

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



Sussex County

DELAWARE
sussexcountyde.gov

PLEASE NOTE

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



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

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



2 THE CIRCLE | PO BOX 417
GEORGETOWN, DE 19947
(302) 855-7878 T
(302) 854-5079 F
sussexcountyde.gov

Sussex County Planning & Zoning Commission

AGENDA

February 10, 2022

5:00 P.M.

Call to Order

Approval of Agenda

Approval of Minutes – December 9, 2021 and January 27

Other Business

S-21-38 All Climate Storage of Millsboro BM
Preliminary Site Plan

Weston Willows Commercial Outparcels (S-17-31) KS
Revised Site Plan

Lands of Shawn Noble KS
Minor Subdivision off of a 60-ft easement

Lands of Stephen & Anne Kelly HW
Minor Subdivision off of a 20-ft easement

Lands of Walter & Stacy Beck KS
Minor Subdivision off of a 50-ft easement

Lands of Jeffrey S. Burton et. Al KH
Minor Subdivision off of a 75-ft easement

Old Business

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

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 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.

Public Hearings

2021-19 East Gate

HW

A Coastal Area cluster subdivision to divide 36.71 acres +/- into 88 single-family lots to be located on certain parcels of land and lying and being in Baltimore Hundred, Sussex County. The properties are located on the southwest side of Zion Church Road (Route 20), approximately 0.76 mile southeast of Evans Road (S.C.R. 383). Tax Parcels: 533-11.00-45.05, 45.06, 45.07 & 45.08. Zoning: GR (General Residential District).

C/U 2288 Broom Solar Partners

HW

An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District for a solar farm to be located on a certain parcel of land lying and being in Baltimore Hundred, Sussex County, containing 72.00 acres, more or less. The property is lying on the north side of Frankford School Road (S.C.R. 92) approximately 0.55 mile west of Pyle Center Road (S.C.R. 20). 911 Address: N/A. Tax Parcel: 533-5.00-47.00

C/U 2284 Eastern Shore Natural Gas Company

KH

An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District for the expansion of C/U 889 (Ordinance No. 536) for public utilities or public services uses to be located on a certain parcel of land lying and being in Northwest Fork Hundred, Sussex County, containing 29.98 acres, more or less. The property being a landlocked parcel accessed off Emma Jane Lane, approximately 0.33 mile south of E. Newton

Road (S.C.R. 584). 911 Address: 17019, 17025, 17035 & 17041 Black Cherry Drive, Bridgeville.
Tax Parcel: 131-10.00-99.00

C/U 2285 Ashley DiMichele

KS

An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential Zoning District for a tourist home to be located on a certain parcel of land lying and being in Broadkill Hundred, Sussex County, containing 2.831 acres, more or less.

The property is lying on the south side of Cave Neck Road (S.C.R. 88), approximately 0.43 mile west of Diamond Farm Road (S.C.R. 257). 911 Address: 26182 Cave Neck Road, Milton. Tax Parcel: 235-21.00-48.00

C/U 2305 Barnhill Preserve of DE, LLC

HW

An Ordinance to grant a Conditional Use of land in an AR-1 (Agricultural Residential District) for a zoological park to be located on a certain parcel of land lying and being in Baltimore Hundred, Sussex County, containing 7.24 acres, more or less.

The property is lying on the northeast side of Peppers Corner Road (S.C.R. 365), approximately 0.61 mile southeast of Roxanna Road (Route 17). 911 Address: 34215 Peppers Corner Road, Frankford. Tax Parcel 134-15.00-124.00

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on February 3, 2022 at 5:15 p.m., and at least seven (7) days in advance of the meeting. The agenda was revised on February 4, 2022 at 10:00 a.m.

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, February 9, 2022.

###



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 & Jesse Lindenberg, Planner I

CC: Vince Robertson, Assistant County Attorney

Date: February 2nd, 2022

RE: Other Business for the February 10th, 2022 Planning Commission Meeting

This memo is to provide background for the Planning Commission to consider as a part of the Other Business to be reviewed during the February 10th, 2022 Meeting of the Planning & Zoning Commission.

(S-21-38) All Climate Storage of Millsboro

BM

Preliminary Site Plan

This is a Preliminary Site Plan for the establishment of a self-storage facility to include fifteen (15) buildings of non-climate controlled storage space that totals 30,000 square feet and one (1) 62,900 square foot building of climate controlled storage is also proposed. Staff note that 400 square feet of the climate controlled building will be used as office space. The parcel is 6.17 acres and is located on the northeast side of Dupont Boulevard (Rt. 113), in the Combined Highway Corridor Overlay Zoning District (CHCOZ). The applicant requests a waiver from the transit and pedestrian accommodations that are required by the overlay district under section § 115-194.1(G) of the Code. The applicant also requests a waiver from the interconnectivity requirement established in section §115-220(B)(16). The applicant seeks these waivers due to the facility being secured and fenced self-storage. Zoning: C-1 (General Commercial District) and AR-1 (Agricultural Residential District). Tax Parcel: 233-5.00-153.00. Staff are awaiting agency approvals.

(S-17-31) Weston Willows Commercial Outparcels

KS

Revised Site Plan

This is a Preliminary Site Plan for the Commercial Outparcel A of the Weston Willows property for the subdivision of a 26.737 acre +/- parcel into three parcels consisting of 2.197 acres +/-, 1.718 acres +/- and residual lands comprising 22.822 acres. Outparcel A will contain only commercially leased buildings, with access off a 30-ft ingress/egress access easement located on the northwest side of what will be known as Besche Avenue. Staff note that the applicant has planned for interconnectivity between adjoining commercial parcels as previously requested by the Commission at their meeting of Thursday, July 8, 2021. Additionally, staff would also note that there are approximately 22 parking spaces proposed to be located within the front yard setback as part of this proposal. The Preliminary Site Plan otherwise complies with the Sussex County Zoning Code and all Conditions of Approval. Tax Parcel: 135-11.00-33.00 Zoning: C-1 (Commercial Residential District). Staff are awaiting agency approvals.

Lands of Shawn Noble

KS

Minor Subdivision off a 60-ft easement



This is a Minor Subdivision that proposes the creation of one lot plus residual lands off a proposed 60-ft wide access easement. Lot 1, which will have frontage to Cool Spring Road (S.C.R. 290), will be 7.28 acres +/-, and the residual lands will be 4.00 acres +/- . Staff note this application proposes the last lot that may be subdivided out of Parcel 38.00 as all four minor subdivision allowances will be utilized. The property is located on the east side of Cool Spring Road (S.C.R. 290). The Minor Subdivision Plan complies with the Sussex County Zoning and Subdivision Codes. Tax Parcel: 234-5.00-38.00. Zoning District: AR-1 (Agricultural Residential District). Staff are in receipt of all agency approvals.

Lands of Stephen & Anne Kelly

HW

Minor off a 20-ft easement

This is a Minor Subdivision Plan for the subdivision of a 45.41 acre +/- parcel into two (2) buildable lots both consisting of 1.9875 acres +/- as well as residual lands containing 411.435 acres +/- . The property contains access off an existing 30-ft ingress/egress access easement located on the northwest side of Shell Station Road (S.C.R. 427). The Minor Subdivision Plan complies with the Sussex County Zoning and Subdivision Codes. Tax Parcel: 333-10.00-22.02 Zoning: AR-1 (Agricultural Residential District.) Staff are in receipt of all agency approvals.

Lands of Walter & Stacy Beck

KS

Minor off of a 50-ft easement

This is a Minor Subdivision Plan for the subdivision of a 31.49 acre +/- parcel into two (2) buildable lots with proposed Lot 1 consisting of 21.02 acres +/- and proposed Lot 2 consisting of 10.47 acres +/- off of a proposed 50-ft ingress/egress access easement over an existing driveway known as Hermitage Way. The property is located on the south side of Fisher Road (S.C.R. 262). Zoning: AR-1 (Agricultural Residential District). Tax Parcel: 334-10.00-69.05. Staff are in receipt of all agency approvals.

Lands of Jeffrey S. Burton et. al

KH

Minor Subdivision off a 75-ft easement

This is a Minor Subdivision and Lot Line Adjustment and Consolidation Plan for the subdivision of 15.47 acre +/- parcel of land into one (1) proposed lot consisting of 0.76 acres +/- and two (2) existing and reconfigured lots off consisting of 0.75 acres +/- and 0.78 acres +/- . The property is located on the west side of Revel Road (S.C.R. 410). Zoning District: AR-1 (Agricultural Residential District). Tax Parcels: 133-16.00-81.00, 81.02 & 81.08. Staff are in receipt of all agency approvals.

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



Sussex County

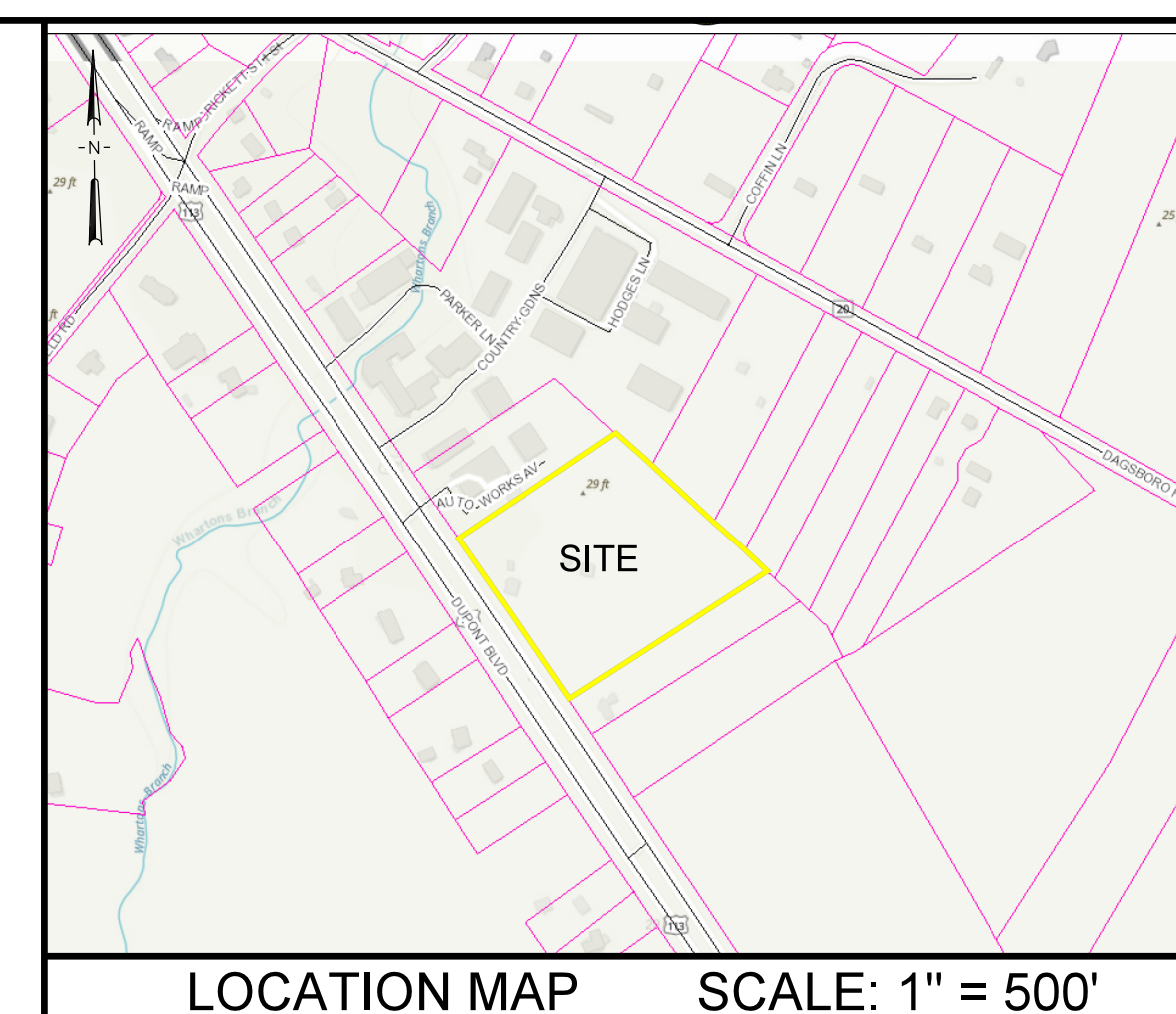
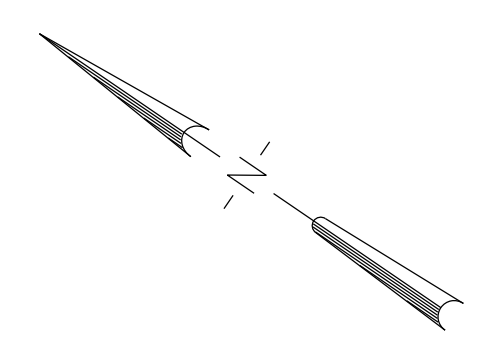
DELAWARE
sussexcountyde.gov

PLEASE NOTE

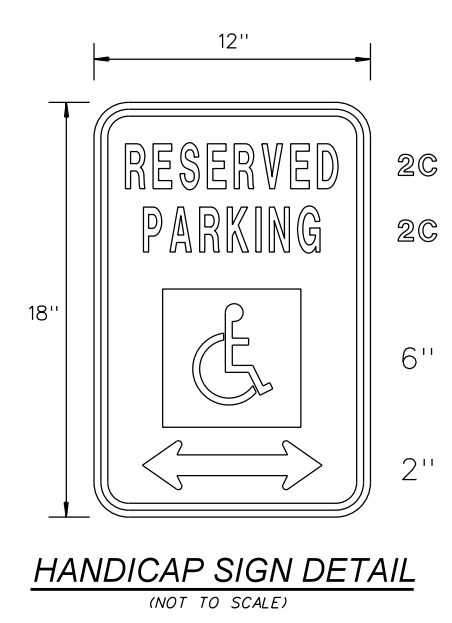
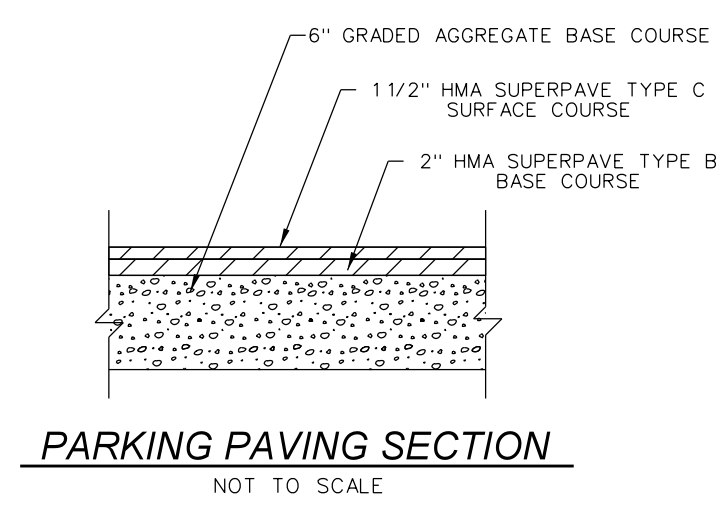
This paperless packet is published on the County's website for convenience purposes, and only includes information received up to the close of business on the day before a public hearing. Documents received after this, or documents submitted during the public hearing are not uploaded to the Paperless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



