLOGIES, AND BMP FACILITIES SUCH AS DETENTION PONDS. MAINTENANCE OF THE ON–SITE STORMWATER MANAGEMENT FACILITIES AND STORM DRAINAGE SYSTEM SHALL BE BY THE OWNERS.
2. ALL OPEN SPACE SHALL BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
4. TOPOGRAPHY SHOWN HEREIN PER LIDAR DATA, DELAWARE STATE PLAN COORDINATE SYSTEM NAD 83/91 AND NAVD88 VERTICAL DATUM.
5. BOUNDARY SHOWN HEREIN PROVIDED BY SOLUTIONS IPEM, LLC DATED MARCH, 2019.
6. THIS SITE CONTAINS FEDERAL JURISDICTIONAL WETLANDS.
7. ALL LOTS SHALL BE ACCESSED FROM INTERIOR SUBDIVISION STREETS ONLY.
8. THE SITE LIES WITHIN FAIR & POOR GROUNDWATER RECHARGE AREA.
9. THE SITE LIES OUTSIDE THE WELLHEAD PROTECTION AREA.
10. ALL INTERIOR SIDE LOT LINES ARE RESERVED FOR THE CENTER LINE OF A 10' WIDE DRAINAGE AND/OR UTILITY EASEMENT. A 10' WIDE DRAINAGE AND/OR UTILITY IS RESERVED ON EACH LOT ALONG THE FRONT AND REAR PROPERTY LINES.
11. MAINTENANCE OF THE STREETS WITHIN THIS SUBDIVISION WILL BE THE RESPONSIBILITY OF THE DEVELOPER, THE PROPERTY OWNERS WITHIN THE SUBDIVISION OR BOTH. THE STATE ASSUMES RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF STREETS WITHIN INDICATED DELDOT RIGHT–OF–WAYS ONLY.
12. THE SUBDIVISION LIES WITHIN THE HENLOPEN TRANSPORTATION DISTRICT.
13. THE PLANTING AND MAINTENANCE OF THE 30–FOOT FORESTED BUFFER SHALL BE SUBJECT TO THE REQUIREMENTS AND STANDARDS LISTED IN THE DEFINITION OF A 'FORESTED BUFFER' ESTABLISHED IN §99–5 OF THE SUSSEX COUNTY CODE.
14. 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.

APPROVED ________ BY ______________________
SUSSEX COUNTY
SOIL CONSERVATION DISTRICT

PRINTS ISSUED FOR:
PRELIMINARY

NO.	REVISIONS	DATE

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GEORGE, MILES & BUHR, LLC
ARCHITECTS & ENGINEERS
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410–742–3115, FAX 410–548–5790
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CORAL LAKES
SUSSEX COUNTY, DELAWARE

COVER SHEET

		SHEET NO.
SCALE	: AS SHOWN	PSP-1
DESIGN BY	: KK	
DRAWN BY	: KK	
CHECKED BY	: KK	
GMB FILE	: 210127	
DATE	: JUL 2021	

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LOT #	OWNER	TAX MAP	DB AND P		ZONING
84	GRACIEA DONOVAN	234-6.00-379.00	593	272	AR-1
83	TERRY LAKE & BONNIE PENCEK	234-6.00-378.00	3116	225	AR-1
82	ANTHONY LATINA	234-6.00-377.00	5177	121	AR-1
81	JAMES CHRISTIANA TRUSTEE	234-6.00-376.00	3662	275	AR-1
80	INGE GALLAGHER	234-6.00-375.00	3769	156	AR-1
79	ROBERT & PAMELA MONTI	234-6.00-374.00	3843	322	AR-1
125	GARY ROSENBLUM	234-6.00-630.00	4443	328	AR-1
124	GEORGE CORNELL	234-6.00-629.00	2924	219	AR-1
123	JAMES & JOYCE LELESZI	234-6.00-628.00	2845	46	AR-1
122	MATTHEW VANAMAN	234-6.00-627.00	2024	255	AR-1
121	WILLIAM HICKS	234-6.00-626.00	4354	214	AR-1
120	FRANK SCHMITT	234-6.00-625.00	4470	101	AR-1
119	JOHN KENNEDY	234-6.00-373.00	2894	206	AR-1
118	KERRY RUSSO	234-6.00-372.00	3221	145	AR-1
117	LAWRENCE SIMPKISS	234-6.00-371.00	5014	9	AR-1
116	CRAIG SHELLENBERGER	234-6.00-370.00	4538	158	AR-1
115	KEVIN & EMMA ROONEY	234-6.00-369.00	2995	192	AR-1
114	MATTHEW DEEMEDIO	234-6.00-368.00	4915	237	AR-1
113	EILEEN BROWN	234-6.00-367.00	2913	250	AR-1
112	GARY PANIK	234-6.00-366.00	4582	192	AR-1
111	JAMES LINUS JR.	234-6.00-365.00	5325	31	AR-1
110	MICHAEL HATFIELD	234-6.00-364.00	3977	319	AR-1
109	PAUL CARR	234-6.00-363.00	2783	327	AR-1
108	ALAN WALDRON & PAMELA SHEPERD	234-6.00-362.00	2874	339	AR-1

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD
C1	260.88	1480.00	10.10	S36°00'26"E	260.54'
C2	63.51	1475.00	2.47	S42°18'30"E	63.51'
C3	278.48	4632.15	3.44	S45°15'55"E	278.44'

NON-TIDAL WETLANDS

0 75 150 300 450

SCALE: 1" = 150'

PLOT CODE
PEN1-RED 206 INCHES (.15mm)
PEN2-YELLOW 207 INCHES (.18mm)
PEN3-GREEN 070 INCHES (.25mm)
PEN4-CYAN 241 INCHES (.30mm)
PEN5-BLUE 030 INCHES (.50mm)
PEN6-MAGENTA 237 INCHES (.70mm)
PEN7-WHITE 031 INCHES (1.00mm)

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206 WEST MAIN STREET
SALISBURY, MARYLAND 21801
410-742-3115, FAX 410-548-5790
www.gmbnet.com

CORAL LAKES
SUSSEX COUNTY, DELAWARE

EXISTING CONDITIONS

SCALE	: 1" = 150'
DESIGN BY	:
DRAWN BY	: OTHERS
CHECKED BY	:
GMB FILE	: 210127
DATE	: JUL 2021

SHEET NO.
PSP-2

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PSP3.1

PSP3.2

PSP3.3

PSP3.4

N69°51'58"E — 1390.66'

N36°17'35"E 256.92'

N61°35'39"E — 1132.11'

S39°33'01"W 67.40'

S67°40'45"E — 443.12'

N60°36'09"W — 822.00'

N45°37'47"E 134.39'

S55°36'31"E — 636.80'

N15°55'18"E 100.06'

S62°37'12"E — 548.00'

N17°07'11"W — 595.24'

N15°40'56"W — 624.14'

S78°34'20"W — 482.33'

S78°29'43"W — 757.05'

S78°33'38"W — 696.70'

S46°02'10"W — 808.43'

S54°51'47"W — 592.00'

S50°17'58"W — 865.01'

S47°00'38"W — 283.64'

S42°27'22"E — 540.03'

N54°12'38"E 5.02'

S43°02'38"E — 627.25'

C1

C2

C3

OPEN SPACE "A" 46.03 AC.

OPEN SPACE "B" 3.40 AC.

OPEN SPACE "C" 3.74 AC.

OPEN SPACE "D" 4.99 AC.

OPEN SPACE "E" 6.30 AC.

SWM-1 through SWM-13

1.67 AC.

NON-TIDAL WETLANDS 45.83 AC.

WEBB'S LANDING ROAD COUNTY RD #277-A

CORAL LAKES DRIVE

WALKER DRIVE

ASHTON AVE.

50' R.O.W.

2'-0" | 5' SIDEWALK | 5' GRASS | 12' TRAVEL LANE | 12' TRAVEL LANE | 5' GRASS | 5' SIDEWALK | 2'-0"

2% SLOPE — PROFILE GRADE LINE — 2% SLOPE

INTEGRAL P.C.C. CURB AND GUTTER TYPE 2

6" GRADED AGGREGATE BASE COURSE TYPE B OVER APPROVED SUB-GRADE

INTEGRAL P.C.C. CURB AND GUTTER TYPE 2

PAVEMENT SECTION:
1.25" TYPE C HOT-MIX SURFACE COURSE
1.5" TYPE C HOT-MIX
2.5" TYPE B HOT-MIX BASE COURSE IN ACCORDANCE WITH SUSSEX COUNTY STANDARD SPECIFICATION 99-18-4(7).

TYPICAL ROAD CROSS SECTION

NO SCALE

80' R.O.W.

5' SIDEWALK | 2'-0" | 10.5" PLANTING STRIP | 16' TRAVEL LANE | 2'-0" | 11" MEDIAN | 2'-0" | 16' TRAVEL LANE | 2'-0" | 10.5" PLANTING STRIP | 5' SIDEWALK

2% SLOPE — 2% SLOPE

INTEGRAL P.C.C. CURB AND GUTTER TYPE 2

7" GRADED AGGREGATE BASE COURSE TYPE B OVER MINIMUM 12" COMPACTED SELECT FILL

INTEGRAL P.C.C. CURB AND GUTTER TYPE 2

INTEGRAL P.C.C. CURB AND GUTTER TYPE 2

PAVEMENT SECTION:
1.25" TYPE C HOT-MIX SURFACE COURSE
1.5" TYPE C HOT-MIX
2.5" TYPE B HOT-MIX BASE COURSE IN ACCORDANCE WITH SUSSEX COUNTY STANDARD SPECIFICATION 99-18-4(7).

TYPICAL BOULEVARD CROSS SECTION

NO SCALE

0 75 150 300 450

SCALE: 1" = 150'

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CORAL LAKES
SUSSEX COUNTY, DELAWARE

KEY SHEET

SCALE	: 1" = 150'
DESIGN BY	: KK
DRAWN BY	: KK
CHECKED BY	: KK
GMB FILE	: 210127
DATE	: JUL 2021

SHEET NO.
PSP-3

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PLOT CODE
PEN1-RED 200 INCHES/ 5.0mm
PEN2-YELLOW 207 INCHES/ 5.0mm
PEN3-GREEN 201 INCHES/ 5.0mm
PEN4-CYAN 214 INCHES/ 5.0mm
PEN5-BLUE 220 INCHES/ 5.0mm
PEN6-MAGENTA 227 INCHES/ 5.0mm
PEN7-WHITE 139 INCHES/ 5.0mm

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CORAL LAKES
SUSSEX COUNTY, DELAWARE

PRELIMINARY SITE PLAN

SCALE : 1" = 60'	SHEET NO.
DESIGN BY : KK	
DRAWN BY : KK	PSP-3.1
CHECKED BY : KK	
GMB FILE : 210127	
DATE : JUL 2021	

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TANAGER WOODS, LLC
234-6.00-85.00
DB 6389 P 218
AR-1

DONALD DAISEY
234-6.00-64.00
DB 3367 P 58
AR-1 / GR

N36°17'35"E
256.92'

N67°40'45"E — 443.12'

S39°33'02"E
33.73'

N61°35'39"E — 1152.11'

30' LANDSCAPE BUFFER (EXISTING VEGETATION TO REMAIN)

OPEN SPACE "H"
46.03 AC.

OPEN SPACE "I"
3.40 AC.

SWM-10

SEASIDE WAY

MISTY MEADOW WAY

SPRING MARKET WAY

FOR CONTINUATION SEE SHEET PSP3.2

FOR CONTINUATION SEE SHEET PSP3.3

0 30 60 120 180
SCALE: 1" = 60'

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PLOT CODE
PEN1-RED 206 INCHES (15mm)
PEN2-YELLOW 207 INCHES (5mm)
PEN3-GREEN 210 INCHES (20mm)
PEN4-CYAN 214 INCHES (13mm)
PEN5-BLUE 201 INCHES (50mm)
PEN6-MAGENTA 227 INCHES (51mm)
PEN7-WHITE 339 INCHES (100mm)

0 40 80 160 240
SCALE: 1" = 80'

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CORAL LAKES
SUSSEX COUNTY, DELAWARE

PRELIMINARY SITE PLAN

SCALE : 1" = 80'	SHEET NO.
DESIGN BY : KK	PSP3.2
DRAWN BY : KK	
CHECKED BY : KK	
GMB FILE : 210127	
DATE : JUL 2021	

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PLOT CODE
PEN1-RED 200 INCHES (5.0mm)
PEN2-YELLOW 200 INCHES (5.0mm)
PEN3-GREEN 200 INCHES (5.0mm)
PEN4-CYAN 200 INCHES (5.0mm)
PEN5-BLUE 200 INCHES (5.0mm)
PEN6-MAGENTA 200 INCHES (5.0mm)
PEN7-WHITE 200 INCHES (5.0mm)

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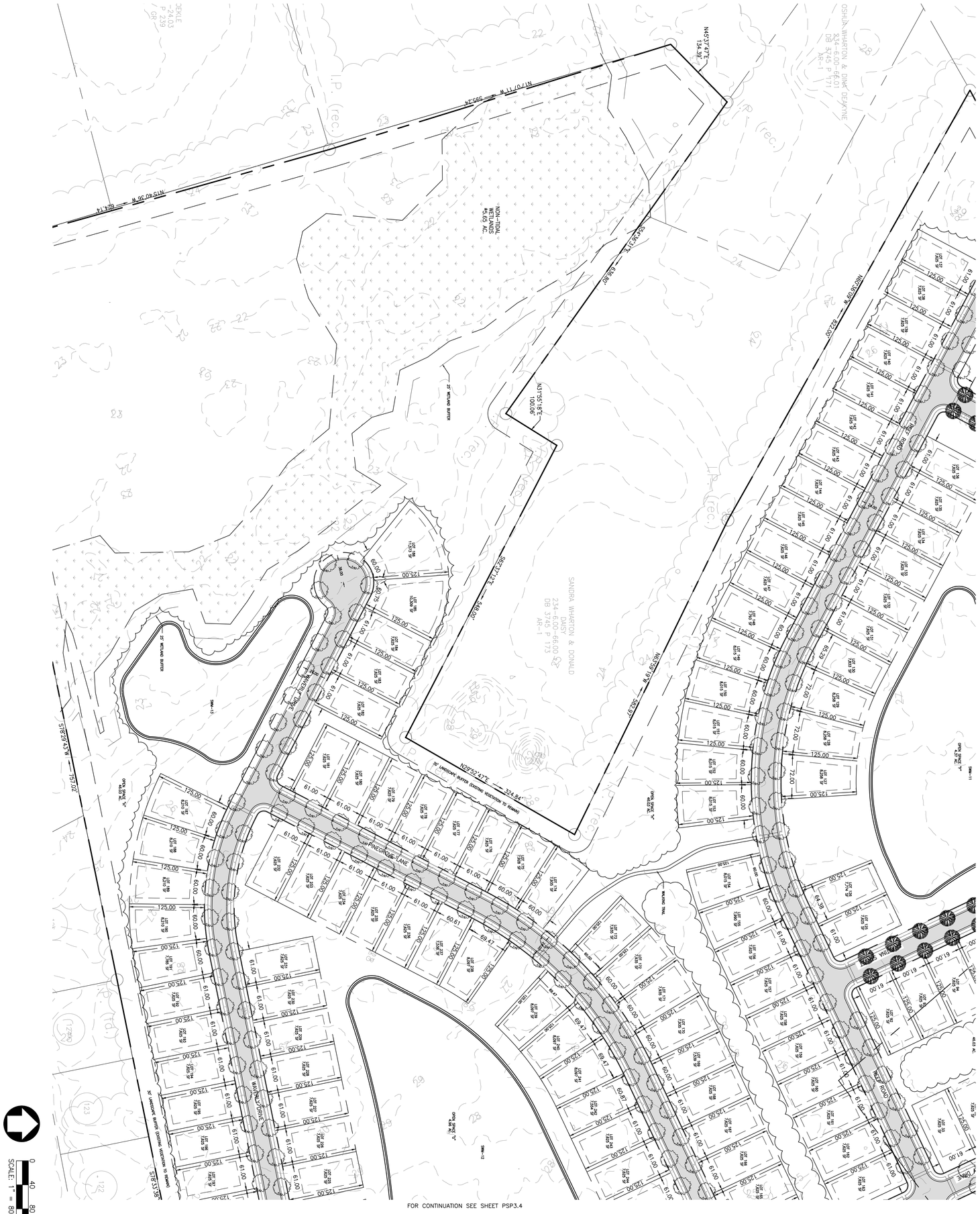
PLOT CODE

PEN1-RED	PEN2-YELLOW	PEN3-GREEN	PEN4-CYAN	PEN5-BLUE	PEN6-MAGENTA	PEN7-WHITE
.006 INCHES (.15mm)	.007 INCHES (.18mm)	.010 INCHES (.25mm)	.014 INCHES (.35mm)	.020 INCHES (.50mm)	.027 INCHES (.70mm)	.039 INCHES (1.00mm)



PRELIMINARY
SITE PLAN

CORAL LAKES
SUSSEX COUNTY, DELAWARE

GMB
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ARCHITECTS & ENGINEERS
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NO.	REVISIONS	DATE

PRINTS ISSUED FOR:
PRELIMINARY

SCALE: 1" = 80'
DESIGN BY: KK
DRAWN BY: KK
CHECKED BY: KK
JOB FILE: 210127
DATE: JUL 2021
SHEET NO.
PSP3.3

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CORAL LAKES
SUSSEX COUNTY, DELAWARE

PRELIMINARY SITE PLAN

SCALE : 1" = 80'	SHEET NO.
DESIGN BY : KK	PSP3.4
DRAWN BY : KK	
CHECKED BY : KK	
GMB FILE : 210127	
DATE : JUL 2021	

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PLOT CODE
PEN1-RED 206 INCHES (15mm)
PEN2-YELLOW 207 INCHES (.5mm)
PEN3-GREEN 210 INCHES (.25mm)
PEN4-CYAN 214 INCHES (.13mm)
PEN5-BLUE 203 INCHES (.53mm)
PEN6-MAGENTA 227 INCHES (.75mm)
PEN7-WHITE 229 INCHES (1.00mm)

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PRINTS ISSUED FOR:
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NO.	REVISIONS	DATE

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CORAL LAKES
SUSSEX COUNTY, DELAWARE

PRELIMINARY SITE PLAN RENDERING

SCALE	: 1" = 150'
DESIGN BY	: KK
DRAWN BY	: KK
CHECKED BY	: KK
GMB FILE	: 210127
DATE	: JUL 2021

SHEET NO.
PSP-4

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PLOT CODE
PEN-RED 004 ACRES (.13mm)
PEN-YELLOW 007 ACRES (.18mm)
PEN-GREEN 010 ACRES (.25mm)
PEN-CYAN 014 ACRES (.36mm)
PEN-BLUE 020 ACRES (.50mm)
PEN-MAGENTA 027 ACRES (.70mm)
PEN-WHITE 039 ACRES (1.00mm)

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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, AICP, MRTPI
DIRECTOR

January 11th, 2022

Ms. Katja Kalinski
George, Miles & Buhr, LLC
206 West Main Street
Salisbury, MD 21601

Subject: Staff Review Letter – Coral Lakes (2021-06) (f/k/a Coral Crossing) Preliminary Subdivision Plan for the creation of 315 single family lots as a cluster subdivision in the Agricultural Residential (AR-1) Zoning District
Tax Parcels: 234-6.00-67.00 & 84.00

Dear Ms. Kalinski,

Further to the submission of December 29th, 2020, the Planning and Zoning Department has reviewed the Preliminary Subdivision Plan for Coral Lakes (f/k/a Coral Crossing) which proposes 315 single family lots as a cluster subdivision in the Agricultural Residential (AR-1) Zoning District. The properties are located on the southwest side of Robinsonville Road (S.C.R. 277). The properties are also within the Henlopen Transportation Improvement District (TID). However, a Transportation Impact Study (TIS) is being completed.

This Preliminary Subdivision Plan has been sent to the Technical Advisory Committee (TAC) and the Delaware Office for State Planning Coordination for review. TAC comments are attached. This Preliminary Subdivision Plan shall comply with Chapters 99 and 115 of the Sussex County Code. It is kindly requested that the comments below be addressed prior to the review of the Sussex County Planning Commission. They are as follows:

Chapter 99 – Subdivision of Land

a. Please add the reference number of "2021-06" to the main title on Page PSP-1.
b. Please submit statements that address the subdivision standards of §99-5.
c. It is unclear if the proposed street layout complies with §99-17(E). With 315 lots proposed, interconnectivity to adjacent tracts of land may be required by the Commission. While it is understood some of the adjacent tracts are already developed without interconnectivity of their own, it is strongly encouraged that interconnectivity be investigated so that the demand upon one entrance be reduced.

d. While it has been scaled, please confirm that all two-way streets have a minimum width of 24 feet and that any one-way portion (i.e. at the entrance) has a minimum width of 14 feet. Further to the requirement of §99-23(J), please add a width label for each street.
e. Please add a label for the proposed cul-de-sac that shows the radius is at least 38 feet.
f. Please confirm that the walkways by the streets are in fact sidewalks and that sidewalks are being proposed on both sides of the street. It is requested that all walkways that are not street sidewalks be labeled as such. For example, is the walkway behind the amenities a sidewalk or trail?
g. **Stormwater management mechanisms that function with roadways must be proposed. None have been identified. Please advise**.
h. **It does not appear that any stormwater management features have been proposed (§99-23(M)). Please advise**.
i. **No easements are proposed. Please ensure all major structures and easements that are associated with public utilities are proposed**.
j. **Please submit a grading plan.**
k. Further to §99-23(P). Please add labels to the buffer that affirm the buffer is to be comprised of "existing vegetation to remain."
l. Further to §99-23(P), existing vegetation does not exist in the northern corner of Parcel 84.00. The 30-foot forested buffer must exist to the property line that runs parallel with Robinsonville Road. Please add proposed plantings and a small planting schedule that identifies species, caliper size, planting height, maturity height, and more. Plantings shall be staggered and in a natural manner. This portion of the buffer to be planted must be 70% deciduous shade trees and 30% evergreen trees. It is encouraged that the species of trees blend naturally with existing vegetation.
m. **While the proposed plan meets the general 30% minimum for open space, certain "tracts" of open space are not labeled. It is unclear which tracts they belong to. Please revisit land that has been mapped to be open space and assign each tract. Furthermore, it is requested that an open space table be included that organizes how much each type contributes to open space (e.g. forested buffer, open space tracts, wetlands). In other words, please add a table that summarizes how the 50% figure is being achieved.**
n. It is strongly encouraged the symbology of open space tracts be changed to a segment that is more precise in its delineation.
o. Please add a general note that states "…the subdivision is within the Henlopen Transportation Improvement District." Please keep in mind this note may change as a TIS is currently underway.
p. Please add the standard Delaware agricultural disclaimer statement to the plan.
q. Please add a general note that summarizes how and when the subdivision will be served by public sewer and water.
r. Please add a general note that addresses the perpetual maintenance of forested buffers. Additionally, the note on this buffer must also state the following:

> "The planting and maintenance of the thirty-foot forested buffer shall be subject to the requirements and standards listed in the definition of a 'forested buffer' established in §99-5 of the Sussex County Code."

Chapter 115 – Zoning

a. Under Site Data, Tax Parcel 234-6.00-67.00, please add "Deed Reference – Not Available"
b. Under Site Data, please list the density permitted with the 304 units, and the density permitted with the paid density bonus.
c. Please add a second note, under Site Data, that states this proposal is within the Henlopen Transportation Improvement District (TID).
d. Under Site Data – Amenities, please add a note that states all amenities are subject to the approval of a separate amenities plan.
e. On PSP-2, please add the acreage to both parcels.
f. There is a label for "existing woods" on Page PSP3.4. To which woodlands does this label refer? It could be removed.
g. All lots must have a minimum width of 60 feet – **requirement met**
h. All lots must have a minimum area of 7,500 square feet – **requirement met**
i. All lots must have an appropriate depth and geometry (typ. 125 ft.) – **requirement met**
j. It is recommended that Lots 217-223 be altered so the narrowing of the rear of the lot is minimized as much as possible. This is not a requirement per Chapter 115.
k. The subdivision must allocate 30% of land to be open space – **requirement met**
l. §115-25(F)3.a states that cluster subdivisions shall "provide for a total environment and design which are superior to that which would otherwise be allowed under standard development." This is intended to be achieved through "clustering homes on environmentally suitable portions of the tract." It is unclear if the creation of Lots 182-186 achieves the intent and standard of §115-25(F)3.a given the presence of wetlands to the west. Final determinations regarding this standard are made by the Planning and Zoning Commission.
m. §115-25(F)3.c requires that 30% of all required open space be adjacent to the following physical conditions if they are present. Two conditions are met. These conditions are wetlands and woodlands. It is unclear if open space will be required to be designated adjacent to these conditions. If so, this may require modifications to Lots 182-186 so that open space can adequately be designated. Final determinations regarding this standard are made by the Planning and Zoning Commission.
n. §115-25(F)3 requires that a pedestrian trail system be accessible to residents. While one has been presented, this subsection of code states that it be planned to be connected to "…adjacent trails, neighborhoods, or adjacent commercial areas." It is unclear if the proposed walking trail will meet this standard. Final determinations regarding the network and configuration of walking trails are made by the Planning and Zoning Commission.
o. While it is required that trail material be pervious, ADA compliant trails that are also pervious could be considered. This is not a requirement by the Sussex County Code. Nonetheless, the material of all pedestrian trails shall be identified on the plan. Please add.
p. Agency approvals will be required prior to any final review. The following agency approvals are requested:
    i. Delaware Department of Transportation (DelDOT) – Letter of No Objection
    ii. Office of the State Fire Marshal
    iii. Sussex Conservation District
    iv. Sussex County Engineering Department – Sewer Provision
    v. Tidewater Utilities – Adequacy to Serve or similar approval

vi. Sussex County Mapping and Addressing
vii. Department of Public Health – Office of Drinking Water

Once all comments have been addressed, please submit one (1) copy of a Revised Preliminary Subdivision Plan to the Planning and Zoning Department. Additionally, please submit one (1) electronic copy of the same. This plan is scheduled to be heard by the Planning and Zoning Commission on January 27th, 2022. All revised plans and exhibit books are requested to be submitted no later than ten (10) business days prior to the hearing.

As mentioned above, TAC comments are attached.

Please direct all questions or concerns regarding this subdivision plan to Chase Phillips, Planner II, during the normal business hours at 302-855-7878 or at chase.phillips@sussexcountyde.gov. Thank you.

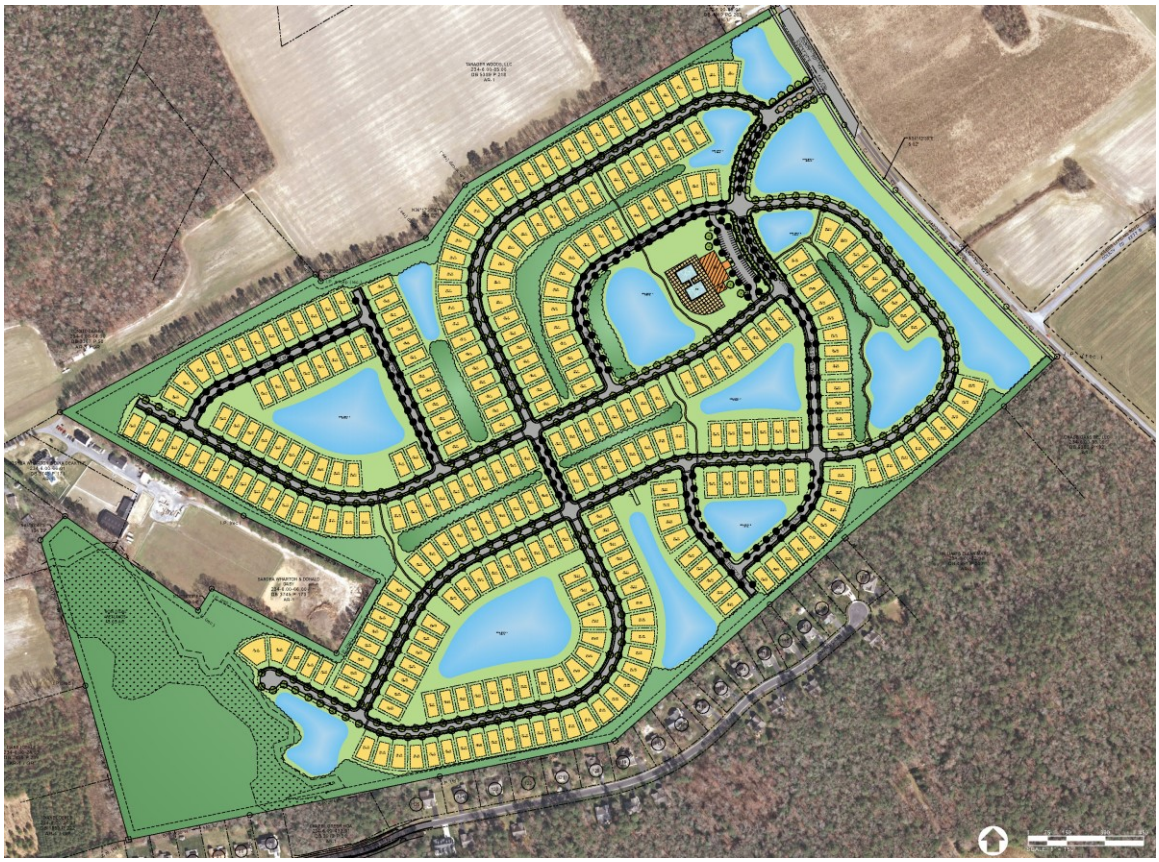
Sincerely,

Chase Phillips
Planner II

Coral Lakes

Parcels 234-6.00-67.00 & 84.00
Subdivision # 2021-06
Public Hearing Information Packet

JANUARY 2022



GMB Project No. 210127

GEORGE, MILES & BUHR, LLC

ARCHITECTS/ENGINEERS

206 WEST MAIN STREET
SALISBURY, MD 21801
410.742.3115

SALISBURY/BALTIMORE/SEAFORD

CORAL LAKES
TAX MAP 234-6.00-67.00 & 84.00
Subdivision #2021-06

INFORMATION FOR PUBLIC RECORD
JANUARY 2022

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- ACOE Approved Jurisdictional Determination Form (Interim), dated 4/12/2021

1. EXECUTIVE SUMMARY & SITE PLAN RENDERING

Coral Lakes

(FKA Adkins – Novosel)

Subdivision 2021-06

EXECUTIVE SUMMARY

Schell Brothers, LLC intends to develop the Adkins and Novosel properties (Tax Map Parcels 234-6.00-67.00 and 84.00) as a high-end residential single-family development. Total project area is 153.34 acres with 146.69 acres of uplands.

The parcels are currently zoned AR-1 and are in the Coastal Zone. The project will be developed as an AR cluster. Three hundred fifteen (315) single family lots are proposed. Minimum lot size is 7,500 SF and maximum lot size is 11,573 SF. The average lot size is 7,886 SF. Overall density proposed is 2.05 units/acre. Density permitted per code is 304 lots, the density bonus will be applied to the additional 11 lots proposed.

The project is surrounded by existing developed areas along Aintree Drive, proposed residential development (168 single family lots) adjacent to the north, and single-family development (249 lots) under construction to the east.

Amenities on site will include a pool and pool house, dog park, walking trails and pocket parks for use by community residents only. Open space provided is in excess of 75 acres (50%).

Stormwater management will meet the requirements of the Sussex Conservation District. A 25' non-tidal buffer is provided from non-tidal wetlands. A minimum 30' forested buffer is provided along the entire perimeter of the project.

The project will be accessed off Robinsonville Road. The development is located within the Henlopen Transportation Improvement District (TID), recently adopted by DelDOT and Sussex County. The proposed development is not consistent with the Land Use and Transportation Plan (LUTP) that was developed for the TID which allocated about 1 unit per acre. Proposed are 2.05 units per acre, therefore a TIS is required and has been performed. The development is still required to participate in the TID. The TID fee will cover off-site improvements beyond the entrance construction.

Central sewer will be provided by Sussex County. Central water will be provided by Tidewater Utilities, Inc.

A Site Plan Rendering and Preliminary Subdivision Plan are included for reference. A Chapter 99 Subdivision of Land Report, Environmental Assessment and Public Facility Report, and responses to PLUS, Staff Review, and TAC comments are included in the project binder.

PRINTS ISSUED FOR:
DRAWINGS STAGE

NO.	REVISIONS	DATE

GEORGE, MILES & BUHR, LLC
ARCHITECTS & ENGINEERS
SALISBURY, BALTIMORE, BEAUFORD
206 WEST MAIN STREET
SALISBURY, MARYLAND 21801
410-742-3115, FAX 410-548-5790
www.gmbnet.com

CORAL LAKES
SUSSEX COUNTY, DELAWARE

PRELIMINARY SITE PLAN RENDERING

SCALE	: 1" = 150'
DESIGN BY	: KK
DRAWN BY	: KK
CHECKED BY	: KK
GMB FILE	: 210127
DATE	: JUL 2021

SHEET NO.
PSP-4

© COPYRIGHT 2021 GEORGE, MILES & BUHR, LLC

PLOT CODE
PEN-RED 004 ACRES (.13mm)
PEN-YELLOW 007 ACRES (.18mm)
PEN-GREEN 010 ACRES (.25mm)
PEN-CYAN 014 ACRES (.36mm)
PEN-BLUE 020 ACRES (.50mm)
PEN-MAGENTA 027 ACRES (.70mm)
PEN-WHITE 039 ACRES (1.00mm)

G:\Projects\2021\210127 Coral Crossing\Drawings\Working Sets\Preliminary Site Plan\PSP-4 PRELIMINARY SITE PLAN RENDERING.dwg, -----, Katya Kalinski

2. PLANNING & ZONING

LAND TECH
LAND PLANNING, LLC

Landscape Architecture
New Urbanism Design
Land Use Planning/Permitting
Community Design
Prime Consultant – Project Management

December 28, 2020

Jamie Whitehouse, Director
Sussex County Planning & Zoning Department
2 The Circle
Georgetown, DE 19947

Re: Coral Crossing
AR – 1 Coastal Area Cluster Option Subdivision with Central Sewer
Sussex TM# 2-34-6.00-67.00 & 2-34-67.00-84.00

Dear Jamie,

Land Tech Land Planning, LLC represents Double DB, LP, the developer/applicant for the above referenced proposed subdivision. Enclosed, please find an application filed on behalf of Double DP, LP which includes the following:

- Completed and signed Application
- Ten (10) copies of a Preliminary Site Plan
- Deed
- The required $ 500.00 application fee.
- PLUS response letter.
- DelDOT Service Level Evaluation Request Form (response not received from P&Z)
- Subdivision Considerations (Chapter 99-9)
- Environmental Assessment & Public Facility Evaluation Report

Please contact our office if there are any questions or need for additional information in order to confirm this application is complete. A complete PDF copy of the above referenced documents will be forwarded to your attention.

Thank you.

Sincerely,
Land Tech Land Planning, LLC

Jeffrey A. Clark, RLA
jeffc@landtechllc.com

file: coralcrossing.ltr
enclosures: noted
cc: Josh Gray via PDF

File #: _____
Pre-App Date: _____

Sussex County Major Subdivision 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)
Standard: ___
Cluster: ✓
Coastal Area: ✓

Location of Subdivision:
Robinsonville Road across from intersection with Webbs Landing Road

Proposed Name of Subdivision:
Coral Crossing

Tax Map #: 234-6.00-67.00 & 84. **Total Acreage:** 152.32

Zoning: AR-1 **Density:** 2.07 **Minimum Lot Size:** 7,500 **Number of Lots:** 315

Open Space Acres: +/-75 (49%)

Water Provider: Tidewater Utilities **Sewer Provider:** Sussex County

Applicant Information

Applicant Name: Double DB, LP
Applicant Address: 507 North York Street, Suite 2D
City: Mechanicsburg State: PA ZipCode: 17055
Phone #: (717) 461-9995 E-mail: admin@DBLPRE.com

Owner Information

Owner Name: See Attached
Owner Address: _____
City: _____ State: _____ Zip Code: _____
Phone #: _____ E-mail: _____

Agent/Attorney/Engineer Information

Landscape Architect
Agent/Attorney/Engineer Name: Jeff Clark, RLA - Land Tech Land Planning, LLC
Agent/Attorney/Engineer Address: Taggart Professional Building, Suite 202; 32895 S. Coastal Highway
City: Bethany Beach State: DE Zip Code: 19930
Phone #: (302) 539-2366 E-mail: jeffc@landtechllc.com

Coral Crossing – AR -1 Cluster Subdivision

Supplemental Subdivision Application Data

Property Owner Information

TM# 2-34-6.00-67.00

Owner: The Adkins Company
Address: P. O. Box 156
Berlin, MD 21811

TM# 2-34-6.00-84.00

Owner: John and Linda Novosel
Address: 30362 Hollymount Road
Harbeson, DE 19951

Check List for Sussex County Major Subdivision Applications

The following shall be submitted with the application

✓ **Completed Application**

✓ **Provide ten (10) copies of the Site Plan or Survey of the property and a PDF (via e-mail)**

- Plan shall show the existing conditions, setbacks, roads, floodplain, wetlands, topography, proposed lots, landscape plan, etc. **Per Subdivision Code 99-22, 99-23 & 99-24**
- Provide compliance with Section 99-9.
- Deed or Legal description, copy of proposed deed restrictions, soil feasibility study

✓ **Provide Fee $500.00**

___ **Optional - Additional information for the Commission to consider** (ex. photos, exhibit books, etc.) If provided submit seven (7) 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.**

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

☑ **Environmental Assessment & Public Facility Evaluation Report** (if within Coastal Area)

___ **51% of property owners consent if applicable**

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 by behalf shall attend all public hearing before the Planning and Zoning Commission 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: 11/25/2020

Signature of Owner

Date: 11/25/2020

For office use only:

Date Submitted: _____ Fee: $500.00 Check #: _____

Staff accepting application: _____ Application & Case #: _____

Location of property: _____

Date of PC Hearing: _____ Recommendation of PC Commission: _____

GMB
GEORGE, MILES & BUHR, LLC

ARCHITECTS
ENGINEERS

206 WEST MAIN STREET
SALISBURY, MD 21801
PH: 410.742.3115
PH: 800.789.4462
FAX: 410.548.5790

SALISBURY
BALTIMORE
SEAFORD

www.gmbnet.com

January 11, 2022

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

Attn: Mr. Chase Phillips
Planner II

RE: Coral Lakes (fka Coral Crossing)
Preliminary Subdivision Plan
Subdivision # 2021-06
GMB # 210127

Dear Mr. Phillips:

Please accept this letter as the formal response to your Staff Review Letter, dated January 11, 2022. At this time, we will provide point by point responses to only the Preliminary Subdivision Plan comments as highlighted below. We look forward to further comments your staff may have and plan to submit the informational binders prior to the Public Hearing.

Please note we have also received TAC comments from Delaware Electric Cooperative, Delaware Department of Agriculture, State Fire Marshal's Office, DNREC State Drainage Program, and Delaware Health and Social Services. We acknowledge the comments presented and will work through the final design phase to address specific items.

Chapter 99 – Subdivision of Land

Comment a: Please add the reference number of "2021-06" to the main title on Page PSP-1.

Response a: ***The reference number has been added to Page PSP-1.***

Comment b: Please submit statements that address the subdivision standards of §99-9.

Response b: ***Subdivision of Land Report is included in the project binder.***

Comment c: It is unclear if the proposed street layout complies with §99-17(E). With 315 lots proposed, interconnectivity to adjacent tracts of land may be required by the Commission. While it is understood some of the adjacent tracts are already developed without interconnectivity of their own, it is strongly encouraged that interconnectivity be investigated so that the demand upon one entrance be reduced.

Response c: ***Comment noted.***

Comment d: While it has been scaled, please confirm that all two-way streets have a minimum width of 24 feet and that any one-way portion

JAMES H. WILLEY, JR., P.E.
PETER A. BOZICK, JR., P.E.
JUDY A. SCHWARTZ, P.E.
CHARLES M. O'DONNELL, III, P.E.
W. BRICE FOXWELL, P.E.
A. REGGIE MARINER, JR., P.E.
JAMES C. HOAGESON, P.E.
STEPHEN L. MARSH, P.E.
DAVID A. VANDERBEEK, P.E.
ROLAND E. HOLLAND, P.E.
JASON M. LYTLE, P.E.
CHRIS B. DERBYSHIRE, P.E.
W. MARK GARDOCKY, P.E.
MORGAN H. HELFRICH, AIA
KATHERINE J. MCALLISTER, P.E.
ANDREW J. LYONS, JR., P.E.

JOHN E. BURNSWORTH, P.E.
VINCENT A. LUCIANI, P.E.
AUTUMN J. WILLIS
CHRISTOPHER J. PFEIFER, P.E.

(i.e. at the entrance) has a minimum width of 14 feet. Further to the requirement of §99-23(J), please add a width label for each street.

Response d: ***All two-way streets have a min. width of 24', one-way streets are shown at 16', labels have been added to the site plan.***

Comment e: Please add a label for the proposed cul-de-sac that shows the radius is at least 38 feet.

Response e: ***A label has been added for the proposed cul-de-sac showing that the radius is at least 38 feet.***

Comment f: Please confirm that the walkways by the streets are in fact sidewalks and that sidewalks are being proposed on both sides of the street. It is requested that all walkways that are not street sidewalks be labeled as such. For example, is the walkway behind the amenities a sidewalk or trail?

Response f: ***All walkways by the streets are sidewalks. Labels have been added to the trails.***

Comment g: Stormwater management mechanisms that function with roadways must be proposed. None have been identified. Please advise.

Response g: ***Conceptual stormwater management mechanisms are shown on the preliminary site plan.***

Comment h: It does not appear that any stormwater management features have been proposed (§99-23(M)). Please advise.

Response h: ***Stormwater management features are proposed. See site plan.***

Comment i: No easements are proposed. Please ensure all major structures and easements that are associated with public utilities are proposed.

Response i: ***All easements will be shown on the Final Site Plan.***

Comment j: **Please submit a grading plan.**

Response j: ***A grading plan will be submitted with the Final Site Plan.***

Comment k: Further to §99-23(P). Please add labels to the buffer that affirm the buffer is to be comprised of "existing vegetation to remain."

Response k: ***Labels to the buffer affirming the buffer is to be comprised of "existing vegetation to remain" has been added.***

Comment l: Further to §99-23(P), existing vegetation does not exist in the northern corner of Parcel 84.00. The 30-foot forested buffer must exist to the property line that runs parallel with Robinsonville Road. Please add proposed plantings and a small planting schedule that identifies species, caliper size, planting height, maturity height, and more. Plantings shall be staggered and in a natural manner. This portion of the buffer to be planted must be

70% deciduous shade trees and 30% evergreen trees. It is encouraged that the species of trees blend naturally with existing vegetation.

Response l: ***A Landscape Plan will be included with the Final Site Plan.***

Comment m: While the proposed plan meets the general 30% minimum for open space, certain "tracts" of open space are not labeled. It is unclear which tracts they belong to. Please revisit land that has been mapped to be open space and assign each tract. Furthermore, it is requested that an open space table be included that organizes how much each type contributes to open space (e.g. forested buffer, open space tracts, wetlands). In other words, please add a table that summarizes how the 50% figure is being achieved.

Response m: ***An open space table has been added to the cover sheet. In addition, we have included a rendering.***

Comment n: It is strongly encouraged the symbology of open space tracts be changed to a segment that is more precise in its delineation.

Response n: ***Comment noted.***

Comment o: Please add a general note that states "…the subdivision is within the Henlopen Transportation Improvement District." Please keep in mind this note may change as a TIS is currently underway.

Response o: ***A General Note stating "…the subdivision is within the Henlopen Transportation Improvement District has been included.***

Comment p: Please add the standard Delaware agricultural disclaimer statement to the plan.

Response p: ***The standard Delaware Agricultural Disclaimer Statement has been added to the plan.***

Comment q: Please add a general note that summarizes how and when the subdivision will be served by public sewer and water.

Response q: ***The subdivision will be served by Sussex County Sewer and Tidewater Utilities, Inc. The note has been included on the cover sheet.***

Comment r: Please add a general note that addresses the perpetual maintenance of forested buffers. Additionally, the note on this buffer must also state the following:

> "The planting and maintenance of the thirty-foot forested buffer shall be subject to the requirements and standards listed in the definition of a 'forested buffer' established in §99-5 of the Sussex County Code."

Response r: ***A General Note has been added to address the perpetual maintenance of forested buffers. The note states the following:***

"The planting and maintenance of the thirty-foot forested buffer shall be subject to the requirements and standards listed in the definition of a 'forested buffer' established in §99-5 of the Sussex County Code."

Chapter 115 – Zoning

Comment a: Under Site Data, Tax Parcel 234-6.00-67.00, please add "Deed Reference – Not Available"

Response a: ***Under Site Data, Tax Parcel 234-6.00-67.00, "Deed Reference – Not Available" was added.***

Comment b: Under Site Data, please list the density permitted with the 304 units, and the density permitted with the paid density bonus.

Response b: ***Under Site Data, the density permitted with the 304 units, and the density permitted with the paid density (315 units) bonus has been listed.***

Comment c: Please add a second note, under Site Data, that states this proposal is within the Henlopen Transportation Improvement District (TID).

Response c: ***A second note, under Site Data, stating this proposal is within the Henlopen Transportation Improvement District (TID) has been added.***

Comment d: Under Site Data – Amenities, please add a note that states all amenities are subject to the approval of a separate amenities plan.

Response d: ***Under Site Data – Amenities, a note stating that all amenities are subject to the approval of a separate amenities plan has been added.***

Comment e: On PSP-2, please add the acreage to both parcels.

Response e: ***The acreage of both parcels has been added on Sheet PSP-2.***

Comment f: There is a label for "existing woods" on Page PSP3.4. To which woodlands does this label refer? It could be removed.

Response f: ***Label has been removed.***

Comment g: All lots must have a minimum width of 60 feet – **requirement met**

Comment h: All lots must have a minimum area of 7,500 square feet – **requirement met**

Comment i: All lots must have an appropriate depth and geometry (typ. 125 ft.) – **requirement met**

Comment j: It is recommended that Lots 217-223 be altered so the narrowing of the rear of the lot is minimized as much as possible. This is not a requirement per Chapter 115.

Response j: ***Comment noted. These lots have a minimum width of 60' at the rear yard setback line.***

Comment k: The subdivision must allocate 30% of land to be open space – **requirement met**
Currently, 75 acres, or 50% has been allocated as open space.

Comment l: §115-25(F)3.a states that cluster subdivisions shall "provide for a total environment and design which are superior to that which would otherwise be allowed under standard development." This is intended to be achieved through "clustering homes on environmentally suitable portions of the tract." It is unclear if the creation of Lots 182-186 achieves the intent and standard of §115-25(F)3.a given the presence of wetlands to the west. Final determinations regarding this standard are made by the Planning and Zoning Commission.

Response l: ***Lots and streets in this area are a min. of 50' from the wetlands. A 25' buffer from the non-tidal wetlands is provided.***

Comment m: §115-25(F)3.c requires that 30% of all required open space be adjacent to the following physical conditions if they are present. Two conditions are met. These conditions are wetlands and woodlands. It is unclear if open space will be required to be designated adjacent to these conditions. If so, this may require modifications to Lots 182-186 so that open space can adequately be designated. Final determinations regarding this standard are made by the Planning and Zoning Commission.

Response m: ***Comment noted.***

Comment n: §115-25(F)3 requires that a pedestrian trail system be accessible to residents. While one has been presented, this subsection of code states that it be planned to be connected to "…adjacent trails, neighborhoods, or adjacent commercial areas." It is unclear if the proposed walking trail will meet this standard. Final determinations regarding the network and configuration of walking trails are made by the Planning and Zoning Commission.

Response n: ***A sidewalk connects to the multi-use path along the frontage of the site. Walking trails in open spaces connect to the sidewalks.***

Comment o: While it is required that trail material be pervious, ADA compliant trails that are also pervious could be considered. This is not a requirement by the Sussex County Code. Nonetheless, the material of all pedestrian trails shall be identified on the plan. Please add.

Response o: ***Pedestrian trail materials are still being evaluated and will be finalized on the Final Site Plan.***

Comment p: Agency approvals will be required prior to any final review. The following agency approvals are requested:

i. Delaware Department of Transportation (DelDOT) – Letter of No Objection
ii. Office of the State Fire Marshal
iii. Sussex Conservation District
iv. Sussex County Engineering Department – Sewer Provision
v. Tidewater Utilities – Adequacy to Serve or similar approval
vi. Sussex County Mapping and Addressing
vii. Department of Public Health – Office of Drinking Water

Response p: ***Comment noted.***

If you have any questions or comments, please feel free to contact me by telephone at (410) 742-3115 or by e-mail at kkalinski@gmbnet.com.

Sincerely,

Katja Kalinski
Senior Landscape Designer

Enclosures

- One (1) copy of the Revised Preliminary Subdivision Plan (24x36)
- One (1) copy of the Revised Preliminary Subdivision Plan (electronic via email)

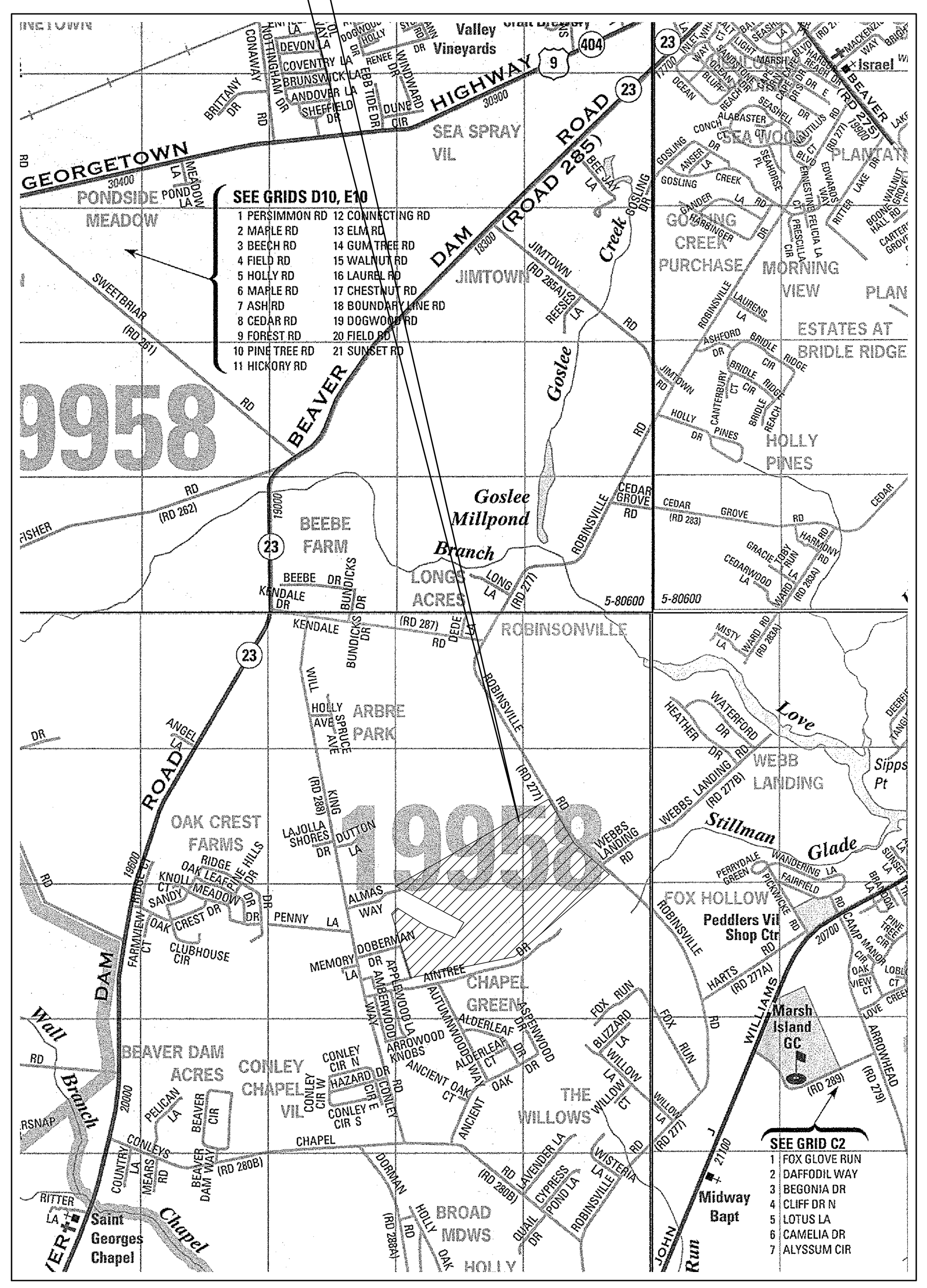
cc: Schell Brothers, LLC
Attn: Mr. Tim Green (w/o encl.)

CORAL LAKES

PRELIMINARY SITE PLAN
SUSSEX COUNTY, DELAWARE
SUBDIVISION 2021-06

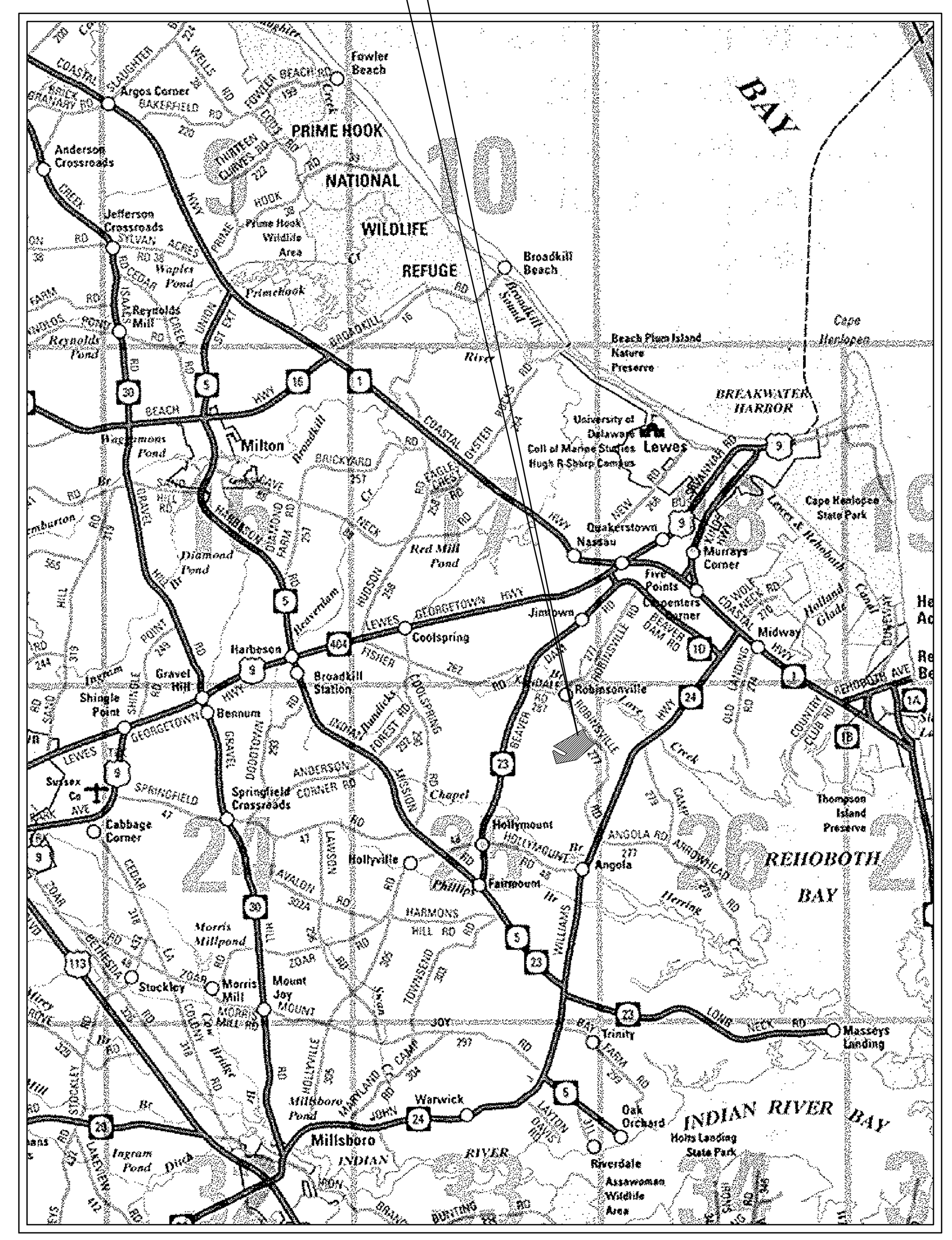
GMB File No. 210127

PROJECT AREA



LOCATION MAP
SCALE: 1" = 1,000'

PROJECT AREA



VICINITY MAP
SCALE: 1" = 1 MILE

	EXISTING	PROPOSED
PROPERTY LINE		
EASEMENT LINE		
SETBACK LINE		
R.O.W. LINE		
PROPERTY CORNER (NOT SPECIFIED)	⊙	N/A
CONCRETE MONUMENT FOUND	CMF □	CMS □
IRON PIPE FOUND	IPF ●	N/A
CONTOUR		N/A
EDGE OF PAVEMENT		
CURB		
SIDEWALK		
SIDEWALK HATCH		
EDGE OF POND		
STORM MANHOLE	(D)	(D)
CURB INLET		
STORM PIPE	SD	
SANITARY MANHOLE	(S)	(S)
SANITARY PIPE	SS	SS
WATER PIPE	W	W
OVERHEAD ELECTRIC	E	N/A
UTILITY POLE		N/A
TREE LINE		
FLOOD ZONES		

PSP-1.0 COVER SHEET

PSP-2.0 EXISTING CONDITIONS

PSP-3.0 KEY SHEET

PSP-3.1-3.4 PRELIMINARY SITE PLANS

PSP-4.0 PRELIMINARY SITE PLAN RENDERING

APPROVED ________ BY ________________________
SUSSEX COUNTY COUNCIL
PRESIDENT

APPROVED ________ BY ________________________
SUSSEX COUNTY
PLANNING AND ZONING COMMISSION

OWNER'S CERTIFICATION:
I HEREBY CERTIFY THAT I AM AN OWNER OF THE PROPERTY DESCRIBED AN SHOWN ON THIS PLAN AND THAT THE PLAN WAS MADE AT MY DIRECTION. THE UNDERSIGNED, CERTIFY THAT ALL LAND CLEARING, CONSTRUCTION AND DEVELOPMENT SHALL BE DONE PURSUANT TO THE APPROVED PLAN AND THAT THE SUSSEX CONSERVATION DISTRICT OR THEIR DESIGNATED AGENT SHALL HAVE RIGHT TO CONDUCT ON-SITE INSPECTIONS.

OWNER ________________________ DATE

OWNER ________________________ DATE

ENGINEER'S CERTIFICATION:
"I STEPHEN L. MARSH, P.E. HEREBY CERTIFY THAT I AM A REGISTERED ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE."

ENGINEER ________________________ DATE
SENIOR VICE PRESIDENT, GEORGE, MILES & BUHR, LLC.

SITE DATA:

OWNERS:	JOHN M & LINDA C NOVOSEL 30363 HOLLYMOUNT RD HARBESON, DE 19951 TM 234-6.00-84.00
	THE ADKINS CO. PO BOX 156 BERLIN, MD 21811 TM 234-6.00-67.00
APPLICANT:	SCHELL BROTHERS, LLC 20184 PHILLIPS STREET REHOBOTH BEACH, DE 19971 PHONE: 302.266.1994 CONTACT: TIM GREEN
CIVIL ENGINEER:	GEORGE, MILES & BUHR, LLC 206 WEST MAIN ST SALISBURY, MD 21801 PHONE: 410.742.3115 CONTACT: STEPHEN L. MARSH, P.E.
TAX MAP:	234-6.00-84.00
DEED REFERENCE:	3586/229
TAX MAP:	234-6.00-67.00
DEED REFERENCE:	NOT AVAILABLE
EXISTING ZONING:	AR-1 AGRICULTURAL RESIDENTIAL
PROPOSED ZONING:	AR- CLUSTER - DEVELOPMENT OPTION FOR LOTS USING A CENTRAL SEWER SYSTEM
COMPREHENSIVE PLAN MAP:	COASTAL AREA
TOTAL SITE AREA:	152.34 ACRES
DNREC WETLANDS:	0 ACRES
FEDERAL WETLANDS:	5.65 ACRES
GROSS DEVELOPMENT AREA:	152.34 ACRES
DENSITY PERMITTED GROSS AREA/21,780 SF:	304 LOTS
LOTS PROPOSED:	315 LOTS
($20,000 DENSITY BONUS ALL LOTS EXCEEDING 304):	11 LOTS
MINIMUM ALLOWABLE LOT SIZE:	7,500 SF
MINIMUM LOT SIZE PROPOSED:	7,500 SF
ACRES OPEN SPACE PROPOSED:	75.51 ACRES (50%)

"A"	6.30 AC.	AMENITY AREA INCL. POOL, POOL HOUSE, DOG PARK, WALKING TRAIL, SWM
"B"	4.97 AC.	PASSIVE RECREATION, SWM, WALKING TRAIL
"C"	3.74 AC.	PASSIVE RECREATION, SWM, WALKING TRAIL
"D"	1.67 AC.	SWM
"E"	3.40 AC.	PASSIVE RECREATION, SWM
"F"	4.37 AC.	PASSIVE RECREATION, SWM
"G"	4.96 AC.	PASSIVE RECREATION, SWM

EXISTING WOODLANDS:	141.5 ACRES
WOODLANDS TO REMAIN:	33 ACRES (21.5%)

ALL AMENITIES ARE SUBJECT TO THE APPROVAL OF A SEPARATE AMENITIES SITE PLAN.
THE PROJECT LIES WITHIN THE HENLOPEN TID.