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

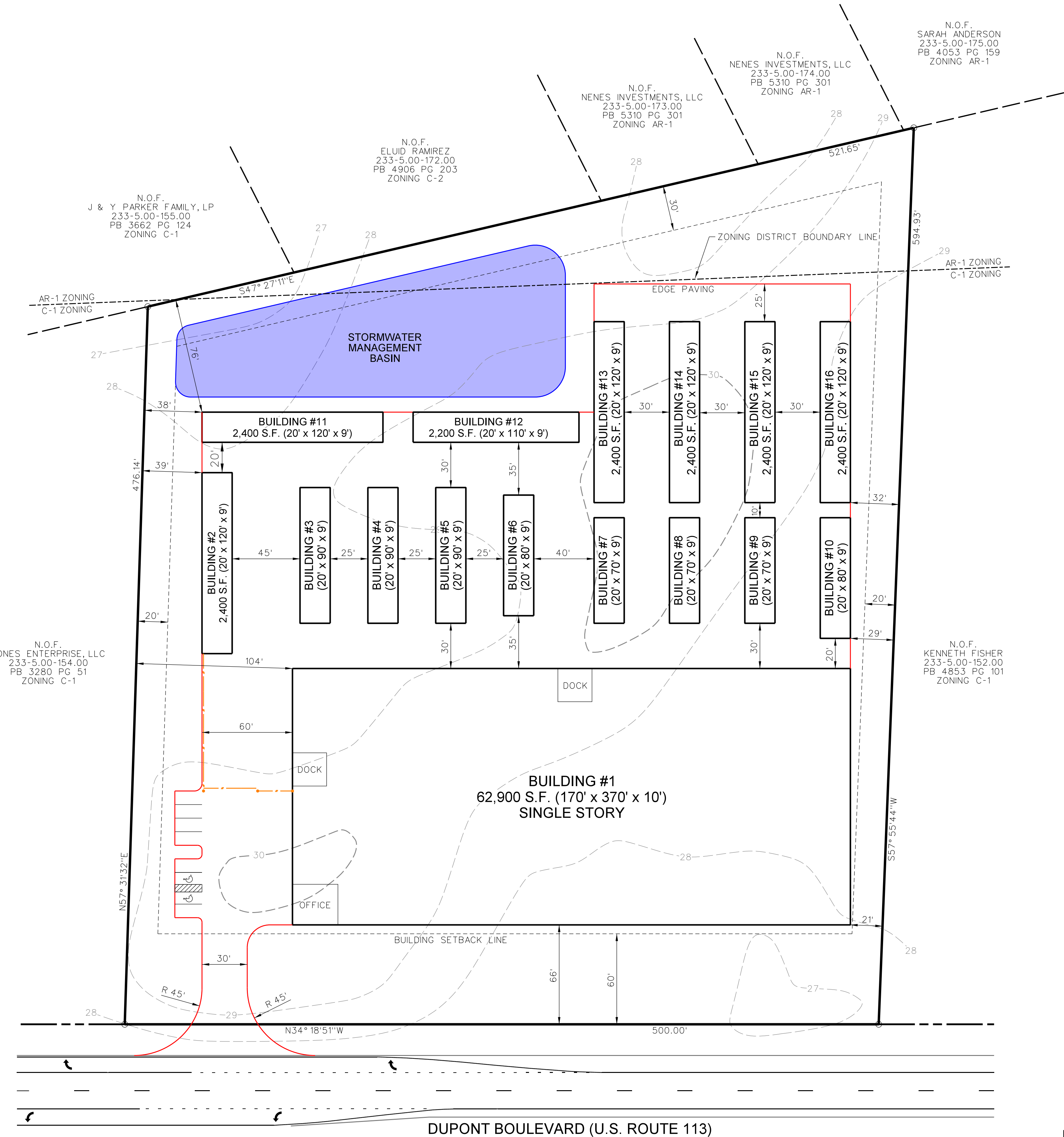


TRIP GENERATION - DUPONT BOULEVARD (SC113) (FULL MOVEMENT)	
	ROAD TRAFFIC DATA: FUNCTIONAL CLASSIFICATION - PRINCIPAL ARTERIAL POSTED SPEED LIMIT 55 MPH AADT = 21,126 (FROM 2020 DELDOT TRAFFIC SUMMARY) 10 YR PROJECTED AADT = 1.16 x 21,126 = 24,506 TRIPS 10 YR PROJECTED AADT - SITE ADT = 24,506 TRIPS TRAFFIC PATTERN GROUP 2 (2020) TRAFFIC SUMMARY DESIGN HOURLY VOLUME = 11,547 x 21,126 = 2,438 TRIPS
	SITE TRAFFIC DATA: SOURCE: ITE TRIP GENERATION MANUAL 10TH EDITION MINI-WAREHOUSE (ITE-15) ENTRANCE - RIGHTS IN/RIGHT OUT DESIGN VEHICLE: SEMI-TRAILER (WB50) TOTAL BUILDING FLOOR AREA = 96,100 S.F. ADT = (1.51 x 96,100 / 1000 S.F.) = 146 TRIPS (73 IN / 73 OUT) DIRECTIONAL DISTRIBUTION: FROM THE NORTH 173 TRIPS @ 10 AM PKI @ 10 PM PK I TO THE SOUTH 173 TRIPS @ 10 AM PKI @ 10 PM PK I 6.61% TRUCKS & BUSES x 146 = 10
TRAFFIC GENERATION DIAGRAM TRIPS PER DAY (VEHICLES IN AN HOUR)	



LEGEND

PROPERTY BOUNDARY	---
RIGHT-OF-WAY LINE	---
LOT LINE	---
BUILDING SETBACK LINE	---
ZONING DISTRICT LINE	---
EXISTING CONTOUR	- - - - 26
PROPOSED CONTOUR	- - - - (26)
EXISTING STORM DRAIN	- - - - S
PROPOSED STORM DRAIN	- - - - S
EXISTING SANITARY SEWER	- - - - W
PROPOSED SANITARY SEWER	- - - - W
EXISTING WATER LINE	- - - - W
PROPOSED WATER LINE	- - - - W
EXISTING UTILITY POLE	•
EXISTING ROAD SIGN	□
EXISTING SPOT ELEVATION	26x27
PROPOSED SPOT ELEVATION	(26x27)



N.O.F.
JONES ENTERPRISE, LLC
233-5.00-154.00
PB 3280 PG 51
ZONING C-1

N.O.F.
ELUID RAMIREZ
233-5.00-172.00
PB 4908 PG 203
ZONING C-2

N.O.F.
NENES INVESTMENTS, LLC
233-5.00-173.00
PB 5310 PG 301
ZONING AR-1

N.O.F.
NENES INVESTMENTS, LLC
233-5.00-174.00
PB 5310 PG 301
ZONING AR-1

N.O.F.
SARAH ANDERSON
233-5.00-175.00
PB 4053 PG 159
ZONING AR-1

N.O.F.
KENNETH FISHER
233-5.00-152.00
PB 4853 PG 101
ZONING C-1

DUPONT BOULEVARD (U.S. ROUTE 113)
(PRINCIPAL ARTERIAL ROADWAY CLASSIFICATION)

ENGINEER CERTIFICATION

I, KEVIN R. MINNICH, 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 MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

KEVIN R. MINNICH, PE #9027 DATE

DATA COLUMN

ACREAGE WITHIN BOUNDARIES:	10.52 ACRES
TAX PARCEL NO.:	233-5.00-153.00
EXISTING ZONING:	C-1 AND AR-1
PROPOSED ZONING:	C-1 AND AR-1
EXISTING USE:	RESIDENTIAL
PROPOSED USE:	SELF STORAGE WAREHOUSE
PROPOSED BUILDING GFA:	62,900 S.F. (CLIMATE CONTROLLED) 90,000 S.F. (NON-CLIMATE CONTROLLED) 92,900 S.F. (TOTAL)
PARKING REQUIRED:	(1,500 S.F. OFFICE) (1 SP/200 S.F.) = 8 SPACES
PARKING PROVIDED:	8 SPACES (2 HANDICAP)
BUILDING SETBACKS:	60' FRONT 20' SIDE 30' REAR
BUILDING CONSTRUCTION TYPE:	TYPE II (1000) METAL & MASONRY
MAXIMUM BUILDING HEIGHT:	42 FEET
PROPOSED BUILDING HEIGHT:	10 FEET
VERTICAL DATUM:	NAVD88
HORIZONTAL DATUM:	NAD83
STORMWATER MANAGEMENT AREA:	0.38 ACRES
PERMANENT MONUMENTS FOUND:	0
PERMANENT MONUMENTS PLACED:	0
WATER SERVICE:	PRIVATE ON-SITE WELL
SEWER SERVICE:	PRIVATE ON-SITE SEPTIC
INVESTMENT LEVEL AREA:	1
POSTED SPEED LIMIT:	55 MPH (SOUTH DUPONT BLVD)
OWNER OF RECORD:	WAGNER FAMILY PROPERTIES, LLC 27576 DAGSBORO ROAD DAGSBORO, DE 19939

GENERAL NOTES

- EXISTING UTILITIES ARE SHOWN IN ACCORDANCE WITH BEST AVAILABLE INFORMATION AND IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY AND ALLOW FOR THEIR LOCATIONS.
- THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PROTECT ALL EXISTING UTILITIES AND MAINTAIN UNINTERRUPTED SERVICE. ANY AND ALL DAMAGES DONE TO THEM DUE TO HIS NEGLIGENCE SHALL BE IMMEDIATELY AND COMPLETELY REPAIRED AT HIS EXPENSE.
- PLAN LOCATIONS AND DIMENSIONS SHALL BE STRICTLY ADHERED TO UNLESS OTHERWISE DIRECTED BY THE ENGINEER.
- NOTIFY MISS UTILITY 48 HOURS PRIOR TO ANY EXCAVATION AT (800) 282-8555.
- THIS DRAWING DOES NOT INCLUDE THE 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 THERE TO APPURTENANT.
- THE BOUNDARY INFORMATION SHOWN IS BASED ON A FIELD SURVEY PERFORMED ON JULY 30, 2021 BY MORRIS & RITCHE ASSOCIATES, INC.
- THIS PROPERTY IS NOT IMPACTED BY WETLANDS REGULATED BY THE STATE OF DELAWARE OR THE U.S. ARMY CORPS OF ENGINEERS.
- THIS PROPERTY IS NOT IMPACTED BY THE 100 YEAR FLOOD PLAIN AS DEPICTED ON FEMA MAP NO. 10005C0467K, DATED MARCH 15, 2015.
- ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH DELAWARE STATE FIRE PREVENTION REGULATIONS.
- PROPOSED BUILDING #1 WILL BE PROTECTED BY AN AUTOMATIC SPRINKLER SYSTEM.
- LOCK BOX REQUIRED, CONTACT LOCAL FIRE CHIEF FOR ORDERING INFORMATION AND LOCATION OF BOX ON THE BUILDING.
- IF THE APPROVED PLAN NEEDS TO BE MODIFIED, ADDITIONAL SEDIMENT AND STORMWATER CONTROL MEASURES MAY BE REQUIRED AS DEEMED NECESSARY BY THE SUSSEX CONSERVATION DISTRICT.
- THE SUSSEX CONSERVATION DISTRICT RESERVES THE RIGHT TO ENTER PRIVATE PROPERTY FOR PURPOSES OF PERIODIC SITE INSPECTION.

Minnich
Engineering & Land Planning
Designing Quality Not Quantity

868 Greenwood Road - Greenwood, DE 19950
(302) 697-2239 • (302) 349-5381

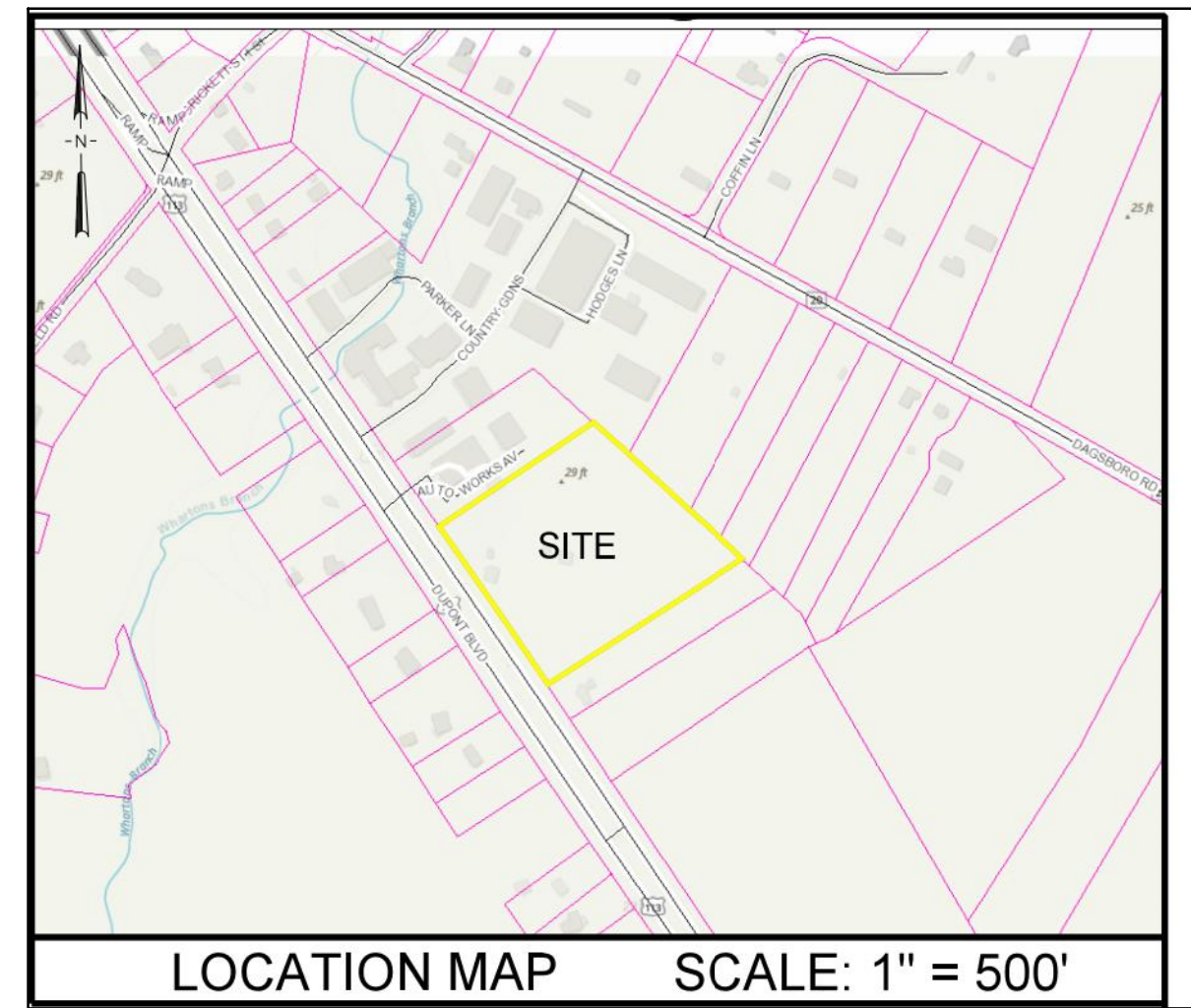
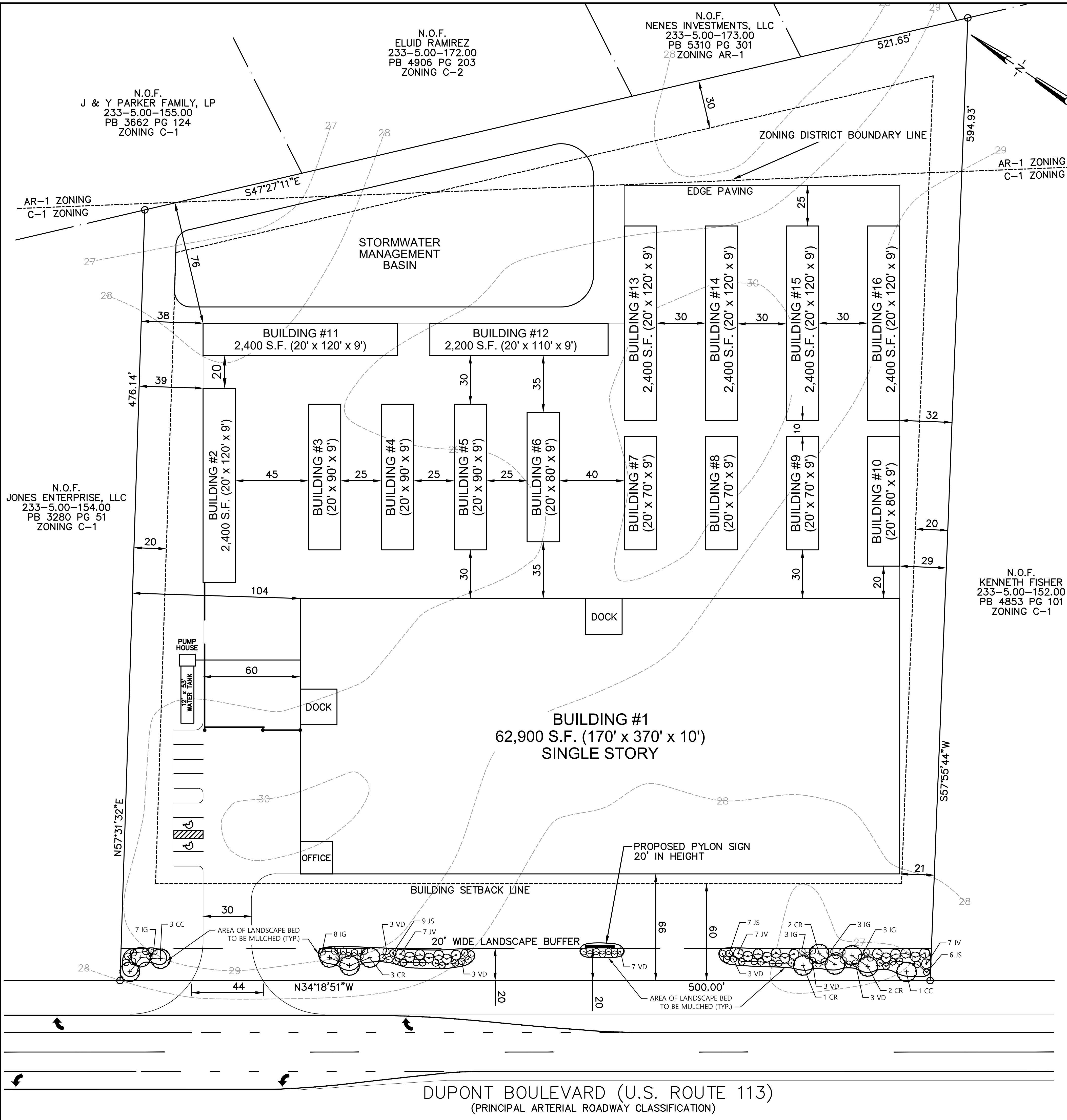
REVISIONS:

PROJECT NO: 21-189 | DGN FILE: 21-189

PRELIMINARY SITE PLAN
DAGSBORO SELF STORAGE

SITUATE IN: DAGSBORO HUNDRED - SUSSEX COUNTY, DELAWARE

DATE: 12/15/21 | SCALE: 1" = 40' | SHEET: 1



COMBINED HIGHWAY CORRIDOR OVERLAY ZONE (CHCOZ) BUFFER CALCULATIONS

REQUIRED BUFFER ALONG U.S. ROUTE 13 = 20' WIDE
 LENGTH OF 20' BUFFER = 456 LINEAR FEET

TREES REQUIRED TO BE PLANTED IN BUFFER = 456/100 = 4.56 X 12 = 54.72
 TREES PROVIDED IN BUFFER = 55

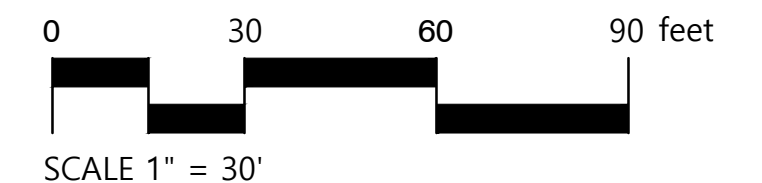
SHRUBS REQUIRED TO BE PLANTED IN BUFFER = 456/100 = 4.56 X 10 = 45.60
 SHRUBS PROVIDED IN BUFFER = 46

TREE PLANTING SCHEDULE*				
SYMBOL	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE
CC	4	CERCIS CANADENSIS	EASTERN REDBUD	5 GAL. CONT.
CR	8	CORNUS X 'RUTDAN'	CELESTIAL DOGWOOD	5 GAL. CONT.
JS	22	JUNIPERUS SCOPULORUM 'BLUE ARROW'	BLUE ARROW JUNIPER	5 GAL. CONT.
JV	21	JUNIPERUS VIRGINIANA 'CORCORCOR'	EMERAL SENTINAL RED CEDAR	5 GAL. CONT.