UNIT COUNT

SINGLE FAMILY LOTS:	315
REQUIRED PARKING: (2/UNIT)	630
PROVIDED PARKING:	673

BUILDING SETBACKS:

FRONT:	25'
SIDE:	10'
REAR:	10'
MAX BUILDING HEIGHT:	42'

AMENITIES:
CLUB HOUSE, POOL, PLAYGROUND, PICKLE BALL, DOG PARK, MAIL KIOSKS, WALKING TRAILS

FLOOD ZONE: FLOOD INFORMATION: SPECIAL FLOOD HAZARD AREA ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER FIRM MAPS 10005C0330J, 10005C0333K, DATED MARCH 16, 2015.

UTILITIES:

CENTRAL WATER:	TIDEWATER UTILITIES, INC.
PUBLIC SEWER:	SUSSEX COUNTY

GENERAL NOTES:

1. STORMWATER MANAGEMENT AND STORM DRAINAGE SHALL BE IN ACCORDANCE WITH THE SUSSEX CONSERVATION DISTRICT, AND SUSSEX COUNTY ENGINEERING REQUIREMENTS. THE SITE IS TO BE TREATED BY GREEN TECHNOLOGIES, AND BMP FACILITIES SUCH AS DETENTION PONDS. MAINTENANCE OF THE ON-SITE STORMWATER MANAGEMENT FACILITIES AND STORM DRAINAGE SYSTEM SHALL BE BY THE OWNERS.
2. ALL OPEN SPACE SHALL BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
4. TOPOGRAPHY SHOWN HEREIN PER LIDAR DATA, DELAWARE STATE PLAN COORDINATE SYSTEM NAD 83/91 AND NAVD88 VERTICAL DATUM.
5. BOUNDARY SHOWN HEREIN PROVIDED BY SOLUTIONS IPEM, LLC DATED MARCH, 2019.
6. THIS SITE CONTAINS FEDERAL JURISDICTIONAL WETLANDS.
7. ALL LOTS SHALL BE ACCESSED FROM INTERIOR SUBDIVISION STREETS ONLY.
8. THE SITE LIES WITHIN FAIR & POOR GROUNDWATER RECHARGE AREA.
9. THE SITE LIES OUTSIDE THE WELLHEAD PROTECTION AREA.
10. ALL INTERIOR SIDE LOT LINES ARE RESERVED FOR THE CENTER LINE OF A 10' WIDE DRAINAGE AND/OR UTILITY EASEMENT. A 10' WIDE DRAINAGE AND/OR UTILITY IS RESERVED ON EACH LOT ALONG THE FRONT AND REAR PROPERTY LINES.
11. MAINTENANCE OF THE STREETS WITHIN THIS SUBDIVISION WILL BE THE RESPONSIBILITY OF THE DEVELOPER, THE PROPERTY OWNERS WITHIN THE SUBDIVISION OR BOTH. THE STATE ASSUMES RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF STREETS WITHIN INDICATED DELDOT RIGHT-OF-WAYS ONLY.
12. THE SUBDIVISION LIES WITHIN THE HENLOPEN TRANSPORTATION DISTRICT.
13. THE PLANTING AND MAINTENANCE OF THE 30-FOOT FORESTED BUFFER SHALL BE SUBJECT TO THE REQUIREMENTS AND STANDARDS LISTED IN THE DEFINITION OF A 'FORESTED BUFFER' ESTABLISHED IN §99-5 OF THE SUSSEX COUNTY CODE.
14. 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.

APPROVED ________ BY ________________________
SUSSEX COUNTY
SOIL CONSERVATION DISTRICT

PRINTS ISSUED FOR:
PRELIMINARY

DATE	REVISIONS	NO.

GMB
GEORGE, MILES & BUHR, LLC
ARCHITECTS & ENGINEERS
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206 WEST MAIN STREET
SALISBURY, MARYLAND 21801
410-742-3115, FAX 410-548-5790
www.gmbnet.com

CORAL LAKES
SUSSEX COUNTY, DELAWARE

COVER SHEET

SCALE	: AS SHOWN	SHEET NO.
DESIGN BY	: KK	PSP-1
DRAWN BY	: KK	
CHECKED BY	: KK	
GMB FILE	: 210127	
DATE	: JUL 2021	

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G:\Projects\2021\210127 Coral Crossing\Drawings\Working Sets\Preliminary Site Plan\PSP-1 COVER SHEET.dwg, 1/12/2022 3:26 PM, Katja Kalinski
PLOT CODE
PEN7-WHITE .039 INCHES (1.00mm)
PEN6-MAGENTA .027 INCHES (.70mm)
PEN5-BLUE .020 INCHES (.50mm)
PEN4-CYAN .014 INCHES (.35mm)
PEN3-GREEN .010 INCHES (.25mm)
PEN2-YELLOW .007 INCHES (.18mm)
PEN1-RED .006 INCHES (.15mm)

LOT #	OWNER	TAX MAP	DB AND P		ZONING
84	GRACIEA DONOVAN	234-6.00-379.00	593	272	AR-1
83	TERRY LAKE & BONNIE PENCEK	234-6.00-378.00	3116	225	AR-1
82	ANTHONY LATINA	234-6.00-377.00	5177	121	AR-1
81	JAMES CHRISTIANA TRUSTEE	234-6.00-376.00	3662	275	AR-1
80	INGE GALLAGHER	234-6.00-375.00	3769	156	AR-1
79	ROBERT & PAMELA MONTI	234-6.00-374.00	3843	322	AR-1
125	GARY ROSENBLUM	234-6.00-630.00	4443	328	AR-1
124	GEORGE CORNELL	234-6.00-629.00	2924	219	AR-1
123	JAMES & JOYCE LELESZI	234-6.00-628.00	2845	46	AR-1
122	MATTHEW VANAMAN	234-6.00-627.00	2024	255	AR-1
121	WILLIAM HICKS	234-6.00-626.00	4354	214	AR-1
120	FRANK SCHMITT	234-6.00-625.00	4470	101	AR-1
119	JOHN KENNEDY	234-6.00-373.00	2894	206	AR-1
118	KERRY RUSSO	234-6.00-372.00	3221	145	AR-1
117	LAWRENCE SIMPKISS	234-6.00-371.00	5014	9	AR-1
116	CRAIG SHELLENBERGER	234-6.00-370.00	4538	158	AR-1
115	KEVIN & EMMA ROONEY	234-6.00-369.00	2995	192	AR-1
114	MATTHEW DEEMEDIO	234-6.00-368.00	4915	237	AR-1
113	EILEEN BROWN	234-6.00-367.00	2913	250	AR-1
112	GARY PANIK	234-6.00-366.00	4582	192	AR-1
111	JAMES LINUS JR.	234-6.00-365.00	5325	31	AR-1
110	MICHAEL HATFIELD	234-6.00-364.00	3977	319	AR-1
109	PAUL CARR	234-6.00-363.00	2783	327	AR-1
108	ALAN WALDRON & PAMELA SHEPERD	234-6.00-362.00	2874	339	AR-1

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD
C1	260.88	1480.00	10.10	S36°00'26"E	260.54'
C2	63.51	1475.00	2.47	S42°18'30"E	63.51'
C3	278.48	4632.15	3.44	S45°15'55"E	278.44'

NON-TIDAL WETLANDS

0 75 150 300 450

SCALE: 1" = 150'

PLOT CODE
PEN1-RED 206 INCHES (.15mm)
PEN2-YELLOW 207 INCHES (.18mm)
PEN3-GREEN 070 INCHES (.25mm)
PEN4-CYAN 241 INCHES (.30mm)
PEN5-BLUE 030 INCHES (.50mm)
PEN6-MAGENTA 237 INCHES (.70mm)
PEN7-WHITE 031 INCHES (1.00mm)

G:\Projects\2021\210127 Coral Crossing\Drawings\Working Sets\Preliminary Site Plan\PSP-2 EXISTING CONDITIONS.dwg, 1/17/2022 1:30 PM, Kayla Kolinski

PRINTS ISSUED FOR:
PRELIMINARY

NO.	REVISIONS	DATE

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GEORGE, MILES & BUHR, LLC
ARCHITECTS & ENGINEERS
SALISBURY - BALTIMORE - SEAFORD
206 WEST MAIN STREET
SALISBURY, MARYLAND 21801
410-742-3115, FAX 410-548-5790
www.gmbnet.com

CORAL LAKES
SUSSEX COUNTY, DELAWARE

EXISTING CONDITIONS

SCALE	: 1" = 150'
DESIGN BY	:
DRAWN BY	: OTHERS
CHECKED BY	:
GMB FILE	: 210127
DATE	: JUL 2021

SHEET NO.
PSP-2

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PSP3.1

PSP3.2

PSP3.3

PSP3.4

N69°51'58"E — 1390.66'

N36°17'35"E 256.92'

N61°35'39"E — 1132.11'

S39°33'01"W 67.40'

S67°40'45"E — 443.12'

N60°36'09"W — 822.00'

N45°37'47"E 134.39'

S55°36'31"E — 636.80'

N15°55'18"E 100.06'

S62°37'12"E — 548.00'

N17°07'11"W — 595.24'

N15°40'56"W — 624.14'

S78°34'20"W — 482.33'

S78°29'43"W — 757.05'

S78°33'38"W — 696.70'

S46°02'10"W — 808.43'

S54°51'47"W — 592.00'

S50°17'58"W — 865.01'

S47°00'38"W — 283.64'

S42°27'22"E — 540.03'

N54°12'38"E 5.02'

S43°02'38"E — 627.25'

C1

C2

C3

OPEN SPACE "A" 46.03 AC.

OPEN SPACE "B" 3.40 AC.

OPEN SPACE "C" 3.74 AC.

OPEN SPACE "D" 4.99 AC.

OPEN SPACE "E" 6.30 AC.

SWM-1 through SWM-13

1.67 AC.

NON-TIDAL WETLANDS 45.83 AC.

WEBB'S LANDING ROAD COUNTY RD #277-A

CORAL LAKES DRIVE

WALKER DRIVE

ASHTON AVE.

50' R.O.W.

2'-0" | 5' SIDEWALK | 5' GRASS | 12' TRAVEL LANE | 12' TRAVEL LANE | 5' GRASS | 5' SIDEWALK | 2'-0"

2% SLOPE — PROFILE GRADE LINE — 2% SLOPE

INTEGRAL P.C.C. CURB AND GUTTER TYPE 2

6" GRADED AGGREGATE BASE COURSE TYPE B OVER APPROVED SUB-GRADE

INTEGRAL P.C.C. CURB AND GUTTER TYPE 2

PAVEMENT SECTION:
1.25" TYPE C HOT-MIX SURFACE COURSE
1.5" TYPE C HOT-MIX
2.5" TYPE B HOT-MIX BASE COURSE IN ACCORDANCE WITH SUSSEX COUNTY STANDARD SPECIFICATION 99-18-4(7).

TYPICAL ROAD CROSS SECTION

NO SCALE

80' R.O.W.

5' SIDEWALK | 2'-0" | 10.5" PLANTING STRIP | 16' TRAVEL LANE | 2'-0" | 11" MEDIAN | 2'-0" | 16' TRAVEL LANE | 2'-0" | 10.5" PLANTING STRIP | 5' SIDEWALK

2% SLOPE — 2% SLOPE

INTEGRAL P.C.C. CURB AND GUTTER TYPE 2

7" GRADED AGGREGATE BASE COURSE TYPE B OVER MINIMUM 12" COMPACTED SELECT FILL

INTEGRAL P.C.C. CURB AND GUTTER TYPE 2

INTEGRAL P.C.C. CURB AND GUTTER TYPE 2

PAVEMENT SECTION:
1.25" TYPE C HOT-MIX SURFACE COURSE
1.5" TYPE C HOT-MIX
2.5" TYPE B HOT-MIX BASE COURSE IN ACCORDANCE WITH SUSSEX COUNTY STANDARD SPECIFICATION 99-18-4(7).

TYPICAL BOULEVARD CROSS SECTION

NO SCALE

0 75 150 300 450

SCALE: 1" = 150'

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CORAL LAKES
SUSSEX COUNTY, DELAWARE

KEY SHEET

SCALE	: 1" = 150'
DESIGN BY	: KK
DRAWN BY	: KK
CHECKED BY	: KK
GMB FILE	: 210127
DATE	: JUL 2021

SHEET NO.
PSP-3

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PLOT CODE
PEN1-RED 200 INCHES/ 5.0mm
PEN2-YELLOW 207 INCHES/ 5.0mm
PEN3-GREEN 201 INCHES/ 5.0mm
PEN4-CYAN 214 INCHES/ 5.0mm
PEN5-BLUE 220 INCHES/ 5.0mm
PEN6-MAGENTA 227 INCHES/ 5.0mm
PEN7-WHITE 139 INCHES/ 5.0mm

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410-742-3115, FAX 410-548-5790
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CORAL LAKES
SUSSEX COUNTY, DELAWARE

PRELIMINARY SITE PLAN

SCALE : 1" = 60'	SHEET NO.
DESIGN BY : KK	
DRAWN BY : KK	PSP-3.1
CHECKED BY : KK	
GMB FILE : 210127	
DATE : JUL 2021	

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TANAGER WOODS, LLC
234-6.00-85.00
DB 6389 P 218
AR-1

DONALD DAISEY
234-6.00-64.00
DB 3367 P 58
AR-1 / GR

N36°17'35"E
256.92'

N67°40'45"E — 443.12'

S39°33'02"E
33.73'

N61°35'39"E — 1152.11'

30' LANDSCAPE BUFFER (EXISTING VEGETATION TO REMAIN)

OPEN SPACE "H"
46.03 AC.

OPEN SPACE "I"
3.40 AC.

SWM-10

SEASIDE WAY

MISTY MEADOW WAY

SPRING MARKET WAY

FOR CONTINUATION SEE SHEET PSP3.2

FOR CONTINUATION SEE SHEET PSP3.3

0 30 60 120 180
SCALE: 1" = 60'

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PLOT CODE
PEN1-RED 206 INCHES (15mm)
PEN2-YELLOW 207 INCHES (5mm)
PEN3-GREEN 210 INCHES (20mm)
PEN4-CYAN 214 INCHES (13mm)
PEN5-BLUE 201 INCHES (50mm)
PEN6-MAGENTA 227 INCHES (51mm)
PEN7-WHITE 339 INCHES (100mm)

0 40 80 160 240
SCALE: 1" = 80'

PRINTS ISSUED FOR:
PRELIMINARY

NO.	REVISIONS	DATE

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CORAL LAKES
SUSSEX COUNTY, DELAWARE

PRELIMINARY SITE PLAN

SCALE : 1" = 80'	SHEET NO.
DESIGN BY : KK	PSP3.2
DRAWN BY : KK	
CHECKED BY : KK	
GMB FILE : 210127	
DATE : JUL 2021	

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PLOT CODE
PEN1-RED 200 INCHES (5.0mm)
PEN2-YELLOW 200 INCHES (5.0mm)
PEN3-GREEN 200 INCHES (5.0mm)
PEN4-CYAN 200 INCHES (5.0mm)
PEN5-BLUE 200 INCHES (5.0mm)
PEN6-MAGENTA 200 INCHES (5.0mm)
PEN7-WHITE 200 INCHES (5.0mm)

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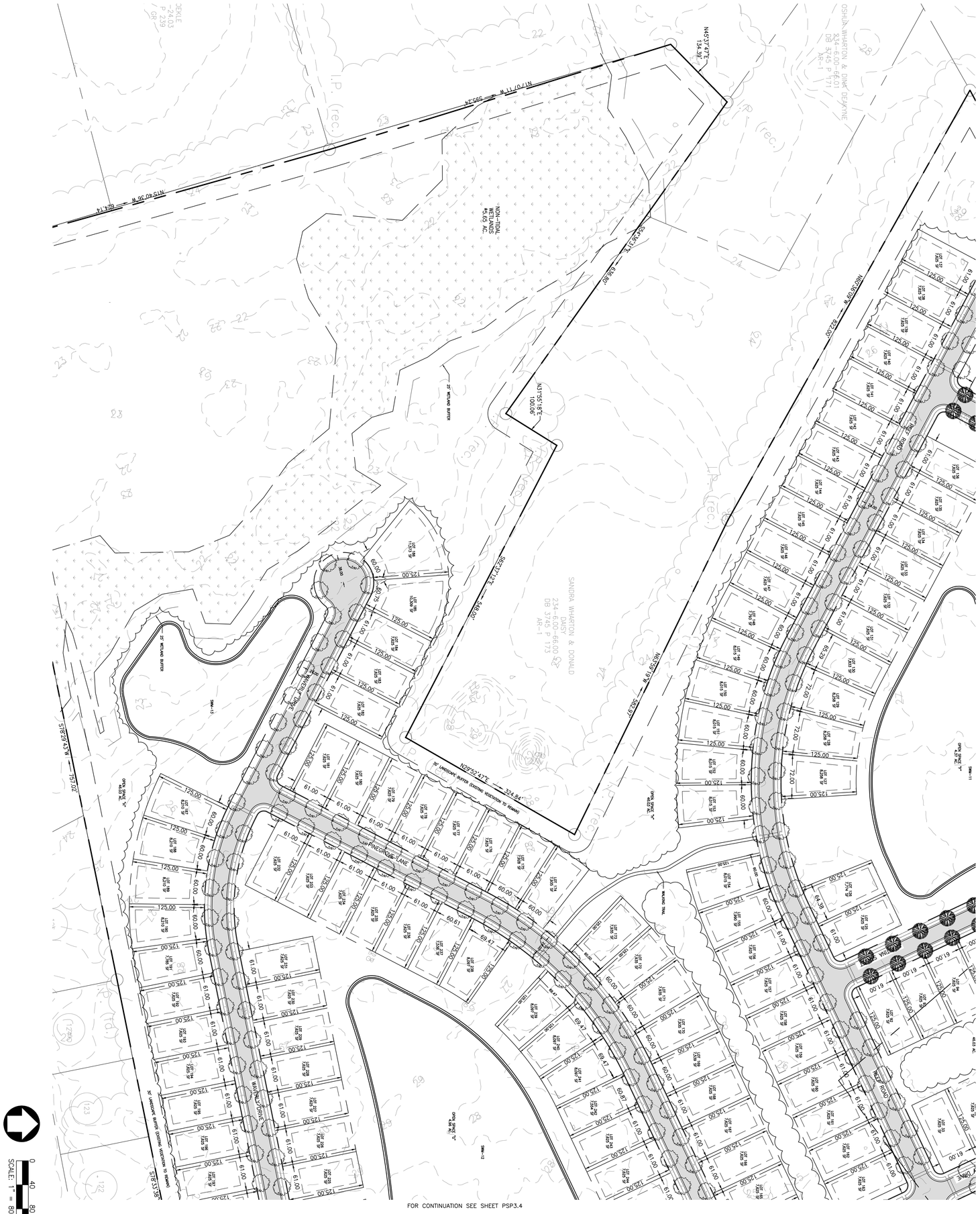
PLOT CODE

PEN1-RED	PEN2-YELLOW	PEN3-GREEN	PEN4-CYAN	PEN5-BLUE	PEN6-MAGENTA	PEN7-WHITE
.006 INCHES (.15mm)	.007 INCHES (.18mm)	.010 INCHES (.25mm)	.014 INCHES (.35mm)	.020 INCHES (.50mm)	.027 INCHES (.70mm)	.039 INCHES (1.00mm)



PRELIMINARY
SITE PLAN

CORAL LAKES
SUSSEX COUNTY, DELAWARE

GMB
GEORGE, MILES & BUHR, LLC
ARCHITECTS & ENGINEERS
SALISBURY • BALTIMORE • SEAFORD
206 WEST MAIN STREET
SALISBURY, MARYLAND 21801
410-742-3115, FAX 410-548-5790
www.gmbnet.com

NO.	REVISIONS	DATE

PRINTS ISSUED FOR:
PRELIMINARY

SCALE: 1" = 80'
DESIGN BY: KK
DRAWN BY: KK
CHECKED BY: KK
JOB FILE: 210127
DATE: JUL 2021
SHEET NO.
PSP3.3

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PRINTS ISSUED FOR:
PRELIMINARY

NO.	REVISIONS	DATE

GMB
GEORGE, MILES & BUHR, LLC
ARCHITECTS & ENGINEERS
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SALISBURY, MARYLAND 21801
410-742-3115, FAX 410-548-5790
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CORAL LAKES
SUSSEX COUNTY, DELAWARE

PRELIMINARY SITE PLAN

SCALE : 1" = 80'	SHEET NO.
DESIGN BY : KK	PSP3.4
DRAWN BY : KK	
CHECKED BY : KK	
GMB FILE : 210127	
DATE : JUL 2021	

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PLOT CODE
PEN1-RED 206 INCHES (15mm)
PEN2-YELLOW 207 INCHES (.5mm)
PEN3-GREEN 210 INCHES (.25mm)
PEN4-CYAN 214 INCHES (.13mm)
PEN5-BLUE 203 INCHES (.53mm)
PEN6-MAGENTA 227 INCHES (.75mm)
PEN7-WHITE 229 INCHES (1.00mm)

G:\Projects\2021\210127 Coral Crossing\Drawings\Working Sets\Preliminary Site Plan\PSP-3 KEY SHEET.dwg, 1/12/2022 3:28 PM, Kaja Kolinski

PRINTS ISSUED FOR:
DRAWINGS STAGE

NO.	REVISIONS	DATE

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CORAL LAKES
SUSSEX COUNTY, DELAWARE

PRELIMINARY SITE PLAN RENDERING

SCALE	: 1" = 150'
DESIGN BY	: KK
DRAWN BY	: KK
CHECKED BY	: KK
GMB FILE	: 210127
DATE	: JUL 2021

SHEET NO.
PSP-4

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PLOT CODE
PEN-RED 004 ACRES (.13mm)
PEN-YELLOW 007 ACRES (.18mm)
PEN-GREEN 010 ACRES (.25mm)
PEN-CYAN 014 ACRES (.36mm)
PEN-BLUE 020 ACRES (.50mm)
PEN-MAGENTA 027 ACRES (.70mm)
PEN-WHITE 039 ACRES (1.00mm)

G:\Projects\2021\210127 Coral Crossing\Drawings\Working Sets\Preliminary Site Plan\PSP-4 PRELIMINARY SITE PLAN RENDERING.dwg, -----, Katya Kalinski

GMB
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January 12, 2022

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

Attn: Mr. Chase Phillips
Planner II

Re: Coral Lakes
Proposed Subdivision # 2021-06
Tax Map Number 234-6.00-67.00 & 234-6.00-84.00
GMB Project # 210127

Dear Mr. Phillips:

On behalf of Schell Brothers, please accept this Environmental Assessment and Public Facility Evaluation Report for Tax Map Numbers 234-6.00-67.00 and 84.00. This letter is in support of the Proposed Subdivision and Preliminary Site Plan submittal as encouraged by Sussex Code 115-194.3. A copy of this letter report will also be included in the project binders.

The Preliminary Site Plan and supporting documentation was previously submitted to Sussex County Department of Planning and Zoning on December 28, 2020. Comments were received from Planning Staff on January 11, 2022, and have been addressed.

BACKGROUND AND PROJECT DESCRIPTION

- The Coral Lakes site is a 152.34-acre assemblage of two undeveloped parcels (Sussex Tax Parcels: 234-6.00-67.00 & 234-6.00-84.00). The subject tract of land lies in eastern Sussex County, west of the towns of Lewes & Rehoboth Beach and is situated on the east side of Robinsonville Road at the intersection of Webb's Landing Road. The entire property is currently zoned AR-1 (Agricultural Residential) and lies within the Coastal Area, a designated Growth Area as mapped in the current 2018 Comprehensive Plan for Sussex County. The zoning application is for an AR-1 Cluster Option Subdivision for lots using a central sewer system. The application seeks approval to develop 315 single-family detached home sites with a community pool and clubhouse, sidewalks, walking trails and multiple neighborhood lakes and parks planned for use as both active and passive recreation by Coral Lakes residents and guests. The development density proposed is 2.05 dwellings per acre. Density permitted per code is 304 units, the density bonus for eleven (11) units in excess of that will be paid.
- A single full-service boulevard subdivision entrance is planned at the intersection of Robinsonville Road with two additional emergency access road connections between Robinsonville Road and the interior private street network.

JAMES H. WILLEY, JR., P.E.
PETER A. BOZICK, JR., P.E.
JUDY A. SCHWARTZ, P.E.
CHARLES M. O'DONNELL, III, P.E.
W. BRICE FOXWELL, P.E.
A. REGGIE MARINER, JR., P.E.
JAMES C. HOAGESON, P.E.
STEPHEN L. MARSH, P.E.
DAVID A. VANDERBEEK, P.E.
ROLAND E. HOLLAND, P.E.
JASON M. LYTLE, P.E.
CHRIS B. DERBYSHIRE, P.E.
W. MARK GARDOCKY, P.E.
MORGAN H. HELFRICH, AIA
KATHERINE J. MCALLISTER, P.E.
ANDREW J. LYONS, JR., P.E.

JOHN E. BURNSWORTH, P.E.
VINCENT A. LUCIANI, P.E.
AUTUMN J. WILLIS
CHRISTOPHER J. PFEIFER, P.E.

- The site will be served with public sanitary sewer via a connection to the Sussex County regional wastewater transmission, treatment, and disposal Unified Sanitary Sewer District facilities.
- The site will be served with a public water system via a connection to the Tidewater Utilities Water Company existing infrastructure.
- A professionally designed landscaped buffer a minimum of 30' in width, will extend along the perimeter of the entire site in areas that are not sufficiently wooded to create the visual buffer as defined in the Sussex County Code. The gateway to the community as planned will orient all residences for front facing architectural views only.

STORMWATER & DRAINAGE DESIGN

- Stormwater management design for the Coral Lakes site will be done in accordance with DNREC's Sediment and Stormwater Regulations and approved by the Sussex Conservation District. The design will incorporate wet ponds, swales, and green technology where appropriate.

COMMUNITY POTABLE AND FIRE PROTECTION WATER SUPPLY

- The Coral Lakes site lies within the Tidewater Utilities Water Company service area and a connection to that regional public water system is planned. The regional water system connection will provide potable water supply for residential domestic use and also supply the quantities and pressures required by the Delaware State Fire Marshal Fire Prevention Regulations for residential subdivisions with fire hydrants.

WASTEWATER TREATMENT AND DISPOSAL

- The Coral Lakes site, as planned, will connect to the Unified Sanitary Sewer District of the Sussex County regional wastewater transmission, treatment, and disposal system. In comments received from the Sussex County Engineering Department (SCED) dated August 20, 2020, the subject tract lies in a Tier 3 area of the sewer district. The Sewer System Concept Evaluation (SSCE) report confirms the proposed project is within design assumptions for the Sussex County sewer system and sewer capacity is available for the project as proposed. No capacity is guaranteed until System Connection Fees are paid.
- A connection point is located on Aintree Drive.

TRAFFIC ANALYSIS

- The Coral Lakes developer submitted a Service Level Evaluation Request (SLER) Form to the Sussex P&Z Office in connection with this application on October 30, 2020. As of this writing, no response has been received from the Planning and Zoning Department.

THREATENEND AND ENDANGERED SPECIES

- Watershed Eco, LLC has prepared a Rare, Threatened and Endangered (RTE) Species Research Report, dated November 23, 2020. The report includes a review of the United States, Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) for information from their files. USFWS indicated that there are no concerns related to RTE Species for this parcel. The NMFS search indicated that there are concerns for Atlantic Sturgeon and Sea Turtles in Love Creek east of the subject property. No species of concern are noted on or near the property but any impacts to the habitats depicted, should be avoided. This would involve following the State of Delaware Sediment and Erosion Control Regulations as well as the Stormwater Management Regulations to avoid any sediment or pollution reaching these habitats from the site. A review of the site indicates that the property is wooded with typical species for this area of the Outer Coastal Plain in Delaware. There are no habitats that indicate the potential for RTE species on the site.

WETLANDS

- The Coral Lakes site has been evaluated for the existence of regulated wetlands in August 2020 by Mr. James C. McCulley, IV with Watershed Eco, LLC, a qualified Professional Wetland Scientist (# 000471). The wetlands evaluation was conducted separately on two adjoining tax parcels 234-6.00-67.00 & 234-6.00-84.00.

- **234-6.00-67.00** Mr. McCulley has characterized the site as currently wooded. Watershed Eco, LLC reviewed the background information and determined that Waters of the United States, including wetlands, were present on the site. These wetlands were flagged in the field and depicted on plans prepared and submitted as a part of this subdivision application. Additionally, non-Jurisdictional wetlands were identified on the site. These wetlands were determined to be isolated with no connection to Navigable Waters of the U.S. A detailed report is made a part of the subdivision application and contained within a Supplementary Data Book.

- **234-6.00-84.00**
  Mr. McCulley has characterized the site as currently wooded with a small agricultural area in the east. Watershed Eco, LLC reviewed the background information and determined that no Waters of the United States, including wetlands, were present on the site. Non-Jurisdictional wetlands were identified on the site. These wetlands were determined to be isolated with no connection to Navigable Waters of the U.S. A detailed report is made a part of the subdivision application and contained within a Supplementary Data Book.

OPEN SPACE MANAGEMENT

- The Coral Lakes site will result in the creation of both active and passive open space areas within the subdivision boundaries. The land use plan identifies a large centrally located open space area that will serve the overall community with active amenities such as a swimming pool, bathhouse, community center, a dog park, and walking trails will also be strategically placed within individual

neighborhoods throughout Coral Lakes. Passive open space recreation within Coral Lakes includes a community wide trail system connecting individual neighborhoods with each other as well as the central pool area with community center. Trails will also be developed around open water storm pond features and provide opportunities for both pedestrians and bicyclists.

- An Open Space Management Plan will be developed by a qualified professional that will outline the program for perpetual maintenance. The perpetual maintenance will be accomplished by qualified individuals and firms specializing in this field and under contract to the Coral Lakes homeowner's association. The Coral Lakes restrictive covenants will require the homeowners to engage a qualified professional to implement the Open Space Management Plan.

PUBLIC AND PRIVATE INFRASTRUCTURE

- The Coral Lakes subdivision will be served by both public water from Tidewater Utilities Water Company and public sanitary sewer from Sussex County.
- The Coral Lakes site as planned will connect to the Unified Sanitary Sewer District of the Sussex County regional wastewater transmission, treatment, and disposal system. In comments received from the Sussex County Engineering Department (SCED) dated October 24, 2018, the subject tract lies in Tier 3 of the sewer planning areas. The SCED SSCE report confirms the proposed project is within design assumptions for the Sussex County sewer system and sewer capacity is available for the project as proposed.
- The sanitary sewer infrastructure will include a pump station with a direct connection to existing Sussex County sewer piping and a complete gravity collection system to serve each new residence. All pumping station components and gravity piping and appurtenances will be installed at the expense of the developer following Sussex County Ordinance 38 and other utility standards and operating agreements, inspected by Sussex County staff, and dedicated to Sussex County upon acceptance of in-place construction.
- The Coral Lakes site lies within the Tidewater Utilities Water Company service area and a connection to that regional public water system is planned. The regional water system connection will provide potable water supply for residential domestic use as well as supply the quantities and pressures required by the Delaware State Fire Marshals Fire Prevention Regulations for residential subdivisions with fire hydrants.
- Other utilities to be extended to the property include gas, CATV, electric and telephone provided through private agreements with those utility companies.
- Site drainage and stormwater management systems will also be developed pursuant to County Code and DNREC regulations governing the design and inspection of installations and facilities maintenance.

ECONOMIC, RECREATIONAL & OTHER BENEFITS

- Multiple economic benefits accrue to the local economy from construction employee salaries and the purchase of materials during site construction of utilities, streets, and amenities as well as individual home construction. Additional benefits accrue from increased property taxes, permit fees, utility impact fees and the like.

- As stated elsewhere in this report, there are both active and passive recreational opportunities designed into the Coral Lakes land use plan. For a subdivision of three hundred fifteen (315) individual residences, there is a substantial Homeowner's Association capability of sustaining community and neighborhood amenities. An appropriately sized swimming pool with bath house with community center that has some room for fitness equipment together with a complete offering of other active and passive open space improvements represent a manageable economic burden to maintain for a community of this size. This active recreation amenity together with the required professional maintenance of the extensive landscape buffer areas, interior walking trails and common area grass cutting, fertilizing and weed/pest control should be sustainable for a community of this size. A balanced amenity offering with manageable upkeep expense will ensure that the fit and finish of Coral Lakes common areas remain in a good state of repair and appearance.

CONFORMANCE WITH COMPREHENSIVE PLAN

- The Coral Lakes subdivision site has been planned in accordance with the 2018 Comprehensive Plan approved by Sussex County Council.
- The Future Land Use component of the 2018 Plan has established Growth Areas where the County has signaled future growth is expected. The entire Coral Lakes site is mapped as **Coastal Areas** on the 2045 Future Land Use Map. Coastal Areas are one of seven (7) Growth areas defined and described in the 2018 Plan. The 2018 Plan seeks to encourage the County's most concentrated forms of new development to Growth Areas.

  The 2018 Plan recognizes that the Coastal Growth Area is in a region among the most desirable locations in Sussex County for new housing. Coastal Areas can accommodate development provided special environmental concerns are addressed and a range of housing types should be permitted including single family detached which Coral Lakes proposes. Coastal Areas development densities proposed in the 2018 Plan range from 2-12 homes per acre. Coral Lakes subdivision proposes 2.05 dwellings per acre. Cluster development is encouraged that results in the permanent preservation of a substantial percentage of the tract or area being developed. Coral Lakes subdivision as planned preserves in excess of thirty percent (30%) open space as that term is defined in the Sussex County Code. Coral Lakes land use planning involves Best Management Practices (BMP's) in storm water management design, preserves significant contiguous areas of the existing woodlands on-site, and proposes extensive buffers for wildlife habitat and nutrient (nitrogen and phosphorous) management. The Coral Lakes subdivision will be connected to the Sussex County regional wastewater collection, transmission and treatment facilities and the Tidewater Utilities regional potable and fire protection water system.

HISTORICAL AND CULTURAL RESOURCES

- The Coral Lakes site was reviewed in November of 2020 by the State Historic Preservation Office as a part of the PLUS process. Their report stated that there

are no known archeological sites or known National Register listed or eligible properties on the parcel.

ACTIONS TO MITIGATE DETRIMENTAL IMPACTS

- The Coral Lakes subdivision plan is based upon the principals of sound land use planning and landscape architecture. Open space corridors are located to promote and encourage pedestrian access between homes in the neighborhood.
- Wooded and open space pathways into and through the community and landscaped perimeter buffers allow the linking of off-site natural areas for wildlife surrounding the site to remain connected. Perimeter landscaped buffers also provide important esthetics for views into the site from neighboring properties and views from within the subdivision.
- Home sites are established in a design where all future residential construction will be viewed from off-site looking at the front and not rear of all proposed new homes.
- The gateway to the community presents a lakefront setting overlooking a wooded backdrop with no homes proposed on the entrance side of the boulevard roadway for a safe distance.
- No Jurisdictional wetland impacts, crossings or other intrusions are planned in Coral Lakes and adequate buffers to those wetlands are proposed on the land use plan.
- The use of a qualified professional site maintenance company by the home-owners association to manage plant and animal communities in both the native and more manicured areas of Coral Lakes will serve to mitigate the effects of development on this site. Plant pest management, fertilizer application management and invasive species plant management will all serve to mitigate effects of a low-density land use.
- Using “state of the art” best management stormwater quality and quantity controls and structures with native plant species will ensure that the impacts of land development are minimized.

Please feel free to contact me with any questions.

Sincerely,

Katja Kalinski
Senior Landscape Designer

KK/cl

Enclosures:

- One (1) copy of the Preliminary Site Plan

cc: Schell Brothers
Attn: Tim Green

CORAL LAKES SUBDIVISION
(FKA Adkins – Novosel)
TAX MAP PARCELS 234-6.00-67.00 & 84.00

CHAPTER 99-9 SUBDIVISION OF LAND
REPORT

With regard to Section 99-9.C of the Sussex County Code, we offer the following comments:

1. INTEGRATION OF PROPOSED SUBDIVISION INTO EXISTING TERRAIN AND SURROUNDING LANDSCAPE

- The proposed Coral Lakes Subdivision site consists of two adjoining properties that are predominantly forested land with the exception of some open area along the Robinsonville Road frontage. The property is not currently being actively managed for silviculture. The entire combined tract of land is mapped as "Coastal Area" in the current Sussex County Comprehensive Plan and has both central water and public sanitary sewer available.
- The Coral Lakes Subdivision site is bound on the south by Chapel Green, an existing fully developed single family lot subdivision constructed with custom homes in the mid to late 1980's.
- Immediately north of the Coral Lakes Subdivision property is land that has historically been tilled for row crops. More recently, this same land has been the subject of an AR-1 cluster option subdivision with 173 single family lots known as Tanager Woods which proposes access from Robinsonville Road.
- To the east and across the Robinsonville Road lies land that has also been historically tilled for row crops and is now being developed as an AR Cluster Subdivision containing 249 single family lots.
- West of the Coral Lakes Subdivision site boundary are some individual small farmsteads and along Wil King Road are 6-8 single family homesites on road frontage stripped lots.
- Growth in the form of new residential subdivision communities have been progressing along Robinsonville Road and the surrounding area for the last several years.
- The Federal jurisdictional wetlands, as professionally delineated on the western side of the proposed Coral Lakes Subdivision, will be adequately buffered from the single-family home land use and remain in their natural condition and not be disturbed as a part of subdivision construction.
- An Open Space Management Plan prepared by a qualified professional shall outline a detailed strategy to maintain the native trees and shrubs within existing natural wetland areas and developer planted landscape buffer areas.
- The Open Space Management Plan will be implemented by landscape maintenance professionals under contract to the Coral Lakes Subdivision Homeowner's Association as required by the subdivision restrictive covenants.
- No lots within Coral Lakes Subdivision shall have direct access onto the road frontage of any State maintained routes or public roads.
- The Coral Lakes Subdivision design results in an excess of 75 acres of open space (+/- 50%) to be actively managed by professional maintenance companies under contract to the home-owners association.
- The low residential density planned for Coral Lakes Subdivision will result in 2.05 dwellings per acre (2.05 du/acre) which is generally in keeping with the low-density

character of the surrounding area. A density bonus for the lots in excess of 304 lots will be paid.

- All streets, sidewalks, site grading and sanitary sewer infrastructure will be designed, constructed, and inspected for conformance to all Sussex County Engineering Department standards and specifications.
- All grading, drainage and storm water management facilities will be designed, constructed, and inspected for conformance to Sussex Conservation District and DNREC standards and specifications.
- All water service infrastructure will be designed to Tidewater Utilities standards and specifications and inspected by the State Fire Marshal's Office for conformance to State Fire Prevention Regulations.

2. MINIMAL USE OF WETLANDS AND FLOODPLAINS

- The Coral Lakes Subdivision site has been evaluated for the existence of regulated wetlands in September of 2020 by Mr. James McCulley, a recognized qualified Professional Wetland Scientist.
- The conclusions reached in the full Wetland Delineation Report by Watershed Eco are attached in the Supplemental Data Book and made a part of the subdivision application.
- No approvals from involved State or Federal wetland regulatory agencies will be needed for subdivision construction. No lots contain any State or Federal wetlands within their boundaries and both jurisdictional wetlands are adequately buffered from the boundaries of all proposed new residential lots.
- The entire Coral Lakes Subdivision site as mapped on Flood Insurance Rate Map (FIRM) Number 10005C0635K (Maps Revised March 16, 2015) is in Zone X (areas determined to be outside of the 0.2% annual chance floodplain). A copy of the current FIRM shall be included within the Supplemental Data Book made a part of this application.

3. PRESERVATION OF NATURAL AND HISTORIC FEATURES

- The Coral Lakes Subdivision site was reviewed in November of 2020 by the State Historic Preservation Office as a part of the PLUS process. Their report stated that there are no known archeological sites or known National Register listed or eligible properties on the parcel.
- The Coral Lakes Subdivision site will result in the creation of both active and passive open space areas within the subdivision boundaries.
- Passive open recreational spaces are confined to areas surrounding stormwater ponds that will primarily serve as opportunities for residents and their guests for walking and pet exercise. About 33 acres of woods are being maintained. Where required to augment the existing forested site perimeter, the 30' new landscape buffer will be vegetated in conformance with a detailed plan prepared under the direction of a Delaware licensed landscape architect and approved by the Delaware State Forestry Department.
- The guidelines for preparation of the landscape buffer are found in the Sussex County Code. Maintenance of landscape buffer areas will follow the direction of qualified arborists under contract to the Coral Lakes Subdivision homeowner's association.
- A central open space area and individual neighborhood parks will be used more actively by the residents and their guests. This active area will have adequate space to accommodate a swimming pool and bathhouse, and a dog park.

- An Open Space Management Plan will be developed by a qualified professional that will outline the program for perpetual plant maintenance, fertilizer and pesticide applications. The open space maintenance will be accomplished by qualified individuals and firms specializing in this field and under contract to the Coral Lakes Subdivision homeowner's association. The Coral Lakes Subdivision restrictive covenants will require the homeowners to engage a qualified professional to implement the Open Space Management Plan.

4. PRESERVATION OF OPEN SPACE AND SCENIC VIEWS

- The Coral Lakes Subdivision site will result in the creation of both active and passive open space areas within the subdivision boundaries. Much of the existing forested area that will be retained lies within these active/passive open spaces. The land use plan is sensitive to the open spaces being fully connected for use by the residents as well as providing corridors for wildlife to traverse the property.
- The land use plan has oriented the proposed residences that will be seen from Robinsonville Road a view of the fronts of all homes and no rear facing lots/homes have been proposed on the plan as viewed from off-site.
- Passive open recreational spaces are confined to areas surrounding stormwater ponds that will primarily serve as opportunities for residents and their guests for walking and pet exercise. Where required the 30' new landscape buffer areas will be vegetated in conformance with a detailed plan prepared under the direction of a Delaware licensed landscape architect and approved by the Delaware State Forestry Department.
- The guidelines for preparation of the landscape buffer are found in the Sussex County Code. Maintenance of landscape buffer areas will follow the direction of qualified arborists under contract to the Coral Lakes Subdivision homeowner's association.
- A central open space area and individual neighborhood parks will be used more actively by the residents and their guests. This active area will have adequate area to accommodate a swimming pool and bathhouse, and a dog park.
- An Open Space Management Plan will be developed by a qualified professional that will outline the program for perpetual plant maintenance, fertilizer, and pesticide applications. The open space maintenance will be accomplished by qualified individuals and firms specializing in this field and under contract to the Coral Lakes Subdivision homeowner's association. The Coral Lakes Subdivision restrictive covenants will require the homeowners to engage a qualified professional to implement the Open Space Management Plan.

5. MINIMIZATION OF TREE, VEGETATION, AND SOIL REMOVAL AND GRADE CHANGES

- Within all existing wooded areas, beyond clearing for SWM purposes, trails, street, and home construction no further clearing, disturbance, or altering of vegetation shall be permitted except the removal of dead and dying trees which pose a threat to the public safety. About 33 acres of woods will be maintained. Where required to augment the existing forested perimeter of the property, the 30' new landscape buffer areas will be vegetated in conformance with a detailed plan prepared under the direction of a Delaware licensed landscape architect and approved by the Delaware State Forestry Department.
- The guidelines for preparation of the landscape buffer are found in the Sussex County Code. Maintenance of landscape buffer areas will follow the direction of

qualified arborists under contract to the Coral Lakes Subdivision homeowner's association.

- The subdivision site grading and drainage design will follow the general contour of the existing pre-developed site except areas that are proposed for excavation as wet ponds and open swales to convey stormwater across the site.
- To the maximum extent possible, site topsoil will be stockpiled for re-use in lot areas around new residences and active open space areas and for the creation of earth berms.

6. SCREENING OF OBJECTIONABLE FEATURES FROM NEIGHBORING PROPERTIES AND ROADWAYS

- Where required to augment the existing forested perimeter of the property, the 30' new landscape buffer areas will be vegetated in conformance with a detailed plan prepared under the direction of a Delaware licensed Landscape Architect and approved by the Delaware State Forestry Department. These buffers will serve to adequately screen the development when viewed from neighboring properties.
- The land use plan has oriented the proposed residences that will be seen from Robinsonville Road a view of the fronts of all homes and no rear facing lots/homes have been proposed on the plan as viewed from off-site.

7. PROVISION FOR WATER SUPPLY

- The Coral Lakes Subdivision site lies within the Tidewater Utilities Water Company service area and a connection to that regional public water system is planned.
- The regional water system connection will provide potable water supply for residential domestic use as well as supply the quantities and pressures required by the Delaware State Fire Marshals Fire Prevention Regulations for residential subdivisions with fire hydrants.

8. PROVISION FOR SEWAGE DISPOSAL

- The Coral Lakes site as planned will connect to the Unified Sanitary Sewer District of the Sussex County regional wastewater transmission, treatment and disposal system. In comments received from the Sussex County Engineering Department (SCED), dated August 20, 2020, the subject tract lies in a Tier 3 area of the sewer district. The SSCE report confirms the proposed project is within design assumptions for the Sussex County sewer system and sewer capacity is available for the project as proposed. No capacity is guaranteed until System Connection Fees are paid.
- A connection point is located on Aintree Drive. A copy of the SSCE Report will be contained within a Supplementary Data Book and made a part of the application.

9. PREVENTION OF POLLUTION OF SURFACE AND GROUNDWATER

- The wooded Coral Lakes Subdivision property is currently not actively managed for silviculture. As stated elsewhere in this report, the Coral Lakes Subdivision HOA documents will require that all community fertilizer and pesticide applications be managed by professional firms qualified, properly trained and Delaware licensed. We expect this managed and designed approach to fertilizer and pesticide applications together with the SWM best management practices required

for residential land use, will result in a better outcome for the environment both on and off-site.

- The storm water management design at Coral Lakes Subdivision will utilize a system of wet ponds, and grassed swales to address State of Delaware mandated water quality standards. As required by law, all drainage and storm water management design documents and computations will be scrutinized by the Sussex Conservation District prior to issuance of any permits for land disturbing activities.
- A connection to public sewer in lieu of the use of septic systems will insure an improvement and protection of groundwater quality.
- This area has historically used individual on-site septic systems or community septic systems for wastewater management.

10. MINIMIZATION OF EROSION AND SEDIMENTATION, CHANGES IN GROUNDWATER LEVELS, OF INCREASED RATES OF RUNOFF, OF POTENTIAL FOR FLOODING AND DESIGN OF DRAINAGE SO THAT GROUNDWATER RECHARGE IS MAXIMIZED

- Development of the Coral Lakes Subdivision will comply with a Sussex Conservation District approved Erosion and Sediment Control Plan. The stormwater management design will utilize a system of wet ponds, and grassed waterways to address State of Delaware mandated water quality standards. As required by law, all drainage and storm water management design documents and computations will be scrutinized by the Sussex Conservation District prior to issuance of any permits for land disturbing activities.

11. PROVISION FOR SAFE VEHICULAR AND PEDESTRIAN MOVEMENT WITHIN THE SITE AND TO ADJACENT WAYS

- The subject development is located within the Henlopen Transportation Improvement District (TID), recently adopted by DelDOT and Sussex County. The proposed development is not consistent with the Land Use and Transportation Plan (LUTP) that was developed for the TID, therefore a TIS is required and has been performed. The development is still required to participate in the TID. The TID fee will cover off-site improvements beyond the entrance construction.
- The commercial subdivision entrance permit will insure, to DelDOT standards, that safe auto and bicycle vehicular and pedestrian movements will occur as a part of this new subdivision construction.
- The Coral Lakes Subdivision design incorporates a continuous paved sidewalk network throughout the neighborhood connecting residents to each other and to site amenities including walking trails.
- The community trail system also provides a connection point to the DelDOT Shared Use Path (SUP) along Robinsonville Road.
- Emergency exit options are being evaluated.
- A connection to the proposed subdivision to the north is provided.

12. EFFECT ON AREA PROPERTY VALUES

- The Coral Lakes Subdivision plan is based upon the principals of sound land use planning and landscape architecture.
- Where required to augment the existing forested perimeter of the property, the 30' new landscape buffer areas will be vegetated in conformance with a detailed plan

prepared under the direction of a Delaware licensed Landscape Architect and approved by the Delaware State Forestry Department. These buffers will serve to adequately screen the development when viewed from neighboring properties.

- The land use plan has oriented the proposed residences that will be seen from Robinsonville Road a view of the fronts of all homes and no rear facing lots/homes have been proposed on the plan as viewed from off-site.
- The gateway to this subdivision presents a tree lined and boulevard street overlooking open storm water ponds and a community park as views entering the new community.
- For the above reasons, this new well-planned community will command an above market home sale price and re-sale price which will serve as a positive effect on those properties in the immediate neighborhood.

13. PRESERVATION AND CONSERVATION OF FARMLAND

- The Coral Lakes Subdivision site will not neither preserve nor conserve farmland.

14. EFFECT ON SCHOOLS, PUBLIC BUILDINGS AND COMMUNITY FACILITIES

- The Coral Lakes Subdivision site with new single family detached homes is likely to attract a mix of both retiree and second home buyers as residents. The 315-home size of Coral Lakes Subdivision and the projected demographic of the buyers may limit the impacts of future residents upon existing schools. However, the applicant will meet and coordinate with the local school board superintendent to learn their view of school impacts and make provisions accordingly.
- During the commercial entrance permit process with DelDOT, the applicant will be required to coordinate this new development with the public-school transportation staff to learn if a school bus stop is appropriate and required at this location. Adequate area is available within the community center to design school bus circulation and parking for parents with children awaiting the bus.

15. EFFECT ON AREA ROADWAYS AND PUBLIC TRANSPORTATION

- The Coral Lakes Subdivision developer submitted a Service Level Evaluation Request (SLER) Form to the Sussex P&Z Office in connection with this application in November of 2020. We await a response from DelDOT.
- All commercial subdivision entrance improvements as well as all off-site improvements within the public DelDOT right of way shall be constructed and inspected as directed and approved by DelDOT.

16. COMPATABILITY WITH OTHER AREA LAND USES

- The low residential density planned for Coral Lakes Subdivision will result in 2.05 dwellings per acre which is generally in keeping with the low-density character of the surrounding area.
- Growth in the form of new residential subdivision communities have been progressing along Robinsonville Road and surrounding area for the last 12 – 15 years.
- There are a number of existing residential communities in the immediate vicinity as well as several planned subdivisions that have recently started construction or are about to begin.

17. EFFECT ON AREA WATERWAYS

- All construction activities within the Coral Lakes Subdivision site shall adhere to detailed plans and specifications prepared by Delaware licensed professional engineers contained within a Stormwater Management Plan with Sediments and Erosion Control provisions approved by the Sussex Conservation District. The Sussex Conservation District requires all site disturbances to be under inspection by DNREC staff to ensure compliance with approved stormwater management designs and specifications.
- An Open Space Management Plan prepared by a qualified professional under agreement with the Coral Lakes Subdivision homeowner's association will monitor the applications of fertilizers and pesticide treatments within the community. Proper management of these fertilizer and pesticide applications may result in less water quality impact to off-site drainage systems than the pre-developed condition of active agriculture.

3. PRELIMINARY LAND USE SERVICE (PLUS)

Preliminary Land Use Service (PLUS)

Delaware State Planning Coordination

122 Martin Luther King Jr. Blvd., South • Dover, DE 19901 • Phone: 302-739-3090 • Fax: 302-739-5661

Purpose of PLUS - -The PLUS process is intended to provide consolidated State comments regarding the proposed project. The Applicant is encouraged to submit the application during the concept stages of planning as this process often offers recommendations for changes to the plan. The application should be submitted after the pre-application meeting with the local jurisdiction but before formal application is made.

Please complete this PLUS application in its entirety. **All questions must be answered. If a question is unknown at this time or not applicable, please explain.** Unanswered questions on this form could lead to delays in scheduling your review. This form will enable the state staff to review the project before the scheduled meeting and to have beneficial information available for the applicant and/or developer at the time of review. If you need assistance or clarification, please call the State Planning Office at (302) 739-3090.

PLUS Number (to be completed by OSPC): 2020-11-05

Investment Level Per Strategies for State Policies and Spending (to be determined by OSPC): 3/4

1. Project Title/Name: Adkins Novosel - Gray
2. Location (please be specific): Robinsonville Road across from intersection with Webbs Landing Road
3. Parcel Identification #: 234-6.00-67.00 & 84.00
4. County or Local Jurisdiction Name: where project is located: Sussex
5. If contiguous to a municipality, are you seeking annexation: N/A
6. Owner's Name: (1) The Adkins Company and (2) John M. & Linda C. Novosel

   Address: P.O. Box 156; Berlin MD 21811 (Adkins) 32043 Conleys Chapel Rd, Lewes 19958 (Novosel)

   City: State: Zip:

   Phone: Fax: Email:

7. Equitable Owner/Developer **(This Person is required to attend the PLUS meeting)**: Double DB, LP

   Address: 507 North York Street, Suite 2D

   City: Mechanicsburg State: PA Zip: 17055

   Phone: 717-461-2401 Fax: Email: webster.gray@yahoo.com

8. Project Designer/Engineer: Land Tech Land Planning, LLC

   Address: Taggart Professional Center, Suite 202; 32895 South Coastal Highway

   City: Bethany Beach State: DE Zip: 19930

   Phone: 302-539-2366 Fax: Email: jeffc@landtechllc.com

9. **Please Designate a Contact Person, including phone number, for this Project:** Jeff Clark, RLA 302-539-2366

Information Regarding Site:

10. Type of Review: ☐ Rezoning, if not in compliance with certified comprehensive plan ☐ Site Plan Review ☒ Subdivision

11. Brief Explanation of Project being reviewed:
An AR Coastal Area Cluster Option subdivision served by central water and central sewer
If this property has been the subject of a previous LUPA or PLUS review, please provide the name(s) and date(s) of those applications. PLUS 2019-01-05

12. Area of Project (Acres +/-): 152.32 Number of Residential Units: 304 Commercial square footage: N/A

13. Present Zoning: AR-1	14. Proposed Zoning: AR-1
15. Present Use: Vacant - Not Farmed	16. Proposed Use: Single family lot subdivision

17. Water: ☒ Central (Community system) ☐ Individual On-Site ☒ Public (Utility)
Service Provider Name: Artesian Water Company
Will a new public well be located on the site? ☐ Yes ☒ No

18. Wastewater: ☐ Central (Community system) ☒ Individual On-Site ☐ Public (Utility)
Service Provider Name: Sussex County
Will a new community wastewater system be located on this site? ☐ Yes ☒ No

19. If residential, describe style and market segment you plan to target (Example- Age restricted):
Upscale medium to large single family homes for year around retiree, and second home occupancy.

20. Environmental impacts:
How many forested acres are presently on-site? 143.5 ac. How many forested acres will be removed? 95.5

To your knowledge, are there any wetlands, as defined by the U.S. Army Corps of Engineers or the Department of Natural Resources and Environmental Control, on the site? ☒ Yes ☐ No

Are the wetlands: ☐ Tidal Acres:
☒ Non-tidal Acres: 4.87

If "Yes", have the wetlands been delineated? ☒ Yes ☐ No

Has the Army Corps of Engineers signed off on the delineation? ☐ Yes ☒ No Pending

Will the wetlands be directly impacted and/or do you anticipate the need for wetland permits? ☐ Yes ☒ No If "Yes", describe the impacts:

How close do you anticipate ground disturbance to wetlands, streams, wells, or waterbodies? +/- 50'

21. Does this activity encroach on or impact any tax ditch, public ditch, or private ditch (ditch that directs water off-site)? ☐ Yes ☒ No

22. List the proposed method(s) of stormwater management for the site: Combination of infiltration basins and wet ponds BMP's

23. Is open space proposed? ☒ Yes ☐ No If "Yes," how much? Acres: +/- 50 acres

What is the intended use of the open space (for example, active recreation, passive recreation, stormwater management, wildlife habitat, historical or archeological protection)? Active/Passive recreation

24. Are you considering dedicating any land for community use (e.g., police, fire, school)? ☐ Yes ☒ No

25. Please estimate How many vehicle trips will this project generate on an average weekday? A trip is a vehicle entering or exiting. If traffic is seasonal, assume peak season: 2,892 Trips

What percentage of those trips will be trucks, excluding vans and pick-up trucks? 1% (Trash pick-up, mail, UPS, Fed Ex)

26. Will the project connect to state maintained roads? ☒ Yes ☐ No

27. Please list any locations where this project physically could be connected to existing or future development on adjacent lands and indicate your willingness to discuss making these connections. Refer to site plan

28. Are there existing sidewalks? ☐ Yes ☒ No; bike paths ☐ Yes ☒ No
Are there proposed sidewalks? ☒ Yes ☐ No; bike paths ☒ Yes ☐

Is there an opportunity to connect to a larger bike, pedestrian, or transit network? ☒ Yes ☐ No

29. To your knowledge, is this site in the vicinity of any known historic/cultural resources or sites? ☐ Yes ☒ No

Has this site been evaluated for historic and/or cultural resources? ☐ Yes ☒ No

Would you be open to a site evaluation by the State Historic Preservation Office? ☐ Yes ☒ No

30. To promote an accurate review of your parcel's features, would you permit a State agency site visit? ☐ Yes ☒ No
Person to contact to arrange visit: _____ phone number: _____

31. Are any federal permits, licensing, or funding anticipated? ☐ Yes ☒ No

I hereby certify that the information on this application is complete, true and correct, to the best of my knowledge.

Signature of property owner, Equitable Owner/Developer — Date: 10.30.2020

Signature of Person completing form: Jeff Clark, RLA — Date: 10.30.2020
(If different than property owner)

Signed application must be received before application is scheduled for PLUS review.

This form should be returned to the Office of State Planning **electronically** at plus@state.de.us **along with an electronic copy of any site plans and development plans for this site**. Site Plans, drawings, and location maps should be submitted as image files (JPEG, GIF, TIF, etc.) or as PDF files. GIS data sets and CAD drawings may also be submitted. If electronic copy of the plan is not available, contact The Office of State Planning Coordination at (302) 739-3090 for further instructions. A signed copy should be forwarded to the Office of State Planning, 122 William Penn Street, Dover, DE 19901. Thank you for this input. Your request will be researched thoroughly. **Please be sure to note the contact person** so we may schedule your request in a timely manner.

GMB
GEORGE, MILES & BUHR, LLC

ARCHITECTS
ENGINEERS

206 WEST MAIN STREET
SALISBURY, MD 21801
PH: 410.742.3115
PH: 800.789.4462
FAX: 410.548.5790

SALISBURY
BALTIMORE
SEAFORD

www.gmbnet.com

January 13, 2022

Delaware Office of State Planning
122 William Street
Dover, DE 19901

Attn: M. David L. Edgell, AICP
Director

Re: Response to PLUS Review Comments
Coral Lakes (fka Adkins-Novosel)
PLUS Review – 2020-11-05

Dear Mr. Edgell:

Please accept this letter as the formal response to the Office of State Planning Coordination PLUS review comments dated, December 18, 2020 for the above referenced project. The original State Agency comments are included below with our responses highlighted in red and italicized.

Sincerely,

Katja Kalinski
Senior Landscape Designer

KK/cl

cc: Schell Brothers, LLC
Attn: Mr. Tim Green

JAMES H. WILLEY, JR., P.E.
PETER A. BOZICK, JR., P.E.
JUDY A. SCHWARTZ, P.E.
CHARLES M. O'DONNELL, III, P.E.
W. BRICE FOXWELL, P.E.
A. REGGIE MARINER, JR., P.E.
JAMES C. HOAGESON, P.E.
STEPHEN L. MARSH, P.E.
DAVID A. VANDERBEEK, P.E.
ROLAND E. HOLLAND, P.E.
JASON M. LYTLE, P.E.
CHRIS B. DERBYSHIRE, P.E.
W. MARK GARDOCKY, P.E.
MORGAN H. HELFRICH, AIA
KATHERINE J. MCALLISTER, P.E.
ANDREW J. LYONS, JR., P.E.

JOHN E. BURNSWORTH, P.E.
VINCENT A. LUCIANI, P.E.
AUTUMN J. WILLIS
CHRISTOPHER J. PFEIFER, P.E.

Strategies for State Policies and Spending

- This project is located in Investment Levels 3 and 4 according to the *Strategies for State Policies and Spending*. Investment Level 3 reflects areas where growth is anticipated by local, county, and state plans in the longer term future, or areas that may have environmental or other constraints to development. State investments may support future growth in these areas, but please be advised that the State has other priorities for the near future. Investment Level 4 indicates where State investments will support agricultural preservation, natural resource protection, and the continuation of the rural nature of these areas. New development activities and suburban development are not supported in Investment Level 4 areas. These areas are comprised of prime agricultural lands and/or environmentally sensitive wetlands and wildlife habitats, which should be, and in many cases have been preserved.

  It is noted that this parcel is within the Coastal area according to the Sussex County comprehensive plan; however, it appears this parcel is classified with only a small portion of Investment Level 3 and the balance of the site as Investment Level 4 because of the distance from services combined with the presence of wetlands and environmental features that should be protected. While the State does not generally object to development in a Level 3 area, we do ask that the owner/developer be aware of the environmental features and design a site plan to protect these important areas.

  In addition, as noted in the DNREC comments below, the newest project application proposes to disturb/fill upwards of 25 acres of non-tidal wetlands. Only 5 acres of now jurisdictional wetlands (under the new ruling) will remain, with no wetland permitting or wetland mitigation required.

  Regardless of new federal permitting standards, these non-tidal wetlands provide significant flood attenuation, water quality benefits, and habitat for plant and animal species. Filling these wetland areas, then building homes and infrastructure upon them, will directly result in adverse drainage and flooding impacts for future residents.

  Because the majority of this site is within the Level 4 area, which is inconsistent with the Strategies for State Policies and Spending, and because of issues noted by DNREC, the state cannot support the development of this site as reviewed. We ask that the applicant consider pulling the housing within the Level 4 areas and concentrate building within the Level 3 section of this parcel in addition to working to preserve the wetland areas.

With that said, the comments in this letter are technical, and are not intended to suggest that the State supports this development proposal. This letter does not in any way suggest or imply that you may receive or may be entitled to permits or other approvals necessary to construct the development you indicate or any subdivision thereof on these lands.

The comments are understood.

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Bill Brockenbrough 760-2109

- The site access on Robinsonville Road (Sussex Road 277) must be designed in accordance with DelDOT's Development Coordination Manual, which is available at http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes.

  The entrance design is being completed in accordance with the DelDOT Development Coordination Manual.

- Pursuant to Section 1.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017.

  A Pre-Submittal meeting will be requested.

- Section 1.7 of the Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.

  Payment of fees associated with record plan submittal and construction plan submittal for review will be made at DelDOT's direction.

- Per Section 2.2.2.1 of the Manual, Traffic Impact Studies (TIS) are warranted for developments generating more than 500 vehicle trip ends per day or 50 vehicle trip ends per hour in any hour of the day. From the PLUS application, the total daily trips are estimated at 2,892 vehicle trip ends per day. Using the 10th edition of the Institute of Transportation Engineers' Trip Generation Manual, DelDOT confirms this number and estimates the weekday morning and evening peak hour trip ends at 221 and 295, respectively. Therefore, a TIS is warranted.

  The subject development is located in the Henlopen Transportation Improvement District (TID), recently adopted by DelDOT and Sussex County in accordance with Section 2.4 of the Manual. The intent of the TID is to plan comprehensively and thereby to enable both land development and the transportation improvements needed to support it. For developments that are consistent with the Land Use and Transportation Plan (LUTP) developed for the TID, the developer is required to pay a fee per dwelling in lieu of doing a TIS and making off-site improvements in accordance therewith. The plan now proposed, however, is not consistent with the LUTP for the TID. Accordingly, DelDOT anticipates requiring a TIS.

To initiate the TIS process, the applicant's traffic engineer should request a TIS scoping meeting through the Project Development Coordination Application (PDCA). The 2019 TIS done for the nearby Chase Oaks development give the applicant some insight into what their own TIS would find. DelDOT's letter commenting on that TIS is available at https://deldot.gov/Business/subdivisions/pdfs/Traffic_Studies/2019/ChaseOaks-fkaCharterOak-TISReviewLetter.pdf?cache=1605888029608.

As necessary, the applicant may contact Ms. Sarah Coakley, a principal planner in DelDOT's Regional Systems Planning Section, for information regarding the TID and the LUTP and fees associated with it. Ms. Coakley may be reached at Sarah.Coakley@delaware.gov or (302) 760-2236.

A TIS Scoping Meeting was held on 7/27/2021. A TIS has been performed and submitted to DelDOT for review.

- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Development Coordination Manual, DelDOT will require dedication of right-of-way along the site's frontage on Robinsonville Road. By this regulation, this dedication is to provide a minimum of 30 feet of right-of-way from the physical centerline. The following right-of-way dedication note is required, "**An X-foot wide right-of-way is hereby dedicated to the State of Delaware, as per this plat.**"

  The Record Plan will include the Right of Way Dedication note "An X-foot wide stipe of right-of-way from the centerline is hereby dedicated to the State of Delaware as per this plat." in accordance with Figure 3.2.5-a of the DelDOT Development Coordination Manual.

- In accordance with Section 3.2.5.1.2 of the Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage on Robinsonville Road. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site. The following note is required, "**A 15-foot wide permanent easement is hereby established for the State of Delaware, as per this plat.**"

  The Record Plan will include the Permanent Easement note "A 15-foot wide permanent easement is hereby established for the State of Delaware as per this plat." in accordance with the DelDOT Development Coordination Manual.

- Referring to Section 3.4.2.1 of the Manual, the following items, among other things, are required on the Record Plan:

  - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.

- Depiction of all existing entrances within 450 feet of the entrance on Robinsonville Road.

- Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.

Comments noted. All required information will be shown on the Record Plan.

- Section 3.5.4.2 of the Manual addresses requirements for Shared Use Paths (SUP) and sidewalks. For projects in Level 3 and 4 Investment Areas, installation of paths or sidewalks along the frontage on State-maintained roads is at DelDOT's discretion based on the presence of similar facilities in the area. DelDOT anticipates requiring the developer to build an SUP along their frontage on Robinsonville Road.

  Comment noted.

- Section 3.5.4.4 of the Manual addresses requirements for accessways. Accessways are paths that connect subdivision streets to a sidewalk or SUP. DelDOT anticipates requiring accessways from to the development streets to the SUP at each end of the site frontage.

  Comment noted.

- In accordance with Section 3.8 of the Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along both Robinsonville Road.

  Comment noted.

- In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at http://www.deldot.gov/Business/subdivisions/index.shtml.

  Comment noted.

- In accordance with Section 5.4 of the Manual, sight distance triangles are required and shall be established in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards. A spreadsheet has been developed to assist with this task. It can be found at http://www.deldot.gov/Business/subdivisions/index.shtml.

  Sight Distance Triangles will be developed in accordance with Section 5.4 of the DelDOT Development Coordination Manual as applicable.

- In accordance with Section 5.14 of the Manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.

  Comment noted.

Department of Natural Resources and Environmental Control – Beth Krumrine 735-3480

Concerns Identified Within the Development Footprint

Wetlands

This site was previously reviewed through PLUS in 2019. According to the 2019 application, the wetland delineation confirmed the presence of 30 acres of wetlands, proposed to be left untouched, with about half as many homes proposed. As a result of the April 21, 2020 federal clarification on the Navigable Waters Protection Rule for the Definition of Waters of the United States ("WOTUS" Rule), the newest project application proposes to disturb/fill upwards of 25 acres of non-tidal wetlands. Only 5 acres of now jurisdictional wetlands (under the new ruling) will remain, with no wetland permitting or wetland mitigation required.

Regardless of new federal permitting standards, these non-tidal wetlands provide significant flood attenuation, water quality benefits, and habitat for plant and animal species. Filling these wetland areas, then building homes and infrastructure upon them, will directly result in adverse drainage and flooding impacts for future residents.

- If the project proposes to disturb (dredge or fill) **jurisdictional wetlands** under the U.S. Army Corps of Engineers, a delineation of waterways and wetlands is required. In certain circumstances, additional certifications from DNREC Wetlands & Subaqueous Lands Section will be required as part of the U.S. Army Corps of Engineers permit process.

- For a list of consultants and engineers who can conduct wetland delineations, please visit the DNREC Wetlands and Subaqueous Lands Section link: http://www.dnrec.delaware.gov/wr/Documents/WSLS/Consultant%20List.pdf

  Contact: U.S. Army Corps of Engineers (Dover Office) at DoverRegulatoryFieldOffice@usace.army.mil or (267) 240-5278.
  Website: https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Obtain-a-Permit/

A total of 18.36 acres of non-jurisdictional wetlands have been delineated by Mr. McCulley of Watershed ECO, LLC. These wetlands were determined to be isolated with no connection to Navigable Waters of the U.S.

An Approved Jurisdictional Determination was obtained on 4/12/2021.

Vegetated Buffer Zones
Vegetated buffer zones placed adjacent to waterways and wetlands help improve water quality by reducing sediment and pollutants loads. They also provide valuable habitat and can help prevent encroachment of human activities into ecologically sensitive areas. Vegetated buffers are not equivalent to setbacks, as residential lots, walkways, and stormwater management facilities should not be contained within the vegetated buffer zone.

- The applicant must comply with minimum vegetated buffer widths as identified within county and municipal codes.

  A minimum 25' buffer adjacent to non-tidal wetlands is proposed.

Stormwater Management
This project/site has met the minimum threshold of 5000 square feet of land disturbing activity under the DNREC Sediment and Stormwater Program.

- A Sediment and Stormwater Plan must be developed, then approved by the appropriate plan review agency prior to any land disturbing activity taking place on the site. The plan review agency is the Sussex Conservation District.

  A stormwater management plan will be submitted to the Sussex Conservation District, complying with all agency requirements.

- Additionally, construction activities that exceed 1.0 acre of land disturbance require Construction General Permit coverage through submittal of an electronic Notice of Intent for Stormwater Discharges Associated with Construction Activity. This form must be submitted electronically (https://apps.dnrec.state.de.us/eNOI/default.aspx) to the DNREC Division of Watershed Stewardship, along with the $195 fee.

  An NOI will be filed with DNREC.

- Schedule a project application meeting with the appropriate agency prior to moving forward with the stormwater and site design. As part of this process, you must submit a Stormwater Assessment Study.

  A pre-application Meeting was held on 7/21/2021. A Stormwater Assessment Study has been submitted.

Plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219. Website: https://www.sussexconservation.org/

General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921. E-mail: DNREC.Stormwater@delaware.gov. Website: http://www.dnrec.delaware.gov/swc/Pages/SedimentStormwater.aspx.

Water Quality (Pollution Control Strategies)
Pollution Control Strategies have been developed for the following watersheds in Delaware: Appoquinimink, Broadkill, Christina Basin, Inland Bays, Mispillion and Cedar, Murderkill, Nanticoke, St. Jones, and Upper Chesapeake. Such strategies were created because surface water failed to meet water quality standards for nutrients and sediment.

- Sarah Run is located on the site, which runs into Herring Creek. This site lies within the Rehoboth Bay of the Inland Bays Watershed. Consult with the appropriate plan review agency (Sussex Conservation District) to determine if stricter stormwater management standards may apply for development projects in this area.

Comments noted.

Hydrologic Soils Group
Poorly drained soils (Hydrologic Soil Group C/D) have been identified across much of the site. These soil types are typically not conducive to utilizing infiltration stormwater Best Management Practices such as bioretention and infiltration basins, which must meet minimum infiltration requirements.

- Any stormwater Best Management Practices that propose the use of infiltration or natural recharge shall include a soils investigation.

Contact: DNREC Sediment and Stormwater Program at (302) 739-9921.
E-mail: DNREC.Stormwater@delaware.gov.
Website: http://www.dnrec.delaware.gov/swc/Pages/SedimentStormwater.aspx.

Comments noted.

Nutrient Management Plan
This project proposes open space of 50 acres, exceeding the threshold of 10 acres for nutrient management requirements.

- A nutrient management plan is required for all persons or entities who apply nutrients to lands or areas of open space of 10 acres or more.

Contact: Delaware Department of Agriculture's Nutrient Management Program at (302) 698-4558. Website: https://agriculture.delaware.gov/nutrient-management/

Comments noted.

Wildlife Displacement
Development of this site is anticipated to displace local wildlife. Wildlife displaced by encroaching development may become a nuisance for homeowners.

- Future residents are not permitted to discharge firearms within 100 yards (approximately 300 feet) of any occupied dwelling or building to hunt or remove nuisance wildlife.

Comments noted.

Wastewater Permitting

Under Item 18, the applicant checked "individual on-site" as the method of wastewater disposal. Please note that the application should indicate "public (utility) for wastewater disposal.

Sussex County (permittee) holds existing permits with the DNREC Groundwater Discharges Section's Large Systems Branch.

- It is the responsibility of the permitee to notify the Large Systems Branch if the capacity of the rate of wastewater disposal is to be updated.

Contact: DNREC Large Systems Branch at (302) 739-9948.

Website: https://dnrec.alpha.delaware.gov/water/groundwater/

Wastewater disposal will be provided by Sussex County. The project lies within Tier 1, Sussex County Unified Sewer District.

State Historic Preservation Office – Contact Carlton Hall 736-7400

- The Delaware SHPO does not recommend developing on Level 4 areas.

- Prehistoric archaeological potential is low to moderate. The entire site has well-drained soils, but only the southwest corner is within favorable distance to a water source. Water source is not identified on any map until mid-20th century. No nearby comparable sites. However, it's on/close to Nanticoke Land, so it is recommended that you check with the tribe prior to work.

Comments noted.

Delaware State Fire Marshall's Office – Contact Duane Fox 259-7037

At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulation:

Fire Protection Water Requirements:

- Where a water distribution system is proposed for single-family dwellings it shall be capable of delivering at least 500 gpm for 1-hour duration, at 20-psi residual pressure. Fire hydrants with 1000 feet spacing on centers are required.

- The infrastructure for fire protection water shall be provided, including the size of water mains.

Accessibility:

- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.

- Any dead-end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.

- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.

- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

A State Fire Marshal Plan has been submitted and approved by the Delaware State Fire Marshal's Office.

Gas Piping and System Information:

- Provide type of fuel proposed and show locations of bulk containers on plan.

  Comment noted.

Required Notes:

- Provide a note on the final plans submitted for review to read "All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations"

- Name of Water Supplier

- Proposed Use

- National Fire Protection Association (NFPA) Construction Type

- Maximum Height of Buildings (including number of stories)

- Provide Road Names, even for County Roads

Comments noted.

Sussex County Planning & Zoning – Contact Lauren DeVore 855-7878

- The applicant is required to participate in a pre-application meeting with Planning and Zoning staff. Please contact the Department of Planning and Zoning at (302)855-7878 or reach out to Lauren DeVore at lauren.devore@sussexcountyde.gov to schedule a pre-application meeting. Following submission to the County, staff would undertake review of the Preliminary Site Plan, where more detailed comments would be provided to the applicant. At the PLUS stage of review, staff wish to limit comments to high-level comments only.

  A pre-application meeting was held on 6/21/2021.

- The proposed density of 1.99 dwelling units per acre complies with Code requirements for the AR-1 Zoning District. As this is a cluster subdivision, the subdivision will be required to comply with the superior design criteria set forth in §115-25(E)&(F) of the Sussex County Code.

  Comment noted.

- Since the development lies within the Coastal Area, an environmental assessment (EA) and public facility evaluation report would have to be submitted with the preliminary plans (§115- 194.3(B)(2)). The proposed plan includes 50 acres (out of a total of 152.32 acres) of open space (or approximately 33%.) 33% open space is desirable and meets the minimum standard of 10% open space required for a density of 2-5 DU/AC under §99-21(D) "Public sites and open spaces."

  An Environmental Assessment and Public Facility Evaluation Report will be submitted with the preliminary plans.

- Also, please note that the parcel to the north of the subject parcels appear to be in active agriculture. Therefore, a 50-ft buffer will be required from all lands in active agriculture per §99-6(G)(2) of the Sussex County Code.

  The parcel to the north has a pending subdivision application.

- It is noted that there is only one-way-in, one-way-out access to the property. The Planning and Zoning Commission generally desire more than one entrance or an easement for emergency access purposes in the event of an emergency occurring on the parcel.

  Comment noted. An emergency access will be provided.

- Staff also encourage coordination with the local school district regarding the provision of a school bus pad or stop.

  Comment noted. We will contact the school district and provide the required bus stop.

- Please also confirm whether mail will be centralized or not.

  Mail will be centralized at the amenity area.

Please note that these are informal staff comments, and do not prejudice any decision that the Sussex County Planning & Zoning Commission may wish to make as part of the formal application process.

Sussex County Engineering Department – Contact Chris Calio 855-1299

- A "Use of Existing Infrastructure Agreement" is required for new projects. Sussex County Code, Chapter 110, requires that the Engineer and/or Developer request a Sewer System Concept Evaluation (SSCE) from the Utility Planning Department for the project by providing the parcel(s) estimated equivalent dwelling units (EDU) for the project, along with payment of a $1,000.00 fee for the evaluation and must be approved prior to approval of construction plans. The fee is to be payable to Sussex County Council. The Utility Planning Department will review the parcel(s) and EDU, confirm capacity, provide the connection point and define any additional parcels that must be served as part of the project. Should it be determined that a pump station is required for the project, additional information may be requested. This information will be conveyed to the engineer and/or developer as well as the Sussex County Public Works department. The Public Works Division will use this information when reviewing construction drawings to verify that the correct connection point is used, and all required parcels are served. The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.

A Sewer System Concept Evaluation Report was requested and received for this project.

Recommendations/Additional Information

This section includes a list of site-specific suggestions that are intended to enhance the project. These suggestions have been generated by the State Agencies based on their expertise and subject area knowledge. **These suggestions do not represent State code requirements.** They are offered here in order to provide proactive ideas to help the applicant enhance the site design, and it is hoped **(but in no way required)** that the applicant will open a dialogue with the relevant agencies to discuss how the suggestions can benefit the project.

Department of Transportation – Contact Bill Brockenbrough 760-2109

- The applicant should expect a requirement that any substation and/or wastewater facilities will be required to have access from an internal driveway with no direct access to Robinsonville Road.

- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.

- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 25, 2019. The notes can be found at https://www.deldot.gov/Business/subdivisions/.

Comments noted.

Department of Natural Resources and Environmental Control – Beth Krumrine 735-3480

Concerns Identified Within the Development Footprint

Wetlands

- **Revert to the 2019 plan. Do not disturb wetland areas, even if they are no longer considered to be jurisdictional wetlands under current federal requirements.** Wetlands are a critical part of our natural environment. They protect reduce the impacts of flooding, absorb pollutants, and improve water quality. Wetlands provide habitat for animals and plants and many contain a wide diversity of life, supporting plants and animals that are found nowhere else. Filling upwards of 30 acres of wetland will cause drainage issues for future homeowners and may increase drainage issues off site.

- Schedule a meeting through the DNREC Joint Permit Processing (JPP), which are held on the 3rd Thursday of every month. In order for your project to be seen through the JPP, you must submit the request through the following website: http://www.dnrec.delaware.gov/wr/Services/OtherServices/Documents/Jurisdictional_Determination_and_Map_Change_Request_Form.pdf

- Recommendations for buffers are prescribed below under the heading, Vegetated Buffer Zones.

Comments noted.

Vegetated Buffer Zones

- Incorporate a 100-foot vegetated buffer zone from the edge of all freshwater forested wetlands.

- Incorporate a 100-foot vegetated buffer zone from the on-site stream, Sarah Run, to protect water quality.

- Vegetated buffer zones should be left undisturbed during construction and should be identified outside of the Limit of Disturbance (LOD) on the engineering plans. In some instances, stormwater outfalls, conveyances, and emergency spillways may cross through these zones, and will require temporary disturbance during construction.

- Vegetated buffer zones should be deeded as community open space. Signage should be installed at the edge and within the buffer zones to deter residents from encroaching into these common areas.

- Maintain vegetated buffer zones as either grasslands/meadows or forest. Buffer zones should be planted exclusively with native trees and plants. Native plants are well-suited to our climate and require limited maintenance. They also provide an increasingly important role in the survival of native birds and beneficial insects whose habitat is shrinking due to development and climate change.

- In general, grass cutting for vegetated buffer zones if maintained as meadow should not occur between April 1st to July 31st to reduce impacts to nesting birds and other wildlife species that utilize meadows and grasslands for breeding habitat.

Contact: DNREC Wildlife Species Conservation & Research Program at (302) 735-3600.
Website: https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/

Comments noted.

Forest Removal (Mature Forest)
The project application proposes the elimination of 95.5 of 143.5 acres of forests on the site. An analysis of historical data indicates that the forest area proposed for development has maintained some degree of forest cover since 1937, meaning that it can be considered a mature forest. Mature forests possess the potential for rare, threatened, or endangered species that rely on this type of habitat.

- Removing forested areas for development, especially mature forest, should be avoided to the greatest extent possible. These areas provide habitat for wildlife, uptake nutrients, infiltrate stormwater, and improve water quality. Forests also provide shading and cooling, which reduces carbon that contributes to climate change.

- A forest assessment should be conducted to determine if mature forest resources exist on the property and to delineate their boundaries. Additionally, a forest assessment would include the identification of specimen trees and forest-dependent wildlife. If mature forests are found, these areas should be conserved to the maximum extent practicable.

- To reduce impacts to nesting birds and other wildlife species that utilize forests for breeding, it is recommended that tree clearing not occur from April 1st to July 31st. Likewise, avoid mowing open space areas and grass filter strips during the same timeframe, as various species of birds utilize these areas for nesting sites.

Comments noted.

Contact: DNREC Wildlife Species Conservation & Research Program at (302) 735-3600. Website: https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/

Delaware Ecological Network
The entire site is located within the Delaware Ecological Network. This network is made up of interconnecting natural areas of significant ecological value. Forest disturbances on this site could jeopardize habitat beyond the parcel boundary.

- Removing forested areas within the Delaware Ecological Network should be avoided to the greatest extent possible. These areas provide wildlife habitat, uptake nutrients, infiltrate stormwater, and improve water quality. Forests also provide shading and cooling, while reduce carbon that contributes to climate change.

Contact: DNREC Wildlife Species Conservation and Research Program at (302) 735-3600. Website: https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/

Comments noted.

Stormwater Management

- Where the site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage on-site stormwater infiltration and reduce runoff.

For improved stormwater management, preserve existing trees, wetlands, and passive open space.

Comments noted.

General Drainage Recommendations

- All existing ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project. Environmental permits or exemptions may be required by the County Conservation District, U.S. Army Corp of Engineers, or the DNREC Sediment and Stormwater Program prior to clearing and/or excavating ditch channels.

- All precautions should be taken to ensure the project does not hinder any off-site drainage upstream of the project or create any off-site drainage problems downstream by the release of on-site storm water.

- Any area designated as a drainage/utility easement should be open space and not owned by the individual landowners.

- Any drainage/utility easement owned by an individual landowner should not possess structures such as decks, buildings, sheds, kennels, or fences within the drainage easement to allow for future drainage maintenance. Trees and shrubs planted within a drainage/utility easement should be spaced to allow for drainage maintenance at maturity.

Contact: DNREC Drainage Program at (302) 855-1930.
Website: http://www.dnrec.delaware.gov/swc/Pages/DrainageTaxDitchWaterMgt.aspx

Comments noted.

Wildlife Displacement

- Deer, groundhogs, and rabbits will browse on gardens, yards, and ornamental landscaping. Developers can avoid conflicts with future residents and most wildlife by maintaining large blocks of forest, as opposed to small pockets of wooded areas within a 300-foot safety zone.

Contact: DNREC Division of Fish and Wildlife at (302) 739-9912. Website: https://dnrec.alpha.delaware.gov/fish-wildlife/wildlife/

Comments noted.

Mosquitoes
The project lies within a zone that will be impacted by mosquitoes due to its location near large expanses of freshwater forested wetlands.

- Mosquito control issues are increasing as developments infringe on wetland areas, often leading to increased demands by the public for mosquito control services. These control services can be provided at no charge to homeowners and other entities by the state's Mosquito Control Section, or by a private company licensed in this area of specialty.

Contact: DNREC Division of Fish and Wildlife at (302) 739-9917. Website: https://dnrec.alpha.delaware.gov/fish-wildlife/mosquito-control/

Comments noted.

Additional Sustainable Practices

- Install bicycle racks at club house/pool areas.

- For tennis courts, pool, club house, consider using renewable energy infrastructure such as solar or geothermal to reduce energy costs and further reduce pollution created from offsite generation. Energy efficiency upgrades for your project may be eligible for funding through the Division of Climate, Coastal, & Energy. Website: www.de.gov/greenenergy, www.de.gov/eeif.

- Use efficient Energy Star rated products and materials in construction and redevelopment to lessen the power source emissions of the project and costs. Every percentage of energy efficiency translates into a percent reduction in pollution.

- Air pollution from new construction is generated through the use of maintenance equipment, paints, and consumer products like roof coatings and primers. Use of structural paint coatings that are low in Volatile Organic Compounds will help protect air quality.

  Comments noted.

Delaware State Fire Marshal's Office – Contact Duane Fox 259-7037

- Although not a requirement of the State Fire Prevention Regulations, the Office of the State Fire Marshal encourages home builders to consider the benefits of home sprinkler protection in dwellings. The Office of the State Fire Marshal also reminds home builders that they are obligated to comply with requirements of Subchapter III of Chapter 36 of Title 6 of the Delaware Code which can be found at the following website: http://delcode.delaware.gov/title6/c036/sc03/index.shtml

- Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: www.statefiremarshal.delaware.gov, technical services link, plan review, applications or brochures.

Comments noted.

Sussex County Housing – Contact: Brandy Nauman 855-7779

- Sussex County endeavors to promote non-discrimination and affordable housing whenever possible throughout the County. In this regard, the developer and associated financial institutions are encouraged to provide and finance affordable housing opportunities to Sussex County residents in all new developments, and affirmatively market those affordable housing units to diverse populations.

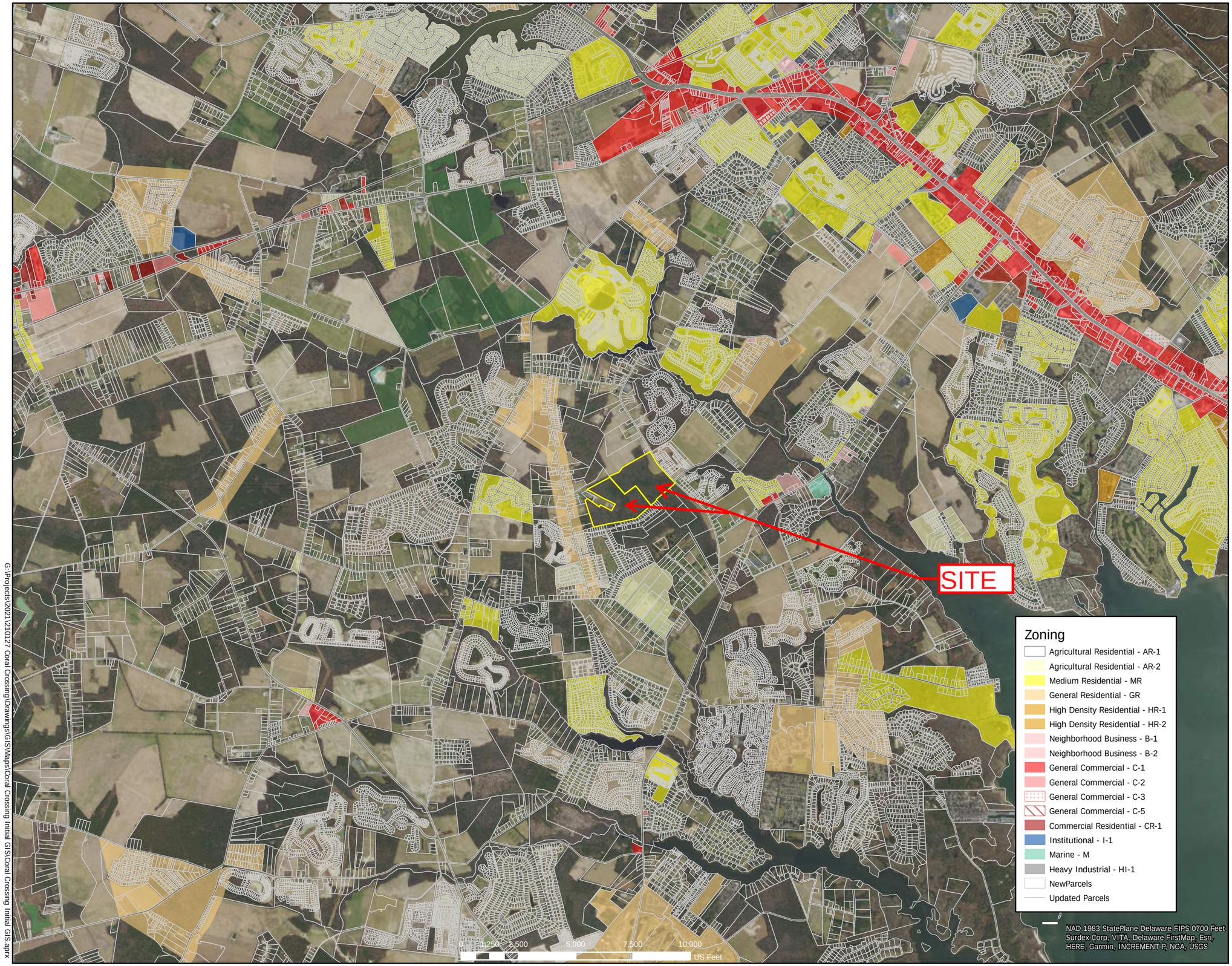
- For questions about opportunities available for affordable housing projects within Sussex County, please consult Sussex County's "Affordable Housing Support Policy". The policy along with other resources are available on the County's Affordable & Fair Housing Resource Center website: www.sussexcountyde.gov/affordable-and-fair-housing-resource-center. The County's Community Development & Housing Department can advise about existing affordable housing opportunities in Sussex County and the appropriate County Department to contact regarding specific development issues concerning future affordable housing projects within Sussex County.

- The Community Development & Housing Department can also explain and assist with any financial support or incentives that may be available to a project from federal, state and county sources, as well as private funding sources that also promote affordable housing in Sussex County.

- Please understand that all residential projects, including Affordable Housing Projects are subject to the applicable provisions of the Sussex County Subdivision and Zoning Codes, and the approval processes set forth in those Codes.

Comments noted.

4. SITE SPECIFIC MAPS, PLANS & DOCUMENTATION



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PRINTS ISSUED FOR:

NO.	REVISIONS	DATE

GMB
GEORGE, MILES, & BUHR, LLC
ARCHITECTS & ENGINEERS
SALISBURY BALTIMORE ESSEX
206 WEST MAIN STREET
SALISBURY, MARYLAND 21801
410 - 742 - 3115 FAX 410 - 548 - 5790
www.gmbnet.com

CORAL LAKES
Sussex County, Delaware

ZONING

SCALE	1"=4,000'
DESIGN BY	
DRAWN BY	KNL
CHECKED BY	
GMB FILE	210127
DATE	1/14/2022

SHEET NO.
EX. 1

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PRINTS ISSUED FOR:

NO.	REVISIONS	DATE

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GEORGE, MILES, & BUHR, LLC
ARCHITECTS & ENGINEERS
SALISBURY BALTIMORE ISBROOKED
206 WEST MAIN STREET
SALISBURY, MARYLAND 21801
410 - 742 - 3115 FAX 410 - 548 - 5790
www.gmbnet.com

CORAL LAKES
Sussex County, Delaware

CONTOURS

SCALE	1"=400'
DESIGN BY	
DRAWN BY	KNL
CHECKED BY	
GMB FILE	210127
DATE	9/15/2021

SHEET NO.
EX. 2

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NO.	REVISIONS	DATE

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CORAL LAKES
Sussex County, Delaware

SOIL TYPE

SCALE	1"=400'
DESIGN BY	
DRAWN BY	KNL
CHECKED BY	
GMB FILE	210127
DATE	9/15/2021

SHEET NO.
EX. 3

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CORAL LAKES
Sussex County, Delaware

TAX MAP

SCALE	1"=400'
DESIGN BY	
DRAWN BY	KNL
CHECKED BY	
GMB FILE	210127
DATE	9/15/2021

SHEET NO.
EX. 4

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CORAL LAKES
ADJOINING PROPERTY OWNER LIST

234-6.00-24.01 & 24.03
Diane Loekle
21230 Doberman Drive
Lewes, DE

234-6.00-64.00
Donald R. Daisey
20503 Wil King Road
Lewes, DE

234-6.00-66.01
Joshua Wharton, Jr. & Dina Deakyne Trustees
31714 Almas Way
Lewes, DE

234-6.00-66.00
Sandra Wharton & Donald R. Daisey
20503 Wil King Road
Lewes, DE

234-6.00-85.00
Tanager Woods, LLC
5950 Symphony Woods
Columbia, MD

234-6.00-98.00
Chase Oaks DE, LLC
448 Viking Drive, Suite 220
Virginia Beach, VA

234-6.00-432.01
Chapel Green HOA
104 Ancient Oak Court
Lewes, DE

234-6.00-379.00
Graciea Donovan
17 Aintree Drive
Lewes, DE

236-6.00-378.00
Terry Lake & Bonnie Pencek
19 Aintree Drive
Lewes, DE

234-6.00-377.00
Anthony Latina
1100 Woodlawn Ave
Wilmington, DE

234-6.00-376.00
James Christiana Trustee
23 Aintree Drive
Lewes, DE

234-6.00-375.00
Inge Gallagher
25 Aintree Drive
Lewes, DE

234-6.00-374.00
Robert & Pamela Monti
27 Aintree Drive
Lewes, DE

234-6.00-630.00
Gary Rosenblum
19 Aintree Drive
Lewes, DE

234-6.00-629.00
George Cornell
31 Aintree Drive
Lewes, DE

234-6.00-628.00
James & Joyce Leleszi
33 Aintree Drive
Lewes, DE

234-6.00-627.00
Matthew & Christyn Vanaman
151 Roseum Way
Mullica Hill, NJ

234-6.00-626.00
William Hicks
37 Aintree Drive
Lewes, DE

234-6.00-625.00
Frank Schmitt
39 Aintree Drive
Lewes, DE

234-6.00-373.00
John Kennedy
PO Box 636
Lewes, DE

234-6.00-372.00
Kerry Russo
43 Aintree Drive
Lewes, DE

234-6.00-371.00
Lawrence & Sharon Simpkiss
45 Aintree Drive
Lewes, DE

234-6.00-370.00
Graig Shellenberger
47 Aintree Drive
Lewes, DE

234-6.00-369.00
Kevin & Emma Rooney
49 Aintree Drive
Lewes, DE

234-6.00-368.00
Matthew Deemedio
51 Aintree Drive
Lewes, DE

234-6.00-367.00
Eileen Brown
53 Aintree Drive
Lewes, DE

234-6.00-366.00
Gary Panik
8926 Furance Road
Slatington, PA

234-6.00-365.00
James Linus Jr.
57 Aintree Drive
Lewes, DE

234-6.00-364.00
Michael Hatfield
59 Aintree Drive
Lewes, DE

234-6.00-363.00
Paul Carr
61 Aintree Drive
Lewes, DE

234-6.00-362.00
Alan Waldron & Pamela Shepherd
63 Aintree Drive
Lewes, DE

000026349
BK03456 PG00340

RETURN TO:
John M. Novosel
Linda C. Novosel
32043 Conleys Chapel Road
Lewes, DE 19958

Tax No.: 2-34 6.00 84.00
PREPARED BY:
Tunnell & Raysor, P.A.
323E Rehoboth Avenue
Rehoboth Beach, DE 19971
File No. AS6075/DME

THIS DEED, made this 24th day of May, 2007,

- BETWEEN -

EDNA STREET BURRELL, of 207 Southside Circle, Dowington, PA 19335, party of the first part,

- AND -

JOHN M. NOVOSEL and **LINDA C. NOVOSEL**, his wife, of 32043 Conleys Chapel Road, Lewes, DE 19958, as joint tenants with right of survivorship and not as tenants in common, parties of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of **ONE DOLLAR ($1.00)**, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the parties of the second part, and their heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

ALL that certain tract, piece and parcel of land, situate, lying and being in Indian River Hundred, Sussex County, Delaware, State of Delaware, being more fully described as follows, to wit:

BEGINNING at an iron pipe set at the westerly side of County Road #277, said pipe being at the Southeast corner of the property now or formerly of Gertrude D. Bryan, et. al.; thence by and with said lands South 51 degrees 23 minutes 40 seconds West a distance of 283.64 feet to a large stone next to a cedar stake and the corner of lands of Gertrude D. Bryan and William R. Marsh, et. al.; thence by and with said lands of Marsh South 54 degrees 41 minutes 00 seconds West for a distance of 805.01 feet to a concrete marker and the corner of Lot 65 Chapel Green; thence by and with Chapel Green South 52 degrees 54 minutes 49 seconds West a distance of 392.00 feet to an iron pipe set and the corner of lands of The Adkins Company; thence by and with The Adkins Company lands North 31 degrees 37 minutes 00 seconds West a distance of 1034.22 feet to an iron pipe set at the corner of The Adkins Company lands and lands of Joseph L. Street; thence by and

with the lands of Joseph L. Street North 31 degrees 37 minutes 00 seconds West a distance of a distance of 990 feet to an iron pipe; thence turning and running with the lands of Joseph L. Street North 64 degrees 15 minutes 00 seconds East a distance of 1395.66 feet to an iron pipe along lands of Joseph A. Street; thence continuing along lands of Joseph Al Street North 64 degrees 15 minutes 00 seconds East a distance of 216.30 feet to an iron pipe at the edge of County Road #277; thence turning and running along County Road 277 South 26 Degrees 34 minutes 25 seconds East a distance of 539.96 feet to an iron pipe; thence continuing South along the edge of County Road 277 with a curve to the left an arc distance of 323.96 feet and a radius of 1475 feet to an iron pipe; thence continuing along said road #277 South 39 degrees 09 minutes 28 seconds East a distance of 627.25 feet to an iron pipe; thence along County Road #277 an arc distance of 278.48 feet with a radius of 4625 feet home to the point and place of beginning, said to contain 60.2095 acres more or less, as surveyed by Coast Survey, Inc., dated June 20, 2000, said plot being recorded in the Office of the Recorder of Deeds in and for Sussex County, at Georgetown, Delaware in Plot Book 113 Page 225.

THIS property is located in the vicinity of land used primarily for agricultural purposes on which normal agricultural uses have been afforded the highest priority use status. It can be anticipated that suck 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.

BEING a portion of the same lands conveyed to Joseph L. Street from George I. Webb and Lydia C. Webb, his wife, by Deed dated August 31, 1944, recorded in the Office of the Recorder of Deeds in and for Sussex County, Delaware, on September 2, 1944, in Deed Book 347, Page 342. The said Joseph L. Street departed this life testate on or about January 1, 1975, passing this property to Joseph S. Street by will recorded in the office of the Register of Wills, in and for Sussex County, Georgetown, Delaware, in Will Book 78, page 191. The said Joseph S. Street departed this life intestate on or about December 4, 2004, passing this property to his only heir Edna Street Burrell.

SUBJECT to any and all restrictions, reservations, conditions, easements and agreements of record in the Office of the Recorder of Deeds in and for Sussex County, Delaware.

IN WITNESS WHEREOF, the party of the first part has hereunto set her hand and seal the day and year first above written.

Signed, Sealed and Delivered
in the presence of:

WITNESS

Edna Street Burrell (SEAL)
Edna Street Burrell

STATE OF DELAWARE :
: ss
COUNTY OF SUSSEX :

BE IT REMEMBERED, that on 24th day of May, 2007, personally came before me, the subscriber, Edna Street Burrell, party of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be her act and deed.

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

Notary Public

My Commission Expires: _____

HAROLD E. DUKES
ATTORNEY AT LAW WITH
POWER TO ACT AS NOTARY PUBLIC
PER 29 DEL. C SEC 4323 (A)3

RECEIVED

JUN 01 2007

**ASSESSMENT DIVISION
OF SUSSEX COUNTY**

RECORDER OF DEEDS
JOHN F. BRADY
05/31/2007 04:06P
SUSSEX COUNTY
DOC. SURCHARGE PAID

RECORDER OF DEEDS
JOHN F. BRADY
05/31/2007 04:06P
SUSSEX COUNTY
DOC. SURCHARGE PAID

Consideration: $1000000.0 Exempt Code: A

County	State	Total
15000.00	15000.00	30000.00

counter Date: 05/31/2007

TUNNELL & RAYSOR, P.A.
Rehoboth Beach, DE

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The **community map repository** should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations** (BFEs) and/or **floodways** have been determined, users are encouraged to consult the Flood Profiles, Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Coastal Base Flood Elevations shown on this map apply only landward of 0.0' North American Vertical Datum of 1988 (NAVD 88). Users of this FIRM should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations table in the Flood Insurance Study report for this jurisdiction. Elevations shown in the Summary of Stillwater Elevations table should be used for construction and/or floodplain management purposes when they are higher than the elevations shown on this FIRM.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **flood control structures.** Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study report for information on flood control structures in this jurisdiction.

The **projection** used in the preparation of this map was Universal Transverse Mercator (UTM) Zone 18. The **horizontal datum** was NAD 83, GRS80 spheroid. Differences in datum, spheroid, projection or UTM zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same **vertical datum**. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at http://www.ngs.noaa.gov or contact the National Geodetic at the following address:

Spatial Reference System Division
National Geodetic Survey, NOAA
Silver Spring Metro Center
1315 East-West Highway
Silver Spring, Maryland 20910
(301) 713-3191

To obtain current elevation, description, and/or location information for **bench marks** shown on this map, please contact the Information Services Branch of the National Geodetic Survey at **(301) 713-3242**, or visit their website at http://www.ngs.noaa.gov.

Base map transportation features shown on this FIRM were provided in digital format by the Delaware Department of Transportation. This information was compiled at a scale of 1:12,000 from aerial photography dated 1992. Base map drainage information shown on this FIRM was provided in Digital Line Graph (DLG) format by U.S. Geological Survey. This information was compiled at a scale of 1:24,000 from aerial photography dated 1992. Political boundaries shown on this FIRM were provided in digital format by the Delaware Office of State Planning Coordination. This information was dated 2002.

This map reflects more detailed and up-to-date **stream channel configurations** than those shown on the previous FIRM for this jurisdiction. The floodplains and floodways that were transferred from the previous FIRM may have been adjusted to conform to these new stream channel configurations. As a result, the Flood Profiles and Floodway Data tables in the Flood Insurance Study report (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on this map.

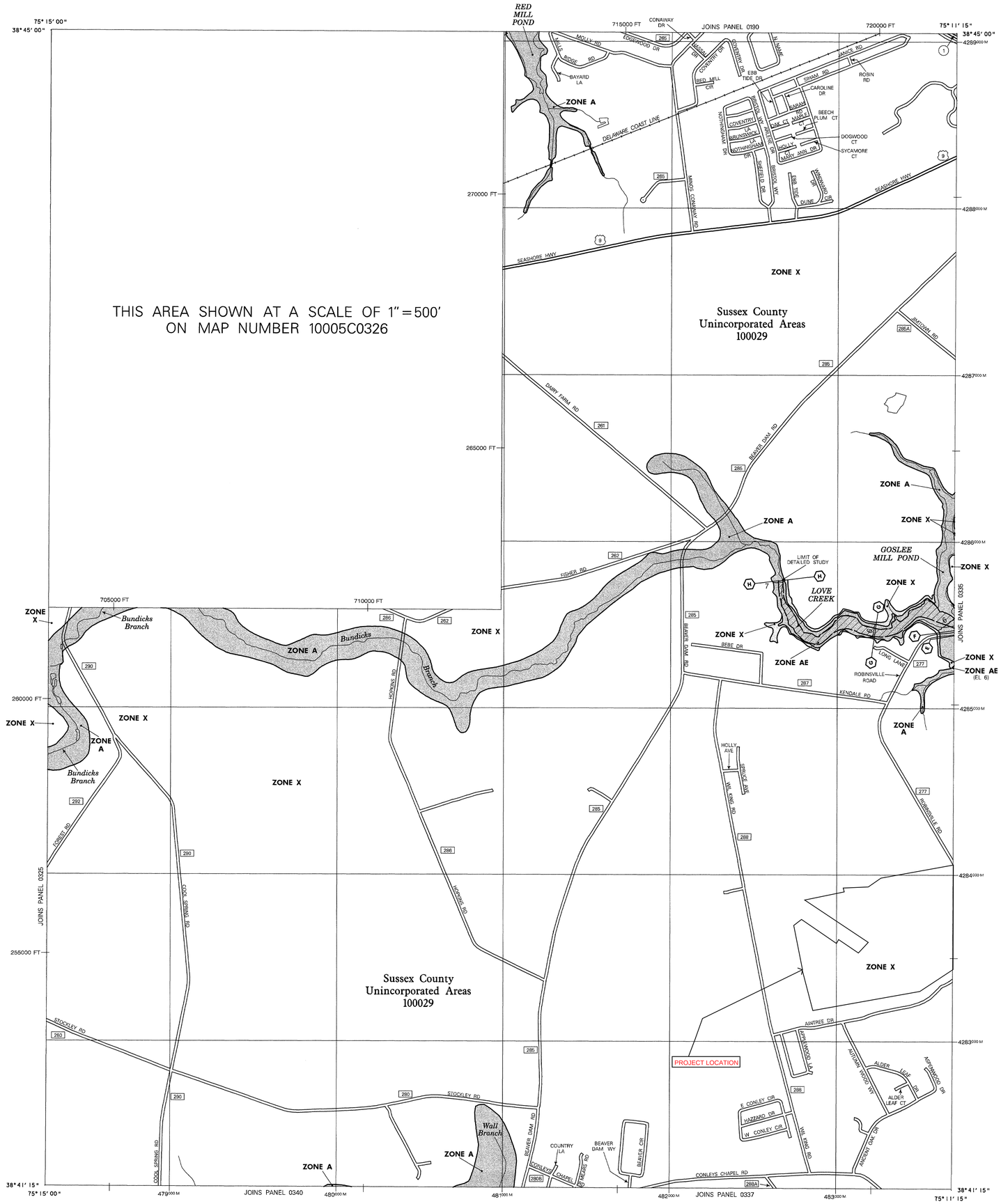
Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels; community map repository addresses; and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

Contact the **FEMA Map Service Center** at 1-800-358-9616 for information on available products associated with this FIRM. Available products may include previously issued Letters of Map Change, a Flood Insurance Study report, and/or digital versions of this map. The FEMA Map Service Center may also be reached by Fax at 1-800-358-9620 and their website at http://www.msc.fema.gov.

If you have **questions about this map** or questions concerning the National Flood Insurance Program in general, please call **1-877-FEMA MAP** (1-877-336-2627) or visit the FEMA website at http://www.fema.gov.

THIS AREA SHOWN AT A SCALE OF 1"=500'
ON MAP NUMBER 10005C0326



LEGEND

SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

ZONE A No Base Flood Elevations determined.

ZONE AE Base Flood Elevations determined.

ZONE AH Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.

ZONE AO Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.

ZONE AR Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.

ZONE A99 Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.

ZONE V Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.

ZONE VE Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

OTHER FLOOD AREAS

ZONE X Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

OTHER AREAS

ZONE X Areas determined to be outside the 0.2% annual chance floodplain.

ZONE D Areas in which flood hazards are undetermined, but possible.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

- Floodplain boundary
- Floodway boundary
- Zone D boundary
- CBRS and OPA boundary
- Boundary dividing Special Flood Hazard Area Zones and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.
- 513 — Base Flood Elevation line and value; elevation in feet*
- (EL 987) — Base Flood Elevation value where uniform within zone; elevation in feet*

*Referenced to the North American Vertical Datum of 1988

- A — A — Cross section line
- 23 — 23 — Transect line
- 97°07'30", 32°22'30" — Geographic coordinates referenced to the North American Datum of 1983 (NAD 83), Western Hemisphere
- 4276000 M — 1000-meter Universal Transverse Mercator grid values, zone 18
- 600000 FT — 5000-foot grid values: Delaware State Plane coordinate system, FIPSZONE 700, Transverse Mercator projection.
- DX5510 × — Bench mark (see explanation in Notes to Users section of this FIRM panel)
- ●M1.5 — River Mile

MAP REPOSITORY
Refer to listing of Map Repositories on Map Index

EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP
June 16, 1995

EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL
December 19, 1996
February 8, 1999
May 5, 2003
January 6, 2005

(For description of revisions listed above, see Notice to User page in the Flood Insurance Study Report.)

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

MAP SCALE 1" = 1000'
500 0 1000 2000 FEET
300 0 300 600 METERS

NFIP
NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0330J

FIRM
FLOOD INSURANCE RATE MAP
SUSSEX COUNTY,
DELAWARE
AND INCORPORATED AREAS

PANEL 330 OF 660

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
SUSSEX COUNTY	100029	0330	J

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

U.S. DEPARTMENT OF HOMELAND SECURITY

MAP NUMBER
10005C0330J

MAP REVISED
JANUARY 6, 2005

Federal Emergency Management Agency

G:\Projects\20211210127 Coral Crossing\Drawings\GIS\Maps\Coral Crossing Initial GIS\Coral Crossing Initial GIS.aprx

PRINTS ISSUED FOR:

NO.	REVISIONS	DATE

GMB
GEORGE, MILES, & BUHR, LLC
ARCHITECTS & ENGINEERS
SALISBURY BALTIMORE ESSEX
206 WEST MAIN STREET
SALISBURY, MARYLAND 21801
410 - 742 - 3115 FAX 410 - 548 - 5790
www.gmbnet.com

CORAL LAKES
Sussex County, Delaware

FUTURE LAND USE

SCALE	1"=400'
DESIGN BY	
DRAWN BY	KNL
CHECKED BY	
GMB FILE	210127
DATE	1/10/2022

SHEET NO.
EX. 5

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G:\Projects\20211210127 Coral Crossing\Drawings\GIS\Maps\Coral Crossing Initial GIS\Coral Crossing Initial GIS.aprx

PRINTS ISSUED FOR:

NO.	REVISIONS	DATE

GMB
GEORGE, MILES, & BUHR, LLC
ARCHITECTS & ENGINEERS
SALISBURY BALTIMORE ESSEX
206 WEST MAIN STREET
SALISBURY, MARYLAND 21801
410 - 742 - 3115 FAX 410 - 548 - 5790
www.gmbnet.com

CORAL LAKES
Sussex County, Delaware

SEWER TIERS

		SHEET NO.
SCALE	1"=400'	EX. 6
DESIGN BY		
DRAWN BY	KNL	
CHECKED BY		
GMB FILE	210127	
DATE	1/10/2022	

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G:\Projects\20211210127 Coral Crossing\Drawings\GIS\Maps\Coral Crossing Initial GIS\Coral Crossing Initial GIS.aprx

PRINTS ISSUED FOR:

NO.	REVISIONS	DATE

GMB
GEORGE, MILES, & BUHR, LLC
ARCHITECTS & ENGINEERS
SALISBURY BALTIMORE ESSEX
206 WEST MAIN STREET
SALISBURY, MARYLAND 21801
410 - 742 - 3115 FAX 410 - 548 - 5790
www.gmbnet.com

CORAL LAKES
Sussex County, Delaware

SUBDIVISONS

SCALE	1"=400'
DESIGN BY	
DRAWN BY	KNL
CHECKED BY	
GMB FILE	210127
DATE	1/10/2022

SHEET NO.
EX. 7

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MAPPING & ADDRESSING

MEGAN NEHRBAS
MANAGER OF GEOGRAPHIC
INFORMATION SYSTEMS (GIS)
(302) 855-1176 T
(302) 853-5889 F

Sussex County
DELAWARE
sussexcountyde.gov

July 12, 2021

Land Tech
Attn: Jeffery A. Clark

RE: **Coral Lakes**

I have received proposed street name(s) for the proposed subdivision, **Coral Lakes**, located in **Lewes**. In reviewing the proposed street name(s) the following have been **approved**:

Coral Lakes Dr	***Waverly Dr***	***Reef Rd***
Spartina St	***Sea Mist Way***	***Summer Breeze Ln***

Use only **approved** road names that you have written confirmation for or you will be required to rerecord. Each street name is to be used only once.

Upon final approval of **Coral Lakes** please forward a copy of the recorded site plan to my attention. Our office would appreciate a digital copy if at all possible, for the purpose of addressing. Should you have any questions, please contact the **Sussex County Addressing Department** at 302-855-1176.

Sincerely,

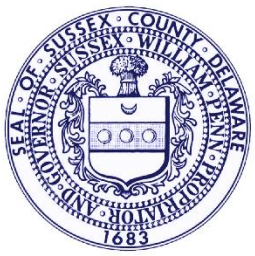
Terri L Dukes

Terri L. Dukes
Addressing Technician II

CC: Christin Scott
Planning & Zoning

MAPPING & ADDRESSING

MEGAN NEHRBAS
MANAGER OF GEOGRAPHIC
INFORMATION SYSTEMS (GIS)
(302) 855-1176 T
(302) 853-5889 F



Sussex County
DELAWARE
sussexcountyde.gov

July 12, 2021

Land Tech

Attn: Jeffery A. Clark

RE: **Change of Sub Division Name(s)/Formally known as:**

CORAL CROSSING

I have received your request to change the subdivision previously approved as **Coral Crossing**, which is located in **Lewes** (234-6.00-67.00 & 84.00). The name change has been approved and will now been known as:

CORAL LAKES

Should you have any questions please contact the **Sussex County Addressing Department at 302-853-5888 or 302-855-1176.**

Sincerely,

Terri L Dukes

Terri L. Dukes
Addressing Technician II

CC: Christin Headley
Planning & Zoning

MAPPING & ADDRESSING

MEGAN NEHRBAS
MANAGER OF GEOGRAPHIC
INFORMATION SYSTEMS (GIS)
(302) 855-1176 T
(302) 853-5889 F

Sussex County
DELAWARE
sussexcountyde.gov

October 6, 2021

George Miles & Buhr (GMB)
206 W. Main St
Salisbury, MD 21801

Attn: Cathy Lions, Sr. Project Coordinator

RE: Coral Lakes

I have received proposed street name(s) for the proposed subdivision, **Coral Lakes**, located on **Robinsonville RD Lewes, DE 19958**. In reviewing the proposed street name(s) the following additional name has been **approved**:

Pinegrove Ln

Use only **approved** road names that you have written confirmation for or you will be required to rerecord. Each street name is to be used only once.

Upon final approval of **Coral Lakes** please forward a digital copy of the recorded site plan to my attention for the purpose of addressing. Should you have any questions, please contact the **Sussex County GIS Department** at 302-855-1176.

Sincerely,

Brian L. Tolley
GIS Specialist II

CC: Christin Headley
Planning & Zoning

5. STORMWATER CONCEPTUAL APPROACH

GMB
GEORGE, MILES & BUHR, LLC

ARCHITECTS
ENGINEERS

206 WEST MAIN STREET
SALISBURY, MD 21801
PH: 410.742.3115
PH: 800.789.4462
FAX: 410.548.5790

SALISBURY
BALTIMORE
SEAFORD

www.gmbnet.com

SCD Pre-Application Meeting Minutes

Coral Lakes Subdivision

GMB # 210127.00

A Pre-Application meeting for the Coral Lakes Subdivision project took place on Wednesday, July 21, 2021, via a Cisco WebEx remote meeting.

In attendance:

John Justice	Sussex Conservation District (SCD)
Donna Colton	SCD
Barbara Schauer	SCD
Jonathan Soistman	George, Miles, and Buhr LLC (GMB)
Megan Evans	GMB
Keegan Marsh	GMB
Taylor Morrison	GMB

Items of discussion:

1. GMB gave an overview of the proposed Coral Lakes Subdivision project and reviewed the site's existing conditions.
    a. Site is located to the west of Robinsonville Road, North of Webb's Landing Road, in Lewes, Sussex County, Delaware.
    b. The existing site is made up of woods, non-tidal forested wetlands, and open space. Wetlands to be delineated by a licensed Wetland Scientist with delineation shown (preferably with flags) in the pre-construction sheets. Wetland Scientist to provide a letter stating that the design and plans match what has been located in the field.
    c. Soils on site are Hydrologic Soil Group A, B, C, and D.
    d. The water and sewer utilities will be included in the design; there will be no on-site wells or septic.
    e. The site is approximately 152.34 acres, of which roughly 76.31 acres are non-tidal forested wetlands.
    f. The existing site is broken into four (4) drainage areas – to the north parcel boundary, to the south parcel boundary, to a culvert crossing beneath Robinsonville Road, and to a culvert crossing beneath Aintree Drive.
2. Stormwater compliance will be achieved with twelve (12) extended detention wet pond BMPs.
    a. PLD method used for DURMM analysis/RPv compliance.
    b. Drainage will flow via closed stormwater network to a series of interconnected ponds. The ponds will have three outfalls, where management will be based on the contributing drainage areas to the downstream most pond outfalls, which discharge to two (2) analysis points.

JAMES H. WILLEY, JR., P.E.
PETER A. BOZICK, JR., P.E.
JUDY A. SCHWARTZ, P.E.
CHARLES M. O'DONNELL, III, P.E.
W. BRICE FOXWELL, P.E.
A. REGGIE MARINER, JR., P.E.
JAMES C. HOAGESON, P.E.
STEPHEN L. MARSH, P.E.
DAVID A. VANDERBEEK, P.E.
ROLAND E. HOLLAND, P.E.
JASON M. LYTLE, P.E.
CHRIS B. DERBYSHIRE, P.E.
W. MARK GARDOCKY, P.E.
MORGAN H. HELFRICH, AIA
KATHERINE J. MCALLISTER, P.E.
ANDREW J. LYONS, JR., P.E.

JOHN E. BURNSWORTH, P.E.
VINCENT A. LUCIANI, P.E.
AUTUMN J. WILLIS
CHRISTOPHER J. PFEIFER, P.E.

   c. The first analysis point will be at the upstream end of the existing culvert crossing beneath Robinsonville Road. GMB will also analyze the receiving channel and ensure that the secondary culvert crossing (beneath Webb's Landing) is not adversely impacted.
   d. Outfall pipes will require 15' access easement that cannot encroach in property lines. Outfall pipe must be within open space.
   e. No trees or landscaping will be planted within the facility maintenance easements.
   f. Outfall will require LONO from DelDOT if it ultimately traverses within the DelDOT ROW. Century Engineering to provide DelDOT entrance plan.
3. Proposed site will consist of 315 lots and amenities such as a club house, pool, playground, pickle ball court, dog park, and walking trails.
4. Erosion and Sediment Control Strategy
   a. Ponds to be used as temporary sediment basins during construction.
   b. As the site will require multiple phases, maximum of 20.00 acres disturbed at any time, a third party CCR will be required and specified on all applicable documents as "third party".
   c. Silt fence to be used behind curb/sidewalk to prevent lot erosion into the street/catch basins.
   d. Reinforced silt fence to be used along wetlands.
5. Items and requirements for submittal were specified.
   a. First submittal will include PDF and hard copies of plans and supporting documentation.
   b. Subsequent submittals will be electronic (PDF) copies unless otherwise specified by reviewer.
   c. Stormwater report narrative will specify method of compliance for RPv, Cv, and Fv events in both quality and quantity.
   d. Exhibits will depict existing and proposed drainage areas, as well as delineated TC paths.
   e. All forebay, sediment trap, sediment basin and other applicable erosion and sediment control design will be included with stormwater management report.
   f. Geotech to verify necessity and type of pond liner, and to recommend seasonal high ground water level to gauge elevation of permanent pools for each of the proposed ponds.
   g. GMB to verify tailwater conditions of all proposed outfalls, including the downstream end of the receiving culvert crossings.
6. GMB to proceed with step 2/3 submittal complying with all checklists applicable (step 2/3, BMP, and SIP).

Please respond to GMB with any additions or modifications to the above items.

Sincerely,

Megan Evans, E.I.T.

6. UTILITIES

2021-06

Nick Torrance

From: Dickerson, Troy <TDickerson@delaware.coop>
Sent: Thursday, January 7, 2021 3:37 PM
To: Planning and Zoning
Subject: RE: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station

Categories: Nick

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 Afternoon,

Everyone one of the subdivisions that were sent are within DEC's service territory. We have adequate facilities in the area to serve the proposed subdivisions.

Thanks!!!

Troy W. Dickerson, P.E.
Assistant V.P. of Engineering
Voice: (302) 349-3125
Cell: (302) 535-9048
Fax: (302) 349-5891
tdickerson@delaware.coop

DELAWARE ELECTRIC CO-OP
"We Keep the Lights On"

From: Nick Torrance
Sent: Thursday, December 31, 2020 1:07 PM
To: Beth Krumrine <beth.krumrine@delaware.gov>; Brad Hawkes <bhawkes@sussexcountyde.gov>; Chris Calio <ccalio@sussexcountyde.gov>; dholden@chpk.com; C. Daniel Parsons <dparsons@sussexcountyde.gov>; Duane.Fox@delaware.gov; eileen.butler@delaware.gov; James Sullivan <James.Sullivan@delaware.gov>; jennifer.cinelli@delaware.gov; jessica.watson@sussexconservation.org; jmartin@chpk.com; John J. Ashman <jashman@sussexcountyde.gov>; kgabbard@chpk.com; meghan.crystall@delaware.gov; michael.tholstrup@delaware.gov; Mike Brady <MBRADY@sussexcountyde.gov>; Milton.melendez@delaware.gov; mindy.Anthony@delaware.gov; subdivision@delaware.gov; Susan Isaacs <sisaacs@sussexcountyde.gov>; susanne.laws@delaware.gov; Dickerson, Troy <TDickerson@delaware.coop>; Terri Dukes <tdukes@sussexcountyde.gov>; tgiroux@chpk.com; Vince Robertson <vrobertson@pgslegal.com>
Subject: TAC Review 2021-06 Coral Crossing, 2021-08 The Knoll, 2021-09 Brookland Farm, 2021-10 Graywood Springs, CZ 1937 Wil King Station

All,

Sussex County Planning Office has received five (5) applications that requires TAC review. Attached is a memo regarding the application and a PDF of the plans submitted.