SHRUB PLANTING SCHEDULE				
SYMBOL	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE
IG	24	ILEX GLABRA 'DENSE'	DENSE INKBERRY	3 GAL. CONT.
VD	22	VIBURNUM DENTATUM 'CHRISTOM'	BLUE MUFFIN VIBURNUM	3 GAL. CONT.

NOTES

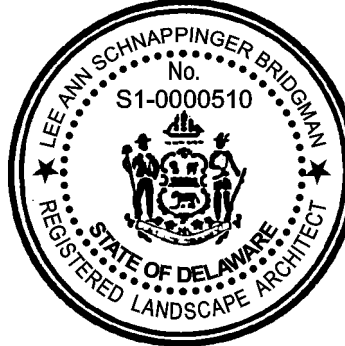
- EXISTING AND PROPOSED CONDITIONS BASED ON DATA PROVIDED BY MINNICH ENGINEERING & LAND PLANNING.
- SEE SITE PLAN FOR MILLSBORO SELF STORAGE BY MINNICH ENGINEERING & LAND PLANNING FOR ADDITIONAL SITE DESIGN AND ENGINEERING INFORMATION.
- ALL AREAS OF THE BUFFER OUTSIDE OF THE MULCHED LANDSCAPE BED ARE TO BE ESTABLISHED IN TURF OR OTHER GROUND COVER.



No.	Revision/Issue	Date

Bridgman Landscape Architecture LLC
 Lee A. Schnappinger Bridgman
 Registered Landscape Architect
 920 Starr Road
 Centreville, Maryland 21617
 410.490.3651
 lbridgmanria@gmail.com

MILLSBORO SELF STORAGE
 Tax Map 233-5.00-153.00
 Dagsboro Hundred
 Sussex County, Delaware
 Prepared for: Lessard Builders



LANDSCAPE PLAN - CHCOZ BUFFER
 Date: JANUARY 2022
 Scale: 1" = 30'
 Sheet: 1 of 2

DUPONT BOULEVARD (U.S. ROUTE 113)
 (PRINCIPAL ARTERIAL ROADWAY CLASSIFICATION)

PLANTING SPECIFICATIONS

A. MATERIALS:

1. PLANTS SHALL BE NURSERY GROWN IN ACCORDANCE WITH GOOD HORTICULTURAL PRACTICES, AND GROWN UNDER CLIMATIC CONDITIONS SIMILAR TO THOSE IN THE LOCALITY OF THE PROJECT. THEY SHALL HAVE BEEN ROOT PRUNED WITHIN THE LAST TWO YEARS. THEY SHALL BE SOUND, HEALTHY AND VIGOROUS, WELL BRANCHED AND DENSELY FOLIATED WHEN IN LEAF. THEY SHALL BE FREE OF DISEASE, PEST, EGGS OR LARVAE, AND SHALL HAVE A HEALTHY, DEVELOPED ROOT SYSTEM. PLANTS SHALL NOT BE PRUNED BEFORE DELIVERY. TREES WITH A DAMAGED OR CROOKED LEADER OR MULTIPLE LEADERS, ABRASIONS ON THE BARK, SUNSCALD, DISFIGURING KNOTS OR FRESH CUTS OVER 1 1/2" WILL BE REJECTED. NO CHANGE IN QUANTITY, SIZE, KIND OR QUALITY OF PLANT SPECIFIED WILL BE PERMITTED WITHOUT THE APPROVAL OF THE LANDSCAPE ARCHITECT/ DESIGNER.
2. TOPSOIL SHALL BE FERTILE, FRIABLE AND TYPICAL OF THE LOCALITY; IT SHALL BE FREE OF STONES, LUMPS, PLANTS, ROOTS, STICKS AND SHALL NOT BE DELIVERED IN A FROZEN OR MUDDY CONDITION.
3. PLANTING SOIL (BACKFILL MIX) SHALL BE FIVE PARTS TOPSOIL AND ONE PART WET LOOSE PEAT MOSS.
4. STAKING MATERIALS: GUY WIRE SHALL BE PLIABLE 12 GAUGE GALVANIZED TWISTED TWO STRAND WIRE. HOSE SHALL BE A SUITABLE LENGTH OF TWO-PLY, REINFORCED BLACK RUBBER HOSE 3/4" INCH IN DIAMETER; STAKES SHALL CONFORM TO THE DETAIL ON THIS SHEET.
5. WRAPPING MATERIAL SHALL BE A STANDARD MANUFACTURED TREE WRAPPING PAPER, BROWN IN COLOR WITH CRINKLED SURFACE AND FASTENED BY AN APPROVED METHOD.

B. APPLICABLE SPECIFICATIONS AND STANDARDS:

1. "STANDARDIZED PLANT NAMES," LATEST EDITION AMERICAN JOINT COMMITTEE ON HORTICULTURAL NOMENCLATURE.
2. "AMERICAN STANDARD FOR NURSERY STOCK," LATEST EDITION, AMERICAN ASSOCIATION OF NURSEYMEN.

C. DIGGING AND HANDLING OF PLANT MATERIALS:

1. IMMEDIATELY BEFORE DIGGING, SPRAY ALL EVERGREEN OR DECIDUOUS PLANT MATERIAL IN FULL LEAF WITH ANTI-DESICCANT, APPLYING AN ADEQUATE FILM OVER TRUNKS, BRANCHES, TWIGS, AND/OR FOLIAGE.
2. DIG BALL AND BURLAP (B&B) PLANTS WITH FIRM NATURAL BALLS OF EARTH, OF DIAMETER NOT LESS THAN THAT RECOMMENDED BY AMERICAN STANDARD FOR NURSERY STOCK, AND IF SUFFICIENT DEPTH TO INCLUDE THE FIBROUS AND FEEDING ROOTS. PLANTS MOVED WITH A BALL WILL NOT BE ACCEPTED IF THE BALL IS CRACKED OR BROKEN BEFORE OR DURING PLANTING OPERATIONS.

D. EXCAVATION OF PLANTING AREAS:

1. STAKE OUT ON THE GROUND LOCATIONS FOR PLANTS AND OUTLINES OF AREA TO BE PLANTED AND OBTAIN APPROVAL OF THE LANDSCAPE ARCHITECT/DESIGNER BEFORE EXCAVATION IS BEGUN.

E. PLANTING OPERATIONS:

1. SET PLANTS AT SAME RELATIONSHIP TO FINISHED GRADE AS THEY BORE TO THE GROUND FROM WHICH THEY WERE DUG. USE PLANTING SOIL TO BACKFILL APPROXIMATELY 2/3 FULL, WATER THOROUGHLY BEFORE INSTALLING REMAINDER OF THE PLANTING SOIL TO TOP OF PIT, ELIMINATING ALL AIR POCKETS.
2. SET PLANTING PLUMB AND BRACE RIGIDLY IN POSITION UNTIL THE PLANTING SOIL HAS BEEN STAMPED SOLIDLY AROUND THE BALL AND ROOTS. CUT ROPES OR STRINGS FROM TOP OF BALL AFTER PLANT HAS BEEN SET. LEAVE BURLAP OR CLOTH WRAPPING INTACT AROUND BALLS. TURN UNDER AND BURY PORTIONS OF BURLAP AT TOP OF BALL.
3. PROTECT PLANTS AT ALL TIMES FROM SUN OR DRYING WINDS. PLANTS THAT CANNOT BE PLANTED IMMEDIATELY ON DELIVERY SHALL BE KEPT IN THE SHADE, WELL PROTECTED WITH SOIL, WET MOSS OR OTHER ACCEPTABLE MATERIAL AND SHALL BE KEPT WELL WATERED. PLANTS SHALL NOT REMAIN UNPLANTED FOR LONGER THAN THREE DAYS AFTER DELIVERY.
4. PLANTS SHALL NOT BE BOUND WITH WIRE OR ROPE AT ANY TIME SO AS TO DAMAGE THE BARK OR BREAK BRANCHES. PLANTS SHALL BE LIFTED AND HANDLED FROM THE BOTTOM OF THE BALL ONLY.
5. MULCH ALL PITS AND BEDS WITH A THREE INCH LAYER OF DOUBLE SHREDDED HARDWOOD BARK MULCH IMMEDIATELY AFTER PLANTING AND WORK INTO THE TOP THREE INCHES OF THE PLANTING SOIL. FORM A 3" EARTH SAUCER AROUND EACH PLANT. WATER ALL PLANTS IMMEDIATELY AFTER PLANTING.
6. REMOVE ANY TREE WRAPPING FROM TRUNK FOLLOWING INSTALLATION.

F. STAKING AND PRUNING:

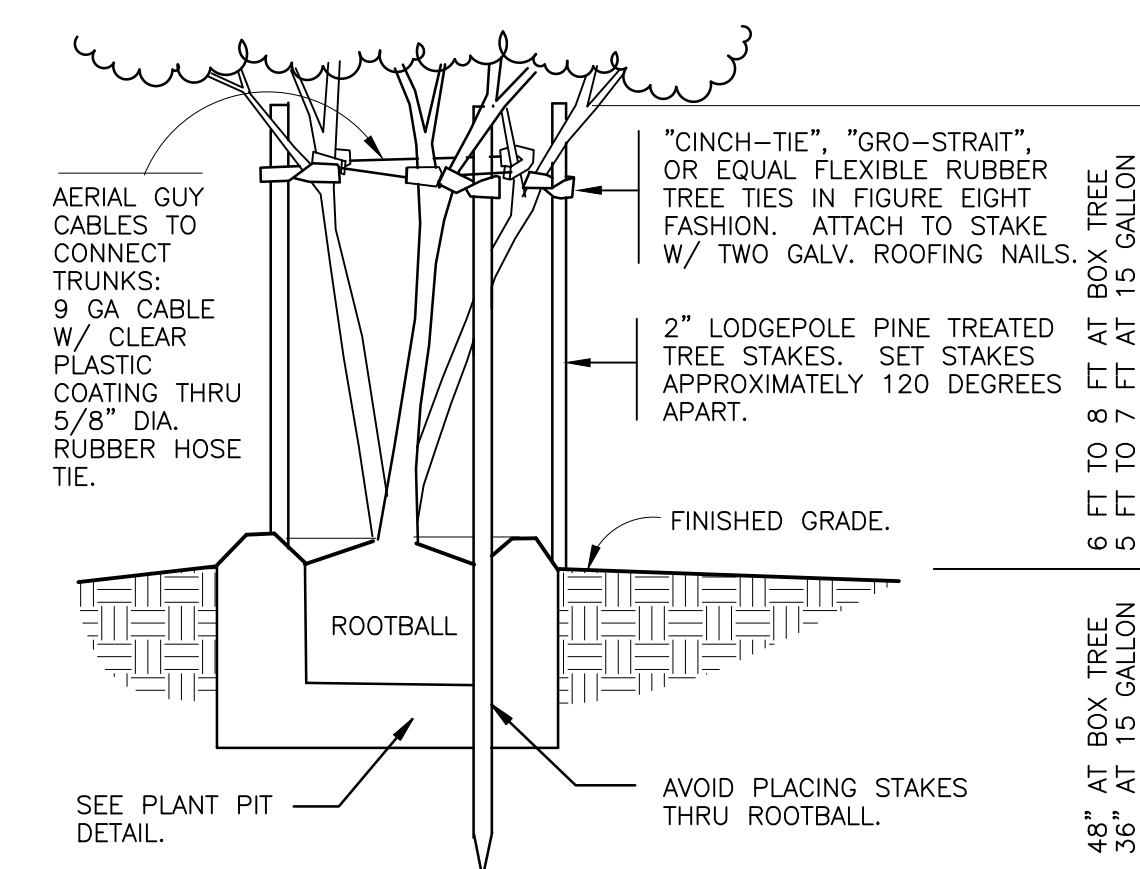
1. STAKING SHALL BE COMPLETED IMMEDIATELY AFTER PLANTING. PLANTS SHALL STAND PLUMB AFTER STAKING. STAKES AND GUY WIRES SHALL BE REMOVED AT THE END OF THE GUARANTEE PERIOD AND DEPOSITED OFF SITE BY THE CONTRACTOR.
2. PRUNE PLANTS AT THE TIME OF PLANTING ONLY TO REMOVE DEAD WOOD, SUCKERS, OR BROKEN BRANCHES.

G. GUARANTEE:

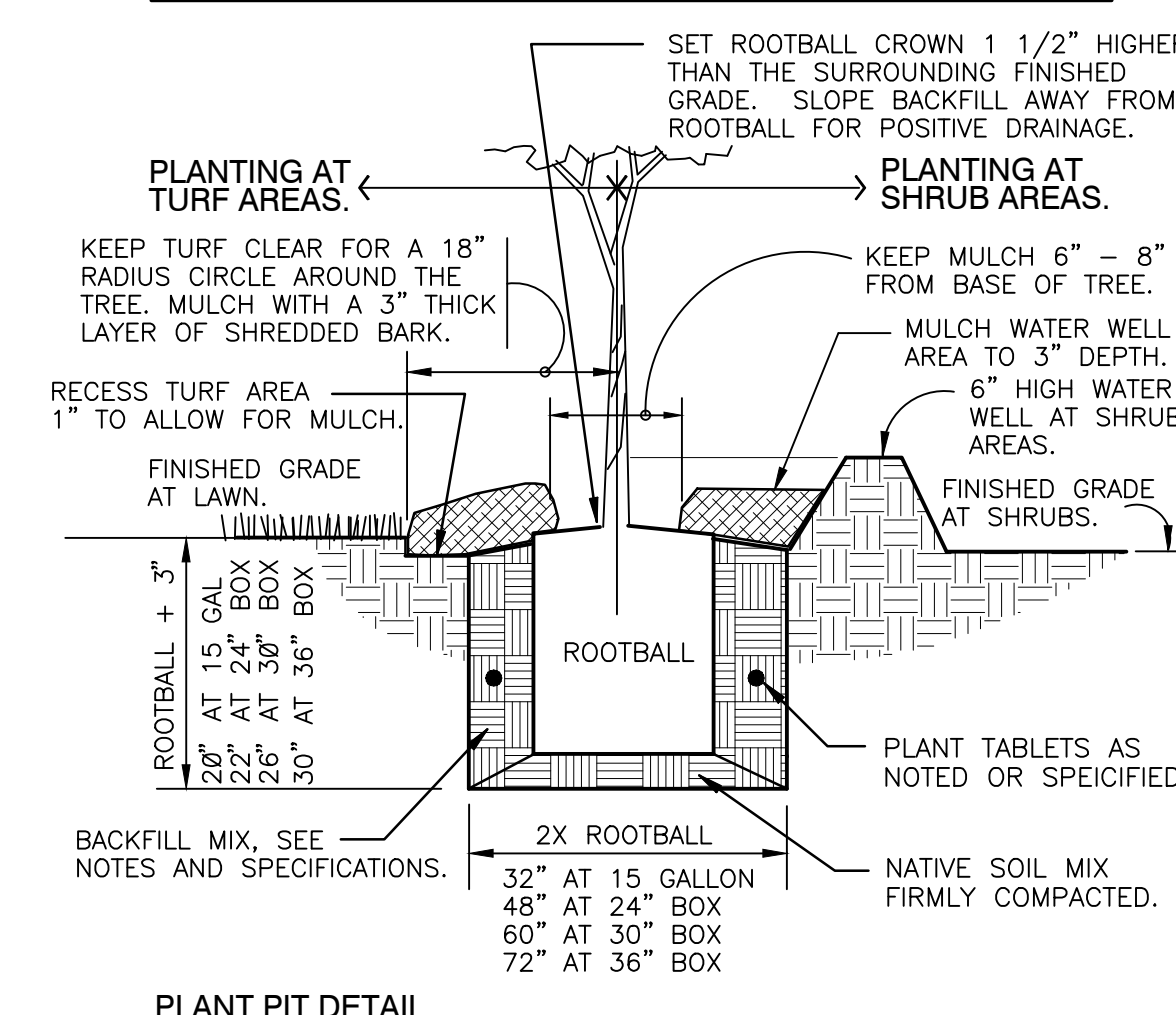
ALL PLANT MATERIALS SHALL BE GUARANTEED FOR ONE (1) FULL YEAR FROM THE DATE THAT THE LANDSCAPE INSTALLATION IS ACCEPTED AS COMPLETE. PLANT MATERIAL NOT FOUND TO BE IN A HEALTHY, VIGOROUS CONDITION AT THE BEGINNING OF THE SECOND GROWING SEASON IS TO BE REPLACED.

H. SEEDING:

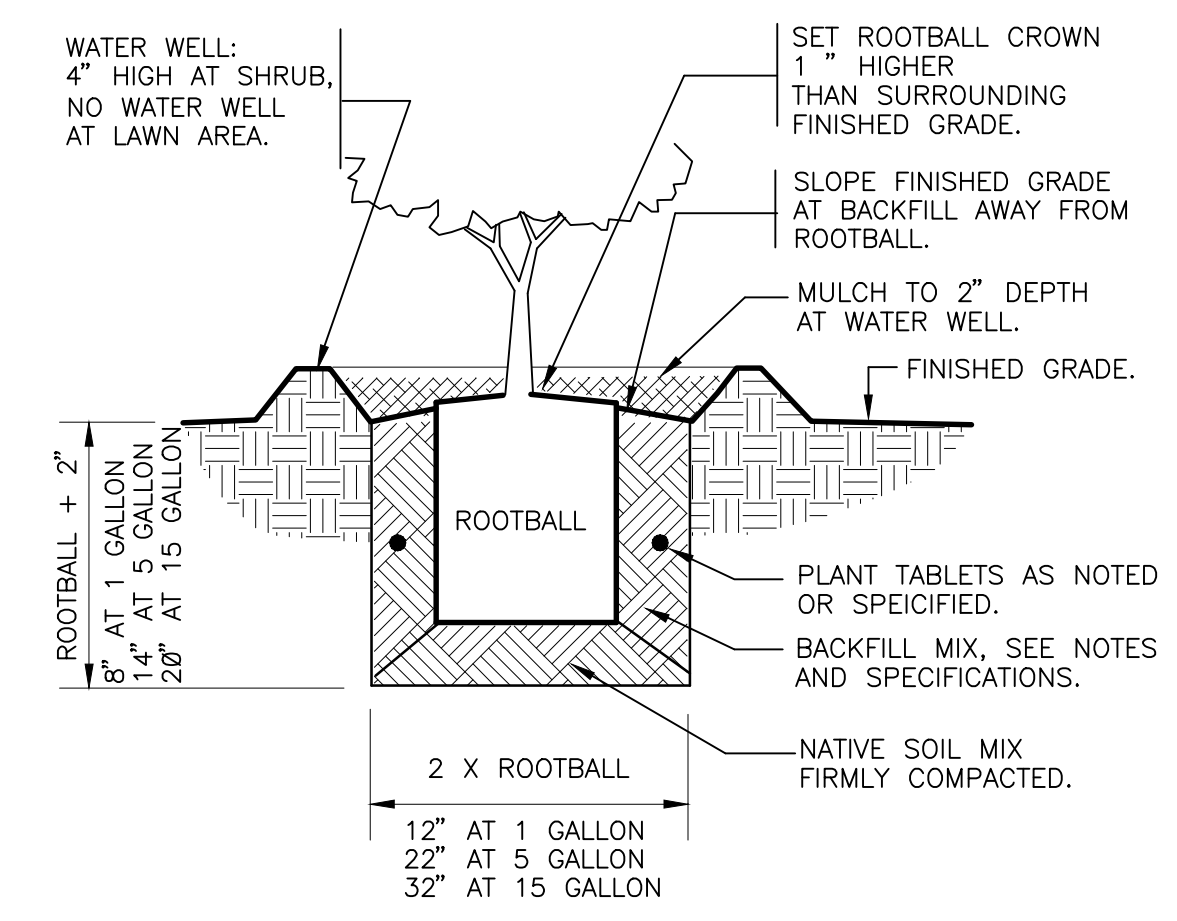
- ALL AREAS REMAINING DISTURBED AFTER CONSTRUCTION, PAVING AND INSTALLATION OF THE LANDSCAPING ARE TO BE SEED.
1. SEED BED PREPARATION: APPLY 25 LBS. OF 10-10-10 FERTILIZER PER 1000 SQ.FT. HARROW OR DISC INTO SOIL TO A DEPTH OF 3-4 INCHES. APPLY PULVERIZED GROUND LIMESTONE, 50 LBS. PER 1000 SQ. FT.
 2. SEEDING: APPLY 4.5 LBS PER 1000 SQ. FT. OF KENTUCKY 31 TALL FESCUE OR A SUITABLE COMPARABLE MIX ON A MOIST SEED BED WITH SUITABLE EQUIPMENT.
 3. MULCHING: IMMEDIATELY AFTER SEEDING, UNIFORMLY MULCH ENTIRE AREA WITH UNDERWEATHERED SMALL GRAIN STRAW AT A RATE OF 1 1/2"-2" TONS PER ACRE.
- FOR BEST RESULTS, SEEDING SHOULD BE PERFORMED BETWEEN MARCH 15TH AND APRIL 30TH OR AUG. 15TH TO OCT. 31ST.



STAKING DETAIL



PLANT PIT DETAIL



SHRUB PLANTING

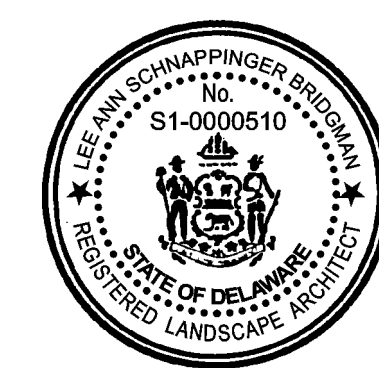
1" = 1'-0"

FX-PL-FX-SHRB-07

TREE PLANTING MULTI-STAKE

1" = 1'-0"

FX-PL-FX-TREE-15



No.	Revision/Issue	Date

Bridgman Landscape Architecture LLC
 Lee A. Schnappinger Bridgman
 Registered Landscape Architect
 920 Starr Road
 Centreville, Maryland 21617
 410.490.3651
 lbridgmanria@gmail.com

MILLSBORO SELF STORAGE
 Tax Map 233-5.00-153.00
 Dagsboro Hundred
 Sussex County, Delaware
 Prepared for: Lessard Builders

LANDSCAPE PLAN - CHCOZ BUFFER
 Date: JANUARY 2022
 Scale: AS SHOWN
 Sheet: 2 of 2



(302) 697-2239 VOICE
(302) 349-5381 VOICE

868 GREENWOOD ROAD
GREENWOOD, DE 19950

January 20, 2022

Sussex County Planning Commission
2 The Circle
Georgetown, DE 19947

RE: Waiver Request
All Climate Storage of Millsboro

Dear Planning Commission Members,

In accordance with 115-194.1(G) of the Sussex County Zoning Code, the Combined Highway Corridor Overlay Zoning District requires transit and pedestrian accommodations along DuPont Boulevard (US Route 113). Due to the use of the facility being a secured and fenced self-storage facility, we would request that the Planning Commission consider our request for a waiver from this section of the code.

Similarly, section 115-220(B)(16) would require interconnectivity with the adjacent parcels which would not be possible for the proposed use of a secured facility. We would also request that Planning Commission consider a waiver from this requirement.

Thank you for your consideration in this matter.

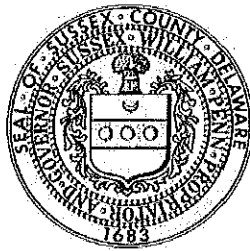
Sincerely,

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

Kevin R. Minnich
Professional Engineer

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 AND ZONING

December 16, 2021

Mr. Kevin R. Minnich, P.E.
Minnich Engineering Inc
868 Greenwood Road
Greenwood, DE 19947

By email to: krminnich@comcast.net

RE: Staff Review of the Preliminary Site Plan Review for Dagsboro Self Storage (S-21-38) located off Dupont Boulevard (Rt. 113).
Tax Parcel: 233-5.00-153.00

Dear Mr. Minnich,

The Planning and Zoning Department has reviewed the submitted Preliminary Site Plan for Dagsboro Self Storage received December 12, 2021. The parcel is located on the north east side of Dupont Boulevard (Rt. 113) and is dual zoned General Commercial (C-1) Zoning District and Agricultural Residential (AR-1) Zoning District. Staff has reviewed the proposed site plan for compliance with the Sussex County Zoning Code and have the following comments:

1. Please include the Net Development Area of the parcel within the Site Data Column.
2. Staff notes that the Parking Required note in the Data Column uses 1,500 S.F. of Office space for the calculation. However, the site plan shows only 810 S.F. of Office space. Additionally, because the development classifies as a Large-scale Use (§115-77.1(D)(2)), the parking space requirement shall be increased by 20%. Please correct the parking space calculation to reflect this increase and add annotation on the site plan for the missing 690 S.F. if the 1,500 S.F. is correct.
3. Staff notes that the proposed development lies within the Combined Highway Corridor Overlay Zoning District (CHCOZ) (§115-194.1).
 - a. Please add annotation which clearly depicts the 20-ft buffer from Dupont Boulevard (Rt. 113) and include a landscape plan for the buffer, in order to comply with §115-194.1(E).
 - b. Please indicate transit and pedestrian accommodations along Dupont Boulevard (rt. 113) according to §115-194.1(G).
4. Please indicate on the plans the number of construction phases proposed and show the approximate boundaries of each phase and the proposed completion date of each phase.
5. Please add annotation which clearly depicts interconnectivity with the adjacent parcels according to (§115-220(B)(16)).
6. Please include in the General Notes Column that this parcel is located in an area of “fair” Groundwater Recharge potential in order to comply with Chapter 89 “Source Water Protection” of the Sussex County Code (§89-7).

7. Prior to approval of the Final Site Plan, approval letters or letters of no objection from the following agencies shall be submitted to the Sussex County Planning and Zoning Office:
- a. Sussex Conservation District
 - b. Delaware Department of Transportation (DelDOT)
 - c. State Fire Marshal

Please provide **one (1) full-size copy** and **one (1) electronic copy** of a Revised Preliminary Subdivision Plan when the revisions are complete if you wish your application to be considered at the next available Planning and Zoning Commission meeting.

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

Sincerely,

A handwritten signature in cursive script that reads "Jesse Lindenberg". The signature is written in black ink and is positioned above the typed name.

Mx. Jesse Lindenberg
Planner I

GENERAL NOTES

1. TOPOGRAPHY SURVEY PERFORMED BY DAVIS, BOWEN & FRIEDEL, INC. DECEMBER, 2015
2. THIS SITE AS SHOWN HEREON CONTAINS STATE OR FEDERALLY REGULATED SECTION 10 WETLANDS, BASED ON NWI AND DNREC WETLAND MAPS.
3. SUBDIVISION STREETS CONSTRUCTED WITHIN THE LIMITS OF COMMON AREAS OR WITHIN PRIVATE RIGHT-OF-WAYS ARE TO BE OWNED, OPERATED, AND MAINTAINED BY THE DEVELOPER UNTIL SUCH TIME THE OWNERSHIP IS TRANSFERRED TO THE PRIVATE PROPERTY OWNER'S ASSOCIATION. SUSSEX COUNTY ASSUMES NO MAINTENANCE RESPONSIBILITY FOR PRIVATE ROADWAYS.
4. ALL STORMWATER FACILITIES ARE TO BE OWNED, OPERATED, AND MAINTAINED BY THE DEVELOPER UNTIL SUCH TIME THE OWNERSHIP IS TRANSFERRED TO THE PRIVATE PROPERTY OWNER'S ASSOCIATION. SUSSEX COUNTY ASSUMES NO MAINTENANCE RESPONSIBILITY FOR STORMWATER FACILITIES.
5. ALL COMMON SPACE SHALL BE OWNED, OPERATED, AND MAINTAINED BY THE DEVELOPER UNTIL SUCH TIME THE OWNERSHIP IS TRANSFERRED TO THE PRIVATE PROPERTY OWNER'S ASSOCIATION. SUSSEX COUNTY ASSUMES NO MAINTENANCE RESPONSIBILITY FOR COMMON SPACE.
6. ALL SEWER AND WATER WILL BE OWNED, OPERATED, AND MAINTAINED BY THE DEVELOPER UNTIL IT IS COMPLETE AND HAS RECEIVED FINAL ACCEPTANCE BY ARTESIAN WASTEWATER MANAGEMENT, INC. & ARTESIAN WATER COMPANY, INC.
7. EXISTING VEGETATION TO BE USED AS PROPOSED LANDSCAPE BUFFER SUPPLEMENTED W/ADDITIONAL PLANTINGS AS NEEDED. EXISTING VEGETATION CAN BE REMOVED AS NEEDED FOR CONSTRUCTION PURPOSES.

WESTON WILLOWS COMMERCIAL OUTPARCELS

PRELIMINARY PLANS BROADKILL RIVER WATERSHED, GEORGETOWN HUNDRED, SUSSEX COUNTY, DELAWARE

DBF PROJECT NO. 0818C017 MAY, 2021
COUNTY PROJECT # SL-17-31
REVISED: JULY 13, 2021

INDEX OF SHEETS	
1	TITLE
2	OUTPARCEL A & B
3	OUTPARCEL A SITE PLAN

DATA COLUMN

TAX MAP NUMBERS: 1-35-11.00-33.00 (PART OF)

DATUM:
VERTICAL: NAVD 88
HORIZONTAL: NAD 83 (DE STATE PLANE)

EX. ZONING: C-1 (COMMERCIAL DISTRICT)

PROP. ZONING: C-1 (COMMERCIAL DISTRICT)

EX. USE: FORESTED AREAS AND WETLAND AREAS

PROP. USE: COMMERCIAL OUTPARCELS

SITE AREA:
OUTPARCEL A: 2.197 ACRES
OUTPARCEL B: 1.718 ACRES
RESIDUAL: 22.822 ACRES
TOTAL AREA: 26.737 ACRES

PROPOSED BUILDINGS:
DIMENSIONS: 80'x90', 80'x90', 100x90'
TOTAL SQUARE FOOTAGE: 21,600 SQFT.

TOTAL RESIDENTIAL DENSITY BASED ON TOTAL AREA
NO ADDITIONAL RESIDENTIAL UNITS WILL BE ALLOWED ON OUTPARCELS

FLOOD HAZARD MAP: THIS PROPERTY IS NOT IMPACTED BY THE 100 YEAR FLOODPLAIN AS DETERMINED BY FEMA MAP 10005C0325K, DATED MARCH 16, 2015

C-1 SETBACK REQUIREMENTS:
FRONT SETBACK: 30'
SIDE SETBACK: 20' (WHEN ADJOINING RESIDENTIAL)
REAR SETBACK: 5'

UTILITIES:
SEWER: PUBLIC (ARTESIAN WATER CO., INC.)
WATER: PUBLIC (ARTESIAN WATER CO., INC.)