Please provide comments on or before March 5th, 2021.

Please feel free to contact me with any questions.

Thanks,

PLEASE NOTE: As a new shared email system has been put in place; if emailing your response, please send to the following email: PANDZ@SUSSEXCOUNTYDE.GOV

Nick Torrance
Planner I
Department of Planning and Zoning
(302) 855-7878
2 The Circle
P.O. Box 417
Georgetown, DE 19947

TIDEWATER UTILITIES, INC.
A Middlesex Water Company Affiliate

March 5, 2021

GMB
Attn: Ms. Cathy Lyons
206 West Main Street
Salisbury, MD 21801

RE: Willing & Able Letter : Tax Parcel No. 234-6.00-84.00 and 234-6.00-67.00
Coral Crossing (Rehoboth Water District)

Dear Ms. Lyons:

Tidewater Utilities, Inc. (Tidewater) is willing and able to serve public water, *including fire protection*, to the following parcel(s) identified as Tax Map & Parcel 234-6.00-84.00 and 234-6.00-67.00. Water service is contingent on the terms and conditions of a Water Service Agreement by and between Tidewater and the Project Owner. This parcel is located within Tidewater's existing water Certificate of Public Convenience and Necessity franchise area.

Please send a site plan and construction schedule to Tidewater. Please feel free to contact me at 302-747-1325 if you have any questions or concerns regarding this matter. Tidewater looks forward to meeting the water needs of this project.

Sincerely,

Kirsten E. Higgins

Kirsten Higgins
Vice President, Development & Contract Administration

cc: Brian Carbaugh, P.E., Tidewater Utilities, Inc.

ENGINEERING DEPARTMENT

ADMINISTRATION	(302) 855-7718
AIRPORT & INDUSTRIAL PARK	(302) 855-7774
ENVIRONMENTAL SERVICES	(302) 855-7730
PUBLIC WORKS	(302) 855-7703
RECORDS MANAGEMENT	(302) 854-5033
UTILITY ENGINEERING	(302) 855-7717
UTILITY PERMITS	(302) 855-7719
UTILITY PLANNING	(302) 855-1299
FAX	(302) 855-7799

Sussex County
DELAWARE
sussexcountyde.gov
HANS M. MEDLARZ, P.E.
COUNTY ENGINEER
JOHN J. ASHMAN
DIRECTOR OF UTILITY PLANNING

SEWER SERVICE CONCEPT EVALUATION (SSCE)

UTILITY PLANNING DIVISION

Applicant: Land Tech

Date: 8/20/2020

Reviewed by: **John Ashman**

Agreement #:**TBD**

Project Name: **Adkins, Novosel, Tanager & Harmon**

Tax Map & Parcel(s): **234-6.00-59.19, 26.00, 26.01, 26.02, 26.03, 26.05, 68.01, 67.00 & 84.00**

Sewer Tier: Tier 1 - Sussex County Unified Sanitary Sewer District

Proposed EDUs: **605 Total**

Pump Station(s) Impacted: **Proposed Chapel Branch & PS 404**

List of parcels to be served, created from the base parcel: **N/A**

List of additional parcels to be served (Parcels required for continuity must be served with infrastructure):**Click or tap here to enter text.**

Connection Point(s): **Parcels 59.19, 26.00, 26.01, 26.02, 26.03, & 26.05 (Site A) will require an on-site pumpstation and connect to the proposed manhole (MH7) in Wil King Road at the intersection with Dawson Dr. Parcel 68.01 and part of parcel 67.00 (Site "B") will connect to the proposed manhole (MH5) by gravity. Parcel 84.00 (Site "C") and the balance of parcel 67.00 (Site "B") will connect to TCO#3 across the street from Tidewater Landing or utilize a connection point thru Site "D" if developer moves forward with that project.**

Use of Existing Infrastructure Agreement required? Yes ☒ or No ☐

Annexation Required? Yes ☐ or No ☒

Easements Required? Yes ☒ or No ☐

Fee for annexation (based on acreage):**$2,500 (Greater than 150.00 Acres)**

Current Zoning: **AR-1** Zoning Proposed: **MR**

Acreage: **293.00**

Additional Information: **Site "D" 234-6.00-58.00 & 85.00 have had a SSCe previously completed and attached. Some parcels are located in a Tier 2 and will require annexation into the sewer district.**

* No capacity is guaranteed until System Connection Fees are paid

All gravity sewers with three (3) or more minor branches shall be designed at minimum slope and maximum depth.

Once Construction Drawings are completed with all of the above information satisfied, please submit to:

Sussex County Public Works Department
2 The Circle
P.O. Box 589
Georgetown DE 19947

CC: John Ashman
Jayne Dickerson
Michael Brady
Noell Warren

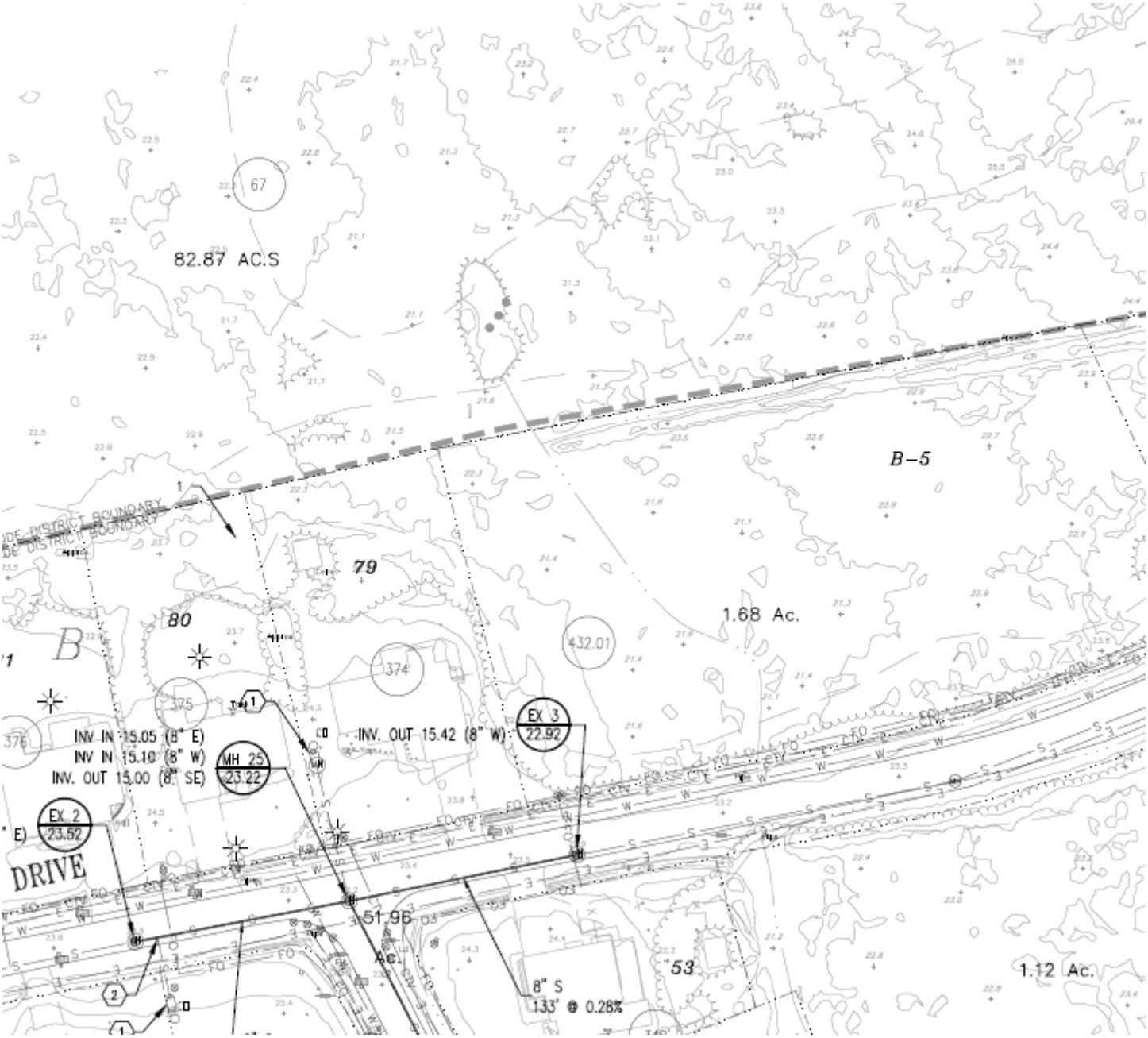
Cathy Lyons

Subject: RE: Coral Crossing - Novosel

From: John J. Ashman <jashman@sussexcountyde.gov>
Sent: Wednesday, June 30, 2021 1:48 PM
To: Stephen L. Marsh <SMarsh@gmbnet.com>
Subject: RE: Coral Crossing - Novosel

Steve,

Further west than that. More between parcel 432.01 & 630.00. below find the WR&A info and everything not labeled is 8" gravity, basically laid at county minimum grade.



From: Stephen L. Marsh <SMarsh@gmbnet.com>
Sent: Tuesday, June 29, 2021 4:11 PM
To: John J. Ashman <jashman@sussexcountyde.gov>
Cc: Katja Kalinski <KKalinski@gmbnet.com>; Jesyl J. Silva <JSilva@gmbnet.com>; Christopher Pfeifer <CPfeifer@gmbnet.com>; Jordan T. Dickerson <jordan.dickerson@sussexcountyde.gov>
Subject: Coral Crossing - Novosel

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 afternoon John:

Please accept this email as a follow up to the meeting we had in your office last week. We were mostly discussing Millville by the Sea, but we also quickly discussed Coral Crossing (Novosel). You indicated that the County could provide a connection point to the south (see page 2 of the attached pdf, I'm pretty sure I got the general location correct).

Any chance you could give us an actual location and invert? We have a signed contract and are proceeding full steam ahead on design.

Thanks,

Steve Marsh

GMB ARCHITECTS / ENGINEERS
Steve Marsh, P.E.
Senior Vice President
206 West Main Street | Salisbury, MD | 21801
410.742.3115 | www.gmbnet.com | Find us on facebook

7. TRAFFIC

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

NICOLE MAJESKI
SECRETARY

MEMORANDUM

TO: File

FROM: Claudy Joinville, Project Engineer C.J.

DATE: September 21, 2021

SUBJECT: **Coral Lakes f.k.a. Novosel Subdivision**
Traffic Impact Study (TIS) – Scoping Meeting (7/27/21)
Scope of Work

ATTENDANCE: Drew Boyce, Century Engineering, Inc.
Tim Green, Schell Brothers
Jesyl J. Silva, George, Miles & Buhr, Inc.
Steve McCabe, DelDOT Planning
Brian Yates, DelDOT Planning
T. William Brockenbrough, DelDOT Planning
Annamaria Furmato, DelDOT Planning
Claudy Joinville, DelDOT Planning

Background and Discussion

Schell Brothers, LLC seeks to develop 315 single-family detached houses on an approximately 152.32-acre assemblage of parcels (Tax Parcels: 234-6.00-67.00, 84.00, and 85.00). The land is located on the west side of Robinsonville Road (Sussex Road 277), opposite Webbs Landing Road (Sussex Road 277B), in Sussex County. The land is currently zoned as AR-1 (Agricultural Residential), and the developer does not plan to rezone the land.

One access point is proposed on Robinsonville Road. Construction is anticipated to be complete in 2030.

Henlopen Transportation Improvement District (TID)

The proposed development would be located within the boundary of the proposed Henlopen Transportation Improvement District (TID). A TID is a planning concept that seeks to proactively align transportation infrastructure spending and improvements with land use projections and future development within the designated district. For developments that are consistent with the Land Use and Transportation Plan (LUTP) developed for the TID, the developer is required to pay a fee per dwelling in lieu of doing a TIS and making off-site improvements in accordance therewith. The proposed plan for subject development, however, is not consistent with the LUTP for the Henlopen TID. Accordingly, DelDOT is requiring a TIS.

Cases to be Evaluated

The study shall evaluate the weekday morning, weekday evening, summer Saturday midday peak hours for the following situations:

1) Existing (2021);
2) 2030 without development; and
3) 2030 with development.

Facilities to be Evaluated

The TIS should evaluate conditions at the following intersections for capacity and level of service using the Highway Capacity Software (HCS). It should also evaluate the extent to which they meet the relevant DelDOT, AASHTO and MUTCD standards for geometry and traffic control devices.

1) Site Entrance / Robinsonville Road (Sussex Road 277)
2) Robinsonville Road / Kendale Road (Sussex Road 287)
3) Robinsonville Road / Cedar Grove Road (Sussex Road 283)
4) Kendale Road / Wil King Road (Sussex Road 288)
5) Kendale Road / Beaver Dam Road (Sussex Road 285)
6) Robinsonville Road / Harts Road (Sussex Road 277A)
7) Delaware Route 24 / Harts Road
8) Delaware Route 24 / Camp Arrowhead Road (Sussex Road 279) / Fairfield Drive
9) Delaware Route 24 / Robinsonville Road / Angola Road (Sussex Road 277)
10) Delaware Route 24 / Hollymount Road (Sussex Road 48) / Sloan Road

Traffic Counts

The Consultant should conduct traffic counts for the intersections listed above from 7:00 a.m. to 9:00 a.m. and from 4:00 p.m. to 6:00 p.m., on a Tuesday, Wednesday or Thursday, and from 10:00 a.m. to 2:00 p.m. on a Saturday to determine when the peaks occur. The Saturday counts should be conducted at a time when local area schools, as well as schools in the nearby metropolitan areas of Philadelphia, Baltimore, and Washington, D.C., are closed in June, July, or August.

Additionally, Automatic Traffic Recorder (ATR) should be used to collect traffic data Robinsonville Road near the area of the proposed site entrance. The ATR should be placed for a one-week time period that includes the date(s) of the manual traffic counts. The ATR data will be used to verify the manual counts and determine whether adjustments are required.

Section 2.2.8.5, item 19, under Existing Traffic and Transportation Conditions in the Development Coordination Manual addresses how oversaturated intersections are to be counted.

The traffic counts should be submitted to DelDOT both electronically as Portable Document Format (PDF)/Excel files and as draft report figures showing peak hour volumes (labeled with date and peak hour interval) posted on diagrams of the road network.

The Consultant should include counts of pedestrians, a separate count of right-turn on red (in addition to right-turn movement counts), and a separate count of heavy vehicles.

The Consultant should be alert for events affecting the traffic counts, such as accidents or nearby construction and shall make note of any such events when submitting the counts. As necessary, DelDOT reserves the right to reject the counts or require adjustments to them.

Trip Generation

The Consultant shall use the 10th edition of the ITE Trip Generation Manual in generating trips for this development.

Trip Distributions

A trip distribution to be used for the site is attached.

Growth Factors

The Consultant shall apply growth factors to the traffic counts. DelDOT will develop those factors after we receive the Consultant's traffic counts.

The Consultant should also determine what portions of the following developments were complete at the time of any traffic counts to be used in the study and shall add in projected traffic from any unbuilt portions. The following information on the amount and types of development associated with these projects is tentative and should be verified with Sussex County.

1) Chase Oaks f.k.a. Charter Oak (249 single-family detached houses)
2) Tidewater Landing (213 single-family detached houses)
3) Dellwood a.k.a. Ocean Meadows (100 single-family detached houses)
4) Acadia a.k.a. Insight at Lewes Point (238 single-family detached houses)
5) Coastal Club (260 single-family detached houses, 163 residential condominiums / townhouses)
6) Anchors Run a.k.a. Insight at Lewes Run (263 single-family detached houses)
7) Kindleton (90 single-family detached houses)

8) Outer Banks (49 single-family detached houses)
9) The Woods at Burton Pond (165 single-family detached houses)
10) Pelican Landing (88,000 square-foot shopping center)
11) Marsh Island (152 single-family detached houses)
12) Marsh Farm Estates (104 single-family detached houses)
13) Rehoboth Point Yacht Club (f.k.a. Love Creek Marina) (188 condominiums and 5,000 square-foot quality restaurant)
14) Middle Creek Preserve (313 single-family detached houses)
15) Dorman Farm Property (a.k.a Windswept at Lewes) (200 single-family detached houses and 178 townhomes)
16) Headwater Cove (137 single-family detached houses)
17) Hailey's Glen (f.k.a. Kielbasa) (137 single-family detached houses)
18) Tanager Woods (f.k.a. Street Property) (173 single-family detached houses)
19) Welshes Pond f.k.a. Fieldstone (247 single-family detached houses)

For developments described as townhouses, condominiums, or multi-family housing, the Consultant shall confirm with the County or the Town whether the buildings to be developed are low-rise (1 or 2 stories) or mid-rise (3 to 10 stories). The Consultant shall also document all changes to the above list of committed developments and provide electronic copies of correspondence with the local land use agency in the TIS report.

Highway Capacity Software

The Consultant shall use the most recent version of the Highway Capacity Software (HCS) that implements the 6th Edition of the Highway Capacity Manual (HCM). Presently, that is HCS7.

Seasonal Adjustment Factors for the roads in the study area are as follows:

Roads	July	August	September
Delaware Route 24 – **TPG 8**	0.76	0.77	0.92
Hollymount Road (Sussex Road 48) – **TPG 6**	0.87	0.87	0.88
Pinewater Road / Sloan Road (Sussex Road 49) – **TPG 4**	0.95	0.91	0.97
Robinsonville Road/Angola Road (Sussex Road 277) – **TPG 7**	0.94	0.92	0.96
Harts Road (Sussex Road 277A) – **TPG 7**	0.94	0.92	0.96
Camp Arrowhead Road (Sussex Road 279) – **TPG 7**	0.94	0.92	0.96
Cedar Grove Road (Sussex Road 283) – **TPG 7**	0.94	0.92	0.96
Beaver Dam Road (Sussex Road 285) – **TPG 6**	0.87	0.87	0.88
Kendale Road (Sussex Road 287) – **TPG 7**	0.94	0.92	0.96
Wil King Road (Sussex Road 288) – **TPG 7**	0.94	0.92	0.96
All Other Roads	1.00	1.00	1.00

DelDOT Projects

DelDOT's Hazard Elimination Program (HEP), formerly known as the Highway Safety Improvement Program (HSIP) has two sites that include the intersections of Delaware Route 24 and Camp Arrowhead Road, and Delaware Route 24 and Robinsonville Road / Angola Road. The improvements associated with the Delaware Route 24 / Camp Arrowhead Road intersection will include the widening of the southbound Camp Arrowhead Road / Fairfield Road approaches to provide separate left-turn, through-, and right-turn lanes. In addition, the improvements will include extending the left-turn and right-turn lanes on all approaches to meet storage requirements. For more information on how this project affects the subject site, the Consultant shall contact Mr. Chris Sylvester of DelDOT's Traffic Section. Mr. Sylvester may be reached at (302) 659-4061.

Transit, Bicycle, and Pedestrian Facilities

The study should describe the existing and proposed transit service in the project area and should also describe the existing and needed transit, bicycle, and pedestrian facilities on or near the project site. In determining these items, the Consultant shall contact Mr. Jared Kauffman, a Service Development Planner at the Delaware Transit Corporation (DTC), and Mr. Anthony Aglio, of DelDOT's Statewide and Regional Planning Section. Mr. Kauffman may be reached at (302) 576-6062. Mr. Aglio may be reached at (302) 760-2509.

General Notes

1) All submissions relating to this study should be made electronically via the Planning and Development Coordination Application (PDCA), preferably in Portable Document Format (PDF).

2) The Consultant should e-mail DelDOT's Transportation Management Center (TMC) at tmc1@delaware.gov to obtain advance approval for the use of any signal timings.

3) The Consultant should refer to the attached memorandum from Scott Neidert of DelDOT's Traffic Section for guidance regarding requests for crash data within the study area. The Consultant shall report on this data and make recommendations for improvements if safety problems exist in the study area. Mr. Neidert may be reached at (302) 659-4075.

4) Before deploying temporary unmanned devices, e.g. cameras, radar detectors, or tube counters, in the State maintained right-of-way, the individual or company proposing to do so shall execute and file a Right-of-Way Use Agreement. Before each specific deployment of devices, the individual or company shall email a completed Temporary Data Collection Device Notification Form to TMC1@delaware.gov. Copies of the standard agreement and the form are available from Peter Haag at (302) 659-4084 or Peter.Haag@delaware.gov.

5) Both DelDOT and Sussex County reserve the right to change this scope of work if the study is not performed within a reasonable time.

6) The developer may choose to have DelDOT's Consultant perform the TIS rather than use their own Consultant. If this option is of interest, the developer should contact Mr. Troy Brestel at (302) 760-2167 to request a cost estimate.

7) By copy of this memorandum I ask those copied to contact me at (302) 760-2124 regarding any significant errors or omissions.

CJ:cjm
Enclosures
cc: Jamie Whitehouse, Director, Sussex County Planning and Zoning
Steve Marsh, George, Miles & Buhr, Inc.
Katja Kalinski, George, Miles & Buhr, Inc.
William Conway, Century Engineering, Inc.
Pam Steinbach, Director, DelDOT Planning
Todd Sammons, Assistant Director, Development Coordination
Michael Simmons, Assistant Director for Project Development South, DOTS
Peter Haag, Chief Traffic Engineer, Traffic, DOTS
Chris Sylvester, Traffic Studies Engineer, DOTS
Mark Whiteside, Project Manager, Project Development South, DOTS
Alastair Probert, South District Engineer, DOTS
Matt Schlitter, South District Public Works Engineer, Maintenance & Operations
Scott Rust, South District Public Works Supervisor, Maintenance & Operations
James Satterfield, Regional Group Engineer, Project Development South, DOTS
William Kirsch, South District Permit Supervisor, DOTS
Olayiwola Okesola, Kent County Review Coordinator, Development Coordination
Mark Galipo, Traffic Engineer, DelDOT Traffic, DOTS
Troy Brestel, Project Manager, Development Coordination
David Dooley, Service Development Planner, Delaware Transit Corporation
Anthony Aglio, Statewide & Regional Planning
Scott Neidert, Design Resource Engineer, Traffic Section
Jared Kauffman, Service Development Planner, Delaware Transit Corporation
Kari Glanden, Statistical Information Supervisor, DelDOT Traffic, DOTS
James Argo, South District Project Reviewer, Maintenance & Operations
Andrew Parker, McCormick & Taylor, Inc.
Mir Wahed, Johnson, Mirmiran, & Thompson, Inc.

PM Peak Distribution / Assignment

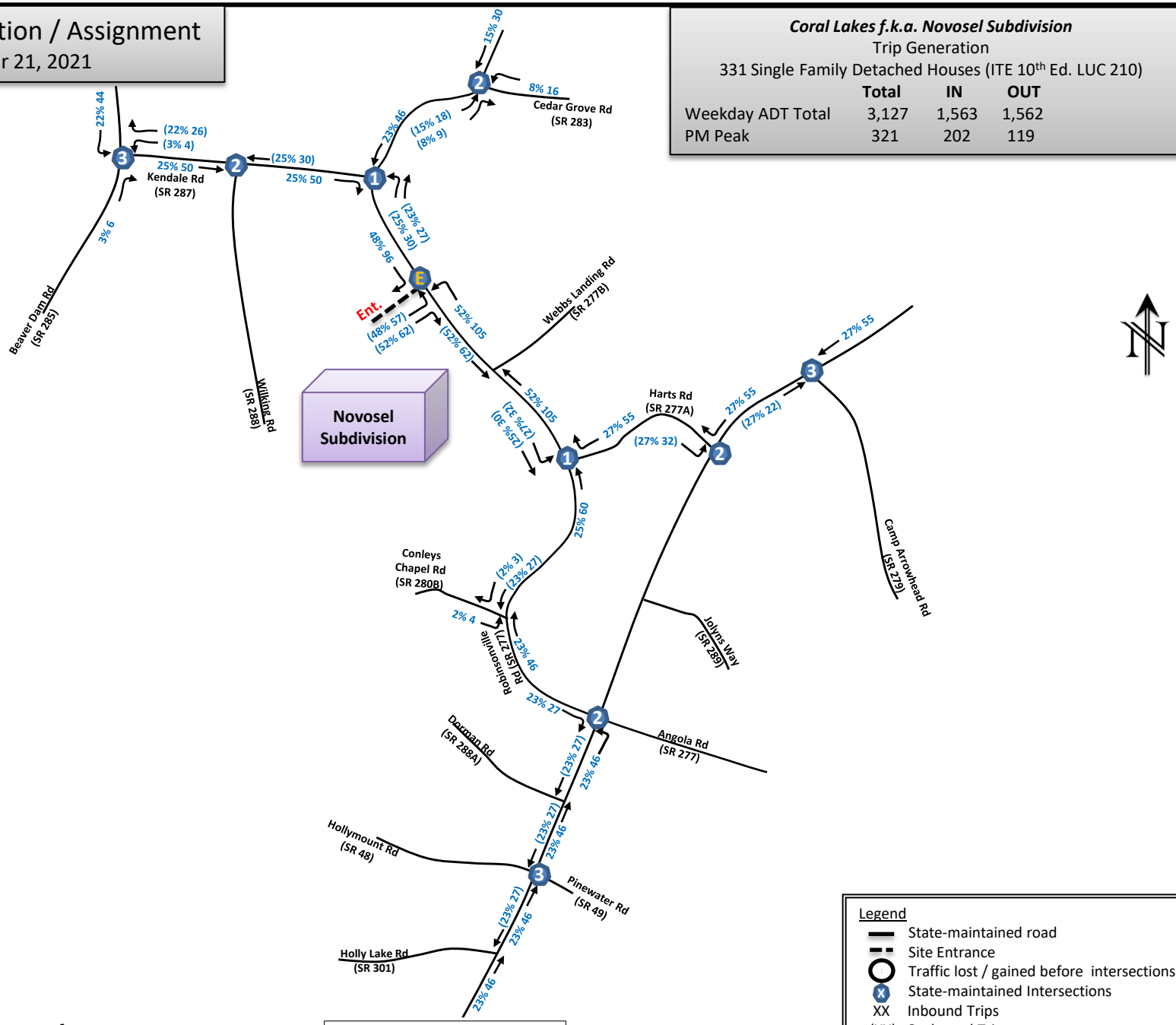
September 21, 2021

Coral Lakes f.k.a. Novosel Subdivision

Trip Generation

331 Single Family Detached Houses (ITE 10th Ed. LUC 210)

	Total	IN	OUT
Weekday ADT Total	3,127	1,563	1,562
PM Peak	321	202	119



Legend

- State-maintained road
- Site Entrance
- Traffic lost / gained before intersections
- State-maintained Intersections
- XX Inbound Trips
- (XX) Outbound Trips

DelDOT

Figure 1 of 1

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

JENNIFER COHAN
SECRETARY

TO: Requestors of Crash Data via DelDOT's Development Coordination Process

FROM: Scott Neidert, Design Resource Engineer, Traffic Section

DATE: **September 5, 2019**

SUBJECT: **Revisions to Crash Data Requests and Releases**

As of July 23, 2019, Governor Carney has signed SB 147 into law containing amendments to the release of crash data, namely permitting DelDOT to release certain de-identified data based on the nature of the requestor. Specifically, newly enacted 21 *Del. C.* §313(c)(1) provides that:

"The Department of Transportation may provide the information under this subsection if the person requesting the information provides proof of identity and a sworn representation that the data will be strictly used for any of the following purposes:

a. To comply with federal, State, or local law or regulations.
b. By a municipality or municipal planning organization in carrying out official functions."

To conform with the "proof of identity and… sworn representation…" clause, requestors will be required to complete an online crash data request as well as provide a notarized release form to be submitted with each crash request prior to being processed. A link to the release form is provided within the online crash request.

Effective immediately, all requests for crash data, when required, must be made at: *https://tmc.deldot.gov/tmcx/app/crashdata/public/info.html*

Requests for crash data will not be processed until all required fields are completed, and the release form has been completed and received.

SN
cc: Nicole Majeski, Deputy Secretary
Shanté Hastings, Chief Engineer
Drew Boyce, Director, Planning
Annie Cordo, Deputy Attorney General
Mark Luszcz, Deputy Director, Division of Transportation Solutions
Kari Glanden Thompson, Statistical Information Supervisor, Traffic Section

8. THREATENED & ENDANGERED SPECIES

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Creating Value

November 23, 2020

Land Tech LLC
32895 South Coastal Highway, Suite 202
Bethany Beach, Delaware 19930

Attention: Jeff Clark

Subject: Rare, Threatened and Endangered Species Research
Novosel Property
Tax Parcel 234-6.00-84.00

Dear Jeff:

At your request, I have investigated the government databases related to Rare, Threatened and Endangered (RTE) Species for the above captioned property. This included a review of the United States, Fish and Wildlife Service (USFWS) database, the National Marine Fisheries Service (NMFS) database and a request to the State of Delaware, Natural Heritage Department for information from their files.

The State of Delaware has not yet responded to the information request, but the Federal Government data is summarized below and attached to this letter.

USFWS –

The Official Species List (see attached), indicates that there are no concerns related to RTE Species for this parcel.

NMFS –

This search (see attached) indicates that there are concerns for Atlantic Sturgeon and Sea Turtles in Love Creek east of the Subject Property. No species of concern are noted on or near the Property but any impacts to the habitats depicted, should be avoided. This would involve following the State of Delaware Sediment and Erosion Control Regulations as well as the Storm Water Regulations to avoid any sediment or pollution reaching these habitats from the site.

A review of the site indicates that the site is wooded with typical species for this area of the Outer Coastal Plain in Delaware. No habitats were observed which indicate the potential for RTE Species on the site.

302-464-0831
Jim@WatershedEco.com

Based on the above information, there do not appear to be any concerns related to RTE Species associated with the site. Once information is received from the State of Delaware, this letter will be updated.

If you have any additional questions, please feel free to contact me.

Sincerely,

James C. McCulley IV, SPWS (#000471)
Environmental Scientist

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: November 20, 2020
Consultation Code: 05E2CB00-2021-SLI-0245
Event Code: 05E2CB00-2021-E-00597
Project Name: Novosel Property

Subject: List of threatened and endangered species that may occur in your proposed project location, and/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.

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: 05E2CB00-2021-SLI-0245

Event Code: 05E2CB00-2021-E-00597

Project Name: Novosel Property

Project Type: FILL

Project Description: Residential development west of Robinsonville Road.

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/place/38.70227408743118N75.18921677372438W

Counties: Sussex, DE

Endangered Species Act Species

There is a total of 0 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.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], 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.

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.

FRESHWATER FORESTED/SHRUB WETLAND

- PFO1/4B
- PFO1B
- PFO4/1B
- PFO1C

Drawn Action Area & Overlapping S7 Consultation Areas

Area of Interest (AOI) Information

Area : 3,009.2 acres

Nov 20 2020 11:26:16 Eastern Standard Time

Novosel Property

Summary

Name	Count	Area(acres)	Length(mi)
Atlantic Sturgeon	2	71.72	N/A
Shortnose Sturgeon	0	0	N/A
Atlantic Salmon	0	0	N/A
Sea Turtles	4	143.44	N/A
Atlantic Large Whales	0	0	N/A
In or Near Critical Habitat	0	0	N/A

Atlantic Sturgeon

#	Feature ID	Species	Life Stage	Behavior	Zone	From	Until	From (2)	Until (2)	Area(acres)
1	ANS_C50_ADU_MAF	Atlantic sturgeon	Adult	Migrating & Foraging	N/A	01/01	12/31	N/A	N/A	35.86
2	ANS_C50_SUB_MAF	Atlantic sturgeon	Subadult	Migrating & Foraging	N/A	01/01	12/31	N/A	N/A	35.86

Sea Turtles

#	Feature ID	Species	Life Stage	Behavior	Zone	From	Until	From (2)	Until (2)	Area(acres)
1	GRN_STS_AJV_MAF	Green sea turtle	Adults and juveniles	Migrating & Foraging	Massachusetts (S of Cape Cod) through Virginia	5/1	11/30	*No Data*	*No Data*	35.86
2	KMP_STS_AJV_MAF	Kemp's ridley sea turtle	Adults and juveniles	Migrating & Foraging	Massachusetts (S of Cape Cod) through Virginia	5/1	11/30	*No Data*	*No Data*	35.86
3	LTR_STS_AJV_MAF	Leatherback sea turtle	Adults and juveniles	Migrating & Foraging	Massachusetts (S of Cape Cod) through Virginia	5/1	11/30	*No Data*	*No Data*	35.86
4	LOG_STS_AJV_MAF	Loggerhead sea turtle	Adults and juveniles	Migrating & Foraging	Massachusetts (S of Cape Cod) through Virginia	5/1	11/30	*No Data*	*No Data*	35.86

DISCLAIMER: Use of this App does NOT replace the Endangered Species Act (ESA) Section 7 consultation process; it is a first step in determining if a proposed Federal action overlaps with listed species or critical habitat presence. Because the data provided through this App are updated regularly, reporting results must include the date they were generated. The report outputs (map/tables) depend on the options picked by the user, including the shape and size of the action area drawn, the layers marked as visible or selectable, and the buffer distance specified when using the "Draw your Action Area" function. Area calculations represent the size of overlap between the user-drawn Area of Interest (with buffer) and the specified S7 Consultation Area. Summary table areas represent the sum of these overlapping areas for each species group.

www.WatershedEco.com
Creating Value

November 23, 2020

Land Tech LLC
32895 South Coastal Highway, Suite 202
Bethany Beach, Delaware 19930

Attention: Jeff Clark

Subject: Rare, Threatened and Endangered Species Research
Adkins Property
Tax Parcel 234-6.00-67.00

Dear Jeff:

At your request, I have investigated the government databases related to Rare, Threatened and Endangered (RTE) Species for the above captioned property. This included a review of the United States, Fish and Wildlife Service (USFWS) database, the National Marine Fisheries Service (NMFS) database and a request to the State of Delaware, Natural Heritage Department for information from their files.

The State of Delaware has not yet responded to the information request, but the Federal Government data is summarized below and attached to this letter.

USFWS –

The Official Species List (see attached), indicates that there are no concerns related to RTE Species for this parcel.

NMFS –

This search (see attached) indicates that there are concerns for Atlantic Sturgeon and Sea Turtles in Love Creek east of the Subject Property. No species of concern are noted on or near the Property but any impacts to the habitats depicted, should be avoided. This would involve following the State of Delaware Sediment and Erosion Control Regulations as well as the Storm Water Regulations to avoid any sediment or pollution reaching these habitats from the site.

A review of the site indicates that the site is wooded with typical species for this area of the Outer Coastal Plain in Delaware. There are no habitats that indicate the potential for RTE Species on the site.

302-464-0831
Jim@WatershedEco.com

Based on the above information, there do not appear to be any concerns related to RTE Species associated with the site. Once information is received from the State of Delaware, this letter will be updated.

If you have any additional questions, please feel free to contact me.

Sincerely,

James C. McCulley IV, SPWS (#000471)
Environmental Scientist

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: November 20, 2020
Consultation Code: 05E2CB00-2021-SLI-0244
Event Code: 05E2CB00-2021-E-00595
Project Name: Adkins Property

Subject: List of threatened and endangered species that may occur in your proposed project location, and/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.

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: 05E2CB00-2021-SLI-0244

Event Code: 05E2CB00-2021-E-00595

Project Name: Adkins Property

Project Type: FILL

Project Description: Residential development north of Aintree Drive and east of Will King Road.

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/place/38.69964966834748N75.19175857318467W

Counties: Sussex, DE

Endangered Species Act Species

There is a total of 0 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.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], 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.

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.

FRESHWATER FORESTED/SHRUB WETLAND

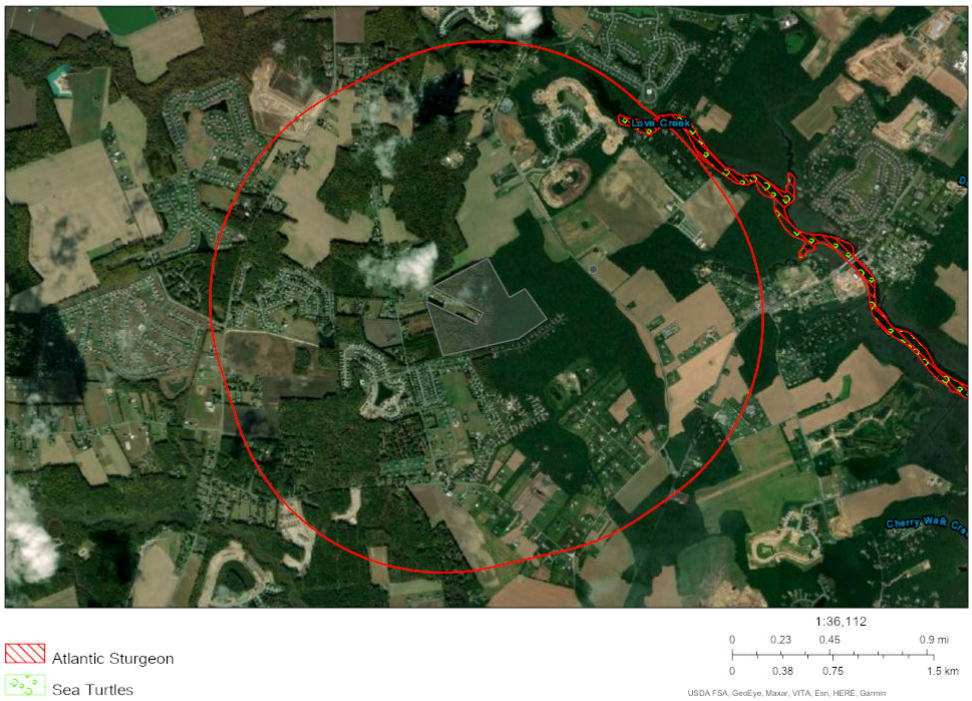
- PFO1/4B
- PFO1/4C
- PFO1B

Drawn Action Area & Overlapping S7 Consultation Areas

Area of Interest (AOI) Information

Area : 3,089.46 acres

Nov 20 2020 11:23:11 Eastern Standard Time



Adkins Property

Summary

Name	Count	Area(acres)	Length(mi)
Atlantic Sturgeon	2	12.52	N/A
Shortnose Sturgeon	0	0	N/A
Atlantic Salmon	0	0	N/A
Sea Turtles	4	25.05	N/A
Atlantic Large Whales	0	0	N/A
In or Near Critical Habitat	0	0	N/A

Atlantic Sturgeon

#	Feature ID	Species	Life Stage	Behavior	Zone	From	Until	From (2)	Until (2)	Area(acres)
1	ANS_C50_ADU_MAF	Atlantic sturgeon	Adult	Migrating & Foraging	N/A	01/01	12/31	N/A	N/A	6.26
2	ANS_C50_SUB_MAF	Atlantic sturgeon	Subadult	Migrating & Foraging	N/A	01/01	12/31	N/A	N/A	6.26

Sea Turtles

#	Feature ID	Species	Life Stage	Behavior	Zone	From	Until	From (2)	Until (2)	Area(acres)
1	GRN_STS_AJV_MAF	Green sea turtle	Adults and juveniles	Migrating & Foraging	Massachusetts (S of Cape Cod) through Virginia	5/1	11/30	*No Data*	*No Data*	6.26
2	KMP_STS_AJV_MAF	Kemp's ridley sea turtle	Adults and juveniles	Migrating & Foraging	Massachusetts (S of Cape Cod) through Virginia	5/1	11/30	*No Data*	*No Data*	6.26
3	LTR_STS_AJV_MAF	Leatherback sea turtle	Adults and juveniles	Migrating & Foraging	Massachusetts (S of Cape Cod) through Virginia	5/1	11/30	*No Data*	*No Data*	6.26
4	LOG_STS_AJV_MAF	Loggerhead sea turtle	Adults and juveniles	Migrating & Foraging	Massachusetts (S of Cape Cod) through Virginia	5/1	11/30	*No Data*	*No Data*	6.26

DISCLAIMER: Use of this App does NOT replace the Endangered Species Act (ESA) Section 7 consultation process; it is a first step in determining if a proposed Federal action overlaps with listed species or critical habitat presence. Because the data provided through this App are updated regularly, reporting results must include the date they were generated. The report outputs (map/tables) depend on the options picked by the user, including the shape and size of the action area drawn, the layers marked as visible or selectable, and the buffer distance specified when using the "Draw your Action Area" function. Area calculations represent the size of overlap between the user-drawn Area of Interest (with buffer) and the specified S7 Consultation Area. Summary table areas represent the sum of these overlapping areas for each species group.

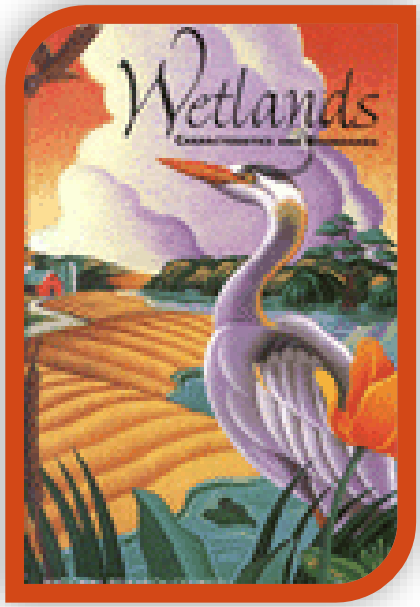
9. WETLANDS

Wetland Delineation – Novosel Property

NWPR

James C. McCulley IV, PWS
Watershed Eco LLC
November 16, 2020
Jim@WatershedEco.com

Introduction



At the request of Land Tech LLC, Watershed Eco LLC. has reviewed background materials and conducted site visits to determine the previous and current site conditions related to waters, wetlands and drainage.

James McCulley, the investigator and report author, has over 30 years of experience in wetland delineation and permitting. He previously worked as a biologist in the Regulatory Section of the U.S. Army Corps of Engineers, Philadelphia District and was selected as one of 17 wetland scientists nationwide to serve on the National Academy of Sciences, Wetlands Characterization Committee which authored "Wetlands: Characteristics and Boundaries". He was chosen as one of four committee members to present the committee findings at a press conference on Capitol Hill.

Mr. McCulley is a Senior Professional Wetland Scientist, #000471 as certified by the Society of Wetland Scientists, an international scientific association.

All opinions in this report are to a reasonable degree of scientific certainty.

Executive Summary

Watershed Eco LLC reviewed the background information and conducted a wetland delineation on the Novosel Property and determined that no Waters of the United States, including wetlands, were present on the site.

Non-Jurisdictional wetlands were identified on the site. These wetlands were determined to be isolated with no connection to Navigable Waters of the U.S.

The site conditions at the time of the investigation are detailed in this report.

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Definition of Jurisdictional Waters and Wetlands

The Navigable Waters Protection Rule (NWPR) became effective on June 22, 2020. This rule codifies the definition of Waters of the United States (WOTUS), including jurisdictional wetlands. Discussions of Jurisdiction related to Waters and Wetlands in this report are based on the NWPR Section 404 of the Clean Water Act and as described in the definitions in this section as well as all guidance currently in effect and based on professional experience.

The scope of Federal jurisdiction is established in the Clean Water Act (CWA) is limited to WOTUS, which is defined in the Act as Navigable Waters, including the Territorial Seas. The Act does not further define WOTUS and has left the interpretation to the agencies (U.S. EPA and U.S. Army Corps of Engineers). The agencies have defined WOTUS by regulation since the 1970s with the latest definition becoming effective on June 22, 2020 in the NWPR.

The NWPR defines four categories of WOTUS, 1. Territorial Seas and Traditional Navigable Waters, 2. Tributaries to 1., 3. Lakes and Ponds, and impoundments of Jurisdictional Waters and 4. Adjacent Wetlands. All other Waters are determined by the rule to be non-jurisdictional and the rule further clarifies exclusions which are not jurisdictional.

In this case we are interested in the jurisdictional status of the mapped wetlands on the site. In the NWPR, adjacent wetlands are defined as follows: abutting, meaning to touch, or inundated by flooding from waters 1-3 above, separated only be a berm, bank or dune or an artificial dike or barrier. The NWPR further clarifies that an adjacent wetland must have a direct hydrologic surface connection to a water listed in 1-3 above in a typical year. Wetlands were flagged that did not have any connection to any downstream waters. It is assumed that the wetlands mapped on this site have no connection and are not Jurisdictional under the NWPR.

Waters are mapped by determining the Ordinary High-Water Mark (OHWM) of features with a bed and bank as defined above and in accordance with various guidance as discussed below.

Wetlands are mapped using three criteria: 1. Vegetation, 2. Soils and 3. Hydrology which are further described in the Manual and appropriate Regional Supplement. Hydrophytic (wetland) vegetation is specifically adapted for life in saturated soils and listed by species and indicator status on the National Wetland Plant List maintained by the U.S. Army Corps of Engineers. Hydric (wetland) soils formed under conditions of saturation, flooding or ponding long enough to develop anaerobic conditions and are listed on the United States Department of Agriculture, Hydric Soils Database. Wetland hydrology is described as recurrent, sustained water at or near the surface for extended periods of time.

Subject Property

The Subject Property for purposes of this study is described as the Novosel Property located off of Robinsonville Road, west of Webbs Landing Road as depicted on Figure 1. The Subject Property is located at Latitude and Longitude 38.702412 and -75.199196 described as Tax Parcel 234-6.00-84.00 consisting of 74.25 Acres.

The Subject Parcel is currently wooded with a small agricultural area in the east.

Wetlands were flagged on the Property in isolated pockets with no downstream connections.

Documents Considered

The following documents were considered as part of this study:

- Current National Wetland Inventory (NWI) Map
- Current USGS Mapping
- Historical Aerial Photos
- NRCS Soils Mapping

Findings

Background Research

The NWI Map (Figure 2) depicts the isolated wetlands on the site.

The USGS Mapping (Figure 3) depicts a flat site with no “blue-line” streams or swales.

The 1954 aerial photo (Figure 4) depicts the site as wooded with a small agricultural area to the east.

The 1968 aerial photo (Figure 5) depicts similar conditions to 1954.

The 1992 aerial photo (Figure 6) depicts similar conditions to 1968.

The 2017 aerial photo (Figure 7) depicts similar conditions to the existing site conditions as observed during the field investigation.

The NRCS Soil Mapping (Figure 8) depicts hydric soils in isolated pockets on the site (see attached).

Field Investigation

Watershed Eco LLC., conducted a field investigation on July 25, 2018 to flag the wetlands on the property and again on August 14, 2020 to assess the connection of the flagged wetlands to Navigable Waters. The purpose of the investigations was to conduct a wetland delineation on the Property.

These investigations consisted of a visual review of the entire site with special attention paid to vegetative communities and topography. The wetland boundary was walked and wetland boundaries were flagged in the field and locations noted using handheld GPS.

Vegetation was identified using delineator experience and confirmed using field guides for the following strata:

> ***Trees*** – woody plants 6 meters or more in height and 7.6 centimeters or larger in diameter at breast height.
>
> ***Saplings*** – woody plants 6 meters or more in height and less than 7.6 centimeters in diameter at breast height.
>
> ***Shrubs*** – woody plants 1 to 6 meters in height.
>
> ***Herbs*** – all herbaceous plants regardless of size and woody plants less than 1 meter in height.
>
> ***Woody Vines*** – all woody vines regardless of height.

The indicator status for each dominant species was recorded based on the USACE 2018 Atlantic, Gulf and Coastal Plain Region Plant List.

Soil borings were advanced to an approximate depth of 20 inches using a 3-inch diameter Dutch auger. Soil colors were visually estimated using a Munsell Soil Color Chart and texture was estimated using standard soil texture criteria. Soil characteristics were compared to the Hydric Soil Indicator Guide in order to identify whether hydric soils were present at each data point location.

Wetland hydrology characteristics were visually observed where present based on the USACE Wetland Delineation Manual and Regional Supplement. No additional hydrology studies were performed at the site (ie. Piezometers, Observation Wells or Modeling) and potential wetland hydrology was based on observations on the day of the field investigation and professional experience.

Results

Wetlands were delineated in a large, irregular depression with no outlets. The wetlands flagged did not have any connection to other waters.

Representative photographs of the flagged area are included in this report.

The typical vegetation communities were as follows:

Wetlands – Red Maple, Sweetgum, Loblolly Pine, Pin Oak and Greenbriar.

Upland Woods – Southern Red Oak, Tulip Poplar, Japanese Honeysuckle, American Holly, Black Cherry and White Oak.

Jurisdiction

Federal Jurisdiction – WOTUS

The wetlands on site were associated with isolated depressions with no outlet and no flow to any waters and were determined to be non-Jurisdictional.

State Jurisdiction – Subaqueous Lands

No areas of potential State Jurisdiction were encountered on the site.

Conclusions

All opinions are to a reasonable degree of scientific certainty.

It is the opinion of Watershed Eco LLC. that no Waters or Wetlands under the jurisdiction of the U.S. Army Corps of Engineers are present on the site as the isolated wetlands do not meet the criteria for Jurisdiction under the NWPR enacted June 22, 2020 and in effect when this report was prepared.

Jurisdictional limits can only be determined by the U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, U.S. Department of Agriculture and the State of Delaware, Wetlands and Subaqueous Lands Branch.

Figures

Figure 1: Property Limits

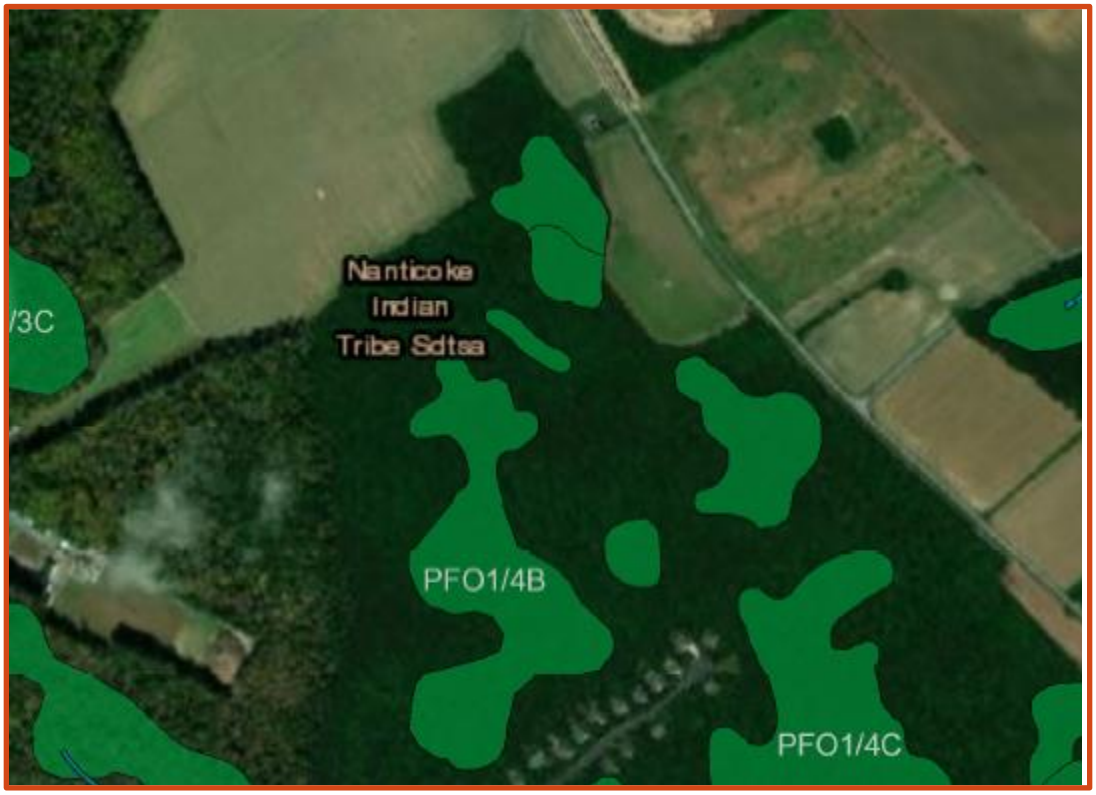

Figure 2: National Wetland Inventory Map.

Figure 3: USGS Mapping.

Figure 4: 1954 Aerial Photograph.

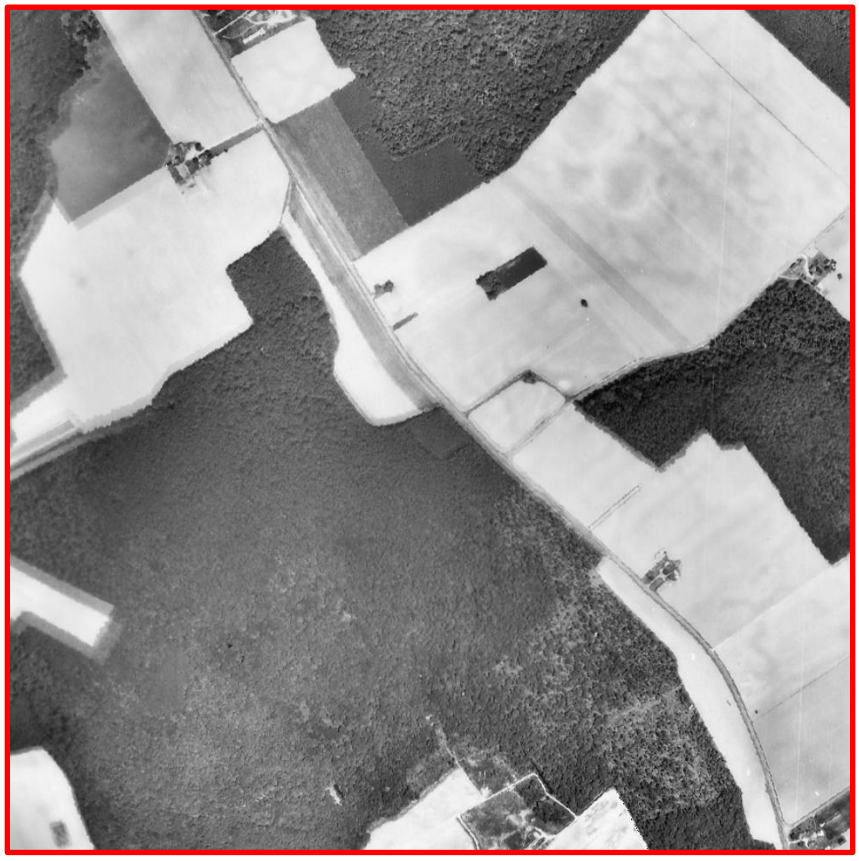

Figure 5: 1968 Aerial Photograph.

Figure 6: 1992 Aerial Photograph.

Figure 7: 2017 Aerial Photograph.

Figure 8: Soil Map.

Figure 9: Jurisdictional Wetlands.

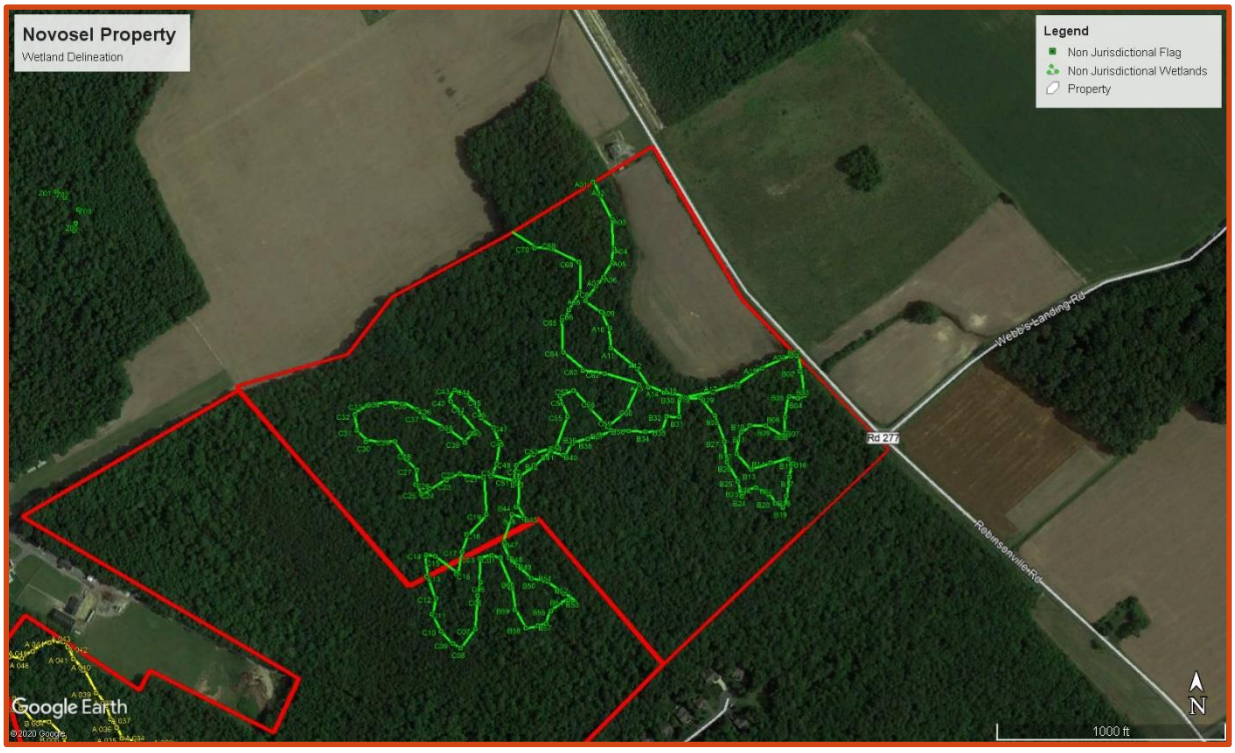

Figure 10: All Wetlands

Credentials

James C. McCulley IV

Senior Professional Wetland Scientist, P.W.S. (#000471)

Education:

- B.A. Biology, Rutgers University
- M.S. Biology, Rutgers University
- Wetland Sedges, Grasses and Rushes, The Swamp School
- Hydric Soils Indicators, The Swamp School
- Wetland Ferns, The Swamp School
- Wetland Delineation, Rutgers Continuing Education
- Wetland Hydrology, Rutgers Continuing Education
- Wetland Regulation, Corps of Engineers Training Program

Topics Presented:

- Presented Wetland Rules, Regulations and Policies, Delaware State Bar
- Presented Wetlands Rules, Regulations and Policies, Pennsylvania State Bar
- Presented Wetland Rules, Regulations and Policies, Maryland Architects
- Presented Environmental Rule Changes, Homebuilders Association of Delaware
- Chaired Panel Discussion at Annual Meeting of Society of Wetland Scientists (SWS)
- Presented on “No Net Loss” at Association of State Wetland Managers Meeting
- Presented on Wetlands Legislation to Environmental Law Institute
- Presented on Wetland Delineation at State Parks Managers Meeting
- Part of Panel to present NAS findings to Congress on Wetlands Legislation
- Treatment of Storm Water Run-Off by Wetlands to SWS Annual Meeting

Committees:

- State of Delaware, Wetlands Advisory Committee
- National Association of Homebuilders, Environmental Issues Committee
- National Association of Homebuilders, Land Use Policy Committee
- Homebuilders Association of Delaware, Life Director
- National Academy of Sciences Wetlands Characterization Committee
- State of Delaware, Freshwater Wetlands Legislation Committee
- New Castle County Comprehensive Plan Update
- New Castle County, Riparian Buffer Ordinance Committee
- Board of Directors, Homebuilders Association of Delaware

Publications:

- Wetlands: Characteristics and Boundaries, National Academy of Sciences Press
- Integrated Natural Resource Management Plan, PAX Naval Air Station

Community:

- Mentored Honors Biology Program at Glasgow High School
- Curriculum Development Committee for Hodgson Vo-Tech (HVT), Environmental Landscape Technology Program
- Graded Senior Projects for HVT, Environmental Program
- Assisted Talley Middle School with Artificial Wetland Creation Project
- Donated Plants for Brader Elementary School, Wetland Creation Project
- Donated Plants for Ohio State University Wetland Creation Project
- Presented Career Opportunities to Sussex Vo-Tech Environmental Program
- Donated Numerous Environmental Studies for Habitat for Humanity Projects

Selected Projects:

Firefly Music Festival – Dover, Delaware

Provided Wetland Delineation, Jurisdictional Determination, Wetland Permitting and Wetland Mitigation Design for the 2012, 2013, 2014 and 2015 festivals. The festival has grown every year and has required increased impacts in wetlands to accommodate the larger crowds and safe access. Permitting was always o a short time frame for this project.

Breakwater Beach – Bethany Beach, Delaware

Provided Wetland Delineation, Jurisdictional Determination and Wetland Permitting. For 30 years the property owner attempted to get approval to build the final eight homes on the beach but couldn't get the Corps of Engineer approvals. Watershed Eco, through creative design implementation, secured approval to construct these homes.

Peninsula – Millsboro, Delaware

Provided Wetland Delineation, Jurisdictional Determination, Wetland Permitting, Wetland Mitigation Design, Submerged Aquatic Vegetation Study, Fisheries Study, Forest Delineation and Assessment, Water Quality Monitoring and Environmental Features Construction Oversight.