MAXIMUM PERMITTED BUILDING HEIGHT: 42'
PROPOSED BUILDING HEIGHT: 40'

PROPOSED BUILDING CONSTRUCTION: WOOD CONSTRUCTION

OUTPARCEL A:
IMPERVIOUS COVERAGE: 1,629 ACRES(IMPERVIOUS SURFACE)/ 2.197 ACRES(PARCEL A)= 74%

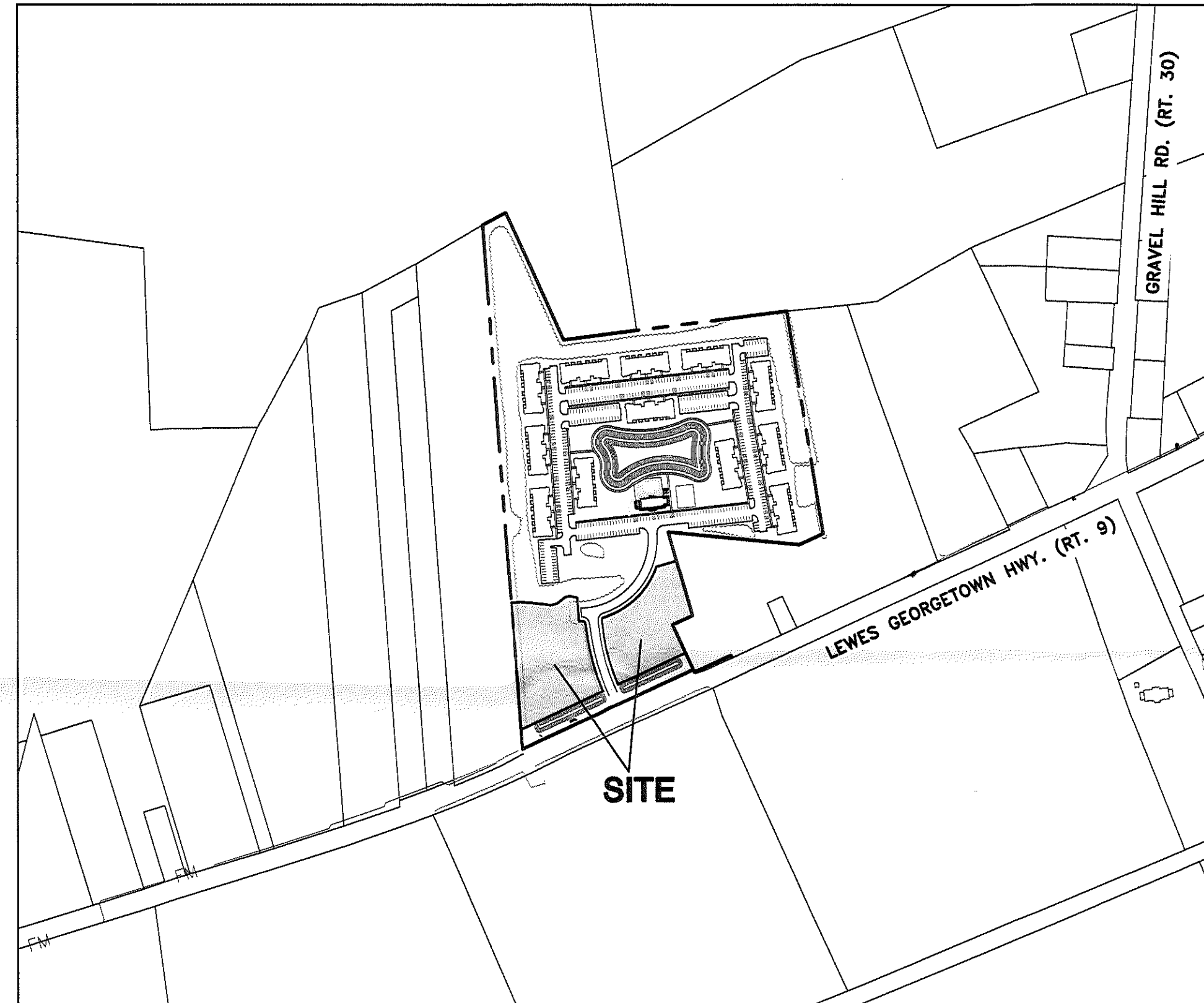
WETLANDS:
PARCEL A = 0.077 ACRES
PARCEL B = NONE EXIST

PARKING:
REQUIRED: 88 SPACES (1 PER 200 SQFT. OF USEABLE FLOOR AREA(17,600 SQFT.))
PROVIDED: 88 SPACES INCLUDING 4 HANDICAPPED ACCESSIBLE

LOADING:
REQUIRED: 1 LOADING SPACE PER 5,000-25,000 S.F.
3 BUILDINGS = 3 TOTAL REQUIRED
PROVIDED: 1 PER BUILDING = 3 TOTAL PROVIDED

OWNER/DEVELOPER: WESTON WILLOWS, LLC.
18949 COASTAL HIGHWAY, SUITE 301
REHOBOTH BEACH, DE 19971
(302) 227-3573

PREPARED BY:
DAVIS, BOWEN & FRIEDEL, INC.
23 NORTH WALNUT STREET
MILFORD, DE 19963
(302) 424-1441



BENCHMARKS			
DESCRIPTION	LOCATION	ELEVATION	
PK NAIL SET IN ASPHALT	N:259496.6330 E:683339.2095	42.46' (NAVD 88)	
PK NAIL SET IN ASPHALT	N:259177.2806 E:682646.4050	43.43' (NAVD 88)	

LEGEND

EXISTING	PROPOSED
BOUNDARY LINE	RIGHT-OF-WAY / BOUNDARY LINE
ADJACENT PROPERTY OWNER	EASEMENT
EASEMENT	FORESTED BUFFER
CONTOUR	WETLANDS BUFFER
CATCH BASIN, STORM PIPE	CONTOUR
SANITARY SEWER MANHOLE, PIPE	CATCH BASIN, STORM PIPE, STORM MANHOLE, LABELS
WATER MAIN	SWALE
FIRE HYDRANT ASSEMBLY	SANITARY SEWER IDENTIFICATION, MANHOLE, PIPE, FLOW ARROW, PIPE SIZE
UTILITY POLE	WATER MAIN, TEE W/ VALVES, PIPE SIZE
SIGN	FIRE HYDRANT ASSEMBLY
FENCE	TREE LINE
TREE	LIGHTING
TREE LINE	
WETLANDS	

WETLANDS CERTIFICATION

WE, THE UNDERSIGNED, HEREBY STATE THAT THE STATE AND/OR FEDERAL WETLANDS BOUNDARIES DELINEATED UPON THIS PLAN ARE ACCURATELY SHOWN AND THAT THE DELINEATION WAS PERFORMED UNDER OUR SUPERVISION AND IN ACCORDANCE WITH THE APPROPRIATE STATE OR FEDERAL STANDARD FOR IDENTIFYING AND DELINEATING JURISDICTIONAL WETLANDS.

KYLE LAMPORN, P.E., TEN BEARS ENVIRONMENTAL DATE
808 FEDERAL STREET
MILTON, DELAWARE 19968

OWNER'S STATEMENT

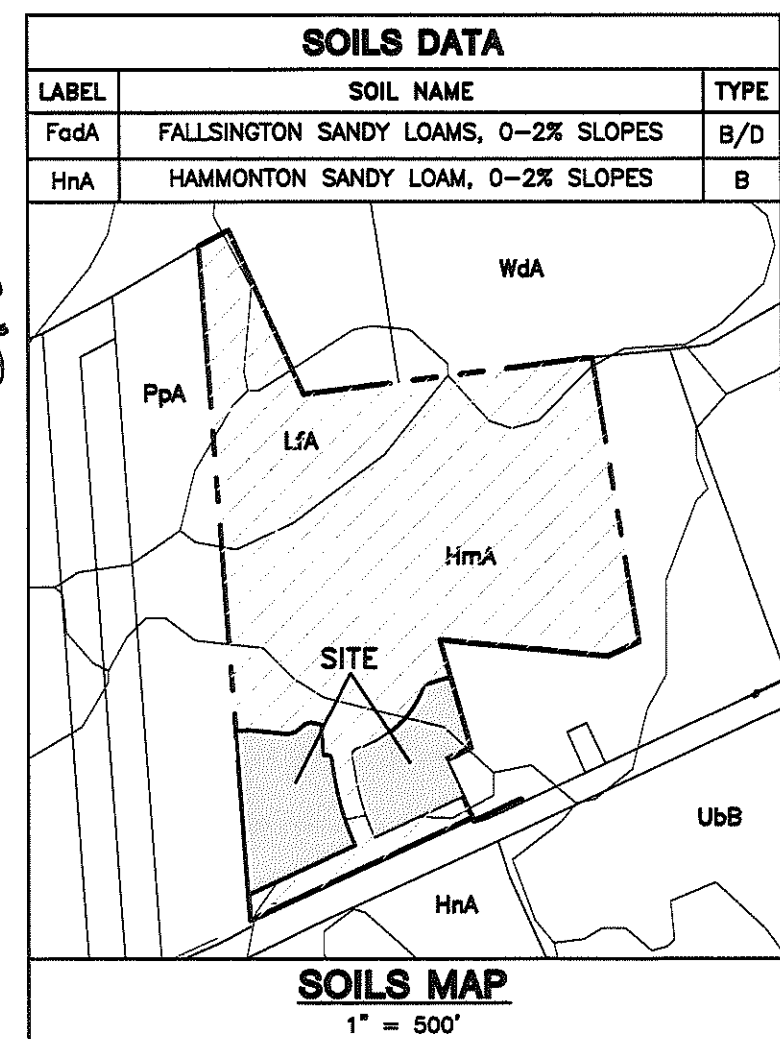
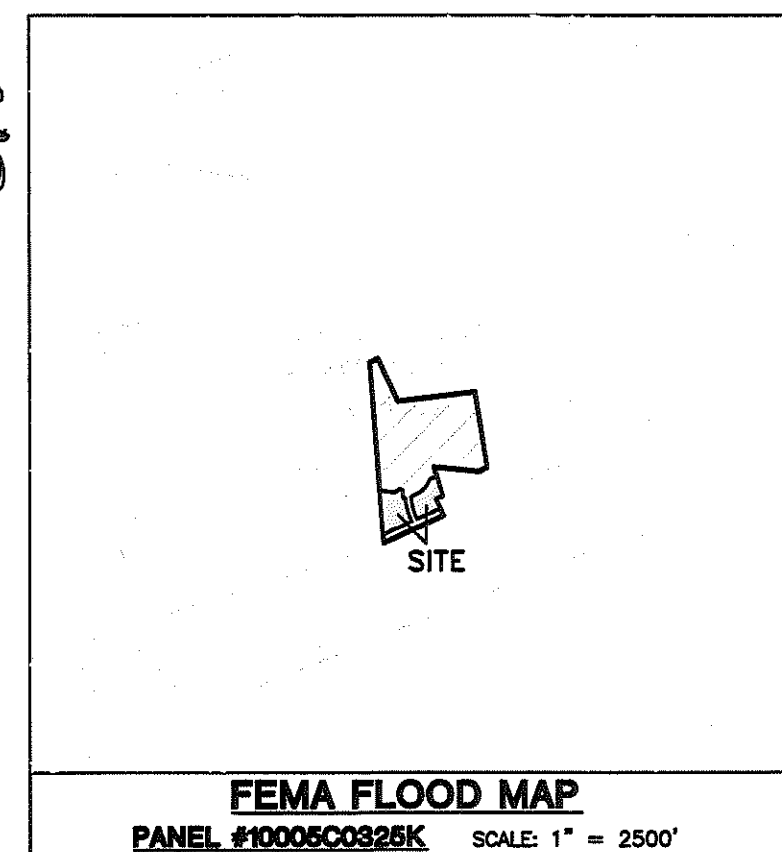
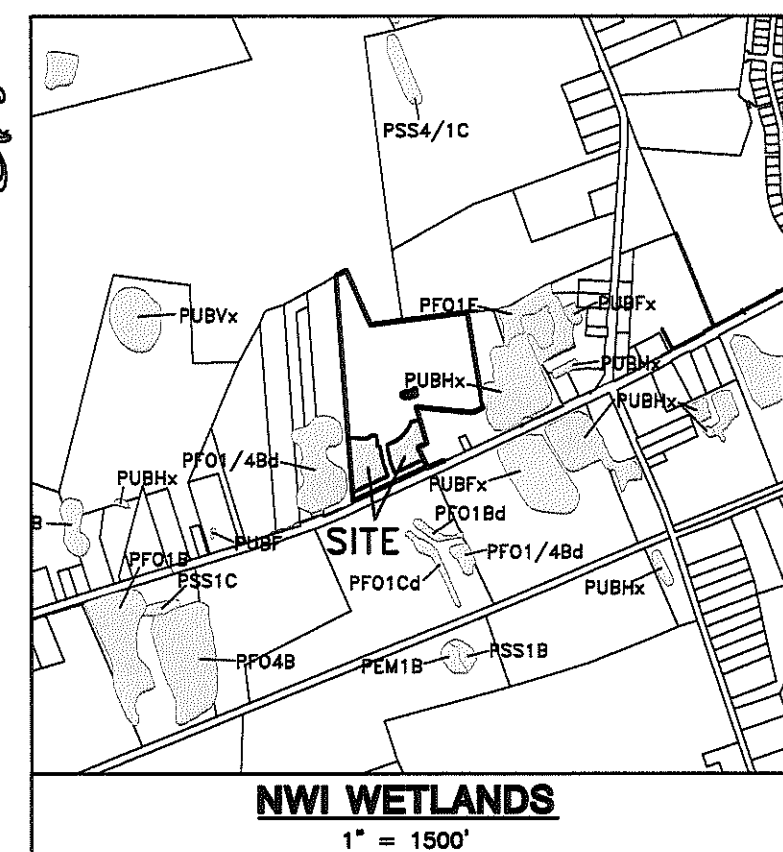
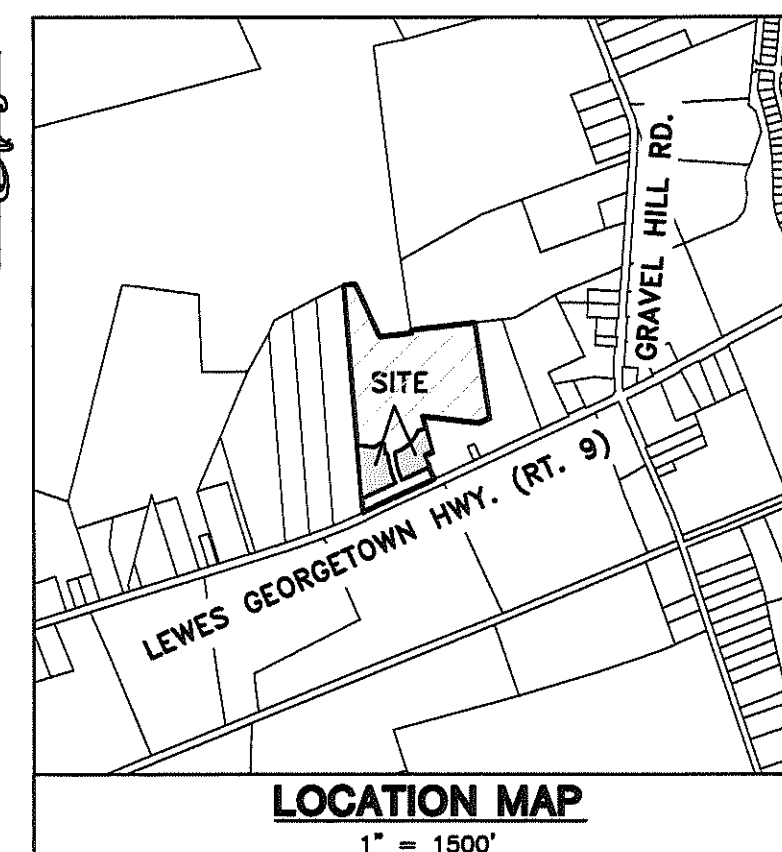
I, THE UNDERSIGNED, HEREBY STATE THAT I AM THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THE PLAN WAS MADE AT MY DIRECTION, I ACKNOWLEDGE THE SAME TO BE MY ACT AND DESIRE THE PLAN BE RECORDED ACCORDING TO LAW.

WESTON WILLOWS, LLC. DATE
18949 COASTAL HWY, UNIT 301
REHOBOTH BEACH, DE 19971

ENGINEER'S STATEMENT

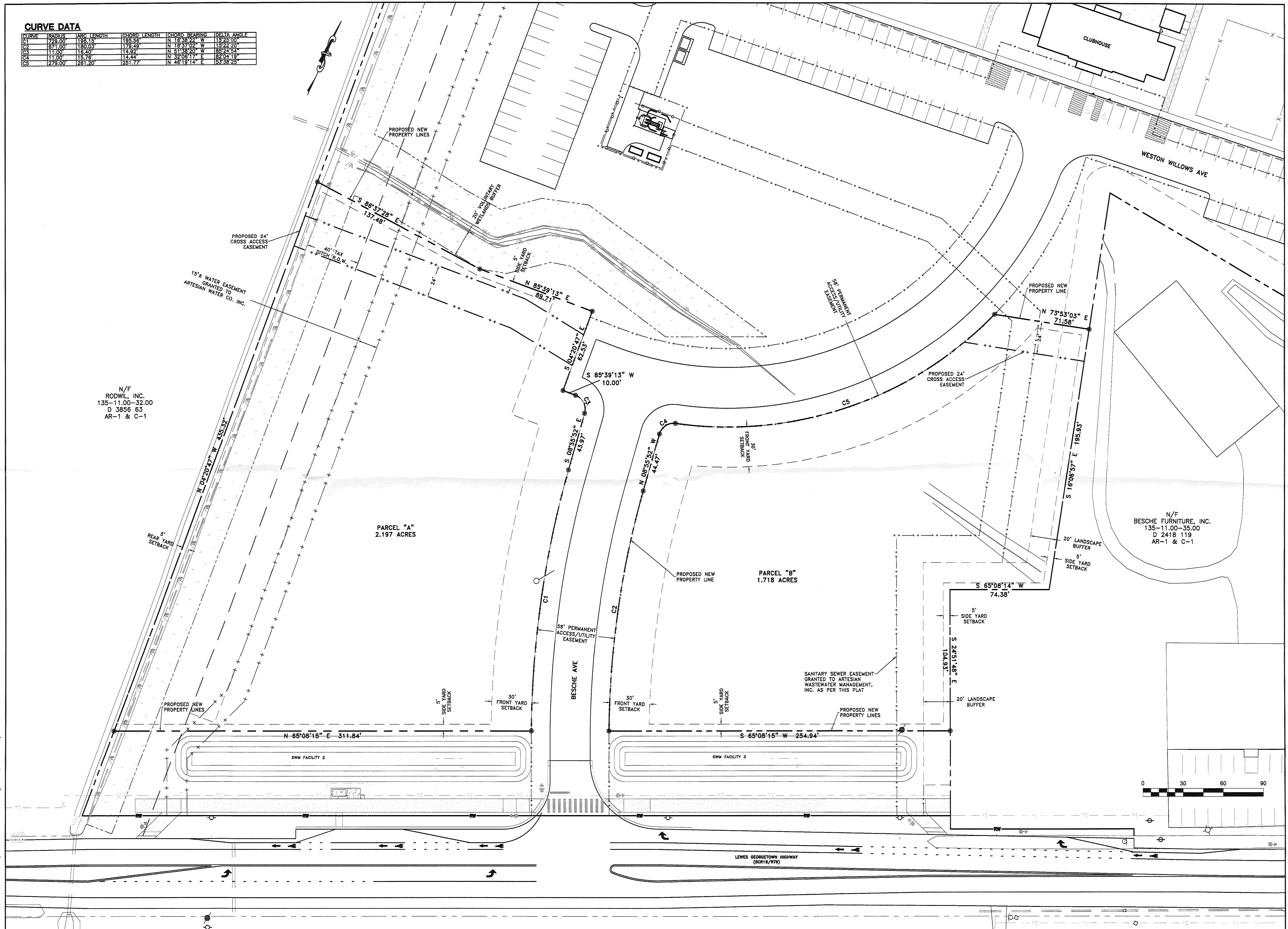
I, JAMIE L. SECHLER, P.E., HEREBY STATE THAT I AM A REGISTERED ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

by JAMIE L. SECHLER, P.E. DATE
DAVIS, BOWEN & FRIEDEL, INC.
1 PARK AVENUE
MILFORD, DELAWARE, 19963



Revisions

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	729.00	196.15	195.56	N 16°38'22" W	15°25'00"
C2	671.00	180.03	179.49	N 16°37'02" W	15°22'20"
C3	111.00	16.40	14.92	N 61°38'20" W	85°24'54"
C4	111.00	16.76	14.44	N 32°08'17" E	82°04'19"
C5	279.00	261.20	251.77	N 46°19'14" E	53°38'25"