The Reserves – Ocean View, Delaware

Provided Wetland Delineation, Jurisdictional Determination, Ditch Characterization, Wetland Permitting, Wetland Mitigation Design and Delmarva Fox Squirrel Habitat Study.

Warrington Property/Oak Creek – Rehoboth, Delaware

Provided Wetland Delineation, Jurisdictional Determination, Successful Appeal of JD for Isolated Wetlands, Revision to State Tidal Mapping and Consultation on Storm Water BMPs.

Shipyard Shops – Wilmington, Delaware

Provided Wetland Delineation, Jurisdictional Determination and Wetland Permitting.

Delaware Outdoor Advertising - Wilmington, Delaware

Provided Violation Resolution with the Corps of Engineers and the State for Billboards along I-95, Design of Wetland Mitigation, Construction Oversight and Wetland Mitigation Monitoring.

Townsend Station – Townsend, Delaware

Provided Violation Resolution with the Corps of Engineers for Illegal Wetland Fills, Design of Restoration and Mitigation Plans, Construction Oversight and Monitoring of Wetland Areas.

State Route 1, Phase II, Scott Run to Smyrna – Delaware

Provided Wetland Delineation, Jurisdictional Determination, Habitat Studies, Wetland Permitting, Wetland Mitigation Design, Construction Oversight, Wetland Mitigation Area Monitoring.

Photographs

Photo 1: Agricultural Field.

Photo 2: Isolated Wetland Area.

Photo 3: Upland Woods.

Photo 4: Isolated Wetland.

Appendices

United States Department of Agriculture

NRCS

Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Sussex County, Delaware

Novosel Property

November 14, 2020

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (https://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

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How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

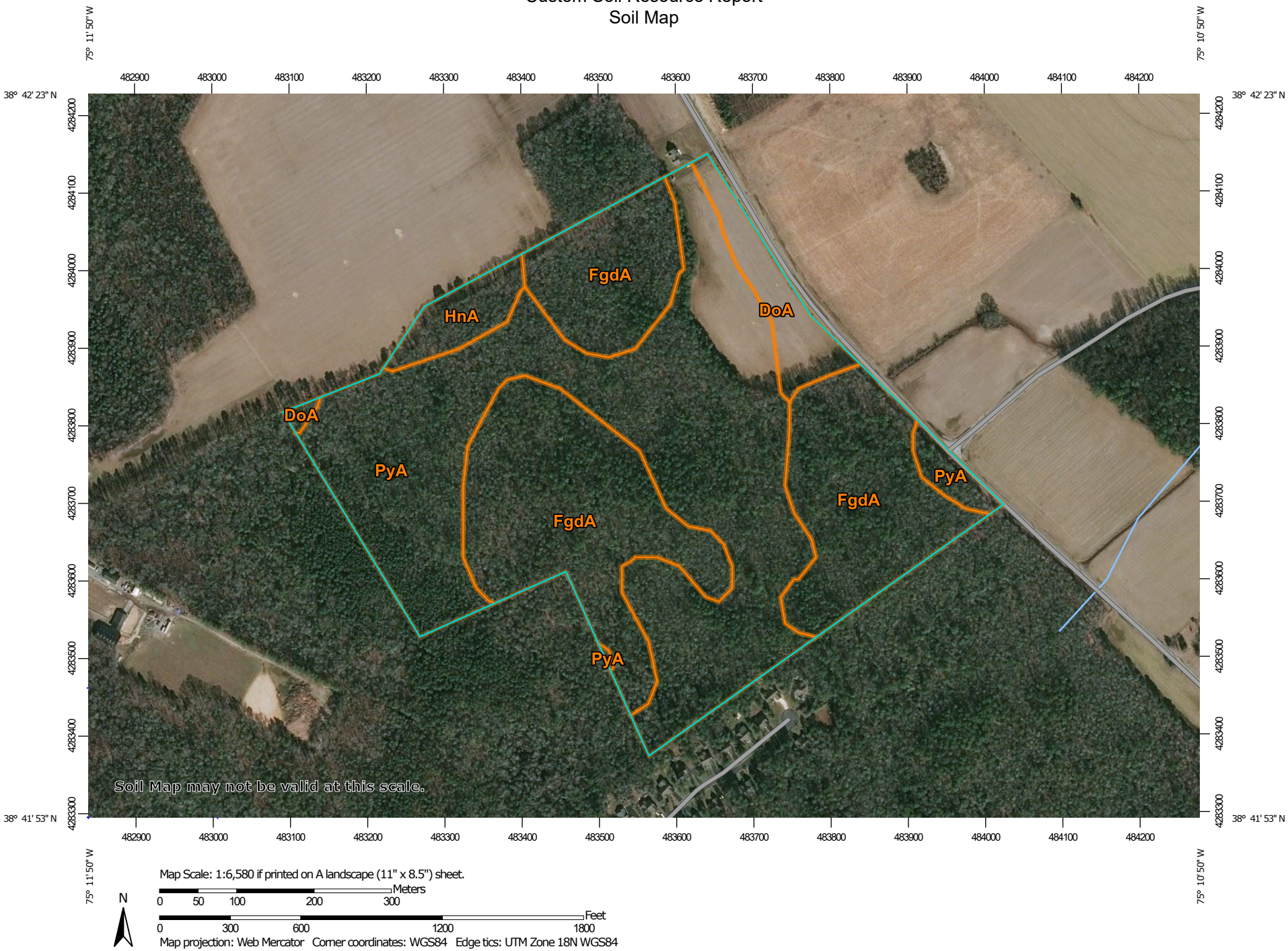
After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report
Soil Map



MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Sussex County, Delaware
Survey Area Data: Version 21, Jun 11, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Nov 21, 2018—Mar 12, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
DoA	Downer sandy loam, 0 to 2 percent slopes, Northern Tidewater Area	4.2	4.7%
FgdA	Fallsington loams, 0 to 2 percent slopes, Northern Tidewater Area	37.8	42.1%
HnA	Hammonton sandy loam, 0 to 2 percent slopes	2.8	3.2%
PyA	Pineyneck loam, 0 to 2 percent slopes	44.9	50.0%
Totals for Area of Interest		**89.9**	**100.0%**

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Sussex County, Delaware

DoA—Downer sandy loam, 0 to 2 percent slopes, Northern Tidewater Area

Map Unit Setting

National map unit symbol: 2thwd
Elevation: 0 to 190 feet
Mean annual precipitation: 41 to 50 inches
Mean annual air temperature: 46 to 64 degrees F
Frost-free period: 190 to 250 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Downer and similar soils: 80 percent
Minor components: 20 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Downer

Setting

Landform: Flats, knolls, low hills
Landform position (two-dimensional): Summit, shoulder
Landform position (three-dimensional): Interfluve, rise
Down-slope shape: Linear, convex
Across-slope shape: Linear
Parent material: Loamy fluviomarine deposits

Typical profile

Ap - 0 to 10 inches: sandy loam
BE - 10 to 16 inches: loamy sand
Bt - 16 to 28 inches: sandy loam
C1 - 28 to 48 inches: loamy sand
C2 - 48 to 80 inches: sand

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 6.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water capacity: Moderate (about 6.4 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 1
Hydrologic Soil Group: A
Hydric soil rating: No

Minor Components

Galestown

Percent of map unit: 10 percent
Landform: Flats
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Rise
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

Ingleside

Percent of map unit: 5 percent
Landform: Flats
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Rise
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

Hammonton

Percent of map unit: 5 percent
Landform: Flats, broad interstream divides
Landform position (two-dimensional): Footslope
Landform position (three-dimensional): Talf
Down-slope shape: Linear, convex
Across-slope shape: Linear
Hydric soil rating: No

FgdA—Fallsington loams, 0 to 2 percent slopes, Northern Tidewater Area

Map Unit Setting

National map unit symbol: 2s96r
Elevation: 0 to 30 feet
Mean annual precipitation: 42 to 48 inches
Mean annual air temperature: 52 to 58 degrees F
Frost-free period: 180 to 220 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Fallsington, undrained, and similar soils: 38 percent
Fallsington, drained, and similar soils: 37 percent
Minor components: 25 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Fallsington, Undrained

Setting

Landform: Flats, depressions, swales, drainageways

Landform position (three-dimensional): Talf, dip
Down-slope shape: Linear, concave
Across-slope shape: Linear, concave
Parent material: Loamy fluviomarine deposits

Typical profile

Oe - 0 to 2 inches: mucky peat
A - 2 to 10 inches: loam
Btg - 10 to 32 inches: sandy clay loam
BCg - 32 to 39 inches: loamy sand
Cg1 - 39 to 46 inches: sandy clay loam
Cg2 - 46 to 80 inches: sand

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Poorly drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to high (0.01 to 1.98 in/hr)
Depth to water table: About 0 to 10 inches
Frequency of flooding: None
Frequency of ponding: Occasional
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.3 mmhos/cm)
Available water capacity: Moderate (about 8.8 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 5w
Hydrologic Soil Group: C/D
Hydric soil rating: Yes

Description of Fallsington, Drained

Setting

Landform: Flats, depressions, swales
Landform position (three-dimensional): Talf, dip
Down-slope shape: Linear, concave
Across-slope shape: Linear, concave
Parent material: Loamy fluviomarine deposits

Typical profile

Ap - 0 to 10 inches: loam
Btg - 10 to 32 inches: sandy clay loam
BCg - 32 to 39 inches: loamy sand
Cg1 - 39 to 46 inches: sandy clay loam
Cg2 - 46 to 80 inches: sand

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Poorly drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to high (0.01 to 1.98 in/hr)
Depth to water table: About 10 to 20 inches
Frequency of flooding: None
Frequency of ponding: Rare
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.3 mmhos/cm)

Available water capacity: Moderate (about 8.2 inches)

Interpretive groups

Land capability classification (irrigated): 3w
Land capability classification (nonirrigated): 3w
Hydrologic Soil Group: C/D
Hydric soil rating: Yes

Minor Components

Woodstown

Percent of map unit: 9 percent
Landform: Broad interstream divides, flats, fluviomarine terraces
Landform position (three-dimensional): Tread, talf, dip
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

Hammonton

Percent of map unit: 8 percent
Landform: Flats, drainageways
Landform position (three-dimensional): Talf, dip
Down-slope shape: Linear, concave
Across-slope shape: Linear
Hydric soil rating: No

Othello

Percent of map unit: 8 percent
Landform: Drainageways, flats, depressions, swales
Landform position (two-dimensional): Footslope, toeslope
Landform position (three-dimensional): Dip, talf
Down-slope shape: Concave, linear
Across-slope shape: Linear, concave
Hydric soil rating: Yes

HnA—Hammonton sandy loam, 0 to 2 percent slopes

Map Unit Setting

National map unit symbol: 1qth1
Elevation: 0 to 120 feet
Mean annual precipitation: 42 to 48 inches
Mean annual air temperature: 52 to 58 degrees F
Frost-free period: 180 to 220 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Hammonton and similar soils: 80 percent
Minor components: 20 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Hammonton

Setting

Landform: Flats, drainageways, depressions
Landform position (three-dimensional): Talf
Down-slope shape: Linear, concave
Across-slope shape: Linear, concave
Parent material: Loamy fluviomarine sediments

Typical profile

Ap - 0 to 11 inches: sandy loam
Bt - 11 to 30 inches: sandy loam
Cg - 30 to 80 inches: sand

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Moderately well drained
Runoff class: Very low
Capacity of the most limiting layer to transmit water (Ksat): High (1.98 to 5.95 in/hr)
Depth to water table: About 20 to 40 inches
Frequency of flooding: None
Frequency of ponding: None
Available water capacity: Low (about 5.4 inches)

Interpretive groups

Land capability classification (irrigated): 2w
Land capability classification (nonirrigated): 2w
Hydrologic Soil Group: B
Hydric soil rating: No

Minor Components

Rosedale

Percent of map unit: 5 percent
Landform: Flats
Landform position (three-dimensional): Rise
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

Klej

Percent of map unit: 5 percent
Landform: Depressions, flats
Landform position (three-dimensional): Dip
Down-slope shape: Concave, linear
Across-slope shape: Concave, linear
Hydric soil rating: No

Ingleside

Percent of map unit: 5 percent
Landform: Flats, fluviomarine terraces
Landform position (three-dimensional): Rise
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

Hurlock, drained

Percent of map unit: 5 percent
Landform: Depressions, swales, flats
Down-slope shape: Concave, linear
Across-slope shape: Concave, linear
Hydric soil rating: Yes

PyA—Pineyneck loam, 0 to 2 percent slopes

Map Unit Setting

National map unit symbol: 1qtjs
Elevation: 10 to 130 feet
Mean annual precipitation: 42 to 48 inches
Mean annual air temperature: 52 to 58 degrees F
Frost-free period: 180 to 220 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Pineyneck and similar soils: 80 percent
Minor components: 20 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Pineyneck

Setting

Landform: Flats, terraces, swales
Landform position (three-dimensional): Talf, rise, dip
Down-slope shape: Linear, concave
Across-slope shape: Linear
Parent material: High silt loamy eolian deposits over fluviomarine deposits

Typical profile

Ap - 0 to 9 inches: loam
E - 9 to 14 inches: silt loam
Bt1 - 14 to 20 inches: silt loam
Bt2 - 20 to 27 inches: loam
2BC - 27 to 32 inches: fine sandy loam
2C - 32 to 47 inches: loamy fine sand
3Cg,4Ab,4C'g - 47 to 72 inches: loam

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Moderately well drained
Runoff class: Low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.20 to 1.98 in/hr)
Depth to water table: About 20 to 40 inches
Frequency of flooding: None
Frequency of ponding: None

Available water capacity: High (about 9.8 inches)

Interpretive groups

Land capability classification (irrigated): 2w
Land capability classification (nonirrigated): 2w
Hydrologic Soil Group: C
Hydric soil rating: No

Minor Components

Unicorn

Percent of map unit: 10 percent
Landform: Knolls
Hydric soil rating: No

Greenwich

Percent of map unit: 5 percent
Landform: Knolls
Hydric soil rating: No

Carmichael

Percent of map unit: 5 percent
Landform: Depressions
Hydric soil rating: Yes

References

American Association of State Highway and Transportation Officials (AASHTO). 2004. Standard specifications for transportation materials and methods of sampling and testing. 24th edition.

American Society for Testing and Materials (ASTM). 2005. Standard classification of soils for engineering purposes. ASTM Standard D2487-00.

Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. Classification of wetlands and deep-water habitats of the United States. U.S. Fish and Wildlife Service FWS/OBS-79/31.

Federal Register. July 13, 1994. Changes in hydric soils of the United States.

Federal Register. September 18, 2002. Hydric soils of the United States.

Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.

National Research Council. 1995. Wetlands: Characteristics and boundaries.

Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_054262

Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service, U.S. Department of Agriculture Handbook 436. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053577

Soil Survey Staff. 2010. Keys to soil taxonomy. 11th edition. U.S. Department of Agriculture, Natural Resources Conservation Service. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053580

Tiner, R.W., Jr. 1985. Wetlands of Delaware. U.S. Fish and Wildlife Service and Delaware Department of Natural Resources and Environmental Control, Wetlands Section.

United States Army Corps of Engineers, Environmental Laboratory. 1987. Corps of Engineers wetlands delineation manual. Waterways Experiment Station Technical Report Y-87-1.

United States Department of Agriculture, Natural Resources Conservation Service. National forestry manual. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/home/?cid=nrcs142p2_053374

United States Department of Agriculture, Natural Resources Conservation Service. National range and pasture handbook. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/landuse/rangepasture/?cid=stelprdb1043084

United States Department of Agriculture, Natural Resources Conservation Service. National soil survey handbook, title 430-VI. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/scientists/?cid=nrcs142p2_054242

United States Department of Agriculture, Natural Resources Conservation Service. 2006. Land resource regions and major land resource areas of the United States, the Caribbean, and the Pacific Basin. U.S. Department of Agriculture Handbook 296. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053624

United States Department of Agriculture, Soil Conservation Service. 1961. Land capability classification. U.S. Department of Agriculture Handbook 210. http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_052290.pdf

Hydric Rating by Map Unit—Sussex County, Delaware
(Novosel Property)

Map Scale: 1:6,580 if printed on A landscape (11" x 8.5") sheet.

N

Meters
0 50 100 200 300

Feet
0 300 600 1200 1800

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils

Soil Rating Polygons
- Hydric (100%)
- Hydric (66 to 99%)
- Hydric (33 to 65%)
- Hydric (1 to 32%)
- Not Hydric (0%)
- Not rated or not available

Soil Rating Lines
- Hydric (100%)
- Hydric (66 to 99%)
- Hydric (33 to 65%)
- Hydric (1 to 32%)
- Not Hydric (0%)
- Not rated or not available

Soil Rating Points
- Hydric (100%)
- Hydric (66 to 99%)
- Hydric (33 to 65%)
- Hydric (1 to 32%)
- Not Hydric (0%)
- Not rated or not available

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

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Soil Survey Area: Sussex County, Delaware
Survey Area Data: Version 21, Jun 11, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Nov 21, 2018—Mar 12, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydric Rating by Map Unit

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
DoA	Downer sandy loam, 0 to 2 percent slopes, Northern Tidewater Area	0	4.2	4.7%
FgdA	Fallsington loams, 0 to 2 percent slopes, Northern Tidewater Area	83	37.8	42.1%
HnA	Hammonton sandy loam, 0 to 2 percent slopes	5	2.8	3.2%
PyA	Pineyneck loam, 0 to 2 percent slopes	5	44.9	50.0%
Totals for Area of Interest			**89.9**	**100.0%**

Description

This rating indicates the percentage of map units that meets the criteria for hydric soils. Map units are composed of one or more map unit components or soil types, each of which is rated as hydric soil or not hydric. Map units that are made up dominantly of hydric soils may have small areas of minor nonhydric components in the higher positions on the landform, and map units that are made up dominantly of nonhydric soils may have small areas of minor hydric components in the lower positions on the landform. Each map unit is rated based on its respective components and the percentage of each component within the map unit.

The thematic map is color coded based on the composition of hydric components. The five color classes are separated as 100 percent hydric components, 66 to 99 percent hydric components, 33 to 65 percent hydric components, 1 to 32 percent hydric components, and less than one percent hydric components.

In Web Soil Survey, the Summary by Map Unit table that is displayed below the map pane contains a column named 'Rating'. In this column the percentage of each map unit that is classified as hydric is displayed.

Hydric soils are defined by the National Technical Committee for Hydric Soils (NTCHS) as soils that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part (Federal Register, 1994). Under natural conditions, these soils are either saturated or inundated long enough during the growing season to support the growth and reproduction of hydrophytic vegetation.

The NTCHS definition identifies general soil properties that are associated with wetness. In order to determine whether a specific soil is a hydric soil or nonhydric soil, however, more specific information, such as information about the depth and duration of the water table, is needed. Thus, criteria that identify those estimated soil properties unique to hydric soils have been established (Federal Register, 2002). These criteria are used to identify map unit components that normally are associated with wetlands. The criteria used are selected estimated soil properties that are described in "Soil Taxonomy" (Soil Survey Staff, 1999) and "Keys to Soil Taxonomy" (Soil Survey Staff, 2006) and in the "Soil Survey Manual" (Soil Survey Division Staff, 1993).

If soils are wet enough for a long enough period of time to be considered hydric, they should exhibit certain properties that can be easily observed in the field. These visible properties are indicators of hydric soils. The indicators used to make onsite determinations of hydric soils are specified in "Field Indicators of Hydric Soils in the United States" (Hurt and Vasilas, 2006).

References:

Federal Register. July 13, 1994. Changes in hydric soils of the United States.

Federal Register. September 18, 2002. Hydric soils of the United States.

Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.

Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18.

Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service. U.S. Department of Agriculture Handbook 436.

Soil Survey Staff. 2006. Keys to soil taxonomy. 10th edition. U.S. Department of Agriculture, Natural Resources Conservation Service.

Rating Options

Aggregation Method: Percent Present

Component Percent Cutoff: None Specified

Tie-break Rule: Lower

U.S. Fish and Wildlife Service

National Wetlands Inventory

NWI

August 14, 2020

Wetlands

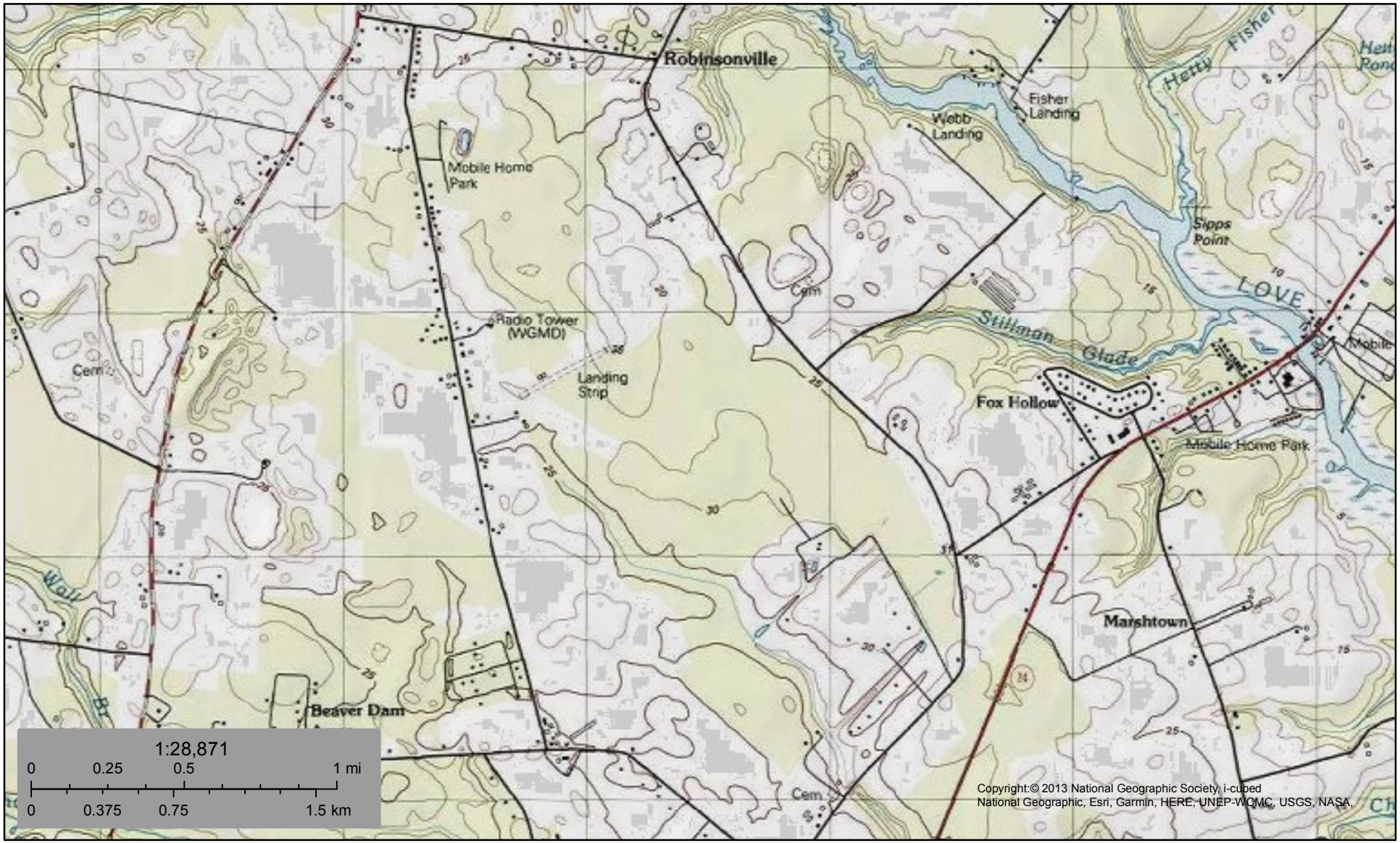
- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

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.

U.S. Fish and Wildlife Service

National Wetlands Inventory

USGS



August 14, 2020

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.

Novosel Property

Wetland Delineation

Legend

Property

Rd 277

Webb's Landing Rd

Robinsonville Rd

N

900 ft

Google Earth

©2020 Google

Novosel Property

Wetland Delineation

Legend

- Non Jurisdictional Flag
- Non Jurisdictional Wetlands
- Property

Webbs Landing Rd

Rd 277

Robinsonville Rd

Google Earth

© 2020 Google

1000 ft

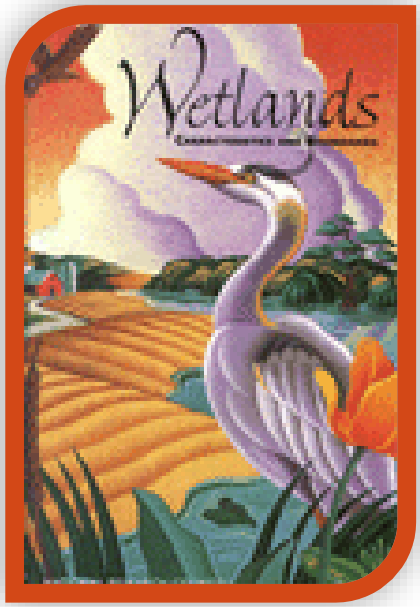
N

Wetland Delineation – Adkins Property

NWPR

James C. McCulley IV, PWS
Watershed Eco LLC
November 16, 2020
Jim@WatershedEco.com

Introduction



At the request of Land Tech LLC, Watershed Eco LLC. has reviewed background materials and conducted site visits to determine the previous and current site conditions related to waters, wetlands and drainage.

James McCulley, the investigator and report author, has over 30 years of experience in wetland delineation and permitting. He previously worked as a biologist in the Regulatory Section of the U.S. Army Corps of Engineers, Philadelphia District and was selected as one of 17 wetland scientists nationwide to serve on the National Academy of Sciences, Wetlands Characterization Committee which authored "Wetlands: Characteristics and Boundaries". He was chosen as one of four committee members to present the committee findings at a press conference on Capitol Hill.

Mr. McCulley is a Senior Professional Wetland Scientist, #000471 as certified by the Society of Wetland Scientists, an international scientific association.

All opinions in this report are to a reasonable degree of scientific certainty.

Executive Summary

Watershed Eco LLC reviewed the background information and conducted a wetland delineation on the Adkins Property and determined that Waters of the United States, including wetlands, were present on the site. These waters and wetlands were flagged in the field and depicted on the attached plans.

Additionally, non-Jurisdictional wetlands were identified on the site. These wetlands were determined to be isolated with no connection to Navigable Waters of the U.S.

The site conditions at the time of the investigation are detailed in this report.

Contents

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Definition of Jurisdictional Waters and Wetlands

The Navigable Waters Protection Rule (NWPR) became effective on June 22, 2020. This rule codifies the definition of Waters of the United States (WOTUS), including jurisdictional wetlands. Discussions of Jurisdiction related to Waters and Wetlands in this report are based on the NWPR Section 404 of the Clean Water Act and as described in the definitions in this section as well as all guidance currently in effect and based on professional experience.

The scope of Federal jurisdiction is established in the Clean Water Act (CWA) is limited to WOTUS, which is defined in the Act as Navigable Waters, including the Territorial Seas. The Act does not further define WOTUS and has left the interpretation to the agencies (U.S. EPA and U.S. Army Corps of Engineers). The agencies have defined WOTUS by regulation since the 1970s with the latest definition becoming effective on June 22, 2020 in the NWPR.

The NWPR defines four categories of WOTUS, 1. Territorial Seas and Traditional Navigable Waters, 2. Tributaries to 1., 3. Lakes and Ponds, and impoundments of Jurisdictional Waters and 4. Adjacent Wetlands. All other Waters are determined by the rule to be non-jurisdictional and the rule further clarifies exclusions which are not jurisdictional.

In this case we are interested in the jurisdictional status of the mapped wetlands on the site. There were wetlands associated with the headwaters of Sarah Run. These wetlands have been classified as adjacent wetlands even though a downstream study was not conducted to determine the condition of the tributary. In the NWPR, adjacent wetlands are defined as follows: abutting, meaning to touch, or inundated by flooding from waters 1-3 above, separated only be a berm, bank or dune or an artificial dike or barrier. The NWPR further clarifies that an adjacent wetland must have a direct hydrologic surface connection to a water listed in 1-3 above in a typical year. Additional isolated wetlands were flagged that did not have any connection to any downstream waters. It is assumed that the wetlands mapped on this site associated with Sarah Run are adjacent to a tributary which drains to the Herring Creek and the additional wetlands have no connection and are not Jurisdictional under the NWPR.

Waters are mapped by determining the Ordinary High-Water Mark (OHWM) of features with a bed and bank as defined above and in accordance with various guidance as discussed below.

Wetlands are mapped using three criteria: 1. Vegetation, 2. Soils and 3. Hydrology which are further described in the Manual and appropriate Regional Supplement. Hydrophytic (wetland) vegetation is specifically adapted for life in saturated soils and listed by species and indicator status on the National Wetland Plant List maintained by the U.S. Army Corps of Engineers. Hydric (wetland) soils formed under conditions of saturation, flooding or ponding long enough to develop anaerobic conditions and are listed on the United States Department of Agriculture, Hydric Soils Database. Wetland hydrology is described as recurrent, sustained water at or near the surface for extended periods of time.

Subject Property

The Subject Property for purposes of this study is described as the Adkins Property located off of Alma's Way, east of Will King Road and north of Aintree Drive as depicted on Figure 1. The Subject Property is located at Latitude and Longitude 38.699490 and -75.192441 described as Tax Parcel 234-6.00-67.00 consisting of 82.87 Acres.

The Subject Parcel is currently wooded.

Wetlands were flagged on the Property associated with Sarah Run and in isolated pockets with no downstream connections.

Documents Considered

The following documents were considered as part of this study:

- Current National Wetland Inventory (NWI) Map
- Current USGS Mapping
- Historical Aerial Photos
- NRCS Soils Mapping

Findings

Background Research

The NWI Map (Figure 2) depicts the wetland area associated with Sarah Run and some isolated wetlands to the east.

The USGS Mapping (Figure 3) depicts Sarah Run on the west side of the site.

The 1954 aerial photo (Figure 4) depicts the site as wooded.

The 1968 aerial photo (Figure 5) depicts similar conditions to 1937.

The 1992 aerial photo (Figure 6) depicts similar conditions to 1968.

The 2017 aerial photo (Figure 7) depicts similar conditions to the existing site conditions as observed during the field investigation.

The NRCS Soil Mapping (Figure 8) depicts hydric soils along Sarah Run and in an isolated pocket in the east (see attached).

Field Investigation

Watershed Eco LLC., conducted a field investigation on December 5, 2018 to flag the wetlands on the property and again on August 14, 2020 to assess the connection of the flagged wetlands to Navigable Waters. The purpose of the investigations was to conduct a wetland delineation on the Property.

These investigations consisted of a visual review of the entire site with special attention paid to vegetative communities and topography. The wetland boundary was walked and wetland boundaries were flagged in the field and locations noted using handheld GPS.

Vegetation was identified using delineator experience and confirmed using field guides for the following strata:

> ***Trees*** – woody plants 6 meters or more in height and 7.6 centimeters or larger in diameter at breast height.
>
> ***Saplings*** – woody plants 6 meters or more in height and less than 7.6 centimeters in diameter at breast height.
>
> ***Shrubs*** – woody plants 1 to 6 meters in height.
>
> ***Herbs*** – all herbaceous plants regardless of size and woody plants less than 1 meter in height.
>
> ***Woody Vines*** – all woody vines regardless of height.

The indicator status for each dominant species was recorded based on the USACE 2018 Atlantic, Gulf and Coastal Plain Region Plant List.

Soil borings were advanced to an approximate depth of 20 inches using a 3-inch diameter Dutch auger. Soil colors were visually estimated using a Munsell Soil Color Chart and texture was estimated using standard soil texture criteria. Soil characteristics were compared to the Hydric Soil Indicator Guide in order to identify whether hydric soils were present at each data point location.

Wetland hydrology characteristics were visually observed where present based on the USACE Wetland Delineation Manual and Regional Supplement. No additional hydrology studies were performed at the site (ie. Piezometers, Observation Wells or Modeling) and potential wetland hydrology was based on observations on the day of the field investigation and professional experience.

Results

Wetlands were delineated in 3 low depressions with no outlets. Wetlands were also delineated along Sarah Run on the western portion of the site. Sarah Run appeared to originate on the site

and drained through a pipe under Aintree Drive in the south and is mapped to flow to Herring Creek south of the Subject Property.

Representative photographs of the flagged area are included in this report.

The typical vegetation communities were as follows:

Wetlands – Red Maple, Sweetgum, Loblolly Pine, Pin Oak and Greenbriar.

Upland Woods – Southern Red Oak, Tulip Poplar, Japanese Honeysuckle, American Holly, Black Cherry and White Oak.

Jurisdiction

Federal Jurisdiction – WOTUS

The wetlands flagged along Sarah Run were assumed to be WOTUS up to the OHWM or to the edge of adjacent wetlands. Based on historical evidence, it appears that Sarah Run drains to Herring Creek, a Traditional Navigable Water.

The other wetlands were associated with isolated depressions with no outlet and no flow to any waters.

State Jurisdiction – Subaqueous Lands

Sarah Run originates on the site and may qualify as State Subaqueous Lands. No other areas of potential State Jurisdiction were encountered on the site.

Conclusions

All opinions are to a reasonable degree of scientific certainty.

It is the opinion of Watershed Eco LLC. that Waters and Wetlands under the jurisdiction of the U.S. Army Corps of Engineers are present on the site and associated with Sarah Run and the isolated wetlands do not meet the criteria for Jurisdiction under the NWPR enacted June 22, 2020 and in effect when this report was prepared.

Jurisdictional limits can only be determined by the U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, U.S. Department of Agriculture and the State of Delaware, Wetlands and Subaqueous Lands Branch.

Figures

Figure 1: Property Limits

Figure 2: National Wetland Inventory Map.

Figure 3: USGS Mapping.

Figure 4: 1954 Aerial Photograph.

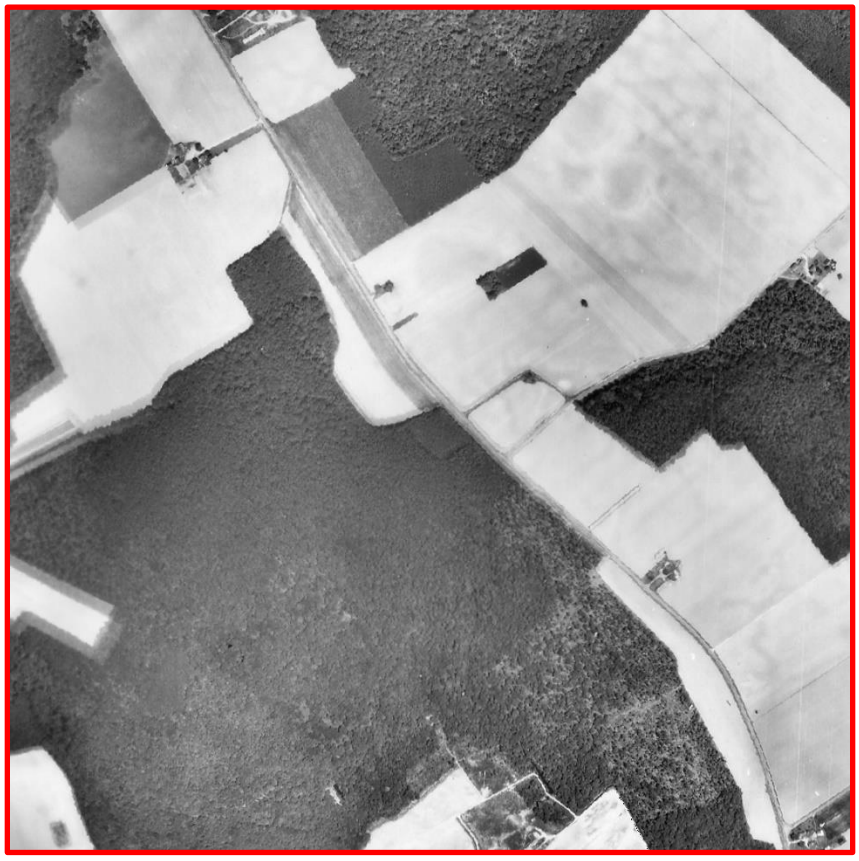

Figure 5: 1968 Aerial Photograph.

Figure 6: 1992 Aerial Photograph.

Figure 7: 2017 Aerial Photograph.

Figure 8: Soil Map.

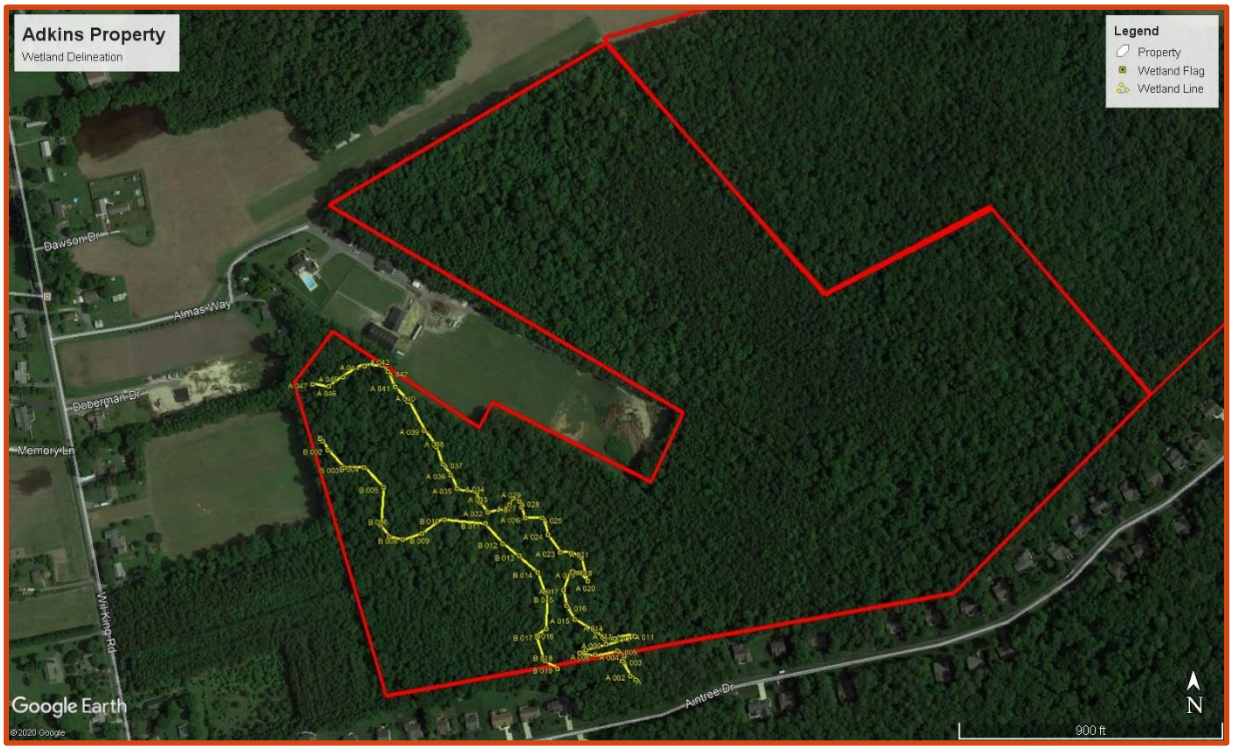

Figure 9: Jurisdictional Wetlands.

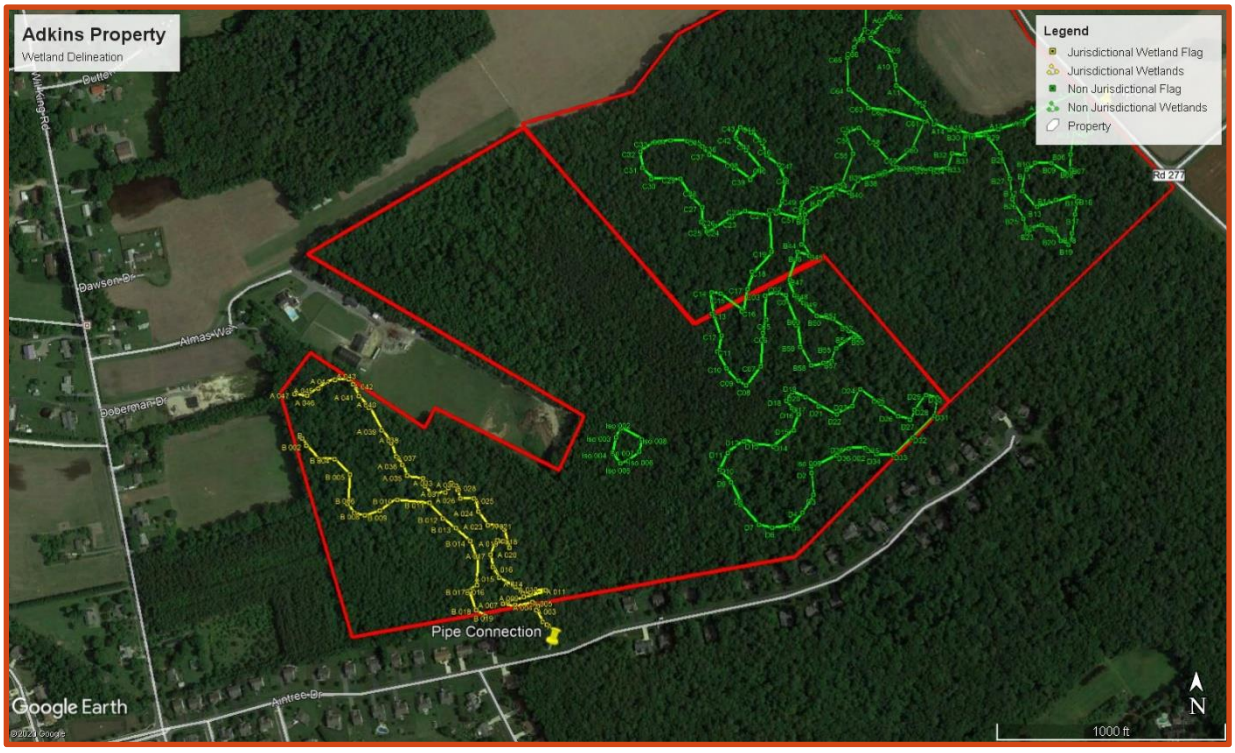

Figure 10: All Wetlands

Credentials

James C. McCulley IV

Senior Professional Wetland Scientist, P.W.S. (#000471)

Education:

- B.A. Biology, Rutgers University
- M.S. Biology, Rutgers University
- Wetland Sedges, Grasses and Rushes, The Swamp School
- Hydric Soils Indicators, The Swamp School
- Wetland Ferns, The Swamp School
- Wetland Delineation, Rutgers Continuing Education
- Wetland Hydrology, Rutgers Continuing Education
- Wetland Regulation, Corps of Engineers Training Program

Topics Presented:

- Presented Wetland Rules, Regulations and Policies, Delaware State Bar
- Presented Wetlands Rules, Regulations and Policies, Pennsylvania State Bar
- Presented Wetland Rules, Regulations and Policies, Maryland Architects
- Presented Environmental Rule Changes, Homebuilders Association of Delaware
- Chaired Panel Discussion at Annual Meeting of Society of Wetland Scientists (SWS)
- Presented on “No Net Loss” at Association of State Wetland Managers Meeting
- Presented on Wetlands Legislation to Environmental Law Institute
- Presented on Wetland Delineation at State Parks Managers Meeting
- Part of Panel to present NAS findings to Congress on Wetlands Legislation
- Treatment of Storm Water Run-Off by Wetlands to SWS Annual Meeting

Committees:

- State of Delaware, Wetlands Advisory Committee
- National Association of Homebuilders, Environmental Issues Committee
- National Association of Homebuilders, Land Use Policy Committee
- Homebuilders Association of Delaware, Life Director
- National Academy of Sciences Wetlands Characterization Committee
- State of Delaware, Freshwater Wetlands Legislation Committee
- New Castle County Comprehensive Plan Update
- New Castle County, Riparian Buffer Ordinance Committee
- Board of Directors, Homebuilders Association of Delaware

Publications:

- Wetlands: Characteristics and Boundaries, National Academy of Sciences Press
- Integrated Natural Resource Management Plan, PAX Naval Air Station

Community:

- Mentored Honors Biology Program at Glasgow High School
- Curriculum Development Committee for Hodgson Vo-Tech (HVT), Environmental Landscape Technology Program
- Graded Senior Projects for HVT, Environmental Program
- Assisted Talley Middle School with Artificial Wetland Creation Project
- Donated Plants for Brader Elementary School, Wetland Creation Project
- Donated Plants for Ohio State University Wetland Creation Project
- Presented Career Opportunities to Sussex Vo-Tech Environmental Program
- Donated Numerous Environmental Studies for Habitat for Humanity Projects

Selected Projects:

Firefly Music Festival – Dover, Delaware

Provided Wetland Delineation, Jurisdictional Determination, Wetland Permitting and Wetland Mitigation Design for the 2012, 2013, 2014 and 2015 festivals. The festival has grown every year and has required increased impacts in wetlands to accommodate the larger crowds and safe access. Permitting was always o a short time frame for this project.

Breakwater Beach – Bethany Beach, Delaware

Provided Wetland Delineation, Jurisdictional Determination and Wetland Permitting. For 30 years the property owner attempted to get approval to build the final eight homes on the beach but couldn't get the Corps of Engineer approvals. Watershed Eco, through creative design implementation, secured approval to construct these homes.

Peninsula – Millsboro, Delaware

Provided Wetland Delineation, Jurisdictional Determination, Wetland Permitting, Wetland Mitigation Design, Submerged Aquatic Vegetation Study, Fisheries Study, Forest Delineation and Assessment, Water Quality Monitoring and Environmental Features Construction Oversight.

The Reserves – Ocean View, Delaware

Provided Wetland Delineation, Jurisdictional Determination, Ditch Characterization, Wetland Permitting, Wetland Mitigation Design and Delmarva Fox Squirrel Habitat Study.

Warrington Property/Oak Creek – Rehoboth, Delaware

Provided Wetland Delineation, Jurisdictional Determination, Successful Appeal of JD for Isolated Wetlands, Revision to State Tidal Mapping and Consultation on Storm Water BMPs.

Shipyard Shops – Wilmington, Delaware

Provided Wetland Delineation, Jurisdictional Determination and Wetland Permitting.

Delaware Outdoor Advertising - Wilmington, Delaware

Provided Violation Resolution with the Corps of Engineers and the State for Billboards along I-95, Design of Wetland Mitigation, Construction Oversight and Wetland Mitigation Monitoring.

Townsend Station – Townsend, Delaware

Provided Violation Resolution with the Corps of Engineers for Illegal Wetland Fills, Design of Restoration and Mitigation Plans, Construction Oversight and Monitoring of Wetland Areas.

State Route 1, Phase II, Scott Run to Smyrna – Delaware

Provided Wetland Delineation, Jurisdictional Determination, Habitat Studies, Wetland Permitting, Wetland Mitigation Design, Construction Oversight, Wetland Mitigation Area Monitoring.

Photographs

Photo 1: Sarah Run Under Aintree Drive

Photo 2: Sarah Run in Pipe Under Aintree Drive.

Photo 3: Sarah Run On Site.

Photo 4: Clearing Adjacent to Site.

Photo 5: Isolated Wetland.

Photo 6: Upland Woodlands.

Appendices

United States Department of Agriculture

NRCS

Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Sussex County, Delaware

Adkins Property

November 14, 2020

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (https://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

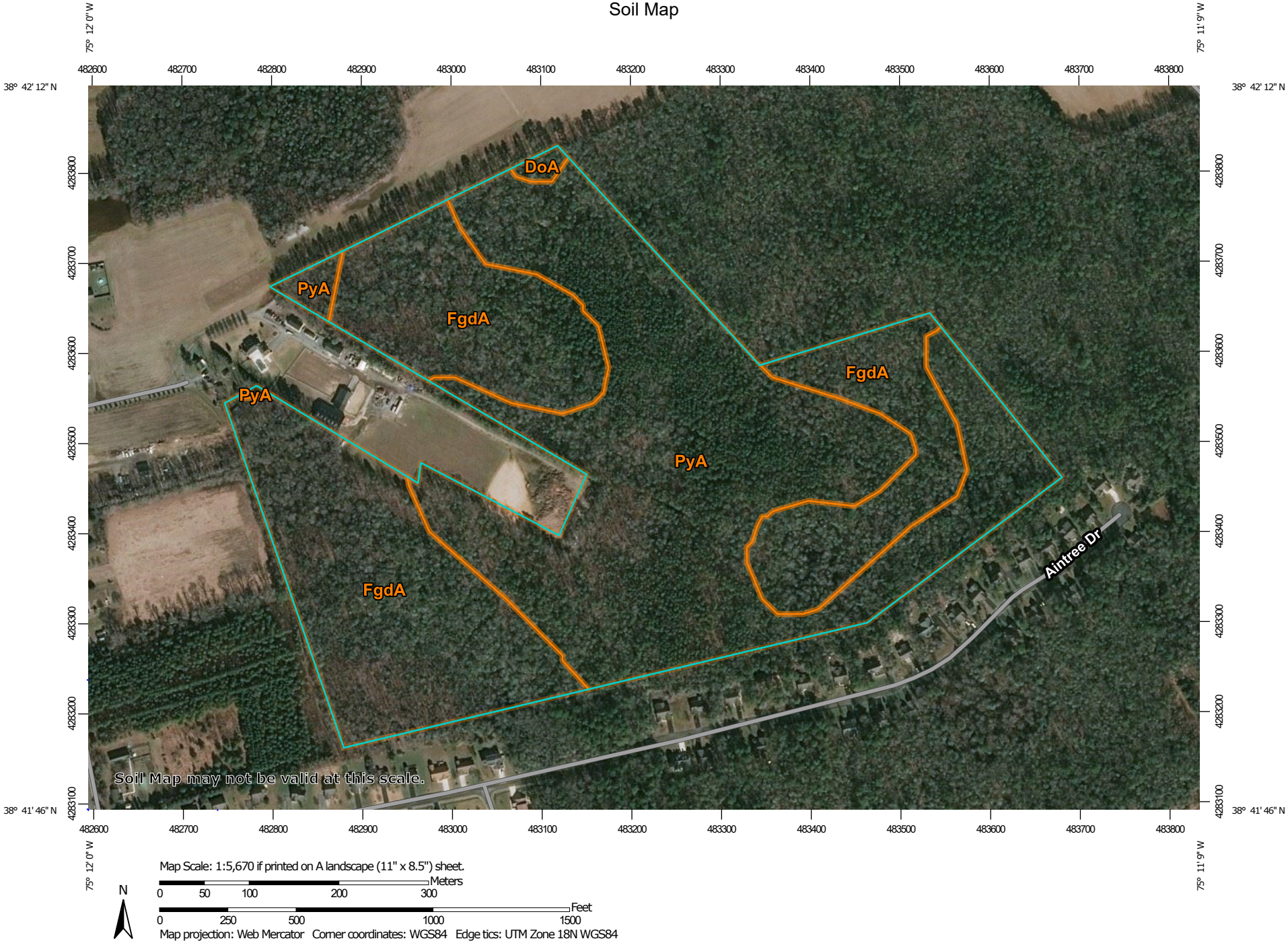
After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report
Soil Map



MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Sussex County, Delaware
Survey Area Data: Version 21, Jun 11, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Nov 21, 2018—Mar 12, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
DoA	Downer sandy loam, 0 to 2 percent slopes, Northern Tidewater Area	0.4	0.4%
FgdA	Fallsington loams, 0 to 2 percent slopes, Northern Tidewater Area	37.7	46.4%
PyA	Pineyneck loam, 0 to 2 percent slopes	43.1	53.1%
Totals for Area of Interest		**81.1**	**100.0%**

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate

pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Sussex County, Delaware

DoA—Downer sandy loam, 0 to 2 percent slopes, Northern Tidewater Area

Map Unit Setting

National map unit symbol: 2thwd
Elevation: 0 to 190 feet
Mean annual precipitation: 41 to 50 inches
Mean annual air temperature: 46 to 64 degrees F
Frost-free period: 190 to 250 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Downer and similar soils: 80 percent
Minor components: 20 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Downer

Setting

Landform: Flats, knolls, low hills
Landform position (two-dimensional): Summit, shoulder
Landform position (three-dimensional): Interfluve, rise
Down-slope shape: Linear, convex
Across-slope shape: Linear
Parent material: Loamy fluviomarine deposits

Typical profile

Ap - 0 to 10 inches: sandy loam
BE - 10 to 16 inches: loamy sand
Bt - 16 to 28 inches: sandy loam
C1 - 28 to 48 inches: loamy sand
C2 - 48 to 80 inches: sand

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 6.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water capacity: Moderate (about 6.4 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 1
Hydrologic Soil Group: A
Hydric soil rating: No

Minor Components

Galestown

Percent of map unit: 10 percent
Landform: Flats
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Rise
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

Ingleside

Percent of map unit: 5 percent
Landform: Flats
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Rise
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

Hammonton

Percent of map unit: 5 percent
Landform: Flats, broad interstream divides
Landform position (two-dimensional): Footslope
Landform position (three-dimensional): Talf
Down-slope shape: Linear, convex
Across-slope shape: Linear
Hydric soil rating: No

FgdA—Fallsington loams, 0 to 2 percent slopes, Northern Tidewater Area

Map Unit Setting

National map unit symbol: 2s96r
Elevation: 0 to 30 feet
Mean annual precipitation: 42 to 48 inches
Mean annual air temperature: 52 to 58 degrees F
Frost-free period: 180 to 220 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Fallsington, undrained, and similar soils: 38 percent
Fallsington, drained, and similar soils: 37 percent
Minor components: 25 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Fallsington, Undrained

Setting

Landform: Flats, depressions, swales, drainageways

Landform position (three-dimensional): Talf, dip
Down-slope shape: Linear, concave
Across-slope shape: Linear, concave
Parent material: Loamy fluviomarine deposits

Typical profile

Oe - 0 to 2 inches: mucky peat
A - 2 to 10 inches: loam
Btg - 10 to 32 inches: sandy clay loam
BCg - 32 to 39 inches: loamy sand
Cg1 - 39 to 46 inches: sandy clay loam
Cg2 - 46 to 80 inches: sand

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Poorly drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to high (0.01 to 1.98 in/hr)
Depth to water table: About 0 to 10 inches
Frequency of flooding: None
Frequency of ponding: Occasional
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.3 mmhos/cm)
Available water capacity: Moderate (about 8.8 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 5w
Hydrologic Soil Group: C/D
Hydric soil rating: Yes

Description of Fallsington, Drained

Setting

Landform: Flats, depressions, swales
Landform position (three-dimensional): Talf, dip
Down-slope shape: Linear, concave
Across-slope shape: Linear, concave
Parent material: Loamy fluviomarine deposits

Typical profile

Ap - 0 to 10 inches: loam
Btg - 10 to 32 inches: sandy clay loam
BCg - 32 to 39 inches: loamy sand
Cg1 - 39 to 46 inches: sandy clay loam
Cg2 - 46 to 80 inches: sand

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Poorly drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to high (0.01 to 1.98 in/hr)
Depth to water table: About 10 to 20 inches
Frequency of flooding: None
Frequency of ponding: Rare
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.3 mmhos/cm)

Available water capacity: Moderate (about 8.2 inches)

Interpretive groups

Land capability classification (irrigated): 3w
Land capability classification (nonirrigated): 3w
Hydrologic Soil Group: C/D
Hydric soil rating: Yes

Minor Components

Woodstown

Percent of map unit: 9 percent
Landform: Broad interstream divides, flats, fluviomarine terraces
Landform position (three-dimensional): Tread, talf, dip
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

Hammonton

Percent of map unit: 8 percent
Landform: Flats, drainageways
Landform position (three-dimensional): Talf, dip
Down-slope shape: Linear, concave
Across-slope shape: Linear
Hydric soil rating: No

Othello

Percent of map unit: 8 percent
Landform: Drainageways, flats, depressions, swales
Landform position (two-dimensional): Footslope, toeslope
Landform position (three-dimensional): Dip, talf
Down-slope shape: Concave, linear
Across-slope shape: Linear, concave
Hydric soil rating: Yes

PyA—Pineyneck loam, 0 to 2 percent slopes

Map Unit Setting

National map unit symbol: 1qtjs
Elevation: 10 to 130 feet
Mean annual precipitation: 42 to 48 inches
Mean annual air temperature: 52 to 58 degrees F
Frost-free period: 180 to 220 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Pineyneck and similar soils: 80 percent
Minor components: 20 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Pineyneck

Setting

Landform: Flats, terraces, swales
Landform position (three-dimensional): Talf, rise, dip
Down-slope shape: Linear, concave
Across-slope shape: Linear
Parent material: High silt loamy eolian deposits over fluviomarine deposits

Typical profile

Ap - 0 to 9 inches: loam
E - 9 to 14 inches: silt loam
Bt1 - 14 to 20 inches: silt loam
Bt2 - 20 to 27 inches: loam
2BC - 27 to 32 inches: fine sandy loam
2C - 32 to 47 inches: loamy fine sand
3Cg,4Ab,4C'g - 47 to 72 inches: loam

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Moderately well drained
Runoff class: Low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.20 to 1.98 in/hr)
Depth to water table: About 20 to 40 inches
Frequency of flooding: None
Frequency of ponding: None
Available water capacity: High (about 9.8 inches)

Interpretive groups

Land capability classification (irrigated): 2w
Land capability classification (nonirrigated): 2w
Hydrologic Soil Group: C
Hydric soil rating: No

Minor Components

Unicorn

Percent of map unit: 10 percent
Landform: Knolls
Hydric soil rating: No

Greenwich

Percent of map unit: 5 percent
Landform: Knolls
Hydric soil rating: No

Carmichael

Percent of map unit: 5 percent
Landform: Depressions
Hydric soil rating: Yes

References

American Association of State Highway and Transportation Officials (AASHTO). 2004. Standard specifications for transportation materials and methods of sampling and testing. 24th edition.

American Society for Testing and Materials (ASTM). 2005. Standard classification of soils for engineering purposes. ASTM Standard D2487-00.

Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. Classification of wetlands and deep-water habitats of the United States. U.S. Fish and Wildlife Service FWS/OBS-79/31.

Federal Register. July 13, 1994. Changes in hydric soils of the United States.

Federal Register. September 18, 2002. Hydric soils of the United States.

Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.

National Research Council. 1995. Wetlands: Characteristics and boundaries.

Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_054262

Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service, U.S. Department of Agriculture Handbook 436. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053577

Soil Survey Staff. 2010. Keys to soil taxonomy. 11th edition. U.S. Department of Agriculture, Natural Resources Conservation Service. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053580

Tiner, R.W., Jr. 1985. Wetlands of Delaware. U.S. Fish and Wildlife Service and Delaware Department of Natural Resources and Environmental Control, Wetlands Section.

United States Army Corps of Engineers, Environmental Laboratory. 1987. Corps of Engineers wetlands delineation manual. Waterways Experiment Station Technical Report Y-87-1.

United States Department of Agriculture, Natural Resources Conservation Service. National forestry manual. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/home/?cid=nrcs142p2_053374

United States Department of Agriculture, Natural Resources Conservation Service. National range and pasture handbook. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/landuse/rangepasture/?cid=stelprdb1043084

United States Department of Agriculture, Natural Resources Conservation Service. National soil survey handbook, title 430-VI. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/scientists/?cid=nrcs142p2_054242

United States Department of Agriculture, Natural Resources Conservation Service. 2006. Land resource regions and major land resource areas of the United States, the Caribbean, and the Pacific Basin. U.S. Department of Agriculture Handbook 296. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053624

United States Department of Agriculture, Soil Conservation Service. 1961. Land capability classification. U.S. Department of Agriculture Handbook 210. http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_052290.pdf

Hydric Rating by Map Unit—Sussex County, Delaware
(Adkins Property)

Map Scale: 1:5,670 if printed on A landscape (11" x 8.5") sheet.

N

Meters
0 50 100 200 300

Feet
0 250 500 1000 1500

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils

Soil Rating Polygons
- Hydric (100%)
- Hydric (66 to 99%)
- Hydric (33 to 65%)
- Hydric (1 to 32%)
- Not Hydric (0%)
- Not rated or not available

Soil Rating Lines
- Hydric (100%)
- Hydric (66 to 99%)
- Hydric (33 to 65%)
- Hydric (1 to 32%)
- Not Hydric (0%)
- Not rated or not available

Soil Rating Points
- Hydric (100%)
- Hydric (66 to 99%)
- Hydric (33 to 65%)
- Hydric (1 to 32%)
- Not Hydric (0%)
- Not rated or not available

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

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Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

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Soil Survey Area: Sussex County, Delaware
Survey Area Data: Version 21, Jun 11, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Nov 21, 2018—Mar 12, 2019

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Hydric Rating by Map Unit

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
DoA	Downer sandy loam, 0 to 2 percent slopes, Northern Tidewater Area	0	0.4	0.4%
FgdA	Fallsington loams, 0 to 2 percent slopes, Northern Tidewater Area	83	37.7	46.4%
PyA	Pineyneck loam, 0 to 2 percent slopes	5	43.1	53.1%
Totals for Area of Interest			**81.1**	**100.0%**

Description

This rating indicates the percentage of map units that meets the criteria for hydric soils. Map units are composed of one or more map unit components or soil types, each of which is rated as hydric soil or not hydric. Map units that are made up dominantly of hydric soils may have small areas of minor nonhydric components in the higher positions on the landform, and map units that are made up dominantly of nonhydric soils may have small areas of minor hydric components in the lower positions on the landform. Each map unit is rated based on its respective components and the percentage of each component within the map unit.