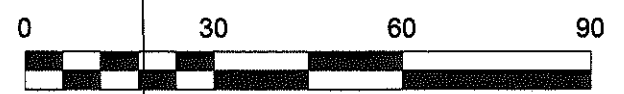


N/F
RODWIL, INC.
135-11.00-32.00
D 3856 63
AR-1 & C-1

PARCEL "A"
2.197 ACRES

PARCEL "B"
1.718 ACRES

N/F
BESCHE FURNITURE, INC.
135-11.00-35.00
D 2418 119
AR-1 & C-1



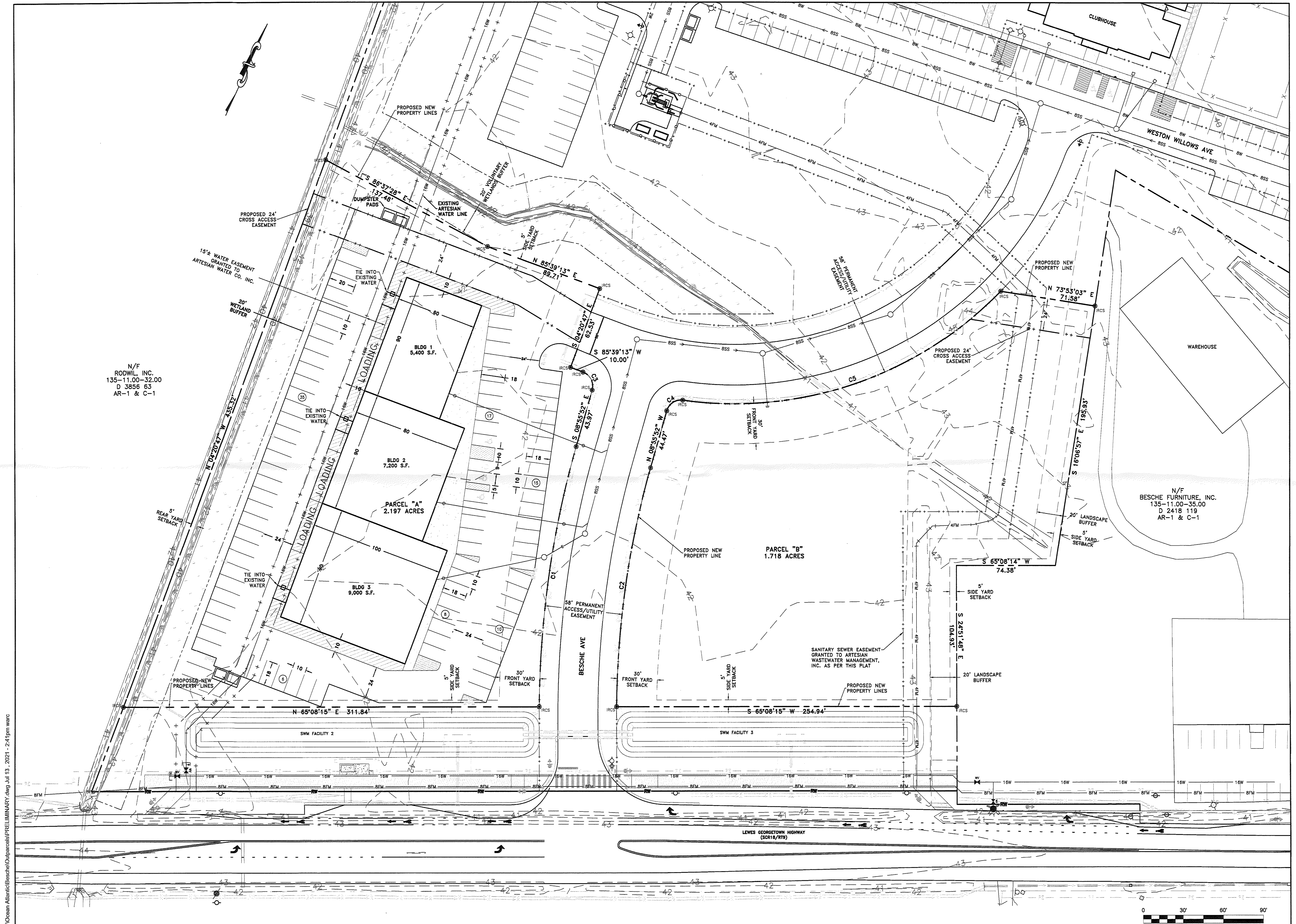
DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS ENGINEERS SURVEYORS
1300 W. MARKET AVENUE
MILFORD, DELAWARE 19967
(302) 434-1401
FAX (302) 434-1401
EASTON, MARYLAND
(410) 770-1714

OUTPARCELS

**WESTON WILLOWS
COMMERCIAL OUTPARCEL
SUSSEX COUNTY, DELAWARE**

Revisions:

Date:	MARCH 2021
Scale:	1"=30'
Dwn.By:	DJR/JMJ
Proj.No.:	088C017.D01
Dwg.No.:	2



N/F
RODWIL, INC.
135-11.00-32.00
D 3856 63
AR-1 & C-1

N/F
BESCHE FURNITURE, INC.
135-11.00-35.00
D 2418 119
AR-1 & C-1

DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS ENGINEERS SURVEYORS
SALISBURY, MARYLAND (410) 543-8801
MILFORD, DELAWARE (302) 424-1444
ESTON, MARYLAND (410) 712-1944

OUTPARCEL A PRELIMINARY SITE PLAN

**WESTON WILLOWS
COMMERCIAL OUTPARCEL
SUSSEX COUNTY, DELAWARE**

Revisions:
7-13-2021 P&Z COMMENTS

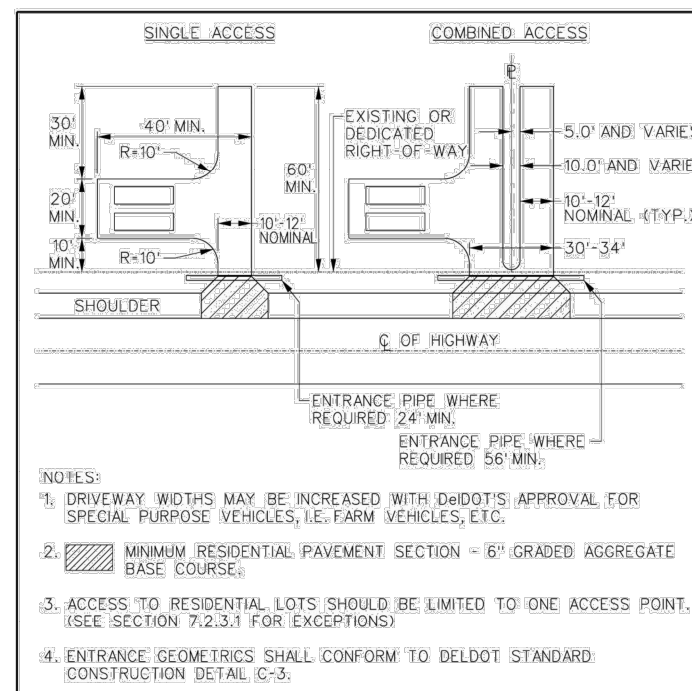
Date: MAY 2021
Scale: 1"=30'
Dwn.By: DJR/JMJ
Proj.No.: 0818C017.001
Dwg.No.:

3

P:\Ocean Atlantic\Boscho\Outparcels\PRELIMINARY.dwg Jul 13, 2021 - 2:41pm wrc

THIS DRAWING, THE DESIGN AND CONSTRUCTION FEATURES DISCLOSED ARE PROPRIETARY TO DAVIS, BOWEN & FRIEDEL, INC., AND SHALL NOT BE ALTERED OR REUSED WITHOUT WRITTEN PERMISSION. COPYRIGHT © 2021

Figure 7.2.3.3-a Residential Access Design Requirements

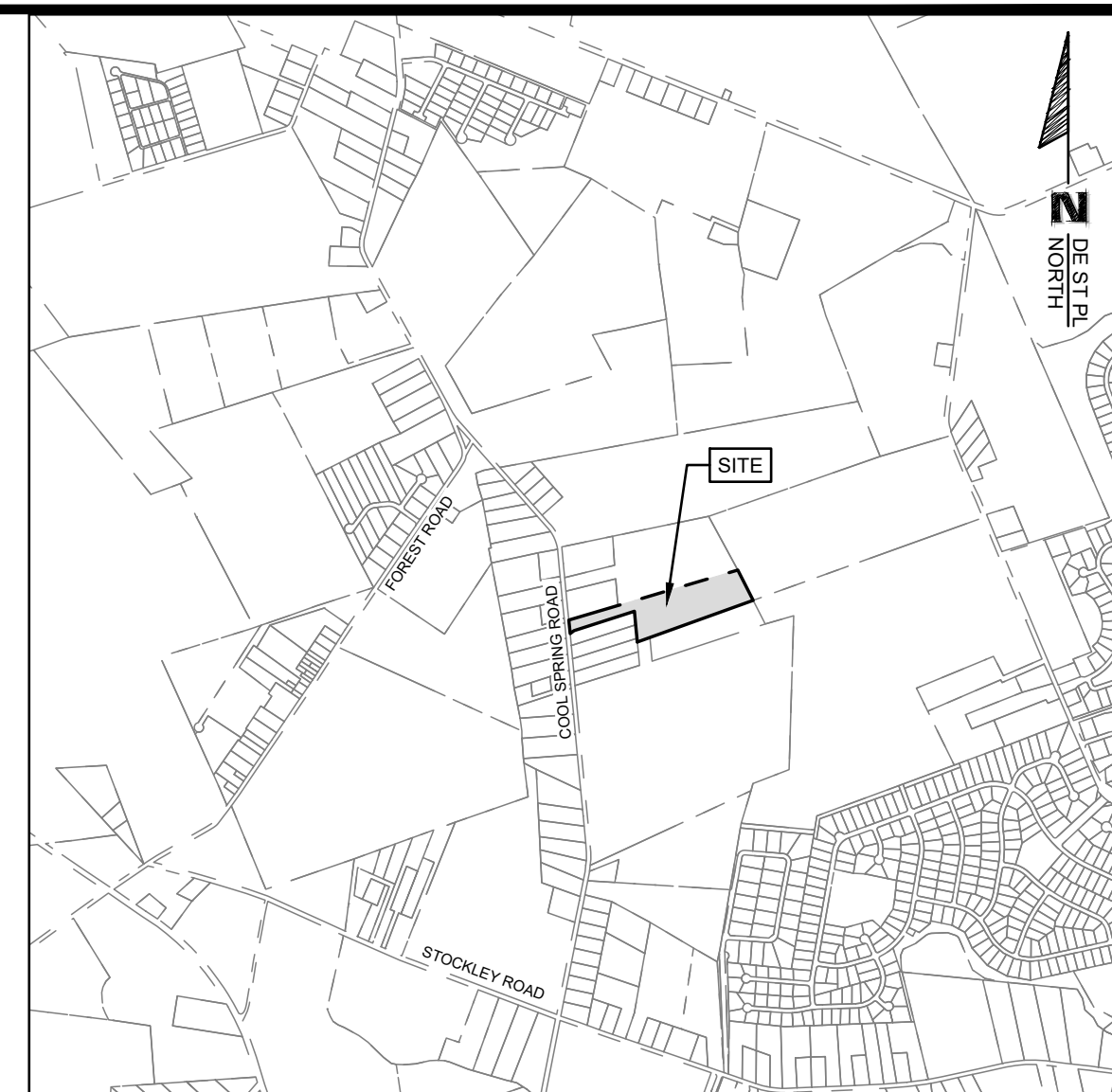
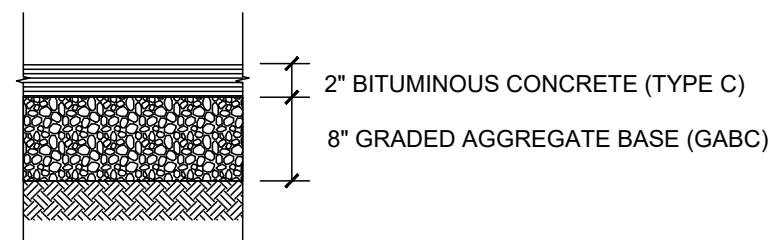


7.2.3.4 Entrance Profile
Profiles of entrances shall be designed in accordance with this Development Coordination Manual and manuals, guidelines and policies published by the American Association of State Highway and Transportation Officials (AASHTO) or other Nationally Accepted Standard (NAS).

7.2.3.5 Entrance Drainage
Pipes are manufactured in various sizes, shapes, and materials. Entrance pipes commonly used in Delaware include:
A. Reinforced concrete pipe (RCP) or elliptical (ERCP).

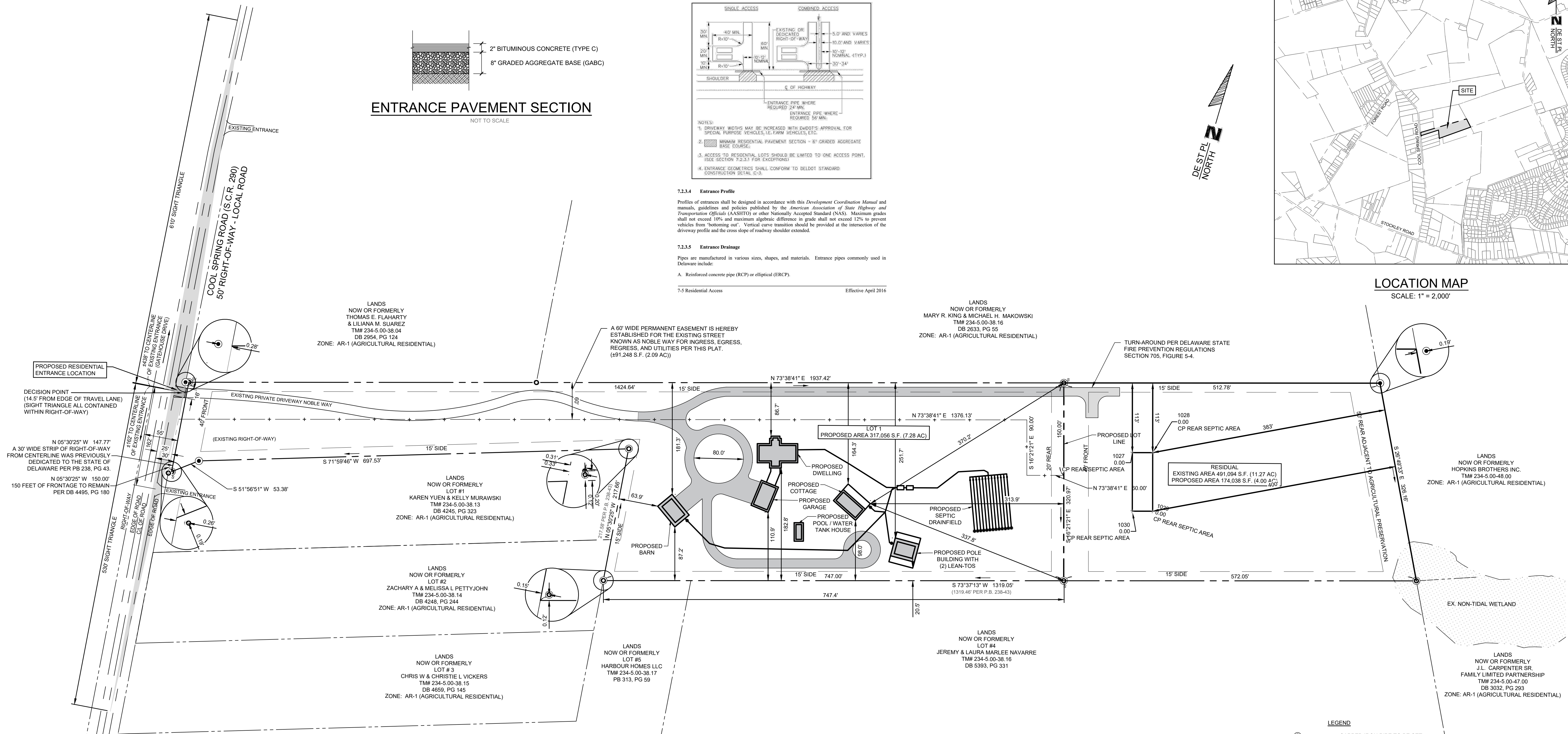
7-3 Residential Access Effective April 2016

ENTRANCE PAVEMENT SECTION



LOCATION MAP

SCALE: 1" = 2,000'



- NOTES:
1. THE BOUNDARY INFORMATION SHOWN ON THIS PLAN WAS TAKEN FROM PLAT BOOK 238 PAGE 43, DEED BOOK 5568 PAGE 173 (THE CURRENT DEED OF RECORD) AND OTHER DOCUMENTS OF PUBLIC RECORD. IT IS ALSO THE RESULT OF AN ACTUAL FIELD SURVEY BY SCALED ENGINEERING PERFORMED 6-16-20 & 11-04-21.