The thematic map is color coded based on the composition of hydric components. The five color classes are separated as 100 percent hydric components, 66 to 99 percent hydric components, 33 to 65 percent hydric components, 1 to 32 percent hydric components, and less than one percent hydric components.

In Web Soil Survey, the Summary by Map Unit table that is displayed below the map pane contains a column named 'Rating'. In this column the percentage of each map unit that is classified as hydric is displayed.

Hydric soils are defined by the National Technical Committee for Hydric Soils (NTCHS) as soils that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part (Federal Register, 1994). Under natural conditions, these soils are either saturated or inundated long enough during the growing season to support the growth and reproduction of hydrophytic vegetation.

The NTCHS definition identifies general soil properties that are associated with wetness. In order to determine whether a specific soil is a hydric soil or nonhydric soil, however, more specific information, such as information about the depth and duration of the water table, is needed. Thus, criteria that identify those estimated soil properties unique to hydric soils have been established (Federal Register, 2002). These criteria are used to identify map unit components that normally are associated with wetlands. The criteria used are selected estimated soil properties that are described in "Soil Taxonomy" (Soil Survey Staff, 1999) and "Keys to Soil Taxonomy" (Soil Survey Staff, 2006) and in the "Soil Survey Manual" (Soil Survey Division Staff, 1993).

If soils are wet enough for a long enough period of time to be considered hydric, they should exhibit certain properties that can be easily observed in the field. These visible properties are indicators of hydric soils. The indicators used to make onsite determinations of hydric soils are specified in "Field Indicators of Hydric Soils in the United States" (Hurt and Vasilas, 2006).

References:

Federal Register. July 13, 1994. Changes in hydric soils of the United States.

Federal Register. September 18, 2002. Hydric soils of the United States.

Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.

Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18.

Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service. U.S. Department of Agriculture Handbook 436.

Soil Survey Staff. 2006. Keys to soil taxonomy. 10th edition. U.S. Department of Agriculture, Natural Resources Conservation Service.

Rating Options

Aggregation Method: Percent Present

Component Percent Cutoff: None Specified

Tie-break Rule: Lower

U.S. Fish and Wildlife Service

National Wetlands Inventory

NWI

August 14, 2020

Wetlands

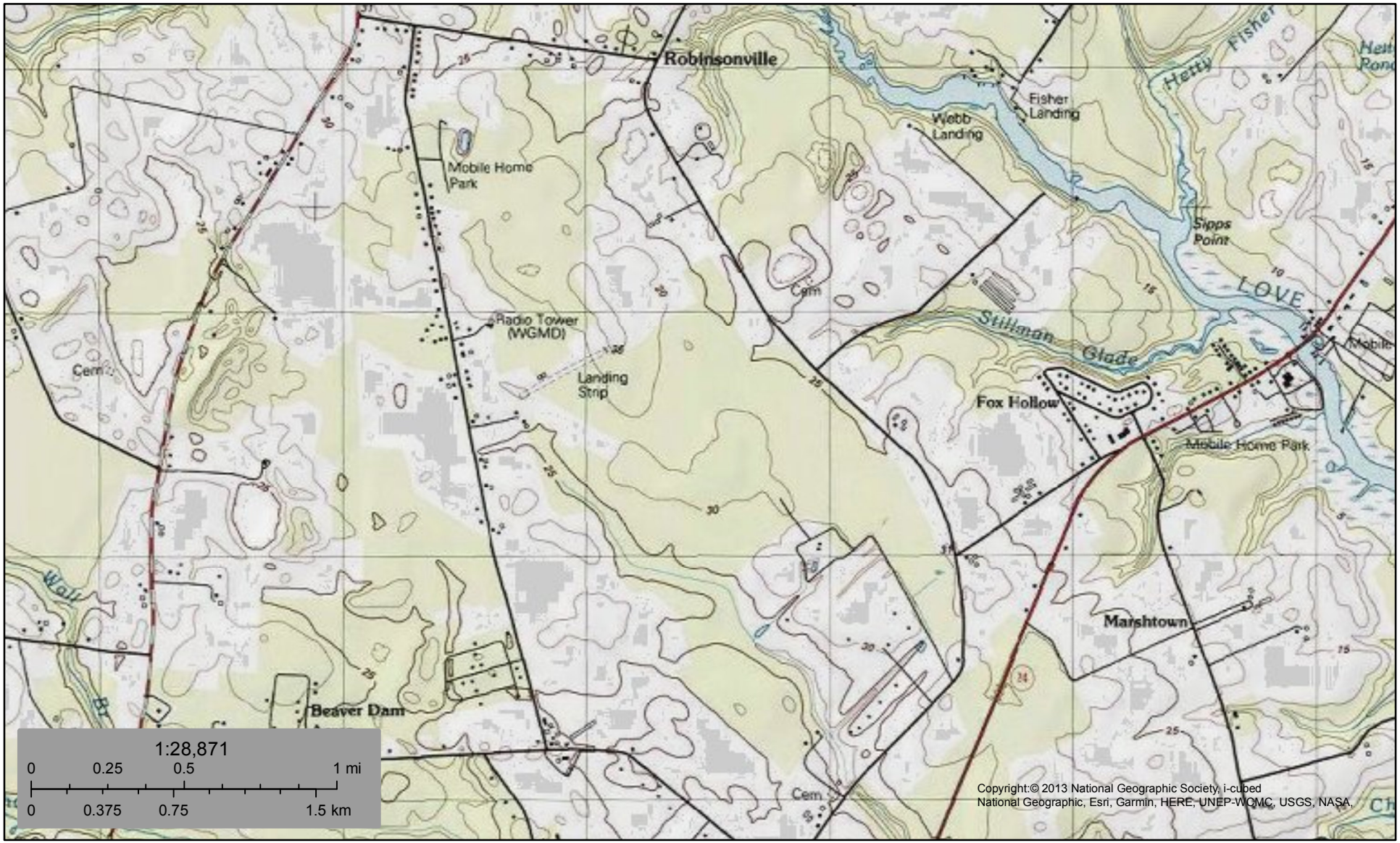
- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

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.

U.S. Fish and Wildlife Service

National Wetlands Inventory

USGS



August 14, 2020

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Adkins Property

Wetland Delineation

Legend

- Property
- Wetland Flag
- Wetland Line

Dawson Dr
Almas Way
Doberman Dr
Memory Ln
Will King Rd
Aintree Dr

A 047 A 046 A 045 A 044 A 043 A 042 A 041 A 040 A 039 A 038 A 037 A 036 A 035 A 034 A 033 A 032 A 031 A 030 A 029 A 028 A 027 A 026 A 025 A 024 A 023 A 022 A 021 A 020 A 019 A 018 A 017 A 016 A 015 A 014 A 013 A 012 A 011 A 010 A 009 A 008 A 007 A 006 A 005 A 004 A 003 A 002 A 001

B 002 B 003 B 004 B 005 B 006 B 007 B 008 B 009 B 010 B 011 B 012 B 013 B 014 B 015 B 016 B 017 B 018 B 019

Google Earth
© 2020 Google

N

900 ft

Adkins Property

Wetland Delineation

Legend

- Jurisdictional Wetland Flag
- Jurisdictional Wetlands
- Non Jurisdictional Flag
- Non Jurisdictional Wetlands
- Property

Pipe Connection

Wilking Rd

Dawson Dr

Almas Way

Doberman Dr

Aintree Dr

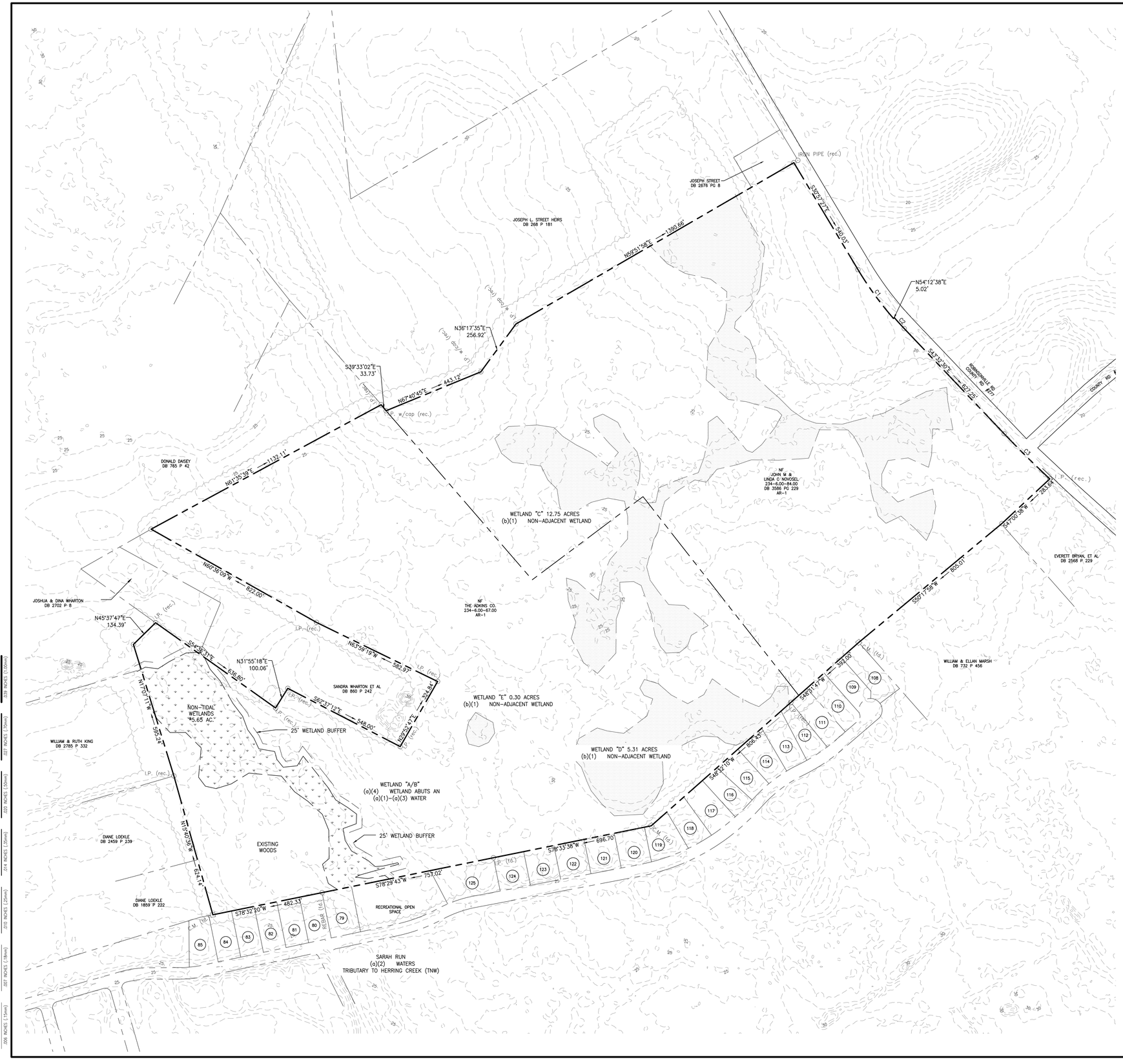
Rd 277

Google Earth

©2020 Google

N

1000 ft



SITE DATA:

OWNERS:	JOHN M & LINDA C NOVOSEL 30363 HOLLYMOUNT RD HARBESON, DE 19951 TM 234-6.00-84.00 THE ADKINS CO. PO BOX 156 BERLIN, MD 21811 TM 234-6.00-67.00
APPLICANT:	DOUBLE DB, LP 507 NORTH YORK STREET, SUITE 2D MECHANICSBURG, PA 17055 PHONE: 717-461-2401 CONTACT: JOSH GRAY
LANDSCAPE ARCHITECT:	LAND TECH LAND PLANNING, LLC TAGGART PROFESSIONAL CENTER 32895 SOUTH COASTAL HWY; SUITE 202 BETHANY BEACH, DE PHONE: 302.539.2366 CONTACT: JEFF CLARK, RLA
CIVIL ENGINEER:	GEORGE, MILES & BUHR, LLC 206 WEST MAIN ST SALISBURY, MD 21801 PHONE: 410.742.3115 CONTACT: STEPHEN L. MARSH, P.E.
TAX MAP:	234-6.00-84.00
DEED REFERENCE:	3586/229
TAX MAP:	234-6.00-67.00
EXISTING ZONING:	AR-1 AGRICULTURAL RESIDENTIAL
TOTAL SITE AREA: DNREC WETLANDS: FEDERAL WETLANDS:	152.34 ACRES 0 ACRES 5.65 ACRES
FLOOD ZONE:	FLOOD INFORMATION: SPECIAL FLOOD HAZARD AREA ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER FIRM MAPS 10005C0330J, 10005C0333K, DATED MARCH 16, 2015.

0 100 200 400 600

SCALE: 1" = 200'

PRINTS ISSUED FOR:
DRAWINGS STAGE

NO.	REVISIONS	DATE

- PREPARED BY -

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www.gmbnet.com

CORAL CROSSING
SUSSEX COUNTY, DELAWARE

WETLANDS DELINEATION PLAN

SCALE : 1" = 200	SHEET NO.
DESIGN BY : JAC	W1.0
DRAWN BY : KK	
CHECKED BY : KK	
GMB FILE : 200212	
DATE : MAR 2021	

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PLOT CODE
PEN1-RED 005 INCHES (.12mm)
PEN2-YELLOW 007 INCHES (.18mm)
PEN3-GREEN 010 INCHES (.25mm)
PEN4-CYAN 014 INCHES (.35mm)
PEN5-BLUE 020 INCHES (.50mm)
PEN6-MAGENTA 027 INCHES (.70mm)
PEN7-WHITE 039 INCHES (1.00mm)

G:\Projects\2020\200212 Adkins Novosel Preliminary Site Plan\Drawings\Working Sets\Wetlands\W1.0 Wetlands Delineation.dwg, 3/5/2021 11:19 AM, Kaija Kalnski

U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE

I. ADMINISTRATIVE INFORMATION

Completion Date of Approved Jurisdictional Determination (AJD): 4/12/2021
ORM Number: NAP-OPR-2021-191-23
Associated JDs: N/A
Review Area Location[1]: State/Territory: Delaware City: Lewes County/Parish/Borough: Sussex Co.
Center Coordinates of Review Area: Latitude 38.698921 Longitude -75.192734

II. FINDINGS

A. Summary: Check all that apply. At least one box from the following list MUST be selected. Complete the corresponding sections/tables and summarize data sources.

- ☐ The review area is comprised entirely of dry land (i.e., there are no waters or water features, including wetlands, of any kind in the entire review area). Rationale: N/A or describe rationale.
- ☐ There are "navigable waters of the United States" within Rivers and Harbors Act jurisdiction within the review area (complete table in Section II.B).
- ☒ There are "waters of the United States" within Clean Water Act jurisdiction within the review area (complete appropriate tables in Section II.C).
- ☒ There are waters or water features excluded from Clean Water Act jurisdiction within the review area (complete table in Section II.D).

B. Rivers and Harbors Act of 1899 Section 10 (§ 10)[2]

§ 10 Name	§ 10 Size		§ 10 Criteria	Rationale for § 10 Determination
N/A.	N/A.	N/A	N/A.	N/A.

C. Clean Water Act Section 404

Territorial Seas and Traditional Navigable Waters ((a)(1) waters):[3]				
(a)(1) Name	(a)(1) Size		(a)(1) Criteria	Rationale for (a)(1) Determination
N/A.	N/A.	N/A.	N/A.	N/A.

Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size		(a)(2) Criteria	Rationale for (a)(2) Determination
N/A.	N/A.	N/A.	N/A.	N/A.

Lakes and ponds, and impoundments of jurisdictional waters ((a)(3) waters):				
(a)(3) Name	(a)(3) Size		(a)(3) Criteria	Rationale for (a)(3) Determination
N/A.	N/A.	N/A.	N/A.	N/A.

Adjacent wetlands ((a)(4) waters):				
(a)(4) Name	(a)(4) Size		(a)(4) Criteria	Rationale for (a)(4) Determination
Wetland A/B	5.65	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland is piped under Aintree Drive to Sarah Run, an (a)(2) tributary waters

[1] Map(s)/figure(s) are attached to the AJD provided to the requestor.
[2] If the navigable water is not subject to the ebb and flow of the tide or included on the District's list of Rivers and Harbors Act Section 10 navigable waters list, do NOT use this document to make the determination. The District must continue to follow the procedure outlined in 33 CFR part 329.14 to make a Rivers and Harbors Act Section 10 navigability determination.
[3] A stand-alone TNW determination is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where upstream or downstream limits or lake borders are established. A stand-alone TNW determination should be completed following applicable guidance and should NOT be documented on the AJD Form.

U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)):[4]				
Exclusion Name	Exclusion Size		Exclusion[5]	Rationale for Exclusion Determination
Wetland C	12.75	acre(s)	(b)(1) Non-adjacent wetland.	Wetland extends off-site and part of a larger isolated wetland system. Geographically isolated wetland which does not satisfy the definition of an a4 adjacent wetland
Wetland D	5.31	acre(s)	(b)(1) Non-adjacent wetland.	Geographically isolated wetland which does not satisfy the definition of an a4 adjacent wetland
Wetland E	0.30	acres	(b)(1) Non-adjacent wetland.	Geographically isolated wetland which does not satisfy the definition of an a4 adjacent wetland

III. SUPPORTING INFORMATION

A. Select/enter all resources that were used to aid in this determination and attach data/maps to this document and/or references/citations in the administrative record, as appropriate.

☒ Information submitted by, or on behalf of, the applicant/consultant: Wetland Delineation Report 11/16/2021
This information is sufficient for purposes of this AJD.
Rationale: N/A

☐ Data sheets prepared by the Corps: N/A
☒ Photographs: Aerial and Other: 1954-2017/Site photographs 12/5/2018
☐ Corps site visit(s) conducted on: N/A
☐ Previous Jurisdictional Determinations (AJDs or PJDs): N/A
☐ Antecedent Precipitation Tool: *provide detailed discussion in Section III.B*.
☒ USDA NRCS Soil Survey: Adkins Property 11/14/2020
☒ USFWS NWI maps: NWI-8/14/2020
☒ USGS topographic maps: USGS-8/14/2020

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	N/A.
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

B. Typical year assessment(s): N/A.

[4] Some excluded waters, such as (b)(2) and (b)(4), may not be specifically identified on the AJD form unless a requestor specifically asks a Corps district to do so. Corps districts may, in case-by-case instances, choose to identify some or all of these waters within the review area.
[5] Because of the broad nature of the (b)(1) exclusion and in an effort to collect data on specific types of waters that would be covered by the (b)(1) exclusion, four sub-categories of (b)(1) exclusions were administratively created for the purposes of the AJD Form. These four sub-categories are not new exclusions, but are simply administrative distinctions and remain (b)(1) exclusions as defined by the NWPR.

C. Additional comments to support AJD: N/A

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

NICOLE MAJESKI
SECRETARY

January 12, 2022

Mr. Drew Boyce
Century Engineering, Inc.
550 Bay Road
Dover, Delaware 19901

Dear Mr. Boyce:

The enclosed Traffic Impact Study (TIS) review letter for the **Coral Lakes (f.k.a. Novosel)** (Tax Parcels: 234-6.00-67.00, 84.00, and 85.00) residential development has been completed under the responsible charge of a registered professional engineer whose firm is authorized to work in the State of Delaware. They have found the TIS to conform to DelDOT's Development Coordination Manual and other accepted practices and procedures for such studies. DelDOT accepts this letter and concurs with the recommendations. If you have any questions concerning this letter or the enclosed review letter, please contact me at (302) 760-2124.

Sincerely,

Claudy Joinville
Project Engineer

CJ:km
Enclosures
cc with enclosures: Mr. William Conway, Century Engineering, Inc
Mr. Stephen Marsh, George, Miles & Buhr, Inc.
Mr. Tim Green, Schell Brothers
Mr. David Edgell, Office of State Planning Coordination
Mr. Jamie Whitehouse, Sussex County Planning and Zoning
Ms. Joanne Arellano, Johnson, Mirmiran, & Thompson, Inc.
DelDOT Distribution

DelDOT

DelDOT Distribution

Brad Eaby, Deputy Attorney General
Shanté Hastings, Deputy Secretary / Director of Transportation Solutions (DOTS)
Pamela Steinebach, Director, Planning
Mark Luszcz, Deputy Director, Traffic, DOTS
Peter Haag, Chief Traffic Engineer, Traffic, DOTS
Michael Simmons, Assistant Director, Project Development South, DOTS
Todd Sammons, Assistant Director, Development Coordination
T. William Brockenbrough, Jr., County Coordinator, Development Coordination
Chris Sylvester, Traffic Studies Manager, Traffic, DOTS
Alistair Probert, South District Engineer, South District
Matthew Schlitter, South District Public Works Engineer, South District
Jared Kauffman, Service Development Planner, Delaware Transit Corporation
Tremica Cherry, Service Development Planner, Delaware Transit Corporation
Anthony Aglio, Planning Supervisor, Statewide & Regional Planning
Wendy Polasko, Subdivision Engineer, Development Coordination
Steve McCabe, Sussex Review Coordinator, Development Coordination
Mark Galipo, Traffic Engineer, Traffic, DOTS
Derek Sapp, Subdivision Manager, Development Coordination
Annamaria Furmato, Project Engineer, Development Coordination

January 12, 2022

Mr. Claudy Joinville
Project Engineer
Delaware Department of Transportation
Development Coordination, Division of Planning
800 Bay Road
P O Box 778
Dover, DE 19903

RE:Agreement No. 1945F
Project Number T202069012
Traffic Impact Study Services
Task 5-3A-Coral Lakes TIS (f.k.a. Novosel)

Dear Mr. Joinville:

Johnson, Mirmiran and Thompson (JMT) has completed the review of the Traffic Impact Study (TIS) for Coral Lakes (f.k.a. Novosel), prepared by Century Engineering Inc., dated December 22, 2021. This task was assigned as Task Number 5-3A. The report is prepared in a manner generally consistent with DelDOT's *Development Coordination Manual*.

The TIS evaluates the impacts of a proposed housing development containing 315 single-family detached houses in Sussex County, Delaware. The development is located on the west side of Robinsonville Road (Sussex Road 277), opposite Webbs Landing Road (Sussex Road 277B). The subject property is on an approximately 152.32-acre assemblage of parcels that is zoned as AR-1 (Agricultural Residential) and the developer does not plan to rezone the land. One full access point is proposed along Robinsonville Road and construction is anticipated to be complete in 2030.

The proposed development would be located within the boundary of the proposed Henlopen Transportation Improvement District (TID). DelDOT and Sussex County developed the TID. The formal creation of it was unanimously approved by Sussex County on October 27, 2020. The TID limits generally extend from the Georgetown to Lewes Trail and Delaware Route 1 to the north, Burton Pond and Herring Creek to the south, Arnell Creek and Rehoboth Bay to the east, and Beaver Dam Road to the west. The *Henlopen TID CTP Cost Development Report* was prepared in October 2019 by JMT and contained a summary of the traffic analysis conducted and the associated roadway concept plans and cost estimates for the TID. As part of the report, improvements were recommended at several of the TIS study intersections including the Delaware Route 24 intersections with Camp Arrowhead Road/Fairfield Road, Robinsonville Road/Angola Road and Hollymount Road/Sloan Road, the Robinsonville Road intersections with Cedar Grove Road, Kendale Road, Webbs Landing Road, and Harts Road, and the Kendale Road intersections with Wil King Road and Beaver Dam Road.

Although the subject property is within the Henlopen TID, the proposed plan for the development is not consistent with the Land Use and Transportation Plan (LUTP) that was developed for the TID. For developments that are consistent with the LUTP, the developer is required to pay a fee per dwelling in lieu of performing a TIS and make off-site improvements in accordance with the TID. However, as the proposed development is not consistent, a TIS was required.

The purpose of the TIS is to identify any additional improvements beyond the TID improvements that the development would be required to contribute to. If no additional improvements are identified within the TIS, the development would still be required to participate in the TID. The TID fee would cover off-site improvements beyond their entrance improvements. The TID fee would be based on actual units built, so the fee would be higher with more units. DelDOT would only require additional contributions beyond the TID fee for additional improvements needed beyond those in the TID.

DelDOT has several relevant and ongoing improvement projects within the study area including the *HSIP SR 24 at Camp Arrowhead Road and SR 24 at Angola Road* project (DelDOT Contract No. T201200902). This project was identified in the *SR 24-SR 30 to Love Creek Bridge Traffic Study* and was identified as a high crash location as part of DelDOT's Hazard Elimination Program (HEP) formally known as the Highway Safety Improvement Program (HSIP). This project would make operational improvements to address safety deficiencies and to accommodate future traffic volumes at these two intersections. Specifically, the improvements associated with the Delaware Route 24/Camp Arrowhead Road/Fairfield Road intersection will include extending the existing left turn and right turn lanes to increase capacity, as well as providing bicycle lanes and pedestrian facilities. The improvements associated with the Delaware Route 24/Robinsonville Road/Angola Road intersection will include providing one left turn lane, one through lane, and one right turn lane along all approaches. The right turn lanes along the northbound and southbound Delaware Route 24 approaches will be channelized. Construction is scheduled to start in Spring 2022 and end in Fall 2023. Additional information can be found on the DelDOT project website at https://deldot.gov/projects/index.shtml?dc=details&projectNumber=T201200902.

Based on our review of the TIS, we have the following comments and recommendations: The following intersections exhibit level of service (LOS) deficiencies without the implementation of physical roadway and/or traffic control improvements. The table below incorporates the traffic analysis for the 2030 future conditions (Cases 2 and 3) with the improvements associated with the *HSIP SR 24 at Camp Arrowhead Road and SR 24 at Angola Road project (DelDOT Contract No. T201200902)*. Additionally, the table below does not include any signalized intersections that exhibit LOS deficiencies under Cases 1, 2, and 3 due to the utilization of the splits from the DelDOT Timing Plans and can be mitigated with signal timing optimization as the developer would not be recommended to perform any additional improvements at those locations.

Intersection	LOS Deficiencies Occur			Year	Case
	AM	PM	SAT		
Robinsonville Road/Kendale Road (Sussex Road 287)	X	X	X	2030	2 – Without Development
	X	X	X	2030	3 – With Development
Robinsonville Road/Cedar Grove Road (Sussex Road 283)		X		2030	2 – Without Development
		X	X	2030	3 – With Development
Kendale Road/Beaver Dam Road (Sussex Road 285)		X	X	2021	1 – Existing
	X	X	X	2030	2 – Without Development
	X	X	X	2030	3 – With Development
Robinsonville Road/Harts Road (Sussex Road 277A)			X	2030	3 – With Development
Delaware Route 24/Harts Road (Sussex Road 277A)			X	2021	1 – Existing
	X	X	X	2030	2 – Without Development
	X	X	X	2030	3 – With Development

The unsignalized Robinsonville Road/Kendale Road intersection would exhibit LOS deficiencies during the weekday AM, weekday PM, and Summer Saturday peak periods under 2030 conditions with or without the proposed development (Cases 2 and 3). Specifically, the deficiency would occur along the eastbound Kendale Road approach. As part of the Henlopen TID, this intersection would be improved to be signalized and a separate right turn lane would be provided along the eastbound Kendale Road approach and the southbound Robinsonville Road approach. With the proposed Henlopen TID improvements, the intersection would improve to operate at acceptable LOS. As such, payment of the TID fee will satisfy any obligation the developer would have to improve this intersection.

The unsignalized Robinsonville Road/Cedar Grove Road intersection would exhibit LOS deficiencies during the weekday PM peak hour under 2030 conditions with or without the proposed development (Cases 2 and 3) and during the Summer Saturday peak hour under 2030 conditions with the proposed development (Case 3). Specifically, the deficiency would occur along the westbound Cedar Grove Road approach. As part of the Henlopen TID, this intersection would be improved to be a single lane roundabout. With the proposed Henlopen TID improvements, the intersection would improve to operate at acceptable LOS. As such, payment of the TID fee will satisfy any obligation the developer would have to improve this intersection.

The unsignalized Kendale Road/Beaver Dam Road intersection would exhibit LOS deficiencies during the weekday PM and Summer Saturday peak hours under 2021 existing conditions (Case 1), as well as during the weekday AM, weekday PM, and Summer Saturday peak hours under 2030 conditions with or without the proposed development (Cases 2 and 3). Specifically, the deficiency would occur along the westbound Kendale Road approach. As part of the Henlopen TID, this

intersection would be improved to be signalized and separate turn lanes would be provided along each approach. With the proposed Henlopen TID improvements, the intersection would improve to operate at acceptable LOS. As such, payment of the TID fee will satisfy any obligation the developer would have to improve this intersection.

The unsignalized Robinsonville Road/Harts Road intersection would exhibit LOS deficiencies during the Summer Saturday peak hour under 2030 conditions with the proposed development (Case 3). Specifically, the deficiency would occur along the westbound Harts Road approach. As part of the Henlopen TID, this intersection would be improved to include separate turn lanes onto Harts Road. Additionally, as part of the Henlopen TID improvements, the Harts Road connection to Delaware Route 24 would be removed and a new roadway would be constructed connecting Delaware Route 24 and Robinsonville Road across from Jolyns Way. With the proposed Henlopen TID improvements, the intersection would improve to operate at acceptable LOS. As such, payment of the TID fee will satisfy any obligation the developer would have to improve this intersection.

The unsignalized Delaware Route 24/Harts Road intersection would exhibit LOS deficiencies during the Summer Saturday peak hour under 2021 existing conditions (Case 1) as well as during the weekday AM, weekday PM, and Summer Saturday peak hours under 2030 conditions with or without the proposed development (Cases 2 and 3). Specifically, the deficiency would occur along the Harts Road approach. As part of the Henlopen TID, this intersection would be eliminated and Harts Road would be converted to a cul-de-sac east of Robinsonville Road. In addition, Jolyns Way would be extended to the north to intersect with Robinsonville Road, south of Harts Road. A traffic signal would be installed at the Delaware Route 24/Jolyns Way intersection and the Robinsonville Road intersection with Jolyns Way would be a single lane roundabout. Payment of the TID fee will satisfy any obligation the developer would have to improve this intersection.

Should Sussex County approve the proposed development, the following items should be incorporated into the site design and reflected on the record plan. All applicable agreements (i.e. TID infrastructure recoupment agreement) should be executed prior to Letter of No Objection to Recordation (LONOR) for the proposed development.

1. The developer shall improve Robinsonville Road within the limits of their frontage to meet DelDOT's standards for Functional Classification as found in Section 1.1 of the *Development Coordination Manual* and elsewhere therein. The improvements shall include both directions of travel, regardless of whether the developer's lands are on one or both sides of the road. Frontage is defined in Section 1 of the Development Coordination Manual, which states "This length includes the length of roadway perpendicular to lines created by the projection of the outside parcel corners to the roadway." Questions on or appeals of this requirement should be directed to the DelDOT Subdivision Review Coordinator in whose area the development is located.

To the extent that they are not addressed by the site entrance construction (Item 2 below), the cost of the work completed to improve Robinsonville Road to meet DelDOT's standards and the shared use path, addressed in Item 4a below, are deductible from the TID fee discussed in Item 3. It may be appropriate for DelDOT to require less than the work contemplated here to adjust the cost of the work with the amount of the TID fee.

2. The developer should construct a full access site entrance (Site Entrance A) for the proposed Coral Lakes development on Robinsonville Road, approximately 1,100 feet north of the northeast point of tangency at the Robinsonville Road intersection with Webbs Landing Road to be consistent with the lane configurations shown in the table below:

Approach	Current Configuration	Proposed Configuration
Eastbound Site Entrance A	Approach does not exist	One shared left turn/right turn lane
Northbound Robinsonville Road	One through lane	One left turn lane and one through lane
Southbound Robinsonville Road	One through lane	One through lane and one right turn lane

Based on DelDOT's *Development Coordination Manual*, the recommended minimum storage length is 240 feet (excluding taper) for the southbound Robinsonville Road right turn lane and 185 feet (excluding taper) for the northbound Robinsonville Road left turn lane. The calculated queue lengths from the HCS analysis can be accommodated within the recommended storage lengths.

3. The developer should pay the appropriate portion of the Henlopen TID fee in lieu of making transportation improvements outside of their access point and frontage road.

4. The following bicycle, pedestrian, and transit improvements should be included:

   a. A minimum fifteen-foot wide permanent easement from the edge of the right-of-way should be dedicated to DelDOT along the property frontage along Robinsonville Road. Within the easement, the developer should construct a ten-foot wide shared-use path (SUP). The SUP should be designed to meet current AASHTO and ADA standards. A minimum five-foot setback should be maintained from the edge of the pavement to the SUP. If feasible, the SUP should be placed behind utility poles and street trees should be provided within the buffer area. The developer should coordinate with DelDOT's Development Coordination section during the plan review process to identify the exact location of the SUP.

b. An internal connection should be provided from the SUP into the site.

c. ADA compliant curb ramps and marked crosswalks should be provided along the Site Entrance approach to Robinsonville Road. The use of diagonal curb ramps is discouraged.

d. If pedestrian crossings are proposed across Robinsonville Road, the developer should conduct a pedestrian crossing analysis per NCHRP 562 to determine the pedestrian treatment. The developer should coordinate with DelDOT's Development Coordination section during the plan review process regarding any proposed pedestrian crossings.

e. A minimum five-foot wide bicycle lane should be incorporated in the right turn lane and shoulder along the southbound Robinsonville Road approach to the Site Entrance.

f. Utility covers should be moved outside of any designated bicycle lanes and any proposed sidewalks/shared-use paths or should be flush with the pavement.

Please note that this review generally focuses on capacity and level of service issues; additional safety and operational issues will be further addressed through DelDOT's Plan Review process.

Improvements in this TIS may be considered "significant" under DelDOT's *Work Zone Safety and Mobility Procedures and Guidelines*. These guidelines are available on DelDOT's website at https://www.deldot.gov//Publications/manuals/de_mutcd/index.shtml. For any additional information regarding the work zone impact and mitigation procedures during construction please contact Mr. Jeff VanHorn, Assistant Director for Traffic Operations and Management. Mr. VanHorn can be reached at (302) 659-4606 or by email at Jeffrey.VanHorn@delaware.gov.

Additional details on our review of the TIS are attached. Please contact me at (302) 266-9600 if you have any questions concerning this review.

Sincerely,
Johnson, Mirmiran, and Thompson, Inc.

Joanne M. Arellano, P.E., PTOE

cc: Mir Wahed, P.E., PTOE
Janna Brown, EIT

Enclosure

General Information

Report date: December 22, 2021
Prepared by: Century Engineering, Inc.
Prepared for: Schell Brothers, LLC.
Tax Parcel: 234-6.00-67, 84.00, and 85.00
Generally consistent with DelDOT's *Development Coordination Manual (DCM)*: Yes

Project Description and Background

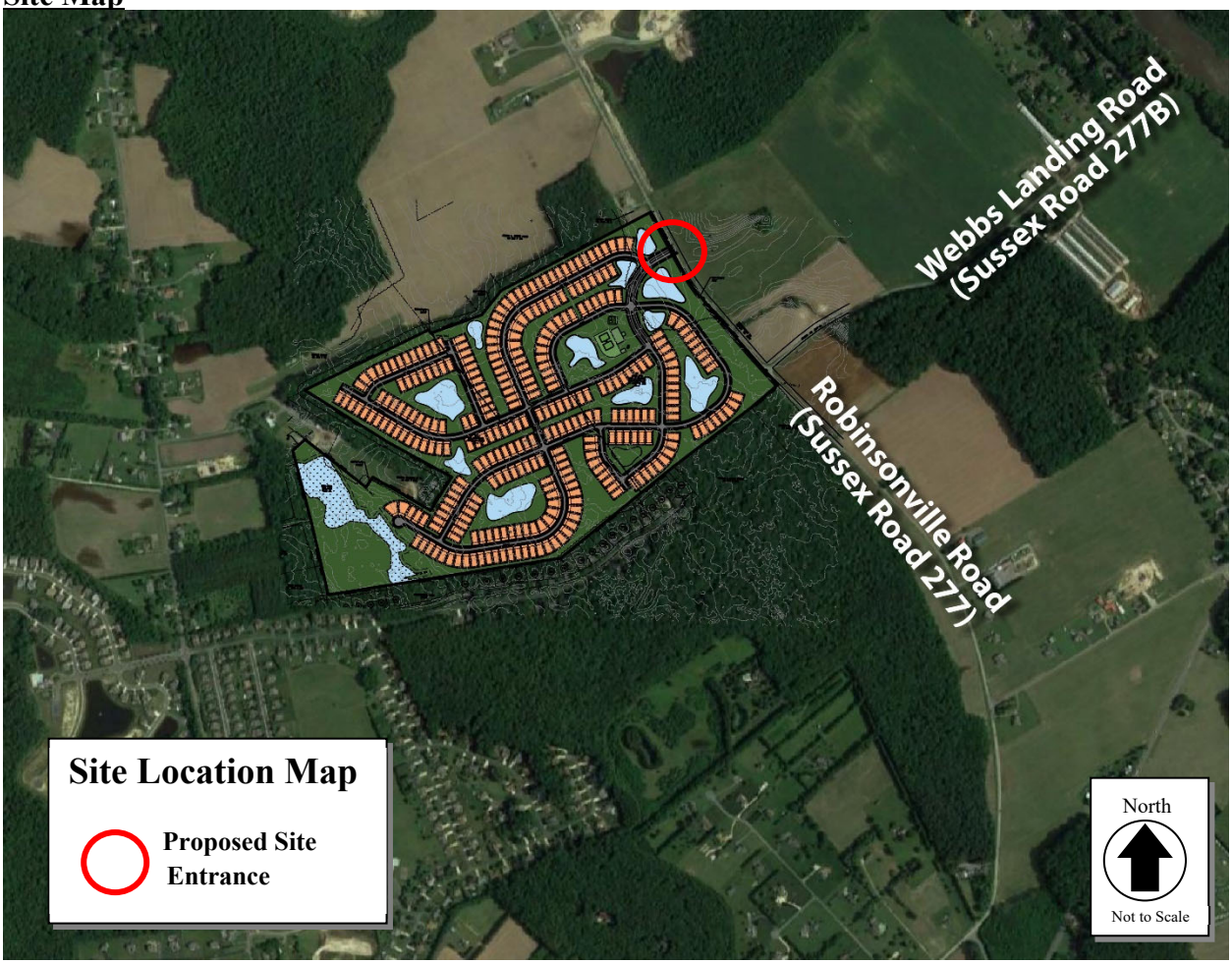
Description: The developer seeks to develop 315 single-family detached houses.
Location: The subject site is located on the west side of Robinsonville Road (Sussex Road 277), opposite Webbs Landing Road (Sussex Road 277B).
Amount of Land to be developed: An approximately 152.3-acre assemblage of parcels.
Land Use approval(s) needed: Entrance Plan.
Proposed completion date: 2030.
Proposed access location: One full access point is proposed on Robinsonville Road.

Daily Traffic Volumes:

- 2021 Average Annual Daily Traffic on Robinsonville Road: 4,303 vehicles per day*

*Per ATR data collected from August 18, 2021 to August 24 2021.

Site Map



**Graphic is an approximation based on the Site Plan for Coral Lakes prepared by George, Miles & Buhr, LLC. dated June 2021.*

Relevant and On-going Projects

DelDOT has several relevant and ongoing improvement projects within the study area including the *HSIP SR 24 at Camp Arrowhead Road and SR 24 at Angola Road* project (DelDOT Contract No. T201200902). This project was identified in the *SR 24-SR 30 to Love Creek Bridge Traffic Study* and was identified as a high crash location as part of DelDOT's Hazard Elimination Program (HEP) formally known as the Highway Safety Improvement Program (HSIP). This project would make operational improvements to address safety deficiencies and to accommodate future traffic volumes at these two intersections. Specifically, the improvements associated with the Delaware Route 24/Camp Arrowhead Road/Fairfield Road intersection will include extending the existing left turn and right turn lanes to increase capacity, as well as providing bicycle lanes and pedestrian facilities. The improvements associated with the Delaware Route 24/Robinsonville Road/Angola Road intersection will include providing one left turn lane, one through lane, and one right turn lane along all approaches. The right turn lanes along the northbound and southbound Delaware

Route 24 approaches will be channelized. Construction is scheduled to start in Spring 2022 and end in Fall 2023. Additional information can be found on the DelDOT project website at https://deldot.gov/projects/index.shtml?dc=details&projectNumber=T201200902.

The proposed development would be located within the boundary of the proposed Henlopen Transportation Improvement District (TID). DelDOT and Sussex County developed the TID. The formal creation of it was unanimously approved by Sussex County on October 27, 2020. The TID limits generally extend from the Georgetown to Lewes Trail and Delaware Route 1 to the north, Burton Pond and Herring Creek to the south, Arnell Creek and Rehoboth Bay to the east, and Beaver Dam Road to the west. The *Henlopen TID CTP Cost Development Report* was prepared in October 2019 by JMT and contained a summary of the traffic analysis conducted and the associated roadway concept plans and cost estimates for the TID. As part of the report, improvements were recommended at several of the TIS study intersections including the Delaware Route 24 intersections with Camp Arrowhead Road/Fairfield Road, Robinsonville Road/Angola Road and Hollymount Road/Sloan Road, the Robinsonville Road intersections with Cedar Grove Road, Kendale Road, Webbs Landing Road, and Harts Road, and the Kendale Road intersections with Wil King Road and Beaver Dam Road.

Livable Delaware

(Source: Delaware Strategies for State Policies and Spending, 2020)

Location with respect to the Strategies for State Policies and Spending Map of Delaware:
The proposed development is located within Investment Level 3 and Investment Level 4.

Investment Level 3

Investment Level 3 Areas generally fall into two categories. The first category covers lands that are in the long-term growth plans of counties or municipalities where development is not necessary to accommodate expected population growth during a five-year planning period (or longer). The second category includes lands that are adjacent to or intermingled with fast-growing areas within counties or municipalities that are otherwise categorized as Investment Levels 1 or 2. Investment Level 3 is further characterized by areas with new development separated from existing development by a substantial amount of vacant land that is not contiguous with existing infrastructure, areas that are experiencing some development pressure, areas with existing but disconnected development, and possible lack of adequate infrastructure.

The state will consider investing in infrastructure within Investment Level 3 Areas once the Investment Level 1 and 2 Areas are substantially built out, or when the infrastructure or facilities are logical extensions of existing systems and deemed appropriate to serve a particular area. The priorities in the Level 3 Areas are for DelDOT to focus on regional movements between towns and other population centers. Local roadway improvements will be made by developers and property owners as development occurs. Lower priority is given to transportation system–capacity improvements and transit-system enhancements.

Investment Level 4

Delaware's Investment Level 4 Areas are rural in nature and are where the bulk of the state's open space/natural areas and agricultural industry is located. These areas contain agribusiness activities, farm complexes, and small settlements. They typically include historic crossroads or points of trade, often with rich cultural ties. Delaware's Investment Level 4 Areas are also the location of scattered residential uses, featuring almost entirely single-family detached residential structures. Delaware's Investment Level 4 Areas also include many unincorporated communities, typically with their own distinctive character and identity. Investment Level 4 Areas depend on a transportation system primarily of secondary roads linked to roadways used as regional thoroughfares for commuting and trucking.

It is the state's intent to discourage additional urban and suburban development in Investment Level 4 Areas unrelated to agriculture and to the areas' needs. In Investment Level 4 Areas, the state's investments and policies should retain the rural landscape and preserve open spaces and farmlands, support farmland-related industries, and establish defined edges to more concentrated development. The focus for the Level 4 Areas will be to preserve and maintain existing facilities in safe working order, corridor-capacity preservation, and the enhancement of transportation facilities to support agricultural business.

Proposed Development's Compatibility with Livable Delaware:
The site would be in the Investment Level 3 and Investment Level 4 areas. According to Livable Delaware, Investment Level 3 areas may be desirable for a variety of housing types, styles, and densities in conjunction with local government comprehensive plans. Per Livable Delaware, the state's investments and policies should retain the rural landscape and preserve open spaces and farmlands within Level 4 areas. In addition, construction of new homes is discouraged in Level 4 areas. Therefore, the area of the site within Investment Level 3 is generally consistent with the 2015 update of the Livable Delaware "Strategies for State Policies and Spending" and the areas within Investment Level 4 are not.

Comprehensive Plans

(Source: Sussex County March 2019 Comprehensive Plan)

Sussex County Comprehensive Plan:
Per the *Sussex County Comprehensive Plan 2045 Future Land Use Map,* the proposed development is in an area designated as Coastal Area.

Proposed Development's Compatibility with the Sussex County Comprehensive Plan:
Per the *Sussex County Comprehensive Plan,* a range of housing types including single-family homes should be permitted in Coastal Areas. Therefore, the proposed development is generally consistent with the *Sussex County March 2019 Comprehensive Plan*.

Trip Generation

The trip generation for the proposed development was determined by using the comparable land use and rates/equations contained in the *Trip Generation, 10th Edition: An ITE Informational*

Report, published by the Institute of Transportation Engineers (ITE) for ITE Land Use Code 210 (single-family detached). The trip generation was approved by DelDOT during the PTIS review.

Table 1
Coral Lakes Trip Generation

Land Use	ADT	AM Peak Hour			PM Peak Hour			SAT Peak Hour		
		In	Out	Total	In	Out	Total	In	Out	Total
315 Single-Family Detached Housing (ITE Code 210)	2,988	57	171	228	193	113	306	153	130	283

Overview of TIS

Intersections examined:

1. Site Entrance A/Robinsonville Road (Sussex Road 277)
2. Robinsonville Road/Kendale Road (Sussex Road 287)
3. Robinsonville Road/Cedar Grove Road (Sussex Road 283)
4. Kendale Road/Wil King Road (Sussex Road 288)
5. Kendale Road/Beaver Dam Road (Sussex Road 285)
6. Robinsonville Road/Harts Road (Sussex Road 277A)
7. Delaware Route 24/Harts Road
8. Delaware Route 24/Camp Arrowhead Road (Sussex Road 279)/Fairfield Drive
9. Delaware Route 24/Robinsonville Road/Angola Road (Sussex Road 277)
10. Delaware Route 24/Hollymount Road (Sussex Road 48)/Sloan Road

Conditions examined:

1. Case 1 – 2021 Existing Condition
2. Case 2 – 2030 without development
3. Case 3 – 2030 with development

Committed Developments considered:

1. Chase Oaks f.k.a. Charter Oak (249 single family detached houses)
2. Tidewater Landing (31 single family detached houses)
3. Dellwood f.k.a. Ocean Meadows (92 single family detached houses)
4. Acadia f.k.a. Insight at Lewes Point (238 single family detached houses)
5. Coastal Club (19 low-rise townhouses)
6. Anchors Run f.k.a. Insight at Lewes Run (263 single family detached houses)
7. Kindleton (76 single family detached houses)
8. Outer Banks (49 single family detached houses)
9. The Woods at Burton Pond (121 single family detached houses)

10. Pelican Landing (88,000 square feet shopping center)
11. Marsh Island (138 single family detached houses)
12. Marsh Farm Estates (20 single family detached houses)
13. Rehoboth Point Yacht Club f.k.a. Love Creek Marina (120 mid-rise condominiums, 5,000 square feet quality restaurant)
14. Middle Creek Preserve (258 single family detached houses)
15. Dorman Farm Property f.k.a. Belle Terre (154 single family detached houses)
16. Headwater Cove (163 single family detached houses)
17. Hailey's Glen a.k.a. Kielbasa Property (67 single family detached houses)
18. Tanager Woods f.k.a. Street Property (173 single family detached houses)
19. Welches Pond f.k.a. Fieldstone (247 single family detached houses)

Note: The committed development information listed above is from the December 22, 2021 Traffic Impact Study report and supersedes the information contained in the September 21, 2021 DelDOT Scoping Meeting Memorandum.

Peak hours evaluated: Weekday morning, Weekday evening, and Summer Saturday midday peak hours.

Intersection Descriptions

1. **Site Entrance A/Robinsonville Road (Sussex Road 277)**
   Type of Control: Proposed two-way stop-controlled intersection
   Eastbound Approach: (Site Entrance A) Proposed one shared left turn/right turn lane, stop-controlled
   Northbound Approach: (Robinsonville Road) Existing one through lane; proposed one left turn lane and one through lane
   Southbound Approach: (Robinsonville Road) Existing one through lane; proposed one through lane and one right turn lane

2. **Robinsonville Road/Kendale Road (Sussex Road 287)**
   Type of Control: Existing two-way stop-controlled intersection (T-intersection)
   Eastbound Approach: (Kendale Road) Existing one shared left turn/right turn lane, stop-controlled
   Northbound Approach: (Robinsonville Road) Existing one shared left turn/through lane
   Southbound Approach: (Robinsonville Road) Existing one shared through/right turn lane

3. **Robinsonville Road/Cedar Grove Road (Sussex Road 283)**
   Type of Control: Existing two-way stop-controlled intersection (T-intersection)
   Westbound Approach: (Cedar Grove Road) Existing one shared left turn/right turn lane, stop-controlled

Northbound Approach: (Robinsonville Road) Existing one shared through/right turn lane
Southbound Approach: (Robinsonville Road) Existing one shared left turn/through lane

4. **Kendale Road/Wil King Road (Sussex Road 288)**
   Type of Control: Existing two-way stop-controlled intersection (T-intersection)
   Eastbound Approach: (Kendale Road) Existing one shared through/right turn lane
   Westbound Approach: (Kendale Road) Existing one shared left turn/through lane
   Northbound Approach: (Wil King Road) Existing one shared left turn/right turn lane, stop-controlled

5. **Kendale Road/Beaver Dam Road (Sussex Road 285)**
   Type of Control: Existing two-way stop-controlled intersection (T-intersection)
   Westbound Approach: (Kendale Road) Existing one shared left turn/right turn lane, stop-controlled
   Northbound Approach: (Beaver Dam Road) Existing one shared through/right turn lane
   Southbound Approach: (Beaver Dam Road) Existing one shared left turn/through lane

6. **Robinsonville Road/Harts Road (Sussex Road 277A)**
   Type of Control: Existing two-way stop-controlled intersection (T-intersection)
   Westbound Approach: (Harts Road) Existing one shared left turn/right turn lane, stop-controlled
   Northbound Approach: (Robinsonville Road) Existing one shared through/right turn lane
   Southbound Approach: (Robinsonville Road) Existing one shared left turn/through lane

7. **Delaware Route 24/Harts Road**
   Type of Control: Existing two-way stop-controlled intersection
   Eastbound Approach: (Harts Road) Existing one left turn lane and one right turn lane, stop-controlled
   Northbound Approach: (Delaware Route 24) Existing one left turn lane and one through lane
   Southbound Approach: (Delaware Route 24) Existing through lane and one right turn lane

8. **Delaware Route 24/Camp Arrowhead Road (Sussex Road 279)/Fairfield Drive**
   Type of Control: Existing signalized intersection
   Eastbound Approach: (Fairfield Drive) Existing one left turn lane and one shared through/right turn lane
   Westbound Approach: (Camp Arrowhead Road) Existing one left turn lane, one through lane, and one channelized right turn lane
   Northbound Approach: (Delaware Route 24) Existing one left turn lane, one through lane, and one channelized right turn lane
   Southbound Approach: (Delaware Route 24) Existing one left turn lane, one through lane, and one channelized right turn lane

9. **Delaware Route 24/Robinsonville Road/Angola Road (Sussex Road 277)**
   Type of Control: Existing signalized intersection
   Eastbound Approach: (Robinsonville Road) Existing one shared left turn/through lane and one right turn lane; proposed one left turn lane, one through lane, and one right turn lane
   Westbound Approach: (Angola Road) Existing one shared left turn/through lane and one right turn lane; proposed one left turn lane, one through lane, and one right turn lane
   Northbound Approach: (Delaware Route 24) Existing one left turn lane, one through lane, and one channelized right turn lane
   Southbound Approach: (Delaware Route 24) Existing one left turn lane and one shared through/right turn lane
   Note: The proposed lane configurations are part of the HSIP SR 24 at Camp Arrowhead Road and SR 24 at Angola Road project (DelDOT Contract No. T201200902)

10. **Delaware Route 24/Hollymount Road (Sussex Road 48)/Sloan Road**
    Type of Control: Existing signalized intersection
    Eastbound Approach: (Hollymount Road) Existing one left turn lane and one shared through/right turn lane
    Westbound Approach: (Sloan Road) Existing one left turn lane and one shared through/right turn lane
    Northbound Approach: (Delaware Route 24) Existing one left turn lane, one through lane, and one channelized right turn lane
    Southbound Approach: (Delaware Route 24) Existing one left turn lane, one through lane, and one right turn lane

Transit, Pedestrian, and Bicycle Facilities

Existing transit service: Per DelDOT Gateway, Delaware Transit Corporation (DTC) currently provides services along Delaware Route 24 via DART Routes 215 within the study area. Designated bus stops for DART Route 215 exist adjacent to the Delaware Route 24 intersection

with Camp Arrowhead Road (Sussex Road 279)/Fairfield Drive. DART Route 215 provides 11 round trips from 5:25 a.m. to 12:43 a.m. Monday through Saturday.

Planned transit service: JMT contacted Mr. Jared Kauffman, DART First State Fixed-Route Planner, on December 30, 2021 via email regarding transit improvements. As of January 10, 2022, a response has not yet been received.

Existing bicycle and pedestrian facilities: Per DelDOT Gateway, Connector and Regional Bicycle Routes exist within the study area. A Connector Bicycle Route travels along Camp Arrowhead Road starting at the Delaware Route 24 intersection with Camp Arrowhead Road/Fairfield Road. Another Connector Bicycle Route travels along Beaver Dam and Robinsonville Road/Angola Road, traversing the study intersection with Delaware Route 24. The Regional Bicycle Route exists along Delaware Route 24 and traverses through four study intersections (Camp Arrowhead Road/Fairfield Drive, Harts Road, Robinsonville Road/Angola Road, and Hollymount Road/Sloan Road).

Planned bicycle and pedestrian facilities: JMT contacted Mr. John Fiori, DelDOT's Bicycle Coordinator, and Ms. Linda Osiecki, DelDOT's Pedestrian Coordinator, on December 30, 2021 via email regarding bicycle and pedestrian improvements. As of January 10, 2022, a response has not yet been received.

Bicycle Level of Traffic Stress in Delaware: Researchers with the Mineta Transportation Institute developed a framework to measure low-stress connectivity, which can be used to evaluate and guide bicycle network planning. Bicycle LTS analysis uses factors such as the speed of traffic, volume of traffic, and the number of lanes to rate each roadway segment on a scale of 1 to 4, where 1 is a low-stress place to ride and 4 is a high-stress place to ride. It analyzes the total connectivity of a network to evaluate how many destinations can be accessed using low-stress routes. Developed by planners at the Delaware Department of Transportation (DelDOT), the bicycle Level of Traffic Stress (LTS) model will be applied to bicycle system planning and evaluation throughout the state. The Bicycle LTS for the roadways under existing conditions along the site frontage are summarized below. The Bicycle LTS was determined utilizing the map on the DelDOT Gateway.

- Robinsonville Road – LTS: 4

Sight Distance Evaluation

Based on a qualitative field visit, there are no sight distance concerns expected at the proposed site entrance along Robinsonville Road.

Crash Evaluation

Per the TIS, crash data from October 22, 2018 to October 22, 2021 was provided by DelDOT and a total of 128 crashes were reported within the study intersections. Of the 128 crashes reported:

- 16 crashes were reported at the intersection of Kendale Road and Beaver Dam Road.
- 23 crashes were reported at the intersection of Delaware Route 24 and Hollymount Road/Sloan Road.

- 27 crashes were reported at the intersection of Delaware Route 24 and Camp Arrowhead Road/Fairfield Dive.
- 42 crashes were reported at the intersection of Delaware Route 24 and Robinsonville Road/Angola Road.
- One fatality occurred at the intersection of Delaware Route 24 and Camp Arrowhead Road/Fairfield Dive. The fatal crash was an angle crash at the unsignalized shopping center driveway approximately 325 feet south of Fairfield Drive.

Previous Comments

Comments provided by DelDOT during the Preliminary TIS review have been addressed in the Final TIS.

General HCS Analysis Comments

(See table footnotes on the following pages for specific comments)

1. Per DelDOT's *Development Coordination Manual*, JMT used a heavy vehicle percentage of 3% for each movement greater than 100 vph in the Case 2 and Case 3 future scenario analyses, unless the existing heavy vehicle percentage was greater than 3% or there was no significant increase of vehicles along that movement, in which case the existing heavy vehicle percentage was used for analysis of future scenarios. Whereas, the TIS used the existing heavy vehicle percentage for Case 1, Case 2 and Case 3 scenarios.

2. Per DelDOT's *Development Coordination Manual* and coordination with DelDOT Planning, JMT used a heavy vehicle percentage of 5% for each movement less than 100 vph along roadways for Case 1 conditions, whereas the TIS did not.

3. Per DelDOT's *Development Coordination Manual*, JMT utilized the existing PHF for the Case 1 scenario and a future PHF for Cases 2 and 3 scenarios of 0.80 for roadways with less than 500 vph, 0.88 for roadways between 500 and 1,000 vph, and 0.92 for roadways with more than 1,000 vph or the existing PHF, whichever was higher. The TIS utilized the existing PHF for Case 1, Case 2 and Case 3 scenarios.

4. Both the TIS and JMT utilized a saturation flow rate of 1,750 pc/ph/pl for any signalized intersection based on the project area being located south of the C&D Canal.

5. For all the signalized intersections JMT utilized Field-Measured Phase Times whereas the TIS did not.

Table 2
Peak Hour Levels Of Service (LOS)
Based on Final Traffic Impact Study for Coral Lakes f.k.a. Novosel
Report Dated: December 22, 2021
Prepared By: Century Engineering, Inc.

Unsignalized Intersection Two-Way Stop Control [1]	**LOS per TIS**			**LOS per JMT**		
Site Entrance /Robinsonville Road (Sussex Road 277)	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
2030 with development (Case 3)						
Eastbound Site Entrance Approach	C (16.0)	C (25.5)	C (25.5)	C (16.9)	D (25.5)	D (25.5)
Northbound Robinsonville Road Left Turn	A (7.9)	A (9.2)	A (8.9)	A (8.0)	A (9.2)	A (8.9)

[1] For signalized and unsignalized analysis, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds.

Table 3
Peak Hour Levels Of Service (LOS)
Based on Final Traffic Impact Study for Coral Lakes f.k.a. Novosel
Report Dated: December 22, 2021
Prepared By: Century Engineering, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection)[1]	**LOS per TIS**			**LOS per JMT**		
Robinsonville Road (Sussex Road 277)/ Kendale Road (Sussex Road 287)	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
2021 with Existing (Case 1)						
Eastbound Kendale Approach	C (15.5)	C (15.1)	C (18.9)	C (15.5)	C (15.1)	C (18.5)
Northbound Robinsonville Road Left Turn	A (7.6)	A (8.4)	A (8.1)	A (7.6)	A (8.4)	A (8.1)
2030 without Development (Case 2)						
Eastbound Kendale Approach	F (120.9)	F (150.5)	F (315.5)	F (108.0)	F (148.1)	F (279.4)
Northbound Robinsonville Road Left Turn	A (8.2)	A (9.3)	A (9.1)	A (8.1)	A (9.2)	A (8.9)
2030 without Development (Case 2) *with auxiliary turn lanes along all approaches*						
Eastbound Kendale Approach	-	-	-	E (43.2)	D (25.6)	F (55.6)
Northbound Robinsonville Road Left Turn	-	-	-	A (8.1)	A (9.2)	A (8.9)
2030 with Development (Case 3)						
Eastbound Kendale Approach	F (258.9)	F (294.2)	F (522.9)	F (220.9)	F (290.1)	F (467.9)
Northbound Robinsonville Road Left Turn	A (8.4)	A (9.7)	A (9.5)	A (8.3)	A (9.6)	A (9.2)

Table 3 (Continued)
Peak Hour Levels Of Service (LOS)
Based on Final Traffic Impact Study for Coral Lakes f.k.a. Novosel
Report Dated: December 22, 2021
Prepared By: Century Engineering, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection)[1]	**LOS per TIS**			**LOS per JMT**		
Robinsonville Road (Sussex Road 277)/ Kendale Road (Sussex Road 287)	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
2030 with Development (Case 2) *with auxiliary turn lanes along all approaches*						
Eastbound Kendale Approach	-	-	-	F (87.8)	E (39.6)	F (104.8)
Northbound Robinsonville Road Left Turn	-	-	-	A (8.3)	A (9.6)	A (9.2)

Table 3 (Continued)
Peak Hour Levels Of Service (LOS)
Based on Final Traffic Impact Study for Coral Lakes f.k.a. Novosel
Report Dated: December 22, 2021
Prepared By: Century Engineering, Inc.