- 11. 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 ODOORS. THE USE OF AGRICULTURAL CHEMICALS, AND NIGHTTIME FARM OPERATIONS. THE USE AND ENJOYMENT OF THIS PROPERTY IS EXPRESSLY CONDITIONED ON THE ACCEPTANCE OF ANY ANNOYANCE OR INCONVENIENCE WHICH MAY RESULT FROM SUCH NORMAL AGRICULTURAL USES AND ACTIVITIES.

SITE DATA:
1. TAX MAP NUMBERS: 234-5.00-38.00
2. ADDRESS: 31398 COOL SPRING ROAD, MILTON, DE 19968
3. OWNER: AMY BAKOMENKO BALLARD & SHAWN M BALLARD
4. ZONING: AR-1 - AGRICULTURAL RESIDENTIAL
5. USE: EXISTING: RESIDENTIAL; PROPOSED: RESIDENTIAL
6. BUILDING SETBACKS: FRONT 40', SIDE 15', REAR 20', 50' (AGRICULTURAL PRESERVATION)
7. LOT REQUIREMENTS: AREA 32,670 S.F. (0.75 ACRE); WIDTH 100'; DEPTH 100'
8. TOTAL NUMBER OF LOTS: EXISTING: 1; PROPOSED: 2 (INCLUDING THE RESIDUAL)
9. AREA: 234-5.00-38.00 - EXISTING: 491,094 S.F. (11.27 AC); DEDICATION (PER PB 238-43): 744 S.F. (0.02 AC); PROPOSED LOT 1: 317,056 S.F. (7.28 AC); PROPOSED (RESIDUAL): 174,038 S.F. (4.00 AC)
10. AREA AFFECTED BY ADJUSTMENT: 11.29 AC
11. POSTED SPEED LIMIT: NOT POSTED (50 MPH)
12. SEWER PROVIDER: ON SITE SEPTIC
13. WATER PROVIDER: ON SITE WELL
14. PROXIMITY TO (TID): TID DISTRICT) ±2 MILES (THIS PROJECT IS OUTSIDE THE TID DISTRICT)

OWNER CERTIFICATIONS:
I, AMY BAKOMENKO BALLARD, HEREBY CERTIFY TO THE OWNERSHIP OF THE PROPERTY 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 THAT I DESIRE THE PLAN TO BE RECORDED ACCORDING TO LAW.
AMY BAKOMENKO BALLARD DATE
31398 NOBLE WAY LEWES, DE 19958
I, SHAWN BALLARD, HEREBY CERTIFY TO THE OWNERSHIP OF THE PROPERTY 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 THAT I DESIRE THE PLAN TO BE RECORDED ACCORDING TO LAW.
SHAWN BALLARD DATE
31398 NOBLE WAY LEWES, DE 19958

LEGEND:
CAPPED IRON PIPE TO BE SET
CAPPED IRON PIPE FOUND
IRON PIPE FOUND
CAPPED REBAR FOUND
SUBJECT BOUNDARY LINE (EXISTING)
SUBJECT BOUNDARY LINE (PROPOSED)
ADJOINER BOUNDARY LINE
PERMANENT EASEMENT
PROPOSED / FUTURE BUILDING
WETLAND PER NATIONAL WETLAND INVENTORY (U.S. FISH & WILDLIFE SERVICE)
ENGINEERS CERTIFICATION:
I, CARLTON R. SAVAGE, JR. HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION, AND TO MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.
CARLTON R. SAVAGE, JR., P.E. (LICENSE #16457) DATE

SHAWN BALLARD PROPERTY
31398 COOL SPRING ROAD (SCR 290)
TAX MAP 234-5.00-38.00
INDIAN RIVER HUNDRED, MILTON, DELAWARE
MINOR SUBDIVISION PLAN

REVISIONS:
12-21-21 DELDOT COMMENTS
12-24-21 SCLPZ COMMENTS
DATE: 11-22-21
SCALE: 1" = 80'
DRAWN BY: JRE
PROJECT NO: BLRD001

SCALED ENGINEERING
20246 Coastal Highway
Rahoboth Beach, DE 19971
Phone: (302) 236-3600



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

NICOLE MAJESKI
SECRETARY

December 22, 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
Shawn Ballard Property
Tax Parcel # 234-5.00-38.00
Cool Spring Road (SCR 290)
Indian River Hundred, Sussex County**

Dear Mr. Whitehouse:

The Department of Transportation has reviewed the Minor Subdivision Plan dated November 22, 2021 (last revised December 9, 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



Shawn Ballard Property
Mr. Jamie Whitehouse
Page 2
December 22, 2021

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: Carlton Savage, Scaled Engineering, Inc.
Sussex County Planning & Zoning
Jessica L. Watson, Sussex Conservation District
Matt Schlitter, South District Public Works Engineer
Scott Rust, South District Public Works Manager
James Argo, South District Project Reviewer
Shannon Anderson, South District Public Work Admin Specialist
Wendy L. Polasko, P.E., Subdivision Engineer
Brian Yates, Sussex County Reviewer



**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: 2021-04-209039-MJS-01

Tax Parcel Number: 234-5.00-38.00

Status: Approved as Submitted

Date: 12/13/2021

Project

Ballard Subdivision

31398 Cool Spring Road
Milton DE 19968

Shawn Ballard Property

Scope of Project

Number of Stories:

Square Footage:

Construction Class:

Fire District: 82 - Lewes Fire Dept Inc

Occupant Load Inside:

Occupancy Code: 9601

Applicant

Carlton Savage

20246 Coastal Hwy

Rehoboth, DE 19971

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:

Desiree McCall

FIRE PROTECTION PLAN REVIEW COMMENTS

Plan Review Number: 2021-04-209039-MJS-01

Tax Parcel Number: 234-5.00-38.00

Status: Approved as Submitted

Date: 12/13/2021

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.

1190 A Separate plan submittal is required for the building(s) proposed for this project.

1171 A Any dead end road more than 300 feet in length shall be provided with a turn around or cul-de-sac arranged such that emergency apparatus will be able to turn around by making not more than one backing maneuver. Any turn-arounds and cul-de-sacs shall be designed in accordance with DSFPR Regulation 705, Chapter 2, Sections 2.3, 2.3.1, and 2.3.

1093 A In the case of one and two-family dwellings emergency service access shall be provided in such a manner so that emergency apparatus will be able to locate within 100 feet from the street to the primary entrance. Where alleys are provided, pumpers shall be able to access all portions of the alley without strict restrictions for entrance radii. (DSFPR Regulation 705, Chapter 5, Sections 2.2 and 2.2.1).

1501 A If there are any questions about the above referenced comments please feel

free to contact the Fire Protection Specialist who reviewed this project. Please have the plan review number available when calling about a specific project. When changes or revisions to the plans occur, plans are required to be submitted, reviewed, and approved.

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 18th, 2022

Mr. Jeff Evans, Senior Designer
Scaled Engineering
20246 Coastal Highway
Rehoboth Beach, DE 19971

Subject: Staff Review of the Minor Subdivision Plan for the Lands of Shawn Ballard – 1 lot plus residual land off Cool Spring Road (S.C.R. 290) in Milton
Tax Parcel: 234-5.00-38.00

Dear Mr. Evans,

Further to the submission of December 30th, 2021, the Planning and Zoning Department has reviewed the Minor Subdivision Plan for the Lands of Shawn Ballard. This plan proposes the creation of one lot plus residual land off a 60-foot access easement. The property is located on the east side of Cool Spring Road (S.C.R. 290) in Milton, and it is located entirely within the Agricultural Residential (AR-1) Zoning District.

Staff have reviewed the plan for compliance with the Sussex County Code. It is kindly requested the following comments be addressed prior to the review and approval of the Sussex County Planning and Zoning Commission. They are as follows:

Chapter 115 – Zoning

- a. Please confirm that Lot 1 will retain 150 feet of frontage. Please add a label that states “150 feet of frontage existing and to remain.” Please be advised 150 feet is the absolute minimum. If 150 feet of frontage does not exist, the plan may not meet the requirements of County Code.
- b. The front yard setback from the property line shared with Parcel 234-5.00-38.13 does not necessarily need to be 40 feet. Staff consider this to be a side lot line; and therefore, the minimum may be a 15-foot side yard setback. If your clients wish for this side yard setback to exceed the minimum of 15, please add a note in the data column that states this.
- c. The front yard setback for the residual land does not necessarily need to be 40 feet. Because this lot does not front to a numbered road, the minimum is 30 feet. Please either change it to 30 feet or create a note in the data column if 40 feet is desired.
- d. It is strongly encouraged that the modifications to the driveway be made. There are two portions of the driveway that extend outside of the easement. Any portion of the driveway that is necessary for access to the residual lot must be located entirely within the easement.



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

- e. Please add Delaware’s standard agricultural disclaimer to the plan.
- f. Please add a note that states this site is not within a Transportation Improvement District (TID).
- g. Please add the following note to the plan
“... Construction activities within these sites may require a permit from the United States Army Corps of Engineers or the State of Delaware.”
- h. Assuming these are non-tidal wetlands, please add the non-tidal classification to the wetlands label which is in plan view.
- i. Please be advised that this subdivision plan will be reviewed by the Planning Commission and that additional comments or requirements be fall into effect.
- j. Letter of No Objection from DelDOT – **received**
- k. Approval from the Office of the State Fire Marshal – **received**

Once all comments have been addressed, please submit one (1) copy of a revised subdivision and one (1) electronic copy of the same. The plan will then be facilitated to the Planning Commission as Other Business.

Should there be any questions or concerns, I can be contacted at chase.phillips@sussexcountytde.gov or at 302-855-7878. Thank you.

Sincerely,



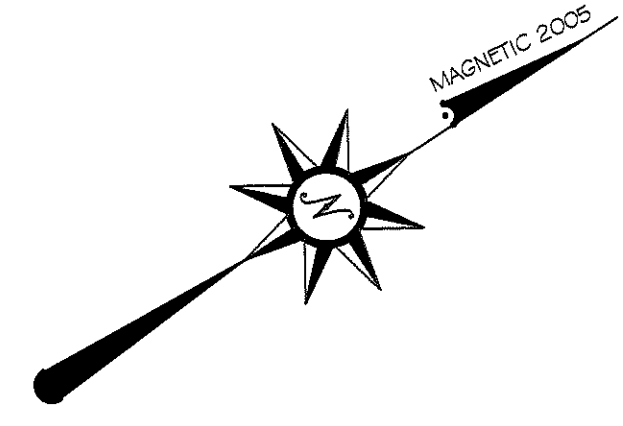
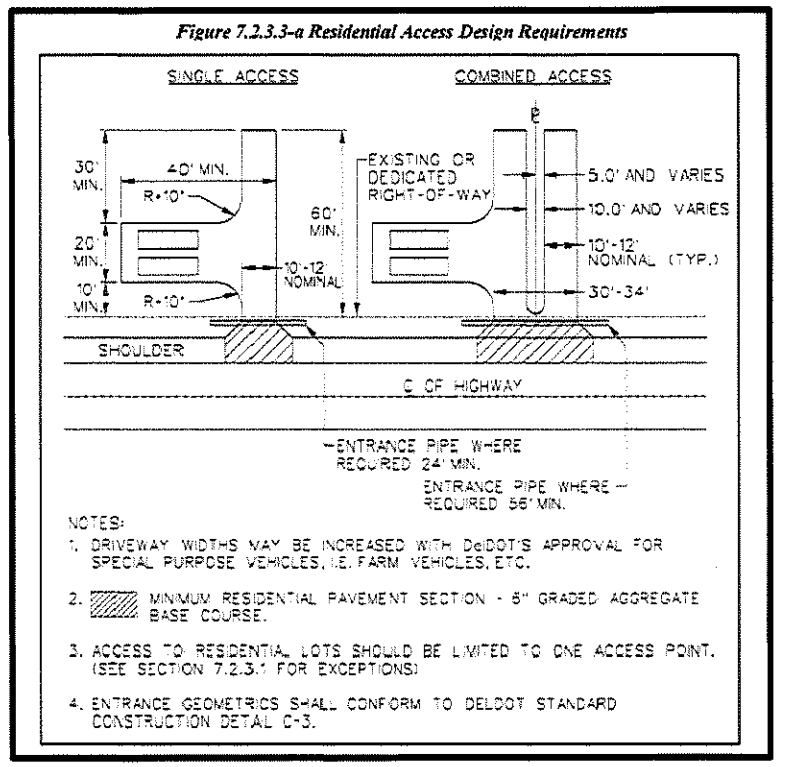
Chase Phillips
Planner II

ACCESS EASEMENT LINE TABLE

LINE BEARING	DISTANCE
L1 N 121°41'17" W	419.13
L2 N 35°21'46" E	15.19
L3 N 55°14'17" W	220.65
L4 S 44°53'51" W	1216.42
L5 N 45°19'23" W	20.00
L6 N 44°38'16" E	216.21
L7 N 35°21'46" E	356.81
L8 S 59°24'27" E	20.07
L9 S 35°21'46" W	453.92
L10 S 121°41'17" E	417.97
L11 S 74°09'41" W	20.00
L12 S 44°40'37" W	20.00

ACCESS EASEMENT CURVE TABLE

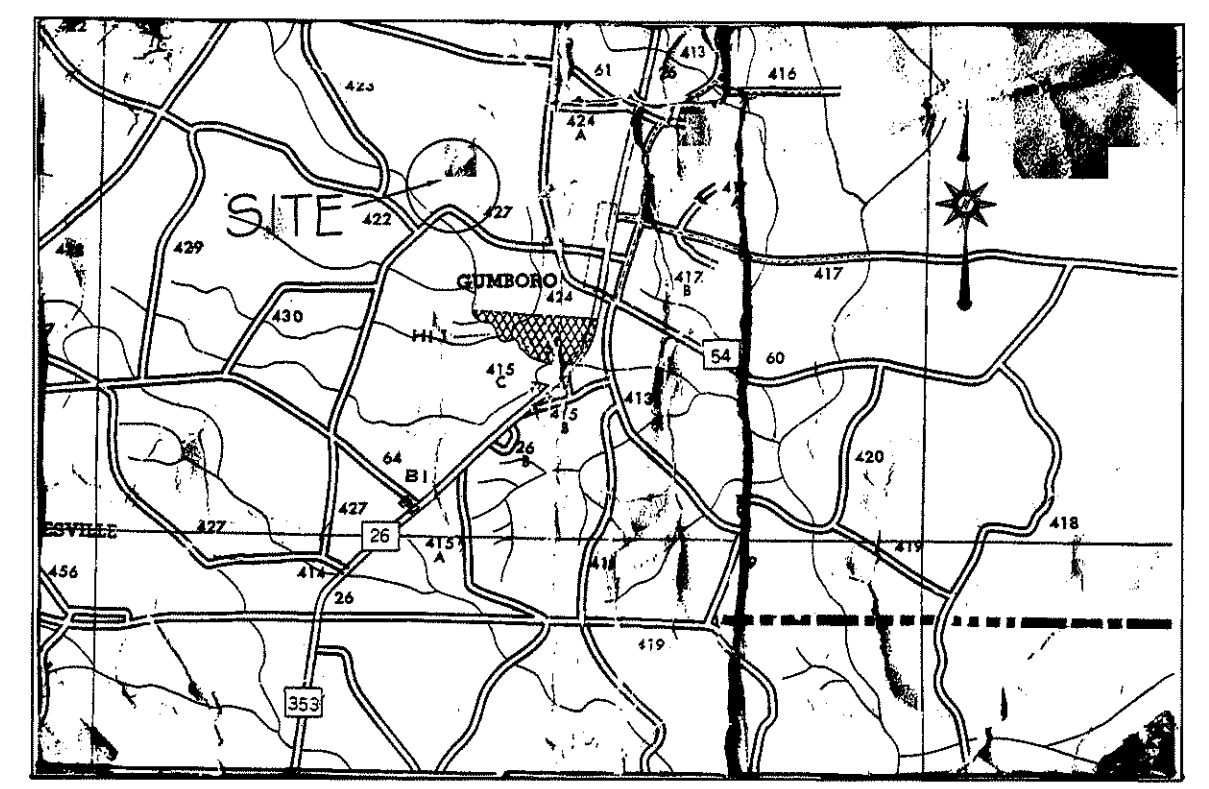
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	182.77	220.00	47°36'03"	N 11°33'44" E	177.56
C2	47.44	30.00	90°56'03"	N 03°56'13" W	42.69
C3	41.97	30.00	80°09'53"	S 84°40'47" W	36.63
C4	69.92	50.00	80°07'27"	N 84°42'00" E	64.36
C5	166.16	200.00	47°36'03"	S 11°33'44" W	161.42



- FIRE MARSHAL NOTES:**
- ALL FIRE LANES, FIRE HYDRANTS AND FIRE DEPARTMENT CONNECTION SHALL BE MARKED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS.
 - MAXIMUM HEIGHT: 3 STORIES NOT TO EXCEED 42'.
 - A SINGLE FAMILY DWELLING IS PROPOSED.
 - BUILDING CONSTRUCTION TYPE: NFPA TYPE V WOOD FRAME.
 - AUTOMATIC FIRE SPRINKLERS ARE NOT PROPOSED FOR THIS STRUCTURE.