Signalized Intersection [1]	**LOS per TIS**			**LOS per JMT**		
Robinsonville Road (Sussex Road 277)/ Kendale Road (Sussex Road 287)	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
2030 without development (Case 2) *with Henlopen TID Improvement* [2]	-	-	-	B (17.4)	B (17.5)	B (17.7)
2030 with development (Case 3) *with Henlopen TID Improvement* [2]	-	-	-	B (17.3)	C (20.2)	B (18.3)

[2] The Henlopen TID Improvements scenario includes signalizing the intersection and providing auxiliary lanes along each approach. A cycle length of 90 seconds was utilized for all peak hours.

Table 4
Peak Hour Levels Of Service (LOS)
Based on Final Traffic Impact Study for Coral Lakes f.k.a. Novosel
Report Dated: December 22, 2021
Prepared By: Century Engineering, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection)[1]	**LOS per TIS**			**LOS per JMT**		
Robinsonville Road (Sussex Road 277)/ Cedar Grove Road (Sussex Road 283)	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
2021 with Existing (Case 1)						
Westbound Cedar Grove Road Approach	B (11.7)	C (16.4)	B (14.6)	B (11.7)	C (16.4)	B (14.6)
Southbound Robinsonville Road Left Turn	A (8.4)	A (7.8)	A (8.0)	A (8.4)	A (7.8)	A (8.0)
2030 without Development (Case 2)						
Westbound Cedar Grove Road Approach	C (16.4)	F (55.2)	D (33.8)	C (15.7)	F (53.2)	D (30.9)
Southbound Robinsonville Road Left Turn	A (8.8)	A (8.3)	A (8.5)	A (8.9)	A (8.3)	A (8.6)
2030 without Development (Case 2) *with auxiliary turn lanes along all approaches*						
Westbound Cedar Grove Road Approach	-	-	-	B (12.0)	D (27.7)	C (18.6)
Southbound Robinsonville Road Left Turn	-	-	-	A (8.9)	A (8.3)	A (8.6)
2030 with Development (Case 3)						
Westbound Cedar Grove Road Approach	C (17.8)	F (85.9)	E (45.1)	C (17.0)	F (65.3)	E (40.1)
Southbound Robinsonville Road Left Turn	A (9.0)	A (8.4)	A (8.6)	A (9.0)	A (8.3)	A (8.7)

Table 4 (Continued)
Peak Hour Levels Of Service (LOS)
Based on Final Traffic Impact Study for Coral Lakes f.k.a. Novosel
Report Dated: December 22, 2021
Prepared By: Century Engineering, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection)[1]	**LOS per TIS**			**LOS per JMT**		
Robinsonville Road (Sussex Road 277)/ Cedar Grove Road (Sussex Road 283)	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
2030 without Development (Case 2) *with auxiliary turn lanes along all approaches*						
Westbound Cedar Grove Road Approach	-	-	-	B (12.5)	D (32.0)	C (21.5)
Southbound Robinsonville Road Left Turn	-	-	-	A (9.0)	A (8.3)	A (8.7)

Table 4 (Continued)
Peak Hour Levels Of Service (LOS)
Based on Final Traffic Impact Study for Coral Lakes f.k.a. Novosel
Report Dated: December 22, 2021
Prepared By: Century Engineering, Inc.

Roundabout[1]	**LOS per TIS**			**LOS per JMT**		
Robinsonville Road (Sussex Road 277)/ Cedar Grove Road (Sussex Road 283)	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
2030 without Development (Case 2) *with Henlopen TID improvements*[3]						
Westbound Cedar Grove Road Approach	-	-	-	A (5.1)	A (7.0)	A (6.2)
Northbound Robinsonville Road Approach	-	-	-	A (8.2)	A (5.9)	A (6.6)
Southbound Robinsonville Road Approach	-	-	-	A (4.4)	A (7.8)	A (6.3)
Overall LOS	-	-	-	A (7.1)	A (6.8)	A (6.4)
2030 with Development (Case 3) *with Henlopen TID improvements*[3]						
Westbound Cedar Grove Road Approach	-	-	-	A (5.4)	A (7.2)	A (6.5)
Northbound Robinsonville Road Approach	-	-	-	A (8.8)	A (6.0)	A (6.9)
Southbound Robinsonville Road Approach	-	-	-	A (4.5)	A (8.3)	A (6.7)
Overall LOS	-	-	-	A (7.6)	A (7.1)	A (6.7)

[3] The Henlopen TID Improvements scenario includes converting the intersection into a single lane roundabout.

Table 5
Peak Hour Levels Of Service (LOS)
Based on Final Traffic Impact Study for Coral Lakes f.k.a. Novosel
Report Dated: December 22, 2021
Prepared By: Century Engineering, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection)[1]	**LOS per TIS**			**LOS per JMT**		
Kendale Road (Sussex Road 287)/ Wil King Road (Sussex Road 288)	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
2021 with Existing (Case 1)						
Westbound Kendale Road Left Turn	A (8.2)	A (7.8)	A (8.0)	A (8.2)	A (7.8)	A (8.0)
Northbound Wil King Road Approach	B (11.9)	B (11.2)	B (11.9)	B (11.9)	B (11.2)	B (11.9)
2030 without Development (Case 2)						
Westbound Kendale Road Left Turn	A (8.5)	A (8.4)	A (8.6)	A (8.5)	A (8.4)	A (8.6)
Northbound Wil King Road Approach	C (15.4)	C (15.6)	C (17.0)	C (15.3)	C (15.7)	C (17.3)
2030 with Development (Case 3)						
Westbound Kendale Road Left Turn	A (8.6)	A (8.6)	A (8.7)	A (8.6)	A (8.6)	A (8.8)
Northbound Wil King Road Approach	C (16.4)	C (17.0)	C (18.5)	C (16.3)	C (17.1)	C (18.9)

Table 5 (Continued)
Peak Hour Levels Of Service (LOS)
Based on Final Traffic Impact Study for Coral Lakes f.k.a. Novosel
Report Dated: December 22, 2021
Prepared By: Century Engineering, Inc.

Unsignalized Intersection All-Way Stop Control[1]	**LOS per TIS**			**LOS per JMT**		
Kendale Road (Sussex Road 287)/ Wil King Road (Sussex Road 288)	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
2030 with Development (Case 3) *with Henlopen TID improvements*[4]						
Eastbound Kendale Road Approach	-	-	-	B (13.4)	B (14.3)	C (20.0)
Westbound Kendale Road Approach	-	-	-	B (12.6)	B (13.6)	B (14.3)
Northbound Wil King Road Approach	-	-	-	B (10.2)	A (9.5)	B (10.1)
Overall LOS	-	-	-	B (12.6)	B (13.7)	C (16.9)

[4] The Henlopen TID Improvements scenario includes converting the intersection to an all-way stop.

Table 6
Peak Hour Levels Of Service (LOS)
Based on Final Traffic Impact Study for Coral Lakes f.k.a. Novosel
Report Dated: December 22, 2021
Prepared By: Century Engineering, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection)[1]	**LOS per TIS**			**LOS per JMT**		
Kendale Road (Sussex Road 287)/ Beaver Dam Road (Sussex Road 285)	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
2021 with Existing (Case 1)						
Westbound Kendale Road Approach	C (20.0)	E (41.3)	E (45.9)	C (20.0)	E (41.3)	E (45.9)
Southbound Beaver Dam Road Left Turn	A (9.3)	A (8.4)	A (9.2)	A (9.3)	A (8.4)	A (9.2)
2030 without Development (Case 2)						
Westbound Kendale Road Approach	F (220.9)	F (1122.4)	F (1242.9)	F (218.0)	F (946.7)	F (1107.8)
Southbound Beaver Dam Road Left Turn	B (10.6)	A (9.9)	B (11.4)	B (10.4)	A (9.8)	B (11.3)
2030 without Development (Case 2) *with auxiliary turn lanes along all approaches*						
Westbound Kendale Road Approach	-	-	-	D (33.8)	F (285.5)	F (247.8)
Southbound Beaver Dam Road Left Turn	-	-	-	B (10.4)	A (9.8)	B (11.3)
2030 with Development (Case 3)						
Westbound Kendale Road Approach	F (300.1)	F (1618.8)	F (1700.6)	F (296.6)	F (1356.5)	F (1508.8)
Southbound Beaver Dam Road Left Turn	B (10.7)	B (10.3)	B (11.9)	B (10.5)	B (10.2)	B (11.8)

Table 6 (Continued)
Peak Hour Levels Of Service (LOS)
Based on Final Traffic Impact Study for Coral Lakes f.k.a. Novosel
Report Dated: December 22, 2021
Prepared By: Century Engineering, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection)[1]	**LOS per TIS**			**LOS per JMT**		
Kendale Road (Sussex Road 287)/ Beaver Dam Road (Sussex Road 285)	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
2030 with Development (Case 3) *with auxiliary turn lanes along all approaches*						
Westbound Kendale Road Approach	-	-	-	E (38.3)	F (378.9)	F (317.7)
Southbound Beaver Dam Road Left Turn	-	-	-	B (10.5)	B (10.2)	B (11.8)

Table 6 (Continued)
Peak Hour Levels Of Service (LOS)
Based on Final Traffic Impact Study for Coral Lakes f.k.a. Novosel
Report Dated: December 22, 2021
Prepared By: Century Engineering, Inc.

Signalized Intersection [1]	**LOS per TIS**			**LOS per JMT**		
Kendale Road (Sussex Road 287)/ Beaver Dam Road (Sussex Road 285)	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
2030 without development (Case 2) *with Henlopen TID Improvement*[5]	-	-	-	C (20.1)	C (20.5)	B (18.3)
2030 with development (Case 3) *with Henlopen TID Improvement*[55]	-	-	-	C (21.4)	C (20.6)	B (19.5)

[5] The Henlopen TID Improvements scenario includes signalizing the intersection and providing auxiliary lanes along each approach. A cycle length of 120 seconds was utilized for the AM and Saturday peak hours, and cycle length of 90 seconds was utilized for the PM peak hour.

Table 7
Peak Hour Levels Of Service (LOS)
Based on Final Traffic Impact Study for Coral Lakes f.k.a. Novosel
Report Dated: December 22, 2021
Prepared By: Century Engineering, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection)[1]	**LOS per TIS**			**LOS per JMT**		
Robinsonville Road (Sussex Road 277)/ Harts Road (Sussex Road 277A)	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
2021 with Existing (Case 1)						
Westbound Harts Road Approach	B (10.4)	B (11.6)	B (12.4)	B (10.4)	B (11.6)	B (12.4)
Southbound Robinsonville Road Left Turn	A (8.0)	A (7.6)	A (7.9)	A (8.0)	A (7.6)	A (7.9)
2030 without Development (Case 2)						
Westbound Harts Road Approach	B (13.8)	C (19.6)	C (24.0)	B (12.9)	C (19.6)	C (24.4)
Southbound Robinsonville Road Left Turn	A (8.7)	A (8.2)	A (8.6)	A (8.3)	A (8.2)	A (8.7)
2030 without Development (Case 2) *with Henlopen TID Improvement*[6]						
Westbound Harts Road Approach	-	-	-	B (12.6)	B (14.8)	C (15.1)
Southbound Robinsonville Road Left Turn	-	-	-	A (8.3)	A (8.2)	A (8.3)

[6] The Henlopen TID Improvements scenario includes removing the Harts Road connection to Delaware Route 24 and constructing an alternative connecting roadway between Delaware Route 24 and Robinsonville Road across from Jane Way. The TIS did not account for the resulting volume change under Case 2 and 3 conditions, whereas JMT redistributed volumes to account for the closure.

Table 7 (continued)
Peak Hour Levels Of Service (LOS)
Based on Final Traffic Impact Study for Coral Lakes f.k.a. Novosel
Report Dated: December 22, 2021
Prepared By: Century Engineering, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection)[1]	**LOS per TIS**			**LOS per JMT**		
Robinsonville Road (Sussex Road 277)/ Harts Road (Sussex Road 277A)	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
2030 with Development (Case 3)						
Westbound Harts Road Approach	B (14.7)	D (27.6)	E (37.1)	C (15.6)	D (27.5)	E (38.0)
Southbound Robinsonville Road Left Turn	A (8.8)	A (8.5)	A (9.0)	A (8.6)	A (8.6)	A (9.0)
2030 with Development (Case 3) *with Henlopen TID Improvement*[6]						
Westbound Harts Road Approach	-	-	-	B (13.8)	C (17.4)	C (17.5)
Southbound Robinsonville Road Left Turn	-	-	-	A (8.4)	A (8.5)	A (8.5)

Table 8
Peak Hour Levels Of Service (LOS)
Based on Final Traffic Impact Study for Coral Lakes f.k.a. Novosel
Report Dated: December 22, 2021
Prepared By: Century Engineering, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection)[1]	**LOS per TIS**			**LOS per JMT**		
Delaware Route 24/Harts Road [7]	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
2021 with Existing (Case 1)						
Eastbound Harts Road Approach	C (21.6)	C (22.3)	E (43.2)	C (20.1)	C (21.2)	E (40.7)
Northbound Delaware Route 24 Left Turn	A (7.9)	A (8.9)	A (8.4)	A (8.0)	A (9.0)	A (8.5)
2030 without Development (Case 2)						
Eastbound Harts Road Approach	F (123.8)	F (196.3)	F (701.0)	F (81.5)	F (134.4)	F (562.7)
Northbound Delaware Route 24 Left Turn	A (8.4)	B (10.3)	A (9.5)	A (8.5)	B (10.4)	A (9.7)
2030 with Development (Case 3)						
Eastbound Harts Road Approach	F (237.9)	F (323.8)	F (929.5)	F (153.0)	F (211.5)	F (725.9)
Northbound Delaware Route 24 Left Turn	A (8.4)	B (10.5)	A (9.7)	A (8.5)	B (10.7)	A (9.9)

[7] The TIS modeled the intersection with shared lanes along all approaches. JMT modeled the intersection with one left turn lane and one right turn lane along the eastbound Harts Road Approach, one left turn lane and one through lane along the northbound Delaware Route 24 approach, and one through lane and one right turn lane along the southbound Delaware Route 24 approach, per existing conditions.

Table 9
Peak Hour Levels Of Service (LOS)
Based on Final Traffic Impact Study for Coral Lakes f.k.a. Novosel
Report Dated: December 22, 2021
Prepared By: Century Engineering, Inc.

Signalized Intersection [1]	**LOS per TIS**			**LOS per JMT**		
Delaware Route 24/Camp Arrowhead Road (Sussex Road 279)/Fairfield Drive [8, 9]	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
2021 with Existing (Case 1)	F (97.1)	D (38.1)	F (81.4)	E (77.6)	D (48.5)	E (68.6)
2021 with Existing (Case 1) *with signal optimization [10]*	C (23.1)	C (33.5)	C (30.1)	C (30.0)	C (22.5)	C (32.9)
2030 without Development (Case 2) [11]	E (62.1)	C (29.9)	E (61.2)	D (43.2)	C (27.8)	D (46.9)
2030 without Development (Case 2) *with Henlopen TID Improvements [12]*	-	-	-	C (26.2)	C (23.0)	C (32.5)
2030 with Development (Case 3) [11]	E (72.8)	C (31.7)	E (67.5)	D (45.4)	C (29.1)	D (51.6)
2030 with development (Case 3) *with Henlopen TID Improvements [12]*	-	-	-	C (26.4)	C (23.0)	C (32.7)

[8] The TIS modeled the Delaware Route 24 intersections with Camp Arrowhead Road/Fairfield Drive and Robinsonville Road/Angola Road separately, whereas JMT modeled the intersections as part of a coordinated corridor, per existing conditions.

[9] Due to a lack of right turn on red count data, JMT modeled the intersection with right turn overlap phases to account for right turn on red movements, whereas the TIS did not.

[10] Signal optimization scenario includes optimizing green split times while maintaining signal cycle lengths.

[11] The Case 2 and Case 3 future analysis includes improvements to intersections 8 and 9 as part of the *HSIP SR 24 at Camp Arrowhead Road and SR 24 at Angola Road* project (DelDOT Contract No. T201200902). As such, signal timings have been optimized.

[12] Henlopen TID Improvements scenario includes the provision of an additional through lane along northbound and southbound Delaware Route 24.

Table 10
Peak Hour Levels Of Service (LOS)
Based on Final Traffic Impact Study for Coral Lakes f.k.a. Novosel
Report Dated: December 22, 2021
Prepared By: Century Engineering, Inc.

Signalized Intersection [1]	**LOS per TIS**			**LOS per JMT**		
Delaware Route 24/Robinsonville Road/Angola Road (Sussex Road 277)[8, 9]	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
2021 with Existing (Case 1)	-	-	-	F (73.6)	E (56.5)	E (65.8)
2021 with Existing (Case 1) *with signal optimization* [10]	D (40.0)	D (41.7)	D (39.9)	D (45.4)	D (42.9)	D (49.1)
2030 without Development (Case 2) [11, 13]	D (43.3)	D (47.0)	D (45.4)	D (41.5)	D (40.4)	D (38.4)
2030 without Development (Case 2) *with Henlopen TID Improvements* [12]	-	-	-	C (34.5)	C (34.1)	C (33.5)
2030 with Development (Case 3) [11, 13]	D (45.4)	D (54.7)	D (48.8)	D (43.8)	D (41.3)	D (40.0)
2030 with development (Case 3) *with Henlopen TID Improvements* [12]	-	-	-	C (34.6)	C (34.6)	C (33.7)

[13] Improvements as part of the *HSIP SR 24 at Camp Arrowhead Road and SR 24 at Angola Road* project (DelDOT Contract No. T201200902) include the provision of one left turn lane, one through lane, and one right turn lane along all approaches.

Table 11
Peak Hour Levels Of Service (LOS)
Based on Final Traffic Impact Study for Coral Lakes f.k.a. Novosel
Report Dated: December 22, 2021
Prepared By: Century Engineering, Inc.

Signalized Intersection [1]	**LOS per TIS**			**LOS per JMT**		
Delaware Route 24/Hollymount Road (Sussex Road 48)	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
2021 with Existing (Case 1)	C (21.1)	B (19.3)	C (24.6)	D (50.9)	E (56.0)	F (115.7)
2021 with Existing (Case 1) *with signal optimization*	-	-	-	C (20.9)	B (18.0)	C (21.3)
2030 without Development (Case 2)	C (25.1)	C (33.3)	F (82.6)	F (86.9)	F (163.7)	F (282.5)
2030 without Development (Case 2) *with signal optimization*	-	-	D (39.9)	C (24.1)	C (27.2)	D (42.8)
2030 without Development (Case 2) *with Henlopen TID Improvement*[14]	-	-	-	C (23.1)	C (25.7)	D (40.7)
2030 with Development (Case 3)	C (25.9)	D (37.7)	F (94.8)	F (96.8)	F (184.4)	F (305.4)
2030 with Development (Case 3) *with signal optimization*	-	-	-	C (25.3)	C (27.9)	D (46.1)
2030 with development (Case 3) *with Henlopen TID Improvement*[14]	-	-	-	C (23.5)	C (26.7)	D (43.6)

[14] Henlopen TID Improvements scenario includes providing separate left turn lanes along northbound Sloan Lane and southbound Hollymount Road.

Jamie Whitehouse

From: Judy M. Lattanzi <noreply@forms.email>
Sent: Sunday, January 16, 2022 3:46 PM
To: Jamie Whitehouse
Subject: Contact Form: proposal to clear cut forest on Robinsonville Road

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.

Name: Judy M. Lattanzi
Email: thepatria@aol.com
Phone: 3025214569
Subject: proposal to clear cut forest on Robinsonville Road
Message: On 1/22/22 the planning council will hear proposals for Robinsonville Road, Please consider saving as much of the forest and wetlands as possible, Thank you for your consideration.

RECEIVED

JAN 16 2022

SUSSEX COUNTY
PLANNING & ZONING

Jamie Whitehouse

From: Barbara P Conroy <noreply@forms.email>
Sent: Friday, January 14, 2022 8:45 AM
To: Jamie Whitehouse
Subject: Contact Form: January 27, 2022 meeting

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.

Name: Barbara P Conroy
Email: conroy19@verizon.net
Phone: 3029470780
Subject: January 27, 2022 meeting
Message: January 27th, Sussex County Planning and Zoning Commission will hear a case to clear cut 95 acres of pristine woodland and large areas of wetlands to build 315 homes that will dump out onto Robinsonville Road near Webb Farm Road.
Please deny this proposed development. Robinsonville Rd. cannot handle more traffic. Shell Brothers are in the process of building a number of homes along this road. The over-development of the area is destroying the way of life for which we moved to Delaware.

RECEIVED

JAN 14 2022

SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Pat FitzGerald <pfitzgerald@comcast.net>
Sent: Wednesday, January 19, 2022 7:50 AM
To: Jamie Whitehouse
Subject: Objection to Robinsonville Rd. Area development
Attachments: Letter to Mr. Whitehouse.docx

RECEIVED
JAN 19 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.

Hello Mr. Whitehouse,

Below is my correspondence pertaining to the above project.

Opposition
Exhibit

Thank You.

Jan. 18, 2022

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

Re: Objection to 315 homes development off Robinsonville Rd., near Webb's Landing Rd.

Dear Mr. Whitehouse & members of the Council,

I am writing you to let you know that I am in opposition to the proposed residential project. In my opinion there are already too many projects either under construction, or in the process of being developed in that area given the existing road network.

In addition, I understand that the property has a significant amount of forested & wetland areas that should not be sacrificed to development.

Sincerely,

Patrick FitzGerald
38291 Anna B St.
Rehoboth Beach, DE 19971

Jesse Lindenberg

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE <webmaster@sussexcountyde.gov>
Sent: Wednesday, January 19, 2022 3:57 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Wednesday, January 19, 2022 - 3:57pm

Name: Lynnette Tinacci
Email address: lynntinacci@yahoo.com
Phone number: 2037704994
Subject: Proposed development near Webb's Landing Road
Message:
Dear Commissioners,
I live at the Retreat of Love Creek at the corner of Cedar Grove Road and Robbinsonville Road. I am very opposed tp the proposed development that will be very near Love Creek. The cutting of a large grove of trees will impact our important wetlands and the size of the development will have a negative impact on the environment. We don't need another 300+ homes that will negatively impact traffic on Robbinsonville and will harm Love Creek and its environs. Please do not approve this application. Thank you.

RECEIVED

JAN 19 2022

SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Opposition Exhibit

William & Jill Hicks
37 Aintree Drive
Chapel Green
Lewes, DE 19958

RECEIVED
JUL 30 2021
SUSSEX COUNTY
PLANNING & ZONING

July 1, 2021

Primary Land Use Service (PLUS)
122 Martin Luther King Jr. Blvd.
South, Dover, DE 19901

The Office of Planning and Zoning
2 The Circle
P.O. Box 417
Georgetown, DE 19947

DNREC
Division of Watershed and Stewardship
The Richardson and Robbins Building
89 Kings Highway
Dover, DE 19901

Subject: **Adkins Novosel AR – Cluster Option Subdivision, Conceptual Land Use Plan, Submitted September 29, 2020**

May this letter serve to officially register our concerns with the Adkins Novosel AR – Cluster Option Subdivision, Conceptual Land Use Plan submitted on September 29, 2020. We, the residents of Aintree Drive, Chapel Green, Lewes, DE, whose properties abut the south and southeast side of the Conceptual Land Use Plan, referenced above, are concerned with the removal of the forest directly behind our homes and the impact this will have on our properties. Environmental studies show that the removal of large areas of forestation in low lying areas can raise the water table by as much as seven inches and cause additional flooding. This effect is known as "watering up." Watering up can create flooding on neighboring properties, and in extreme cases, undermine and compromise structures. Removal of the forest also removes the buffer created by the greater forested area, leaving the remaining mature trees vulnerable to high winds. Our properties are populated by tall loblolly pines that depend on the buffer that is provided by the forest. If the forest is removed right up to our property lines, our homes would be put at risk.

We are also concerned that squeezing homes in between our properties and the proposed ponds will create damaging run-off onto our properties. To avoid what happened with Robinson vs. Oakwood Village, across Wil King Road from our subdivision, we need to be assured that if the forest is removed, and the site elevation rises to accommodate the homes to be built, that it does not cause runoff onto our properties and that the proposed collection ponds will contain any

water that would have otherwise been absorbed by the existing forest and run-off created by any changes in elevation.

There already exists a flooding issue with the large wetlands on either side of Wil King Road which could also be negatively impacted if the Adkins forest is removed. They are part of the same watershed.

We request that the forest which abut our properties not be removed. If this project is to go forward, we request that no elevation increases be allowed between our homes and the collection ponds and that a greater buffer of trees remain or be added to insure our properties will not be damaged and negatively impacted. We request to be notified of any public meetings to be held regarding the above proposed land use.

Sincerely,

William & Jill Hicks
37 Aintree Drive

Frank & Donna Schmitt
39 Aintree Drive

Gary & Susan Rosenblum
29 Aintree Drive

Jim & Kim Linus
57 Aintree Drive

Harry & Eileen Brown
53 Aintree Drive

John & Shelley Kennedy
41 Aintree Drive

Vito & Kerry Russo
43 Aintree Drive

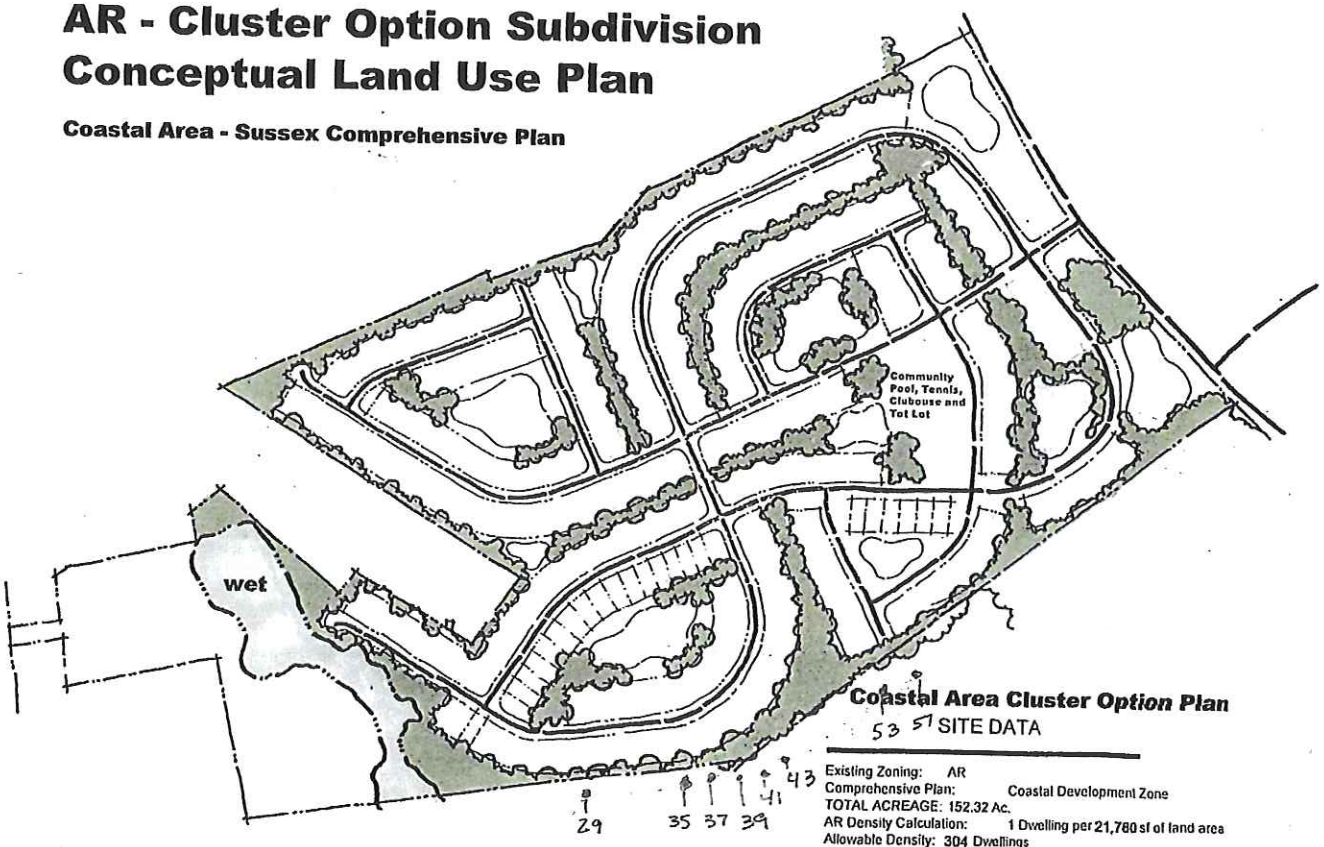
Kyle Poherely
35 Aintree Drive

CC: Chapel Green HOA

Adkins, Novocel, Josh Gray

ADKINS NOVOSEL
AR - Cluster Option Subdivision
Conceptual Land Use Plan

Coastal Area - Sussex Comprehensive Plan



Coastal Area Cluster *Option* Plan

SITE DATA

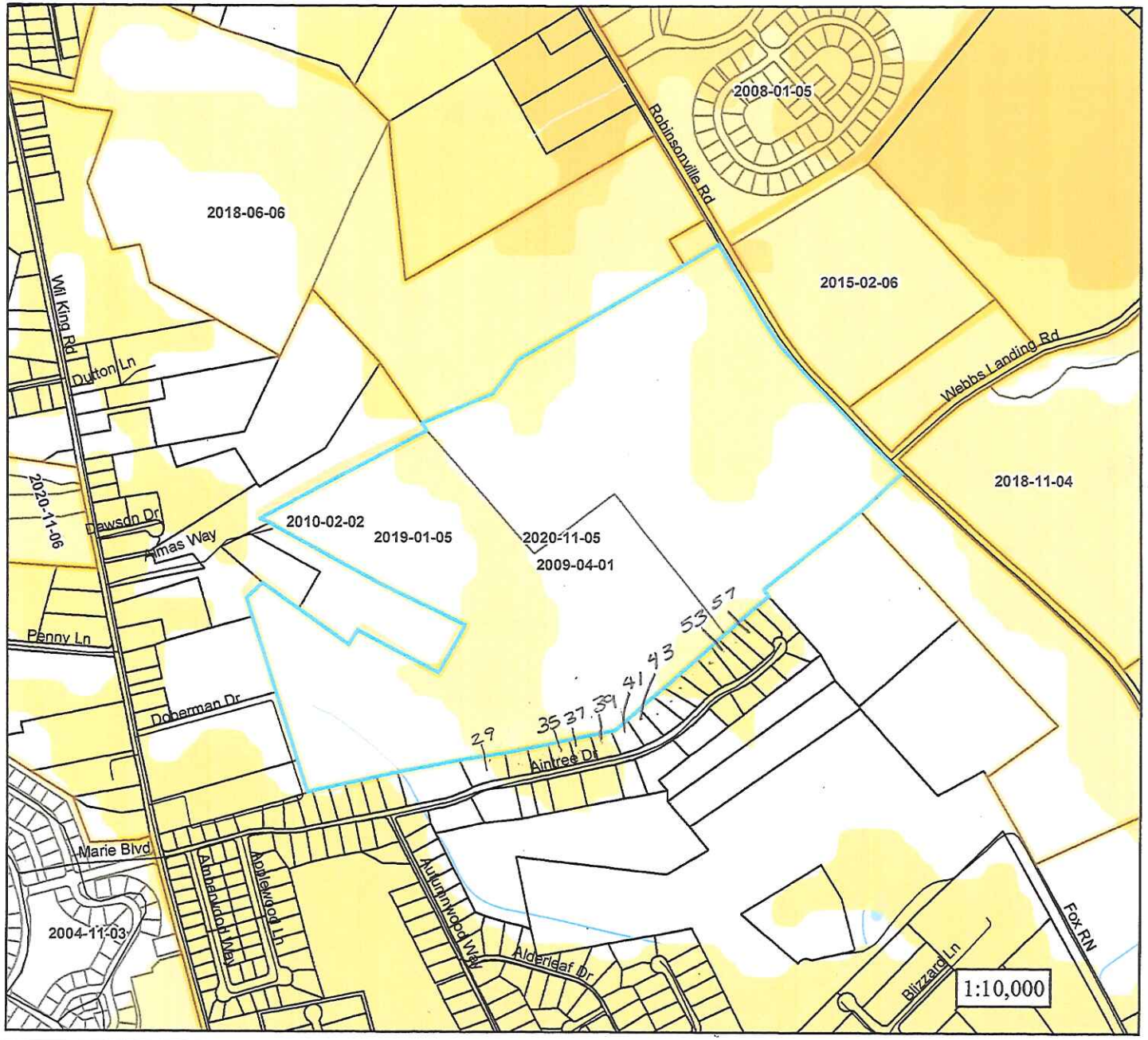
Existing Zoning: AR
Comprehensive Plan: Coastal Development Zone
TOTAL ACREAGE: 152.32 Ac.
AR Density Calculation: 1 Dwelling per 21,780 sf of land area
Allowable Density: 304 Dwellings
Density Illustrated: 304 Dwellings
Minimum Lot Size: 7,500 sf
Minimum Lot Width: 60'
Lot Size Illustrated: 60' x 125'

NOTE:

Site has central water and wastewater collection and treatment system

09.29.2020

Preliminary Land Use Service (PLUS)



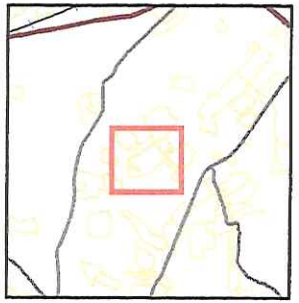
Adkins Novosel - Gray
2020-11-05

Legend

PLUS Project Areas type
- Comp Plans
- All Other PLUS Reviews

2020 State Strategies Strategy Level
- Level 1
- Level 2
- Level 3
- Level 4
- Out of Play

Location Map

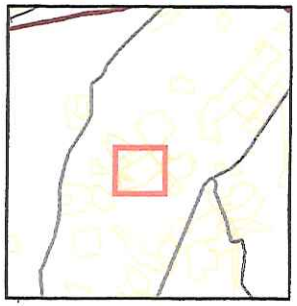


Preliminary Land Use Service (PLUS)

Adkins Novosel - Gray
2020-11-05

Legend
PLUS Project Areas
type
Comp Plans
All Other PLUS Reviews

Location Map



Preliminary Land Use Service (PLUS)

Delaware State Planning Coordination

122 Martin Luther King Jr. Blvd., South • Dover, DE 19901 • Phone: 302-739-3090 • Fax: 302-739-5661

Purpose of PLUS - -The PLUS process is intended to provide consolidated State comments regarding the proposed project. The Applicant is encouraged to submit the application during the concept stages of planning as this process often offers recommendations for changes to the plan. The application should be submitted after the pre-application meeting with the local jurisdiction but before formal application is made.

Please complete this PLUS application in its entirety. **All questions must be answered. If a question is unknown at this time or not applicable, please explain.** Unanswered questions on this form could lead to delays in scheduling your review. This form will enable the state staff to review the project before the scheduled meeting and to have beneficial information available for the applicant and/or developer at the time of review. If you need assistance or clarification, please call the State Planning Office at (302) 739-3090.

PLUS Number (to be completed by OSPC): 2020-11-05

Investment Level Per Strategies for State Policies and Spending (to be determined by OSPC): 3/4

1. Project Title/Name: Adkins Novosel - Gray
2. Location (please be specific): Robinsonville Road across from intersection with Webbs Landing Road
3. Parcel Identification #: 234-6.00-67.00 & 84.00
4. County or Local Jurisdiction Name: where project is located: Sussex
5. If contiguous to a municipality, are you seeking annexation: N/A
6. Owner's Name: (1) The Adkins Company and (2) John M. & Linda C. Novosel

   Address: P.O. Box 156; Berlin MD 21811 (Adkins) 32043 Conleys Chapel Rd, Lewes 19958 (Novosel)

   City: State: Zip:

   Phone: Fax: Email:

7. Equitable Owner/Developer **(This Person is required to attend the PLUS meeting):** Double DB, LP

   Address: 507 North York Street, Suite 2D

   City: Mechanicsburg State: PA Zip: 17055

   Phone: 717-461-2401 Fax: Email: webster.gray@yahoo.com

8. Project Designer/Engineer: Land Tech Land Planning, LLC

   Address: Taggart Professional Center, Suite 202; 32895 South Coastal Highway

   City: Bethany Beach State: DE Zip: 19930

   Phone: 302-539-2366 Fax: Email: jeffc@landtechllc.com

9. **Please Designate a Contact Person, including phone number, for this Project:** Jeff Clark, RLA 302-539-2366

Information Regarding Site:

10. Type of Review: ☐ Rezoning, if not in compliance with certified comprehensive plan ☐ Site Plan Review ☒ Subdivision

11. Brief Explanation of Project being reviewed:
An AR Coastal Area Cluster Option subdivision served by central water and central sewer
If this property has been the subject of a previous LUPA or PLUS review, please provide the name(s) and date(s) of those applications. PLUS 2019-01-05

12. Area of Project (Acres +/-): 152.32 Number of Residential Units: 304 Commercial square footage: N/A

13. Present Zoning: AR-1	14. Proposed Zoning: AR-1
15. Present Use: Vacant - Not Farmed	16. Proposed Use: Single family lot subdivision

17. Water: ☒ Central (Community system) ☐ Individual On-Site ☒ Public (Utility)
Service Provider Name: Artesian Water Company
Will a new public well be located on the site? ☐ Yes ☒ No

18. Wastewater: ☐ Central (Community system) ☒ Individual On-Site ☐ Public (Utility)
Service Provider Name: Sussex County
Will a new community wastewater system be located on this site? ☐ Yes ☒ No

19. If residential, describe style and market segment you plan to target (Example- Age restricted):
Upscale medium to large single family homes for year around retiree, and second home occupancy.

20. Environmental impacts:
How many forested acres are presently on-site? 143.5 ac. How many forested acres will be removed? 95.5

To your knowledge, are there any wetlands, as defined by the U.S. Army Corps of Engineers or the Department of Natural Resources and Environmental Control, on the site? ☒ Yes ☐ No

Are the wetlands: ☐ Tidal Acres:
☒ Non-tidal Acres: 4.87

If "Yes", have the wetlands been delineated? ☒ Yes ☐ No

Has the Army Corps of Engineers signed off on the delineation? ☐ Yes ☒ No Pending

Will the wetlands be directly impacted and/or do you anticipate the need for wetland permits? ☐ Yes ☒ No If "Yes", describe the impacts:

How close do you anticipate ground disturbance to wetlands, streams, wells, or waterbodies? +/- 50'

21. Does this activity encroach on or impact any tax ditch, public ditch, or private ditch (ditch that directs water off-site)? ☐ Yes ☒ No

22. List the proposed method(s) of stormwater management for the site: Combination of infiltration basins and wet ponds BMP's

23. Is open space proposed? ☒ Yes ☐ No If "Yes," how much? Acres: +/- 50 acres

What is the intended use of the open space (for example, active recreation, passive recreation, stormwater management, wildlife habitat, historical or archeological protection)? Active/Passive recreation

24. Are you considering dedicating any land for community use (e.g., police, fire, school)? ☐ Yes ☒ No

25. Please estimate How many vehicle trips will this project generate on an average weekday? A trip is a vehicle entering or exiting. If traffic is seasonal, assume peak season: 2,892 Trips

What percentage of those trips will be trucks, excluding vans and pick-up trucks? 1% (Trash pick-up, mail, UPS, Fed Ex)

26. Will the project connect to state maintained roads? ☒ Yes ☐ No

27. Please list any locations where this project physically could be connected to existing or future development on adjacent lands and indicate your willingness to discuss making these connections. Refer to site plan

28. Are there existing sidewalks? ☐ Yes ☒ No; bike paths ☐ Yes ☒ No
Are there proposed sidewalks? ☒ Yes ☐ No; bike paths ☒ Yes ☐

Is there an opportunity to connect to a larger bike, pedestrian, or transit network? ☒ Yes ☐ No

29. To your knowledge, is this site in the vicinity of any known historic/cultural resources or sites? ☐ Yes ☒ No

Has this site been evaluated for historic and/or cultural resources? ☐ Yes ☒ No

Would you be open to a site evaluation by the State Historic Preservation Office? ☐ Yes ☒ No

30. To promote an accurate review of your parcel's features, would you permit a State agency site visit? ☐ Yes ☒ No
Person to contact to arrange visit: _____ phone number: _____

31. Are any federal permits, licensing, or funding anticipated? ☐ Yes ☒ No

I hereby certify that the information on this application is complete, true and correct, to the best of my knowledge.

Signature of property owner Editable Owner/Developer — Date 10.30.2020

Signature of Person completing form Jeff Clark, RLA — Date 10.30.2020
(If different than property owner)

Signed application must be received before application is scheduled for PLUS review.

This form should be returned to the Office of State Planning **electronically** at plus@state.de.us **along with *an* electronic copy of any site plans and development plans for this site.** Site Plans, drawings, and location maps should be submitted as image files (JPEG, GIF, TIF, etc.) or as PDF files. GIS data sets and CAD drawings may also be submitted. If electronic copy of the plan is not available, contact The Office of State Planning Coordination at (302) 739-3090 for further instructions. A signed copy should be forwarded to the Office of State Planning, 122 William Penn Street, Dover, DE 19901. Thank you for this input. Your request will be researched thoroughly. **Please be sure to note the contact person** so we may schedule your request in a timely manner.

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.

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

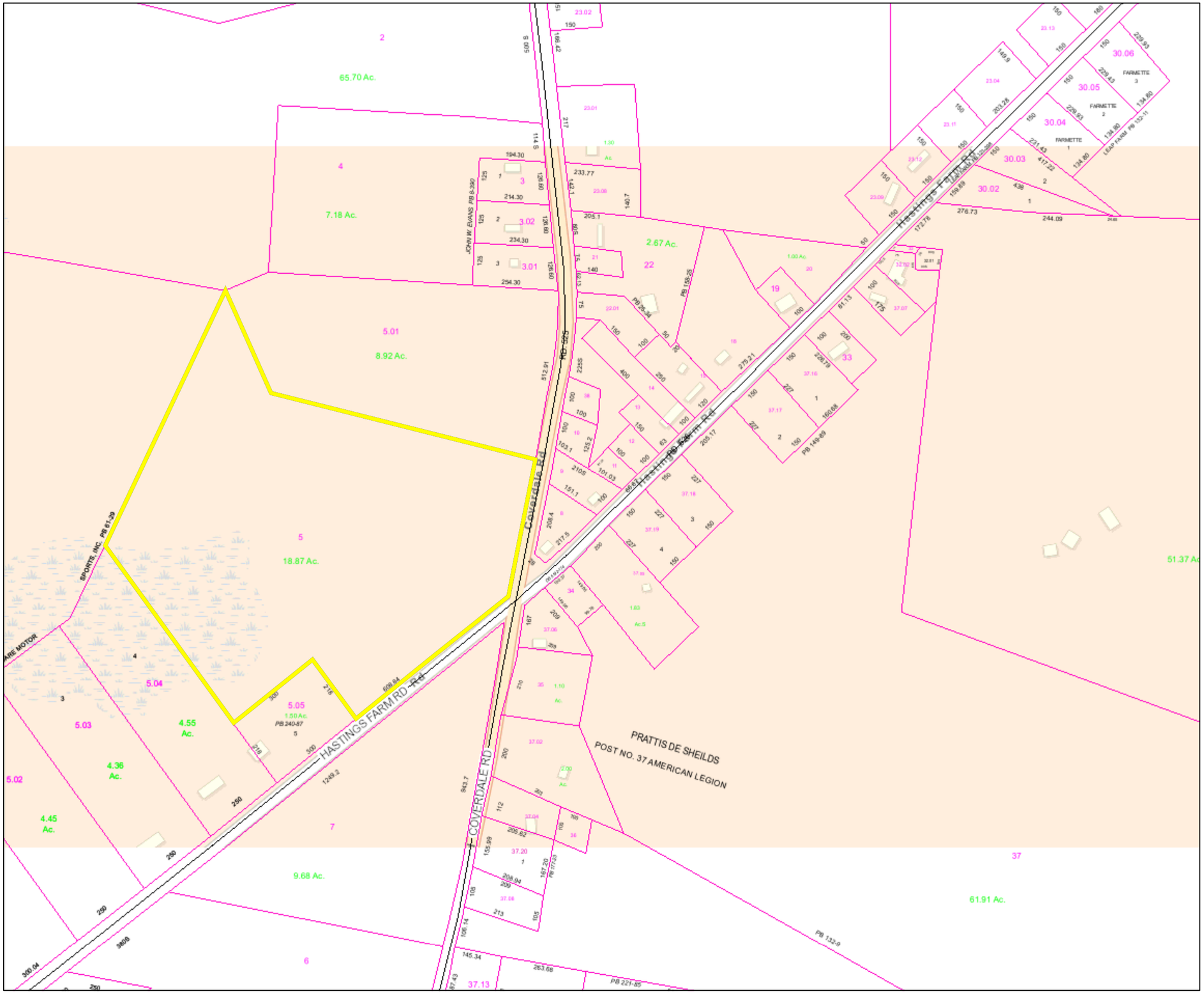
Sussex County
DELAWARE
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, MRTPI, AICP
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: January 27th, 2022

Application:	CU 2270 Mitchell Racetrack
Applicant:	Gregory P. Mitchell 18288 Phillips Hill Road Laurel, DE 19956
Owner:	Gregory P. Mitchell 18288 Phillips Hill Road Laurel, DE 19956
Site Location:	Lying on west side of Coverdale Rd. (S.C.R 525) approximately 900' north of the intersection of Hastings Farm Road (S.C.R. 526) and Coverdale Road
Current Zoning:	Agricultural Residential (AR-1) Zoning District
Proposed Use:	Operation of an outdoor racetrack
Comprehensive Land Use Plan Reference:	Low Density
Councilmanic District:	Ms. Green
School District:	Seaford School District
Fire District:	Seaford Fire Department
Sewer:	N/A
Water:	N/A
Site Area:	27.79 acres +/-
Tax Map ID.:	231-9.00-5.00 & 231-9.00-5.01

EQUAL HOUSING OPPORTUNITY

Sussex County



PIN:	231-9.00-5.00
Owner Name	MATR LLC
Book	4657
Mailing Address	18288 PHILLIPS HILL RD
City	LAUREL
State	DE
Description	NW/COR RDS 525 526
Description 2	
Description 3	
Land Code	

polygonLayer
Override 1

polygonLayer
Override 1
Tax Parcels
Streets
County Boundaries

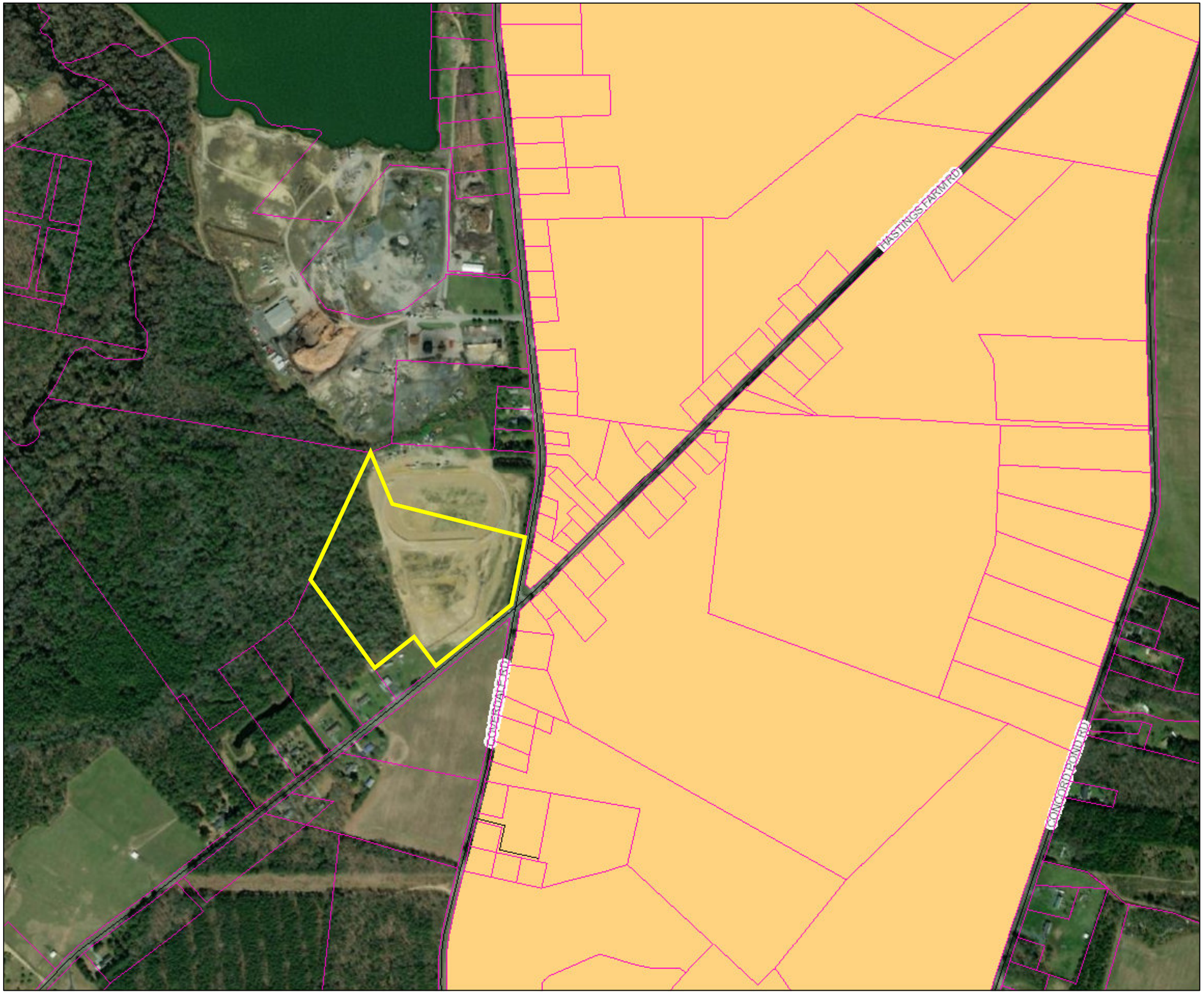
1:4,514

0 0.05 0.1 0.2 mi

0 0.075 0.15 0.3 km

December 15, 2021

Sussex County



PIN:	231-9.00-5.00
Owner Name	MATR LLC
Book	4657
Mailing Address	18288 PHILLIPS HILL RD
City	LAUREL
State	DE
Description	NW/COR RDS 525 526
Description 2	N/A
Description 3	N/A
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

Streets

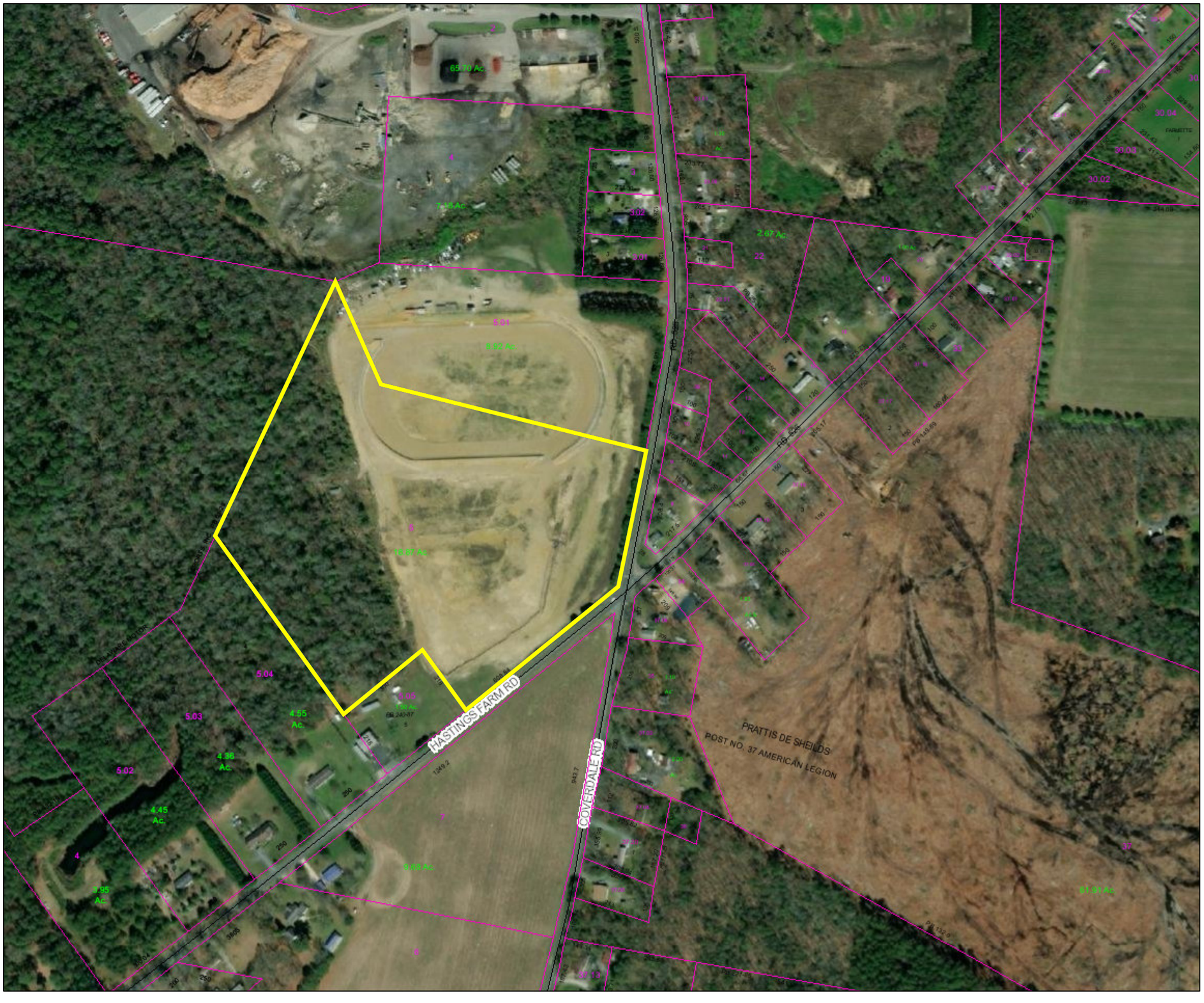
1:9,028

0 0.1 0.2 0.4 mi

0 0.175 0.35 0.7 km

December 15, 2021

Sussex County



PIN:	231-9.00-5.00
Owner Name	MATR LLC
Book	4657
Mailing Address	18288 PHILLIPS HILL RD
City	LAUREL
State	DE
Description	NW/COR RDS 525 526
Description 2	
Description 3	
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

Streets

County Boundaries

1:4,514

0 0.05 0.1 0.2 mi

0 0.075 0.15 0.3 km

December 15, 2021

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

Sussex County
DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Planning Commission Members
From: Jesse Lindenberg, Planner I
CC: Vince Robertson, Assistant County Attorney and Applicant
Date: January 20, 2022
RE: Staff Analysis for CU 2270 Gregory P. Mitchell

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2270 Gregory P. Mitchell to be reviewed during the January 27, 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: 231-9.00-5.00 and 5.01 for an outdoor racetrack. The parcel is lying on the northwest side of the intersection of Hastings Farm Road (S.C.R. 526) and Coverdale Road (S.C.R. 525). The parcel consists of 27.81 acres +/-.

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." The surrounding and adjacent properties located to the north, south, east and west of the subject property also lie within the "Low Density" and the "Existing Development Area" Future Land Use Map designations.

As outlined in the 2018 Sussex County Comprehensive Plan, Low Density areas are intended to support agricultural uses and low-density single-family housing. Specifically, the Comprehensive Plan states that single family homes have a density of up to two dwelling units to the acre. It is envisioned that the Low-Density Areas allow for businesses that support nearby residents and the agricultural economy. More intense commercial uses could be limited in scale and impact. While residential growth is expected, the Comprehensive Plan intends for the rural landscape to be maintained and for farmland to be preserved in select locations.

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

Since 1971, there have been 14 Conditional Use applications within a one-mile radius of the application site. Of the 14 Conditional Use applications within a one-mile radius, 10 have been approved, 2 have been denied, and 2 have been withdrawn.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional use for an outdoor racetrack, subject to considerations of scale and impact, could be considered as being consistent with the land use, area zoning and surrounding uses.

File #: CU 2270
202102542
202102543

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

22382 Coverdale Rd. Seaford, DE 19973

Type of Conditional Use Requested:

Be able to race 4cyl FWD cars, 4cyl Pickup Trucks and any other 4cyl. race cars.

Tax Map #: 231-9.00-5.00 + 5.01 **Size of Parcel(s):** 27.81

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

Land Use Classification: Low Density

Water Provider: None **Sewer Provider:** None

Applicant Information

Applicant Name: Gregory P. Mitchell
Applicant Address: 18288 Phillips Hill Rd
City: Laurel State: DE ZipCode: 19956
Phone #: 302-519-9748 E-mail: middletonspeedway@Gmail.com

Owner Information

Owner Name: Same
Owner Address: _____
City: _____ State: _____ Zip Code: _____
Phone #: _____ E-mail: _____

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: _____
Agent/Attorney/Engineer Address: _____
City: _____ State: _____ Zip Code: _____
Phone #: _____ E-mail: _____

EQUAL HOUSING OPPORTUNITY

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.**

___ **DelDOT 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 by 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

Gregory P. Mitchell Date: 2-22-21

Signature of Owner

Gregory P. Mitchell Date: 2-22-21

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: _____

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

JENNIFER COHAN
SECRETARY

November 13, 2020

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 **Gregory P. Mitchell / MATR, LLC** conditional use application, which we received on October 14, 2020. This application is for an approximately 27.79-acre assemblage of parcels (Tax Parcels: 231-9.00-5.00 and 5.01). The subject land is located at the northwest corner of the intersection of Hastings Farm Road (Sussex Road 526) and Coverdale Road (Sussex Road 525), northeast of Seaford. The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking a conditional use approval to utilize the property for an auto racing speedway.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Hastings Farm Road where the subject land is located is 351 vehicles per day. As the subject land also has frontage along Coverdale Road, the annual average daily traffic volume along that road segment is 3,270 vehicles per day.

The traffic impact of the proposed use necessarily varies with the frequency and size of the events. Generally, DelDOT bases its decision to require a Traffic Impact Study (TIS) on traffic volumes that recur on a daily or weekly basis. Large enough auto racing events may require coordination with our Transportation Management Center but they cannot be properly addressed by the TIS process.

Regarding DelDOT's warrants for requiring a TIS, events that would generate more than 50 vehicle trips in any hour and more than 500 vehicle trips per day would meet these warrants. Events generating more than 200 vehicle trips in any hour and / or more than 2,000 vehicle trips per day would be considered to have a Major impact to local area roadways. Because we expect the typical auto racing event to generate no more than 50 vehicle trips in any hour and no more than 500 vehicle trips per day, we recommend that this conditional use application be considered without a TIS.

DelDOT

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 Mr. Claudy Joinville, at (302) 760-2124, if you have questions concerning this correspondence.

Sincerely,

T. William Brockenbrough, Jr.

T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:cjm
cc: Gregory P. Mitchell / MATR, LLC, Applicant
Russell Warrington, Sussex County Planning & Zoning
Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Todd Sammons, Assistant Director, Development Coordination
Gemez Norwood, South District Public Works Manager, Maintenance & Operations
Susanne K. Laws, 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

June 7, 2010

Thomas Morris
8115 Hearns Pond Road
Seaford, DE 199973

RE: Middleford Raceway
Northwest Corner of Route 525 and Route 526
Tax Map I.D. 231-9.00 Parcel 5.00 and 5.01

Dear Mr. Morris:

Please be advised that it has been brought to the attention of this Department that the type of races has been expanded at the Middleford Raceway. It has been reported that racing of small 4-cycle trucks is taking place at the Raceway. There was an advertisement is Sussex Guide for the races.

Be advised that the Middleford Raceway is a non-conforming raceway and was limited to go-cart and motorcycle racing. Micro-midget racing was permitted since the engines were of a motorcycle type.

Racing automobiles and trucks is not permitted under the non-conforming use status. If the promoters desire to continue this type of racing, it will be necessary that they apply for a Conditional Use of the property to expand the raceway for the additional type of races.

The property is zoned AR-1 Agricultural Residential. The Zoning Ordinance reference is: Chapter 115, Article IV, Section 115-22 (Conditional Use) references "racetracks, any type, including horses, stock cars or drag racing". Continuation of the racing reported shall be considered a violation of the Zoning Ordinance and legal action will be taken.

Please respond upon receipt of this letter so that this Department can file your response to establish if any further action will be necessary.

Should you have any questions, please do not hesitate to contact me at this Department.

Sincerely,

Lawrence B. Lank
Director of Planning and Zoning

Cc: Vincent Robertson, Assistant County Attorney

Matthew & Stacey Long
35158 Lynch Road
Millsboro, DE 19966

October 18, 2021

Sussex County Planning & Zoning Department
2 The Circle
PO Box 417
Georgetown, DE 19947

RE: Conditional Use Application
Letter of Support
Middleford Speedway
22382 Coverdale Road
Seaford, DE 19973

Sussex County Planning & Zoning Commissioners:

This letter is in reference to the conditional use application filed by Gregory Mitchell for a motorsports track at the address stated above on Tax Map Parcel #'s 231-9.00-5.00 & 5.01. As lifelong fans of dirt track racing, we encourage you to support the endeavor of Gregory Mitchell for a dirt track at this location. This property has been utilized in this same capacity for as long as I can remember.

Dirt track racing is a fun, family-oriented activity that is well needed in today's society. This teaches young children, teens and adults about healthy competition while being respectable and sportsman like towards one another. What better way for families to spend time together while doing something they enjoy and love. Taking this away from the community is not only detrimental to the racers, but also to the supporting fans.

In closing, I urge you to make the appropriate decision in allowing this use to continue on this property and continuing the lifelong dream of the Mitchell family.

Thank you for your consideration on this matter.

Sincerely,

Stacey Long

Matthew Long

RECEIVED
JAN 20 2022
SUSSEX COUNTY
PLANNING & ZONING

Sussex County Planning & Zoning

Dear Commission Members

I am writing this letter to express my support for Middleford Speedway. Mr Mitchell has spent considerable time, effort and money to improve the facility to make it a quality racetrack.

I am the promoter of the Eastern 600 sprint Championship Series and have worked closely with Mr. Mitchell and I have seen that he runs safe, efficient operation with a quality staff.

With the track changing race dates to Saturday nights that should work well and not cause any holdups on people trying to get home from work on Friday nights.

With his promotion of the speedway, he is bringing business into the area and pulling many visitors from the beach communities to the track and businesses in the local area.

The speedway holds special nights to support local organizations and has a American Cancer Society that in it's first year donated close to $10,00 to their worthy cause.

In conclusion, the speedway does not do any harm or hurt anyone in the community. They do not run late with their events they keep dust from the track to a minimum, and do not produce and mor noise that a street motorcycle on the highway that you hear all night long.

Kenneth Kreiger

627 Old Quaker Rd

Lewisberry, PA 17339

NOTES

1. THE BOUNDARY INFORMATION SHOWN HEREON WAS DERIVED FROM THE LAND RECORDS OF SUSSEX COUNTY, DELAWARE AND WAS SUPPORTED BY BOUNDARY MONUMENTS FOUND/LOCATED DURING OUR FIELD RUN 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. THE SUBJECT PARCELS SHOWN HEREON WERE IMPROVED WITH A DIRT RACE TRACK AND MOTOCROSS TRACK AT THE TIME OF THIS LAND SURVEY.
4. THE ENTRANCE TO THE RACETRACK APPEARS TO BE LOCATED ON THE LANDS OF WILLIAM STACK (TM 231-9.00-4.00) AS SHOWN. IN ADDITION, THERE ARE SEVERAL UTILITY POLES AND FENCING ASSOCIATED WITH THE RACE TRACK LOCATED ON THE STACK LANDS.
5. THE INTENT OF THIS LAND SURVEY IS TO ESTABLISH THE BOUNDARY LINES ON THE GROUND OF THE LANDS TO BE CONVEYED TO GREGORY P. MITCHELL (T.M. 231-9.00-5.00 & 5.01) ACCORDING TO THE STANDARDS ESTABLISHED BY SUSSEX COUNTY AND THE STATE OF DELAWARE.

N/F
GRAVELLY BRANCH, LLC
4316/238
(231-9.00-2.00)

PB 61/29

N 78°18'18" E — 173.52'

767.73'

362.56'

S 75°41'00" E

N/F
THE NATURE CONSERVANCY
3690/101
(231-8.00-3.00)

N/F
WILLIAM R. STACK
1600/302
(231-9.00-4.00)

N 14°18'58" W

N 35°35'26" E

635.49'

N 71°25'55" W

LANDS TO BE CONVEYED TO
GREGORY P. MITCHELL
8.930 ACRES
"IMPROVED"
(WOODLANDS/DIRT RACING TRACK)
231-9.00-5.01

N/F
LARRY STEVEN DESHIELDS
1151/193
(231-9.00-3.01)

SEE NOTE 5

865.54'

25'

R=1,112.22'
ARC=129.44'
CH.BRG.=S 16°13'25" W
CH. DIST.=129.37'

LANDS TO BE CONVEYED TO
GREGORY P. MITCHELL
18.878 ACRES
"IMPROVED"
(WOODLANDS/DIRT RACING TRACK)
231-9.00-5.00

811.93'

R=21,010.20'
ARC=326.97'
CH.BRG.=S 20°15'24" W
CH. DIST.=326.96'

N/F
LSF9 MASTER PARTICIPATION TRUST
4623/52
(333-11.00-39.00)

N 26°35'25" W

S 61°00'45" W — 300.00'

218.00'

N/F
SPEED CITY, LLC
PB 240, PAGE 87
(333-11.00-5.02)

N 26°35'25" W

R=21,010.20'
ARC=168.99'
CH.BRG.=S 20°55'12" W
CH. DIST.=168.99'

192.02'

S 20°55'12" W

COVERDALE ROAD (SCR 525)
50' RIGHT OF WAY - LOCAL ROAD - 50 MPH

25'

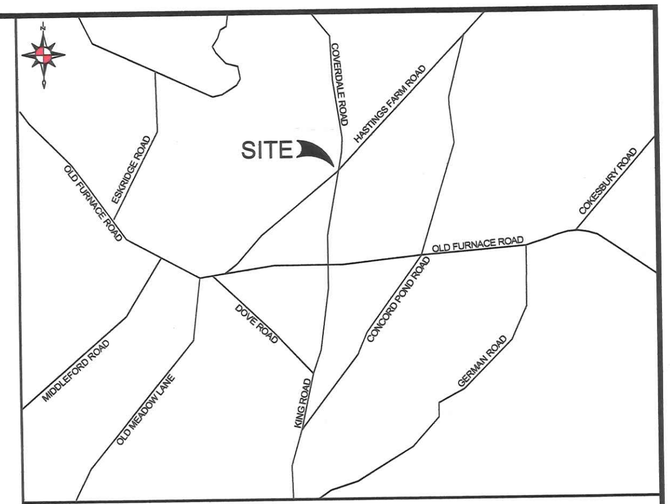
HASTINGS FARM ROAD (SCR 526)
50' RIGHT OF WAY - LOCAL ROAD - 50 MPH

S 61°00'45" W — 608.98'

GRAPHIC SCALE

100 0 50 100 200 400

(IN FEET)
1 inch = 100 ft.



VICINITY MAP
NOT TO SCALE

SITE DATA

OWNER:	SPEED CITI, LLC 11455 HASTINGS FARM RD SEAFORD, DELAWARE 19973
BUYER:	GREGORY P. MITCHELL
SURVEYOR:	STEVEN M ADKINS LAND SURVEYING, LLC 28283 DUKES LUMBER ROAD LAUREL, DE 19956
TAX MAP:	231-9.00-5.00 & 5.01
DEED REF:	BOOK 4105, PAGE 270
PLOT REF:	BOOK 240, PAGE 87 & BOOK 61, PAGE 29
LOT AREA:	PARCEL 5.00 - 18.878 ACRES PARCEL 5.01 - 8.930 ACRES
LOT USE:	DIRT RACE TRACK
SEWER/WATER:	PRIVATE
ZONING:	AR-1
ROAD FRONTAGE:	817.42 FEET± (SCR 525 - COVERDALE ROAD) 608.98 FEET± (SCR 526 - HASTINGS FARM ROAD)
NEAREST TOWN:	SEAFORD, DE

LEGEND

- IRON PIPE FOUND
- CAPPED IRON PIPE FOUND
- CONCRETE MONUMENT FOUND
- CAPPED IRON ROD SET
- UNMARKED BOUNDARY POINT
- EXISTING FENCE
- EXISTING UTILITY POLE

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 1/13/17

STEVEN M. ADKINS REGISTERED No. 700 DELAWARE PROFESSIONAL LAND SURVEYOR

STEVEN M. ADKINS
Land Surveying, LLC
28734 Seaford Road
Laurel, DE 19956
(302) 875-3555 - Office

A BOUNDARY SURVEY FOR
THE LANDS TO BE CONVEYED TO
GREGORY P. MITCHELL
22382 COVERDALE ROAD
NANTICOKE HUNDRED
SUSSEX COUNTY, DELAWARE

DATE: 01/13/17	REV:
PROJECT #: 2016099.00	
SCALE: 1" = 100'	
DRAWN BY: S.M.A.	
CHECKED BY: S.M.A.	

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.

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

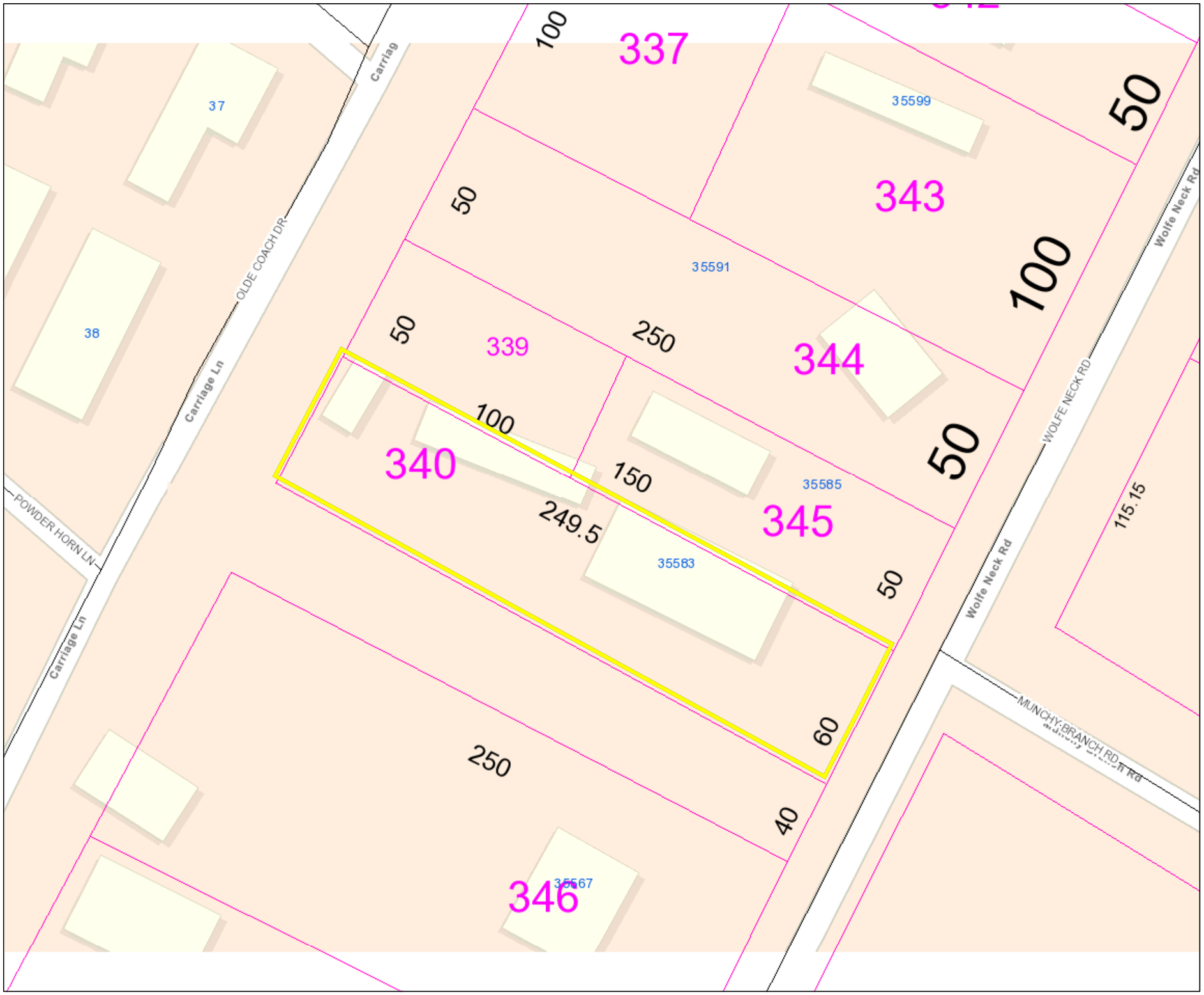
Sussex County
DELAWARE
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, MRTPI, AICP
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: January 27th, 2022

Application:	CU 2317 William E. Martin, II
Applicant:	William E. Martin P.O. Box 1431 Rehoboth Beach, DE 19971
Owner:	William E. Martin 18673 Munch Branch Road Rehoboth Beach, DE 19971
Site Location:	Lying on the northwest side of Wolfe Neck Road (S.C.R. 270), west of the intersection of Wolfe Neck Road and Munchy Branch Road (S.C.R. 270A)
Current Zoning:	General Residential (GR) Zoning District
Proposed Use:	Sign and Vehicle Graphics Business
Comprehensive Land Use Plan Reference:	Coastal Area
Councilmanic District:	Mr. Schaeffer
School District:	Cape Henlopen School District
Fire District:	Lewes Fire Department
Sewer:	Sussex County
Water:	Private
Site Area:	0.34 acres +/-
Tax Map ID.:	334-6.00-340.00

EQUAL HOUSING OPPORTUNITY

Sussex County



PIN:	334-6.00-340.00
Owner Name	MARTIN WILLIAM E
Book	5477
Mailing Address	18673 MUNCHY BRANCH R
City	REHOBOTH BEACH
State	DE
Description	NW/RD 270
Description 2	CT
Description 3	N/A
Land Code	

polygonLayer
Override 1

polygonLayer
Override 1
Tax Parcels
911 Address
Streets
County Boundaries

Tax Ditch Segments
Tax Ditch Channel
Pond Feature
Special Access ROW
Extent of Right-of-Way
Municipal Boundaries
TID

1:564

0 0.005 0.01 0.02 mi

0 0.01 0.02 0.04 km

January 20, 2022

Sussex County

PIN:	334-6.00-340.00
Owner Name	MARTIN WILLIAM E
Book	5477
Mailing Address	18673 MUNCHY BRANCH R
City	REHOBOTH BEACH
State	DE
Description	NW/RD 270
Description 2	CT
Description 3	N/A
Land Code	

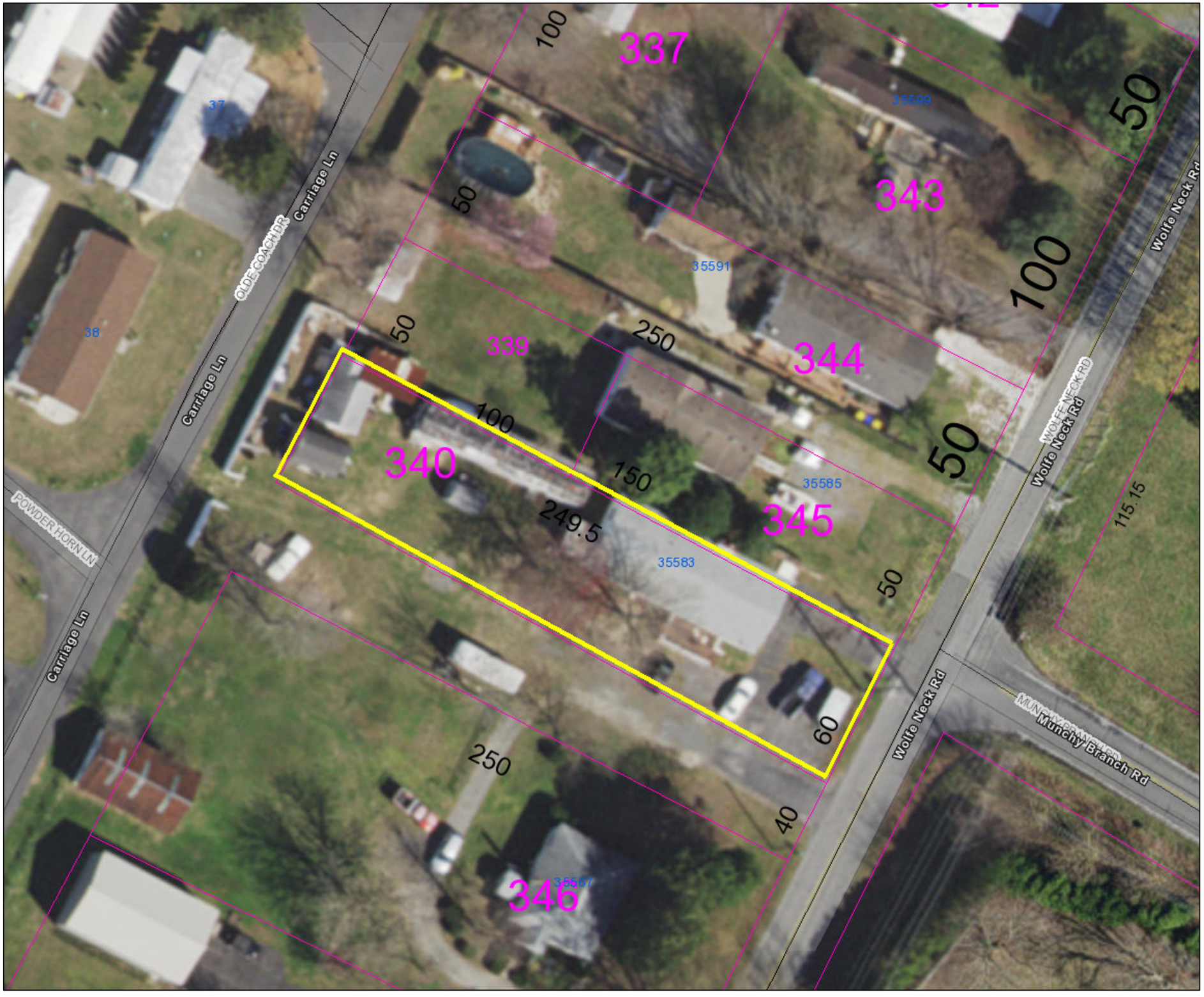
polygonLayer
Override 1
polygonLayer
Override 1
Tax Parcels
911 Address
Streets

1:1,128

0 0.0125 0.025 0.05 mi
0 0.02 0.04 0.08 km

January 20, 2022

Sussex County



PIN:	334-6.00-340.00
Owner Name	MARTIN WILLIAM E
Book	5477
Mailing Address	18673 MUNCHY BRANCH R
City	REHOBOTH BEACH
State	DE
Description	NW/RD 270
Description 2	CT
Description 3	N/A
Land Code	

polygonLayer
- Override 1

polygonLayer
- Override 1
- Tax Parcels
- 911 Address
- Streets
- County Boundaries

Tax Ditch Segments
- Tax Ditch Channel
- Pond Feature
- Special Access ROW
- Extent of Right-of-Way
- Municipal Boundaries
- TID

1:564

0 0.005 0.01 0.02 mi

0 0.01 0.02 0.04 km

January 20, 2022

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

Sussex County
DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Planning Commission Members
From: Christin Scott, Planner I
CC: Vince Robertson, Assistant County Attorney and Applicant
Date: January 20, 2022
RE: Staff Analysis for CU 2317 William E. Martin, II

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2317 William E. Martin, II to be reviewed during the January 27, 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: 334-6.00-340.00 for a sign and vehicle graphics business. The parcel is lying on the northwest side of Wolfe Neck Road (S.C.R. 270), west of the intersection of Wolfe Neck Road (S.C.R. 270) and Munchy Branch Road (S.C.R. 270A). The parcel consists of 0.34 acres +/-.

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 "Coastal Area." The surrounding and adjacent properties located to the north, south, east and west of the subject property also lie within the "Coastal Area" Future Land Use Map designation.

As outlined within 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, townhomes, 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 also be allowed.

The subject property is zoned General Residential (GR). The adjacent properties to the north, south, east, and west of the subject sites are also zoned General Residential (GR).

Since 1971, there have been 57 Conditional Use applications within a one-mile radius of the application site. Of the 57 Conditional Use applications within a one-mile radius, 44 have been approved, 6 have been denied, 5 have been withdrawn and 2 are still pending a decision.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional use for a sign and vehicle graphics business, subject to considerations of scale and impact, could be considered as being consistent with the land use, area zoning and surrounding uses.

File #: CU# 2317
2021146 52

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 04 2021
SUSSEX COUNTY
PLANNING & ZONING

Type of Application: (please check applicable)
Conditional Use ✓
Zoning Map Amendment ___

Site Address of Conditional Use/Zoning Map Amendment
35583 Wolfe Neck Rd., Rehoboth Beach, DE 19971

Type of Conditional Use Requested:
Sign and Vehicle Graphics

Tax Map #: 334-6.00-340.00 **Size of Parcel(s):** 15,000 sq. ft.

Current Zoning: GR **Proposed Zoning:** N/A **Size of Building:** Approx. 1900 sq. ft.

Land Use Classification: Coastal Area

Water Provider: Private Well **Sewer Provider:** Sussex County

Applicant Information

Applicant Name: William E. Martin II
Applicant Address: P.O. Box 1431
City: Rehoboth Beach State: DE ZipCode: 19971
Phone #: 302-542-6151 E-mail: ed@arena-signs.com

Owner Information

Owner Name: William E. Martin
Owner Address: 18673 Munchy Branch Road
City: Rehoboth Beach State: DE Zip Code: 19971
Phone #: 302-645-2576 E-mail: csmwem@verizon.net

Agent/Attorney/Engineer Information N/A

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**

- 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**

N/A **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.**

✓ **DelDOT 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 by 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

Ann Martin Date: 10/3/21

Signature of Owner

William W Martin, Jr. Date: 10/3/21

For office use only:

Date Submitted: 10/3/21 Fee: $500.00 Check #: 6183

Staff accepting application: Cor Application & Case #: 2021146052

Location of property: _____

Subdivision: _____

Date of PC Hearing: _____ Recommendation of PC Commission: _____

Date of CC Hearing: _____ Decision of CC: _____

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

NICOLE MAJESKI
SECRETARY

July 19, 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 **William Martin** proposed land use application, which we received on July 12, 2021. This application is for an approximately 0.34-acre parcel (Tax Parcel: 334-6.00-340.00). The subject land is located on the northwest side of Wolfe Neck Road (Sussex Road 270) across from the intersection with Munchy Branch Road (Sussex Road 270A). The subject land is currently zoned GR (General Residential) and the applicant seeks a conditional use approval operate a sign business.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along Wolfe Neck Road from Rusty Anchor Drive to State Route 1 is 11,206 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.

DelDOT

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: William Martin, Applicant
Russell Warrington, 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
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination
Annamaria Furmato, Project Engineer, Development Coordination

January 12, 2021

Christin Scott
2 The Circle
P.O. Box 417
Georgetown, DE 19947

Dear Christin,

In preparation for the upcoming Planning and Zoning Commission Meeting Thursday, January 27, 2022, I'd like to share some background information about myself and my business, Arena Signs, LLC., as we seek Conditional Use approval for our property at 35583 Wolfe Neck Road, Rehoboth, DE 19971.

I grew up on Sussex County Rd 270A, now known as Munchy Branch Road, which intersects with Coastal Highway and Wolfe Neck Road. My family had a small Plumbing Company, Martin Plumbing, Inc., located on this road from 1981-2020. Our next-door neighbors ran Blue Hen Towing Company out of their property. Across the street, George Howard and Sons ran a stone and fill yard and operated heavy equipment for road maintenance and excavation. There are still currently various other family-run businesses scattered along Munchy Branch and Wolfe Neck Road corridors.

After I finished college and settled in the area, my wife and I were fortunate enough to purchase a home in 2004 in Breakwater Estates, a development off of Munchy Branch and Wolfe Neck Roads. Two years later, we acquired Arena Signs, LLC., located in the Rehoboth Marketplace at the intersection of Coastal Highway and Munchy Branch Rd. When rent in that location increased, we determined we did not have the daily foot traffic needed for a retail location on Coastal Highway and relocated Arena Signs to a smaller workshop space on Jiffy Way off of Route 1 in Lewes. This fall, my landlord sold the Jiffy Way property that currently houses our operations and the new owners will be assuming the use of the space when our lease ends on January 31, 2022.

I am seeking approval for Conditional Use on a parcel that my family owns on Wolfe Neck Road to relocate my existing business. This location meets several requirements for our business model and has many advantages for our daily operations as a sign and vehicle graphics shop. Our target clients are in the Rehoboth, Dewey, and Lewes communities. We produce and install small signs throughout the beach resort area that require us to travel in and out of town from our location. Recently, we have ventured into laser engraving. The majority of our business is conducted off-site, delivering or installing signs, so it is imperative for us to be within a quick trip into the downtown beach community locations. Our normal day starts around 9 a.m. and ends at 5 p.m. Monday through Friday. We usually receive a few deliveries via UPS or FedEx per week, and receive materials from a local supplier once a week or twice in the spring/summer season. On-site, we employ one full-time graphic designer. We have one full-time production assistant, who runs the

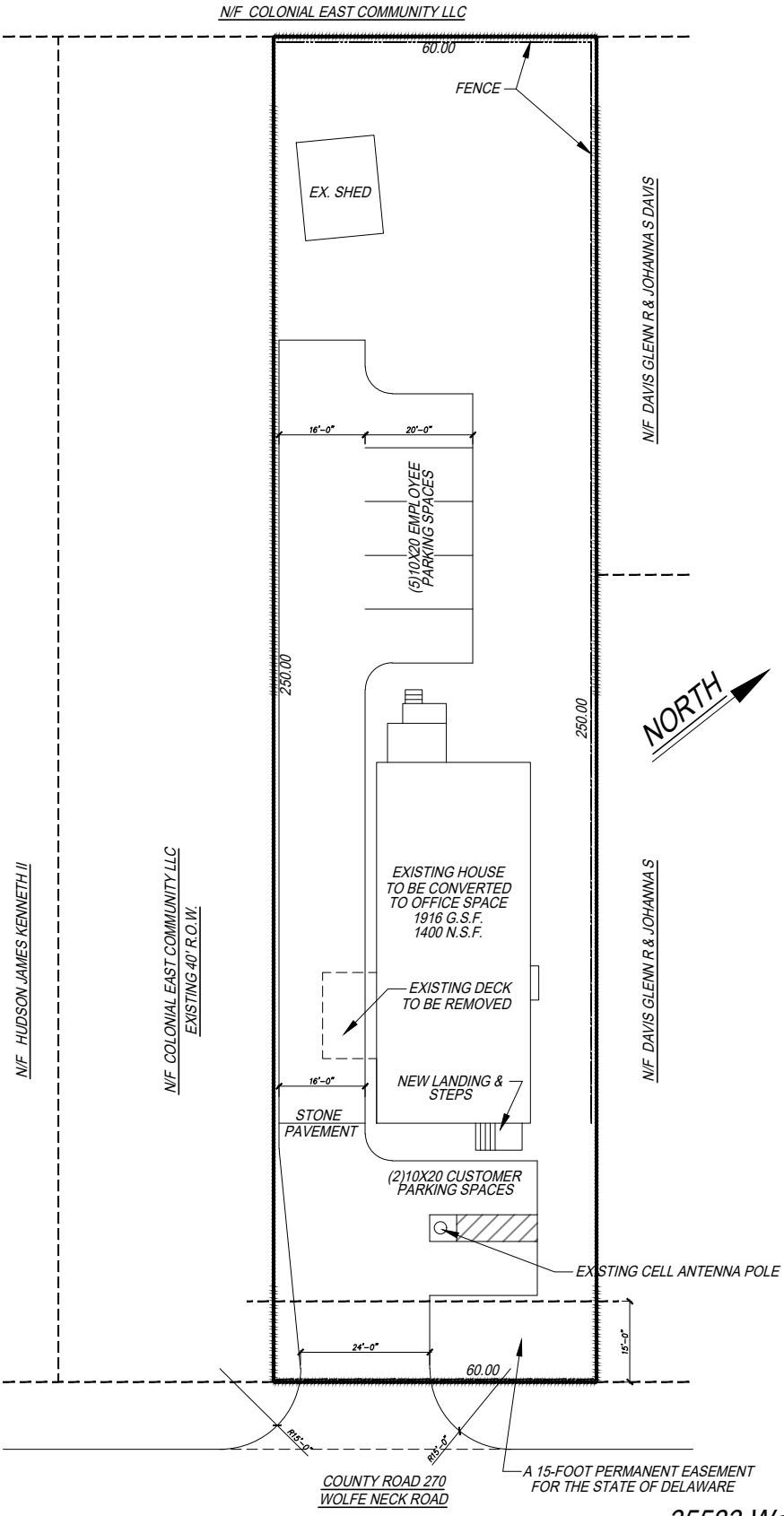
printer and laser engraving equipment and assists me with vinyl installations on vehicles and signs. I also try to support a local Sussex Tech Senior Intern for graphic design and/or production work each year. Most of our signs are ordered via phone and/or email. At most, we may get 2-3 customers per day that stop in to go over projects or pick materials. We often have days with no customer foot traffic activity.

Moving Arena Signs to our Wolfe Neck Road property will allow me to smoothly transition my day-to-day operations while remaining in the beach communities we serve, and will also be within walking distance to my own home. Arena Signs will be respectful and cooperative with our neighboring businesses and homeowners and will maintain a neat and appealing curb appeal on the property.

We appreciate the time and consideration the Planning and Zoning Committee will give to our application and review. Thank you for the opportunity to share this information about our family and our business in support of our application.

Sincerely,

William Edward "Ed" Martin II, Owner
Arena Signs, LLC.
P.O. Box 1431
Rehoboth Beach, DE 19971
ed@arena-signs.com
302-542-6151



ARENA SIGNS

SITE PLAN FOR ARENA SIGNS
35583 Wolfe Neck Rd, Rehoboth Beach, DE 19971
3-34-6.00-340.00
SCALE:1/32=1'

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

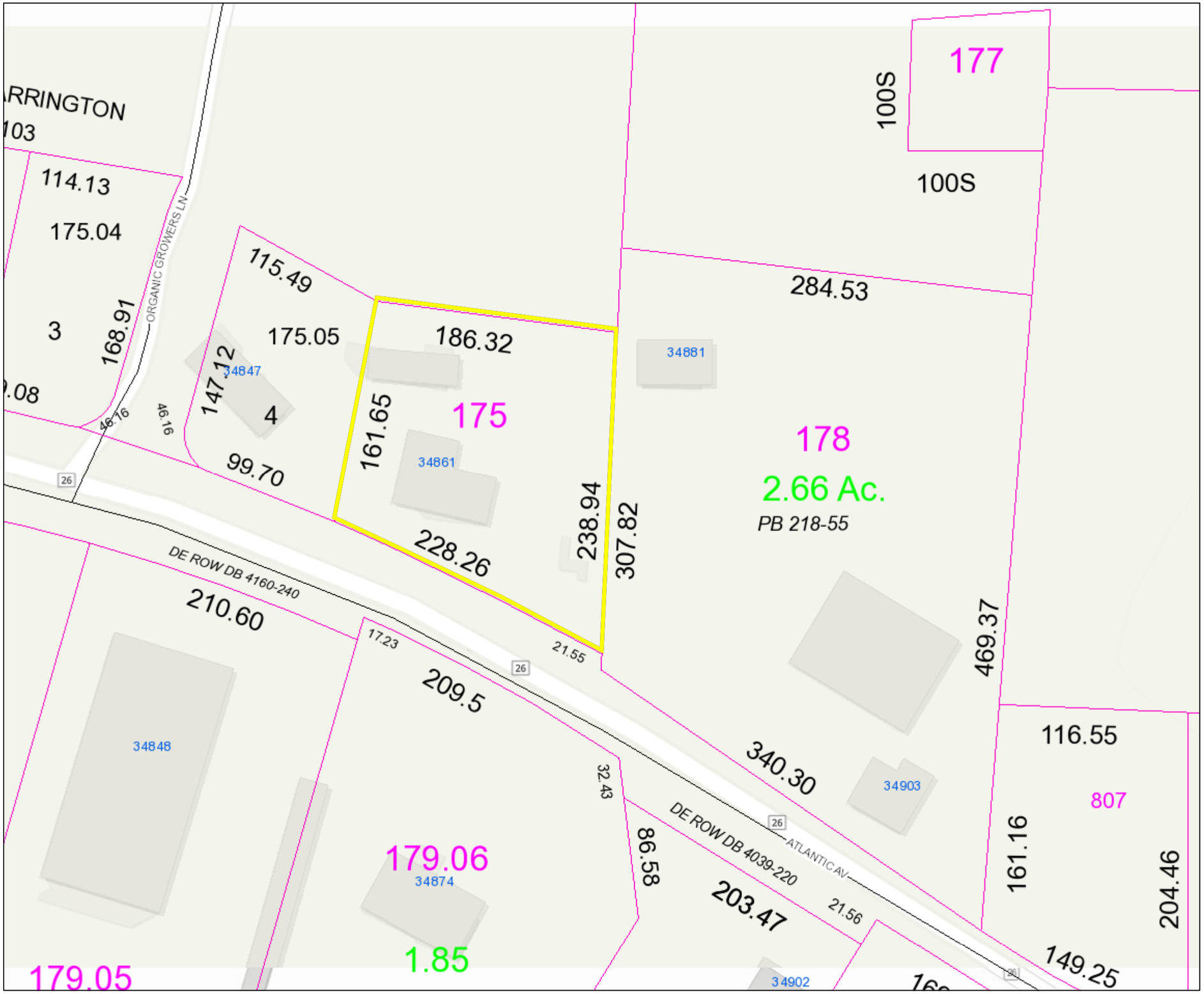
Sussex County
DELAWARE
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, AICP, MRTPI
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: January 27th, 2022

Application:	CZ 1943 Shirley & Gordon Price, Jr.
Applicant:	Shirley & Gordon Price, Jr. 34861 Atlantic Avenue Ocean View, DE 19970
Owner:	Shirley & Gordon Price, Jr. 34861 Atlantic Avenue Ocean View, DE 19970
Site Location:	34861 Atlantic Avenue, Ocean View, DE 19970. The property is lying on the north side of Atlantic Avenue (Route 26), approximately 0.13 mile northwest of Roxanna Road (Route 17).
Current Zoning:	Agricultural Residential (AR-1) Zoning District
Proposed Zoning:	Medium Commercial (C-2) Zoning District
Comprehensive Land Use Plan Reference:	Coastal Area
Councilmanic District:	Mr. Hudson
School District:	Indian River School District
Fire District:	Millville Fire Department
Sewer:	Private (On-Site Septic)
Water:	Sewer (Sussex County Unified Sanitary Sewer District)
Site Area:	0.91 acres +/-
Tax Map ID.:	134-11.00-175.00

EQUAL HOUSING OPPORTUNITY

Sussex County



PIN:	134-11.00-175.00
Owner Name	PRICE GORDON BENT JR TRUSTEE
Book	4292
Mailing Address	34861 ATLANTIC AVE
City	OCEAN VIEW
State	DE
Description	NE/RT 26
Description 2	500' NW/RT 17
Description 3	N/A
Land Code	

polygonLayer
Override 1

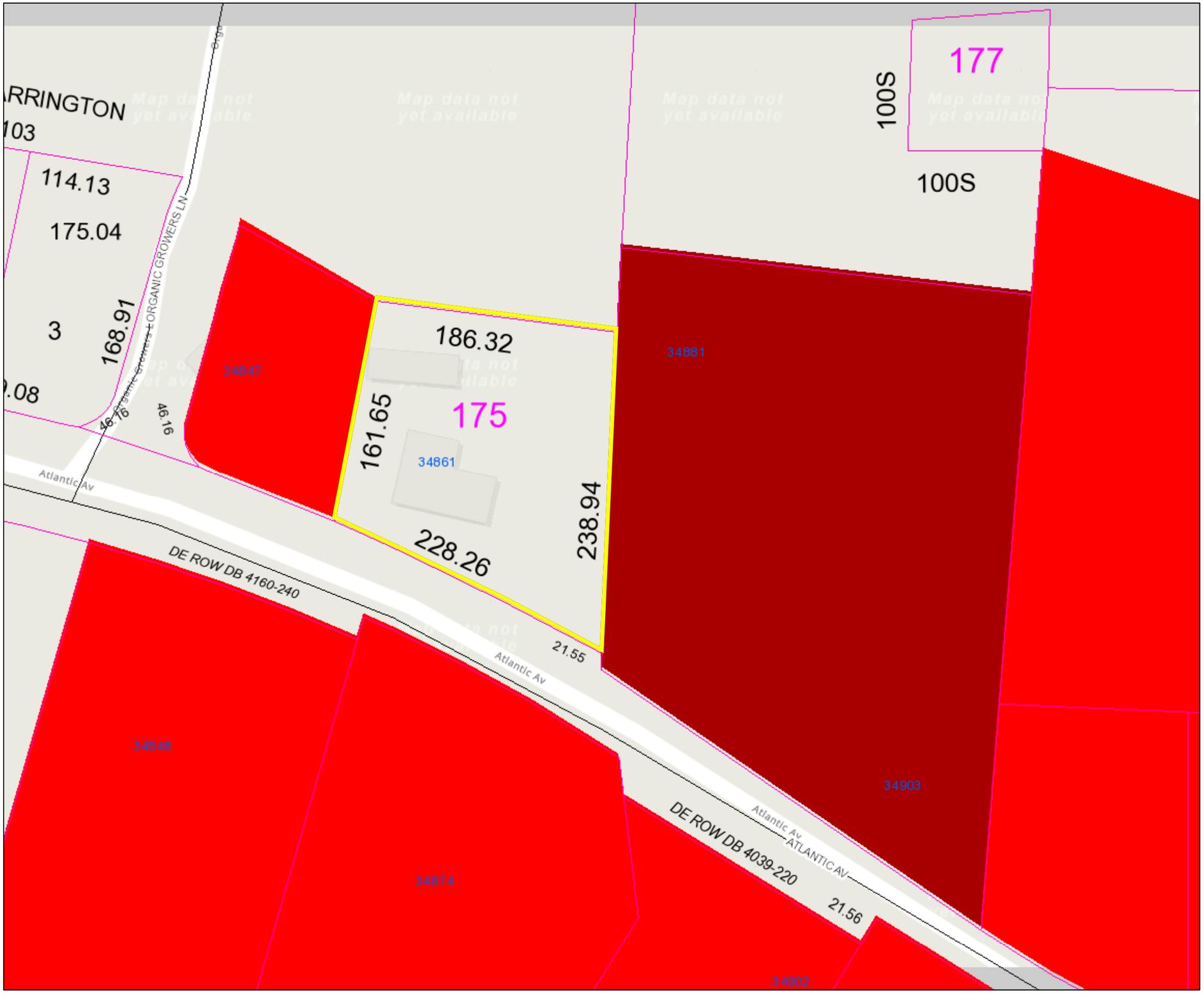
polygonLayer
Override 1
Tax Parcels
911 Address
Streets
County Boundaries

1:1,128

0 0.0125 0.025 0.05 mi
0 0.02 0.04 0.08 km

January 10, 2022

Sussex County



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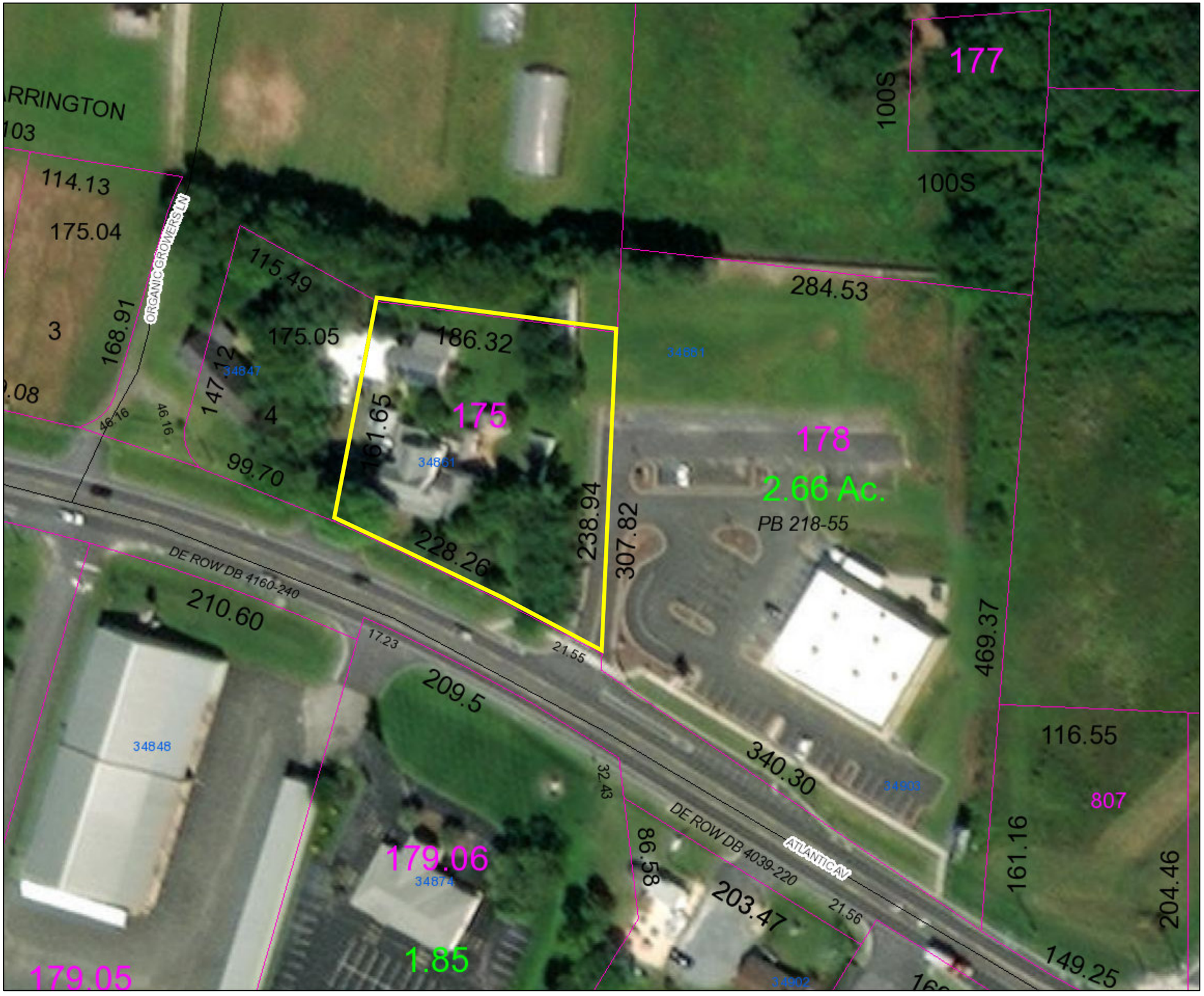
January 10, 2022

Sussex County



PIN:	134-11.00-175.00
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Book	4292
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State	DE
Description	NE/RT 26
Description 2	500' NW/RT 17
Description 3	N/A
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

911 Address

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1:1,128

0 0.0125 0.025 0.05 mi

0 0.02 0.04 0.08 km

January 10, 2022

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

Sussex County
DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Planning Commission Members
From: Lauren DeVore, Planner III
CC: Vince Robertson, Assistant County Attorney, and applicant
Date: January 20, 2022
RE: Staff Analysis for CZ 1943 Shirley and Gordon Price, Jr.

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CZ 1943 Shirley and Gordon Price, Jr. to be reviewed during the January 27, 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 Change of Zone for Tax Parcel 134-11.00-175.00 to allow for a change of zone from an Agricultural Residential (AR-1) Zoning District to a Medium Commercial (C-2) Zoning District. The property is lying on the north side of Atlantic Avenue (Route 26), approximately 0.13 mile northwest of Roxana Road (Route 17). The parcel to be rezoned consists of 0.91 acres +/-.

Staff note that a PLUS waiver letter was obtained from the Office of State Planning to waive PLUS review requirements which applied due to the fact that the proposal is an upzoning within the Coastal Area. The letter was received electronically by the Department of Planning and Zoning on Wednesday, January 19, 2022, and notes that the following conditions have been met: "1.) The rezoning is of a unique circumstance and would not set precedence for other lands in the vicinity of the rezoning, 2.) The relative size of the rezoning or the variation from the land use recommended by the Comprehensive Plan is so minor that it would have no impact on the goals and objectives of the Comprehensive Plan, 3.) The proposed zoning is adjacent to or in the immediate vicinity of other similarly zoned lands and would not alter the pattern of development in the area."

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." The properties to the north, south (on the opposite side of Atlantic Avenue), east and west of the subject property also contain the Future Land Use Designation of "Coastal Area."

As outlined within the 2018 Sussex County Comprehensive Plan, Coastal Areas are areas that can accommodate development provided 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 also 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.

The property is zoned Agricultural Residential (AR-1) Zoning District. Adjacent parcels to the north are also zoned Agricultural Residential (AR-1) Zoning District. The properties to the south on the opposite side of Atlantic Avenue (Route 26) and the adjacent property to the west are zoned General Commercial (C-1) District. The property to the east is zoned Commercial Residential (CR-1) Zoning District.

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 Medium Commercial (C-2) Zoning District is listed as an applicable zoning district in the Coastal Area.

Since 2011, there have been four (4) Change of Zone applications within a 0.5 mile radius of the application site. The first application is Change of Zone 1738 Atlantic Community Thrift Shop, Inc. for a change of zone from a Medium Density Residential Zoning District (MR) to a Neighborhood Business District (B-1) which was recommended approval by the Planning and Zoning Commission at their meeting of Thursday, November 14, 2013. The application was also approved by the Sussex County Council at their meeting of Tuesday, December 3, 2013 and adopted through Ordinance No. 2331. The second application is Change of Zone 1789 Good Earth Market, LLC for a change of zone from an Agricultural Residential District (AR-1) to a Commercial Residential Zoning District (CR-1) which was recommended approval by the Planning and Zoning Commission at their meeting of Thursday, December 10, 2015. The application was also approved by the Sussex County Council on Tuesday, April 5, 2016 and adopted through Ordinance No. 2439. The third application is Change of Zone 1840 Preston and Brenda Brasure for a change of zone from an Agricultural Residential District (AR-1) to a Commercial Residential District (CR-1) which was recommended approval by the Planning and Zoning Commission at their meeting of Thursday, January 11, 2018. The application was also approved by the Sussex County Council on Tuesday, January 30, 2018 and adopted through Ordinance No. 2544. The fourth application is Change of Zone 1863 Triumf I, LLC for a change of zone from an Agricultural Residential District (AR-1) to a Commercial Residential District (CR-1) which was recommended approval by the Planning and Zoning Commission at their meeting of Thursday, November 29, 2018. The application was also approved by the Sussex County Council on Tuesday, January 8, 2019 and adopted through Ordinance No. 2624.

Based on the analysis of the land use, surrounding zoning and uses, a Change of Zone from a Agricultural Residential Zoning District (AR-1) to a Medium Commercial Zoning District (C-2) could be considered as being consistent with the land use, based on the size, scale, zoning and surrounding uses.

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

JENNIFER COHAN
SECRETARY

November 13, 2020

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 **Shirley and Gordon Price** rezoning application, which we received on October 14, 2020. This application is for an approximately 1.9-acre parcel (Tax Parcel: 134-11.00-175.00). The subject land is located on the north side of Atlantic Avenue, approximately 600 feet west of Roxana Road (Sussex Road 52). The subject land is currently zoned as AR-1 (Agricultural Residential), and the applicant is seeking to rezone the land to C-2 (Medium Commercial) to utilize the parcel as business office.

Per the 2019 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along the segment of Atlantic Avenue (Sussex Road 26) where the subject land is located, which is from Stephen Drive to Roxana Road (Sussex Road 52), are 9,280 and 11,943 vehicles per day, respectively.

Our volume-based criteria for requiring a traffic impact study (TIS), addressed in Section 2.2.2.1 of the Development Coordination Manual, are that a development generates more than 500 trips per day or 50 trips during a weekly peak hour. While it seems that the above criteria could be met, we presently cannot predict the site's trip generation with enough accuracy to make a TIS useful. Thus, we recommend that this rezoning application be considered without a TIS and that the need for a TIS be evaluated when a subdivision or land development plan is proposed.

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.

DelDOT

Please contact Mr. Claudy Joinville, at (302) 760-2124, if you have questions concerning this correspondence.

Sincerely,

T. William Brockenbrough, Jr.

T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:cjm
cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Shirley and Gordon Price, Applicant
Russell Warrington, Sussex County Planning & Zoning
Todd Sammons, Assistant Director, Development Coordination
Gemez Norwood, South District Public Works Manager, Maintenance & Operations
Susanne K. Laws, 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

PLANNING & ZONING
Jamie Whitehouse, AICP ,MRTPI
Director
(302) 855-7878 T
(302) 854-5079 F

Sussex County
DELAWARE
sussexcountyde.gov

Service Level Evaluation Request Form

This form **shall** be submitted to the Planning and Zoning Office and a response **shall** be received back from DelDOT prior to the applicant being able to submit an application to the Planning and Zoning Office.

Date: 10/4/20

Site Information:

Site Address/Location: 34861 ATLANTIC AVE, OCEAN VIEW, DE 19970

Tax Parcel Number: 134-11.00-175.00
Current Zoning: AR-1
Proposed Zoning: C-2
Land Use Classification:

Proposed Use(s): BUSINESS OFFICE

Square footage of any proposed buildings or number of units: NO NEW BUILDINGS

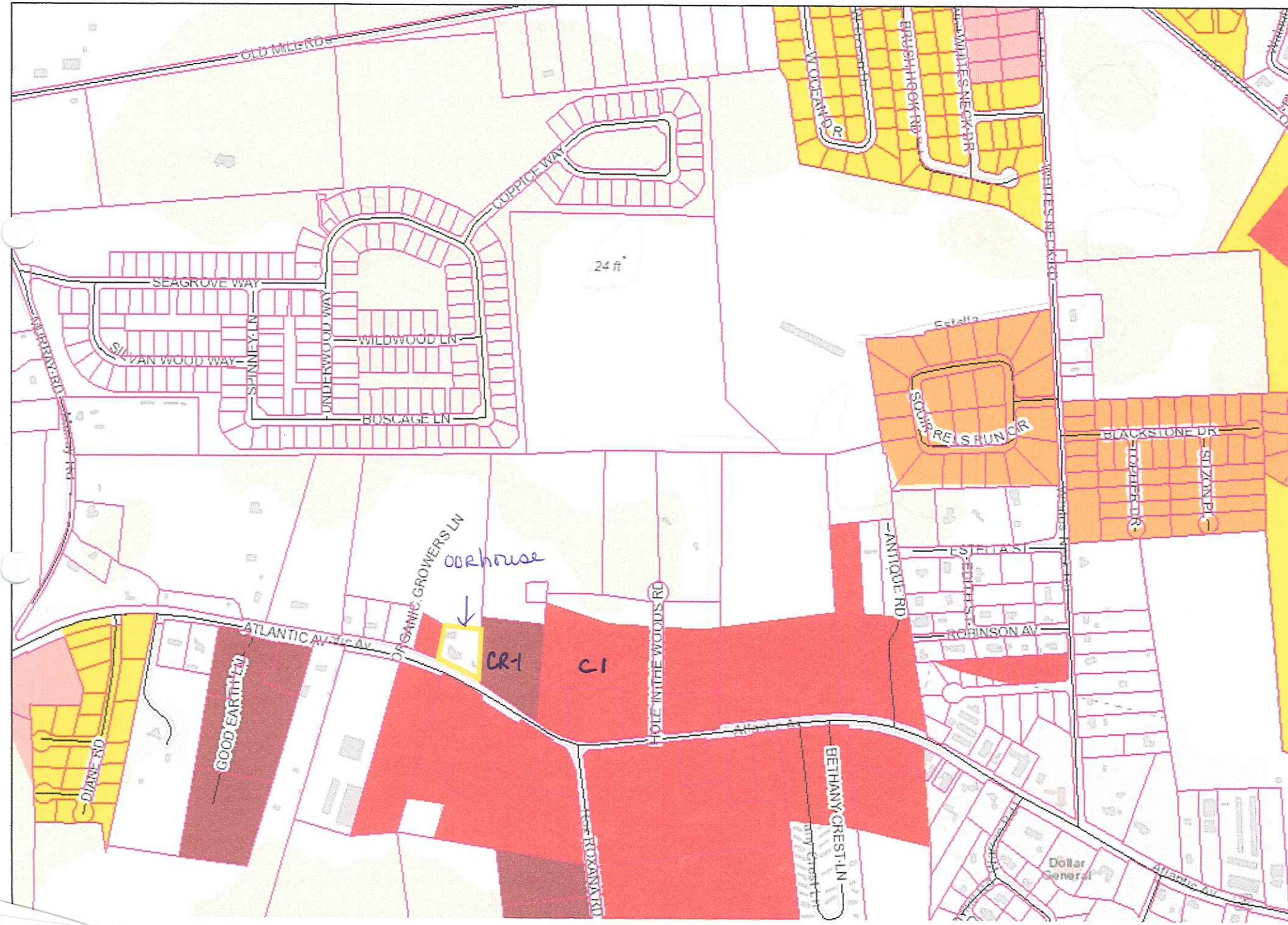
Applicant Information:

Applicant's Name: SHIRLEY & GORDON PRICE

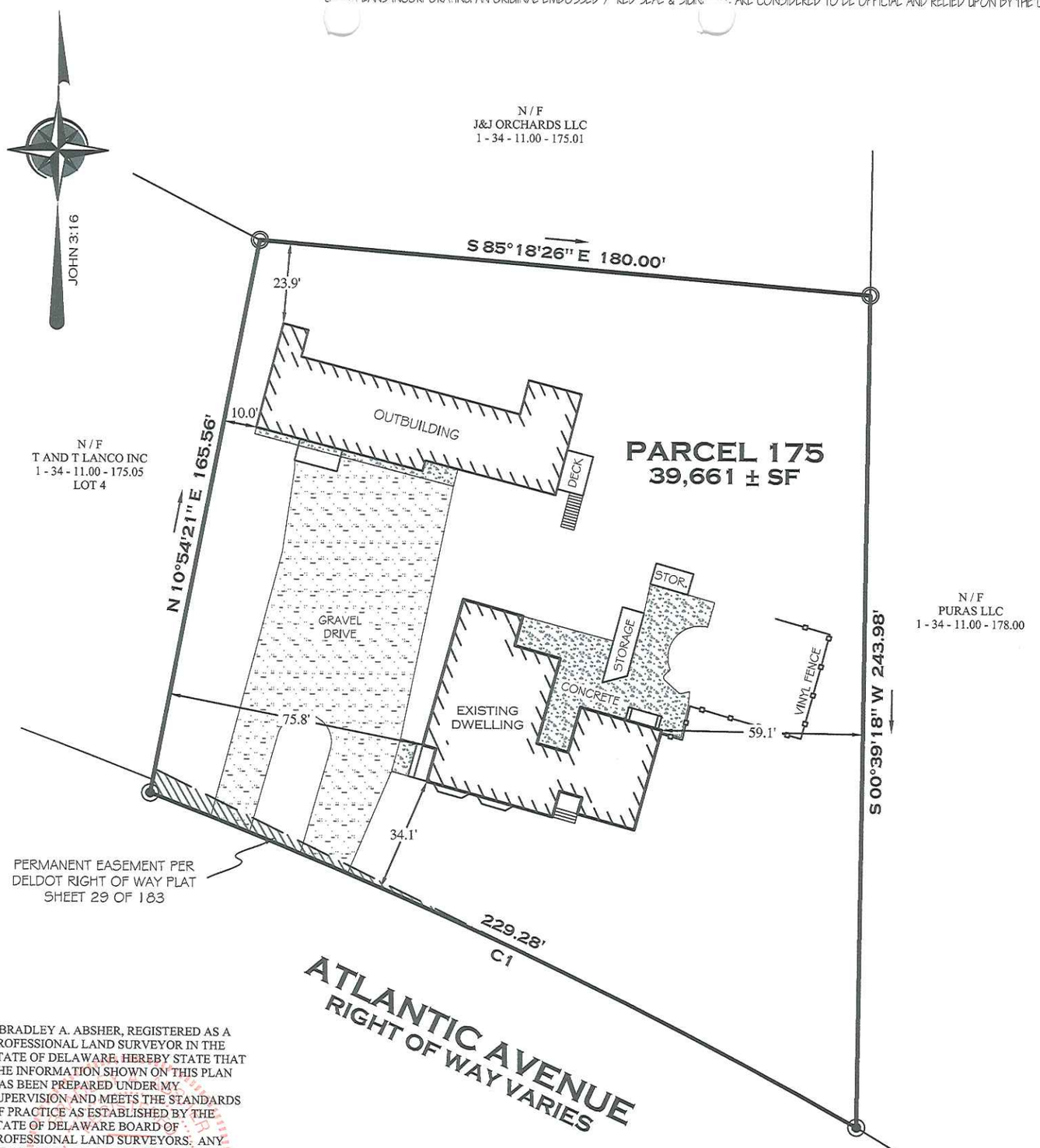
Applicant's Address: 34861 ATLANTIC AVE
City: OCEAN VIEW State: DE Zip Code: 19970

Applicant's Phone Number: (302) 236-7046
Applicant's e-mail address: ShirleyPrice@mchsi.com

Sussex County



ONLY PLANS INCORPORATING AN ORIGINAL EMBOSSED / RED SEAL & SIGNATURE ARE CONSIDERED TO BE OFFICIAL AND RELIED UPON BY THE USER



I, BRADLEY A. ABSHER, REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE AS ESTABLISHED BY THE STATE OF DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES TO THE PROPERTY CONDITIONS, IMPROVEMENTS, BOUNDARY OR PROPERTY CORNERS AFTER THE DATE SHOWN HEREON SHALL NECESSITATE A NEW REVIEW AND CERTIFICATION FOR ANY OFFICIAL OR LEGAL USE.

BRADLEY A. ABSHER, DE PLS # 735
DATE 2.5.21

NOTES

1. CLASSIFICATION OF SURVEY: SUBURBAN

2. 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.

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	1545.00'	229.28'	N 65°11'25" W	229.07'

LEGEND

- IRON PIPE FOUND
- IRON ROD W/ CAP SET

TAX MAP	1-34 - 11.00 - 175.00
STATE	DELAWARE
COUNTY	SUSSEX
HUNDRED	BALTIMORE
TOWN	—
AREA	39,661 ± SQ. FT.
DEED REF.	4292 / 20
PLAT REF.	—
DRAWN BY	CJP
DATE	02 / 05 / 2021
SCALE	1" = 40'
SURVEY #	DE - 07451

BOUNDARY SURVEY PLAN

LANDS OF

GORDON BRENT PRICE, TRUSTEE & SHIRLEY ANN PRICE, TRUSTEE

34861 ATLANTIC AVENUE, MILLVILLE, DE 19967

TRUE NORTH
LAND SURVEYING
118 ATLANTIC AVENUE, SUITE 202
OCEAN VIEW, DE 19970
DE: 302-539-2488
MD: 410-430-2092

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION

January 13, 2022

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

RE: PLUS review – Shirley and Gordon Price rezoning; 34861 Atlantic Avenue
Tax Parcel 134-11.00-75.00

Dear Ms. Devore:

Thank for your email dated January 12, 2022 regarding clarification on a PLUS review for the above referenced zoning. We reviewed the materials to determine if this rezoning and comp plan amendment for .91 acres from AR-1 to C-2 warrants a PLUS review. We reviewed this amendment using the criteria we use for "minor variations" from comprehensive plans, which is established in the PLUS MOUs of several other jurisdictions.

A rezoning is generally considered a minor variation from the comprehensive plan when one or more of the following conditions are met:

a) The rezoning is of a unique circumstance and would not set precedence for other lands in the vicinity of the rezoning.
b) The relative size of the rezoning or the variation from the land use recommended by the Comprehensive Plan is so minor that it would have no impact on the goals and objectives of the Comprehensive Plan.
c) The proposed zoning is adjacent to or in the immediate vicinity of other similarly zoned lands and would not alter the pattern of development in the area.

We have determined that this rezoning does meet the definition of a minor variation; therefore, PLUS review is waived for this applicant. This does not waive the applicant or developer from contacting State agencies to determining code requirements and permitting issues. Any development on the site will still be required to follow all relevant codes and permitting procedures set forth by the State of Delaware.

The Office of State Planning is currently working with the County to update the PLUS Memorandum of Understanding. Until that document is updated, please feel free to reach out to discuss similar plan amendments so we can determine if a PLUS waiver can be granted.

If you have any questions, please feel free to contact me.

Sincerely,

David L. Edgell, AICP
Director, Office of State Planning Coordination

File #: CZ 1943
202104389

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
34861 Atlantic Ave, Ocean View , De 19970

Type of Conditional Use Requested:

Tax Map #: 134-11.00-175.00 **Size of Parcel(s):** ~~1.9 acre~~ 0.91 acre

Current Zoning: AR-1 **Proposed Zoning:** C-2 **Size of Building:** 2700

Land Use Classification: Residential

Water Provider: well **Sewer Provider:** Sussex County

Applicant Information

Applicant Name: Shirley and Gordon Price Jr
Applicant Address: 34861 Atlantic Ave
City: Ocean View State: DE ZipCode: 19970
Phone #: (302) 236-7046 E-mail: shirleyprice@mchsi.com

Owner Information

Owner Name: Shirley and Gordon Price Jr
Owner Address: 34861 Atlantic Ave
City: Ocean View State: DE Zip Code: 19970
Phone #: (302) 236-7046 E-mail: shirleyprice@mchsi.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: N/A
Agent/Attorney/Engineer Address: ___
City: ___ State: ___ Zip Code: ___
Phone #: ___ E-mail: ___

0.13 NW Panama Rd