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 OWNERS LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.

LANDS N/F
GRACE I. & DAVID L. DIXON
DB 2156-17B
ZONED: AR-1
T.M.#333-10.00-22.00



- NOTES:**
- IF THE RESIDUAL LANDS OF THE APPLICANT ARE EVER DEVELOPED INTO A MAJOR SUBDIVISION, THEN THE ACCESS TO THE PARCELS CREATED BY THIS MINOR SUBDIVISION PLAN MAY BE REQUIRED TO BE FROM AN INTERNAL SUBDIVISION STREET.
 - ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DEL.D.O.T.'S) CURRENT DEVELOPMENT COORDINATION MANUAL AND SHALL BE SUBJECT TO ITS APPROVAL.
 - THERE IS A FIFTY FOOT BUILDING SETBACK FROM LANDS USED FOR AGRICULTURAL PURPOSES.
 - SENATE BILL 49 (HOUSE AMEND. NO. 2) OF THE 143RD ASSEMBLY APPLIES SINCE THE PARCEL(S) BEING SUBDIVIDED ARE CONTINUED TO BE USED AS A FARM OR FARMLAND OR IS BEING TRANSFERRED TO A FAMILY MEMBER(S) FOR THE PURPOSE AS THE PRINCIPAL RESIDENCE OR FARMLAND.
 - LOTS 1 & 2 SHALL HAVE ACCESS TO SCR 542 VIA THE 20' WIDE INGRESS/EGRESS EASEMENT AS SHOWN ON THIS PLAN.
 - THE RESIDUAL LANDS SHALL HAVE ACCESS TO SCR 542 VIA THE EXISTING SINGLE ENTRANCE AS SHOWN ON THIS PLAN.
 - A 30-FOOT WIDE STRIP OF RIGHT-OF-WAY WAS PREVIOUSLY DEDICATED TO THE STATE OF DELAWARE AS PER THIS PLAT BOOK 128 PAGE 39.
 - 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 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. SHOULD BE PAVED FROM THE EDGE OF THE TRAVEL LANE TO THE RIGHT-OF-WAY.
 - 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 DEL. D.O.T. DCM SECTION 3.3.3.
 - 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), DEL. D.O.T. ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THESE STREETS. DCM REFERENCE 3.2.2.
 - A PERPETUAL CROSS ACCESS INGRESS/EGRESS EASEMENT IS HEREBY ESTABLISHED AS SHOWN ON THIS PLAN.
- OWNERS CERTIFICATION:**
- WE, THE UNDERSIGNED, HEREBY CERTIFY TO THE OWNERSHIP OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, AND THAT WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND THAT WE DESIRE THE PLAN TO BE RECORDED ACCORDING TO LAW.
- WE CERTIFY THAT TITLE 17, SECTION 830 IS APPLICABLE TO THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN FOR 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
- 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.

- EXISTING ENTRANCE
- PROPOSED ENTRANCE
- IRON PIPE (FOUND)
- IRON PIPE (SET)
- IRON AXLE (FOUND)
- POINT

OWNER SIGNATURE: *Stephen Kelly* DATE: 02/17/2022

OWNER SIGNATURE: *Anne Kelly* DATE: 2-2-22

**MINOR SUBDIVISION PLAN FOR
STEPHEN & ANNE KELLY**

36775 BLACK LAB LANE, FRANKFORD, DE 19945
PHONE: 302-381-1061

SURVEY CLASS: SUBURBAN

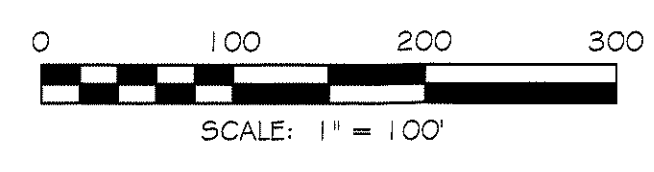
MILNER LEWIS, INC.
LAND SURVEYING
1560 MIDDLEFORD ROAD
SEAFORD, DELAWARE 19973
PHONE: 302-629-8855 FAX: 302-629-2391

REGISTERED PROFESSIONAL LAND SURVEYOR
DONALD K. MILLER
AUG. 12, 2021

HUNDRED	GUMBORO	COUNTY	SUSSEX
STATE	DELAWARE	DRAWN BY	D.K. MILLER
REF.	2156-181	FILE	COLLINS 3-33-10-22.02

OTHER THAN SHOWN, THIS SURVEY AND PLAT DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHTS-OF-WAY OR EASEMENTS CROSSING THIS PROPERTY. NO TITLE SEARCH PROVIDED OR STIPULATED.

DATE	REVISION
09/29/2021	DEL. D.O.T. COMMENTS
12/07/2021	RECONFIGURED LOTS

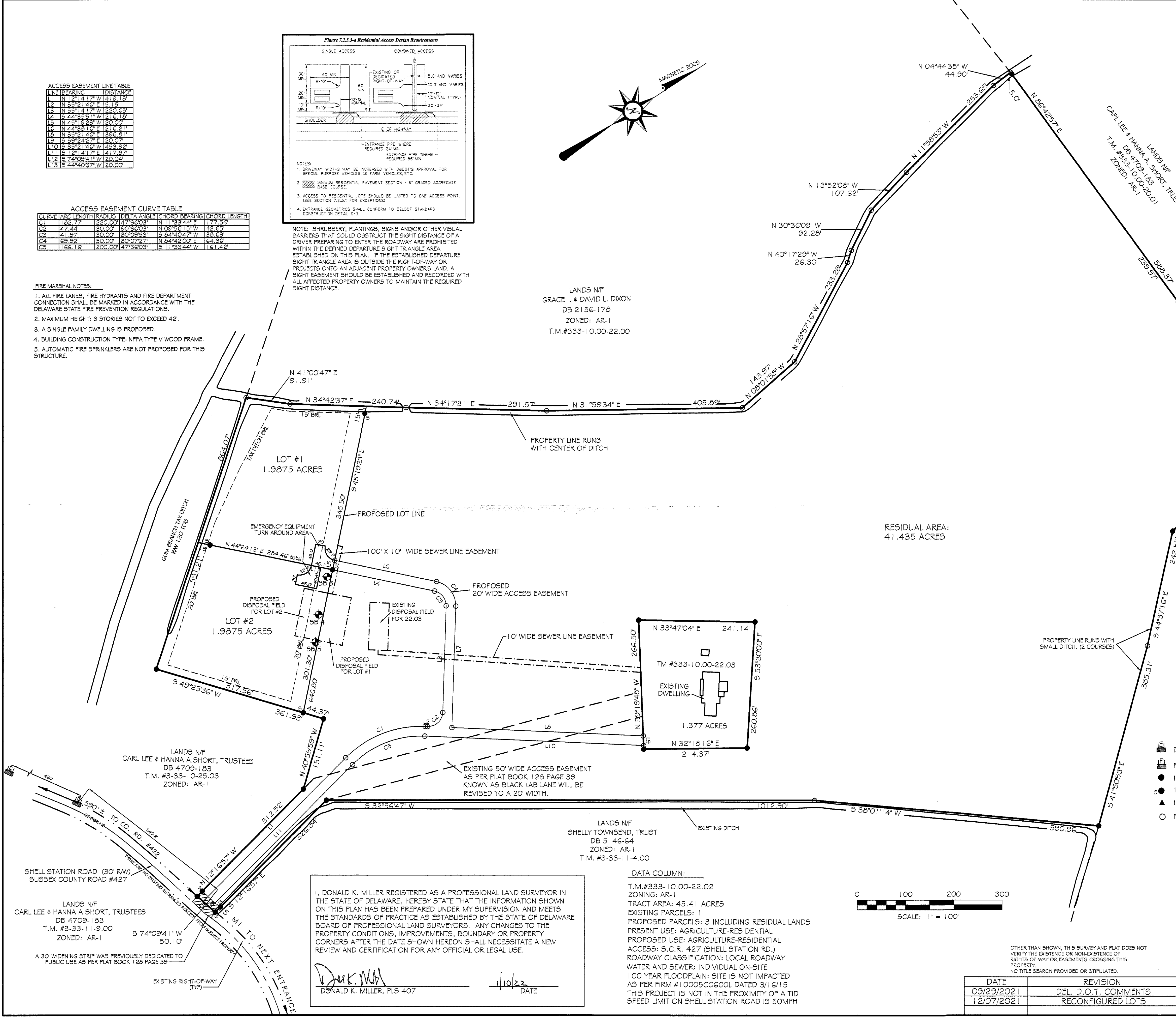


DATA COLUMN:

T.M.#333-10.00-22.02
ZONING: AR-1
TRACT AREA: 45.41 ACRES
EXISTING PARCELS: 1
PROPOSED PARCELS: 3 INCLUDING RESIDUAL LANDS
PRESENT USE: AGRICULTURE-RESIDENTIAL
PROPOSED USE: AGRICULTURE-RESIDENTIAL
ACCESS: S.C.R. 427 (SHELL STATION RD.)
ROADWAY CLASSIFICATION: LOCAL ROADWAY
WATER AND SEWER: INDIVIDUAL ON-SITE
100 YEAR FLOODPLAIN: SITE IS NOT IMPACTED AS PER FIRM # 10005COG00L DATED 3/16/15
THIS PROJECT IS NOT IN THE PROXIMITY OF A TID SPEED LIMIT ON SHELL STATION ROAD IS 50MPH

I, DONALD K. MILLER 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.

Donald K. Miller
DONALD K. MILLER, PLS 407
1/10/22
DATE





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

RECEIVED

NOV 01 2021

SUSSEX COUNTY
PLANNING & ZONING

NICOLE MAJESKI
SECRETARY

October 28, 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
STEPHEN & ANNE KELLY**
Tax Parcel # 333-10.00-22.02
SCR00427-SHELL STATION ROAD
Gumboro Hundred, Sussex County

Dear Mr. Whitehouse:

The Department of Transportation has reviewed the Minor Subdivision Plan dated August 12, 2021 (last revised September 29, 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



STEPHEN & ANNE KELLY
Mr. Jamie Whitehouse
Page 2
October 28, 2021

may be other reasons (environmental, historic, neighborhood composition, etc.) which compel that jurisdiction to modify or reject this proposed plan even though DeIDOT 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: Dottie Morris, Miller Lewis
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



**OFFICE OF THE STATE FIRE MARSHAL
Technical Services**

22705 Park Avenue
Georgetown, DE 19947



SFMO PERMIT

Plan Review Number: 2021-04-208204-MIS-01

Tax Parcel Number: 333-10.00-22.02

Status: Approved as Submitted

Date: 09/20/2021

Project

Kelly Minor Subdivision

36775 Black Lab Lane
Frankford DE 19945

Stephen & Anne Kelly Property

Scope of Project

Number of Stories:

Square Footage:

Construction Class:

Fire District: 76 - Frankford Volunteer Fire Co Inc

Occupant Load Inside:

Occupancy Code: 9601

Applicant

Donald K Miller
1560 Middleford Road
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.

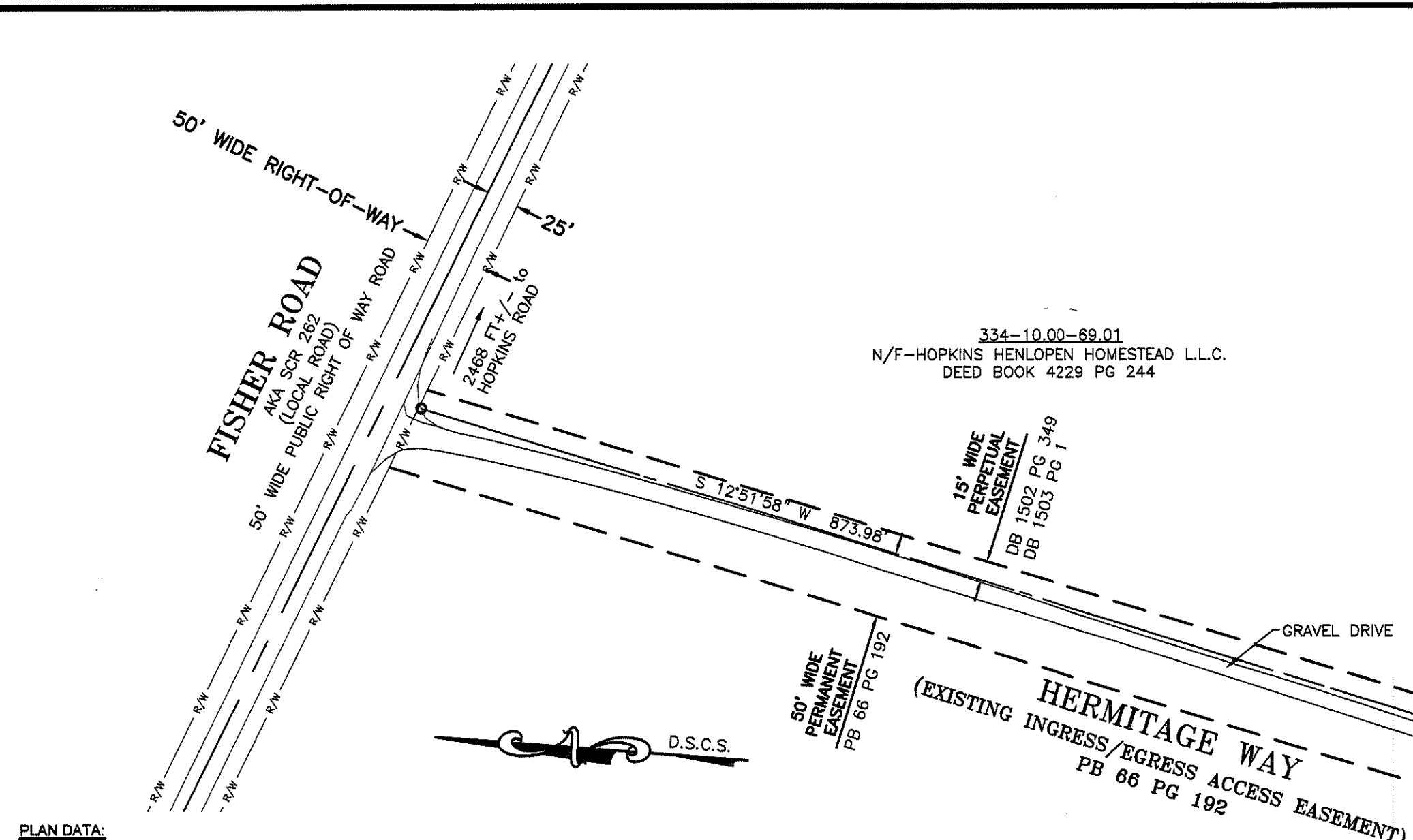
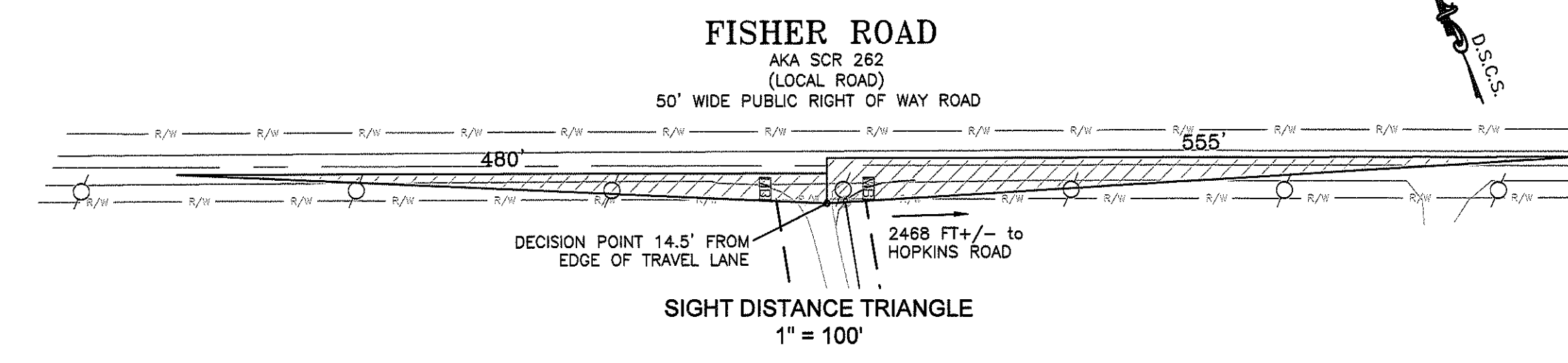
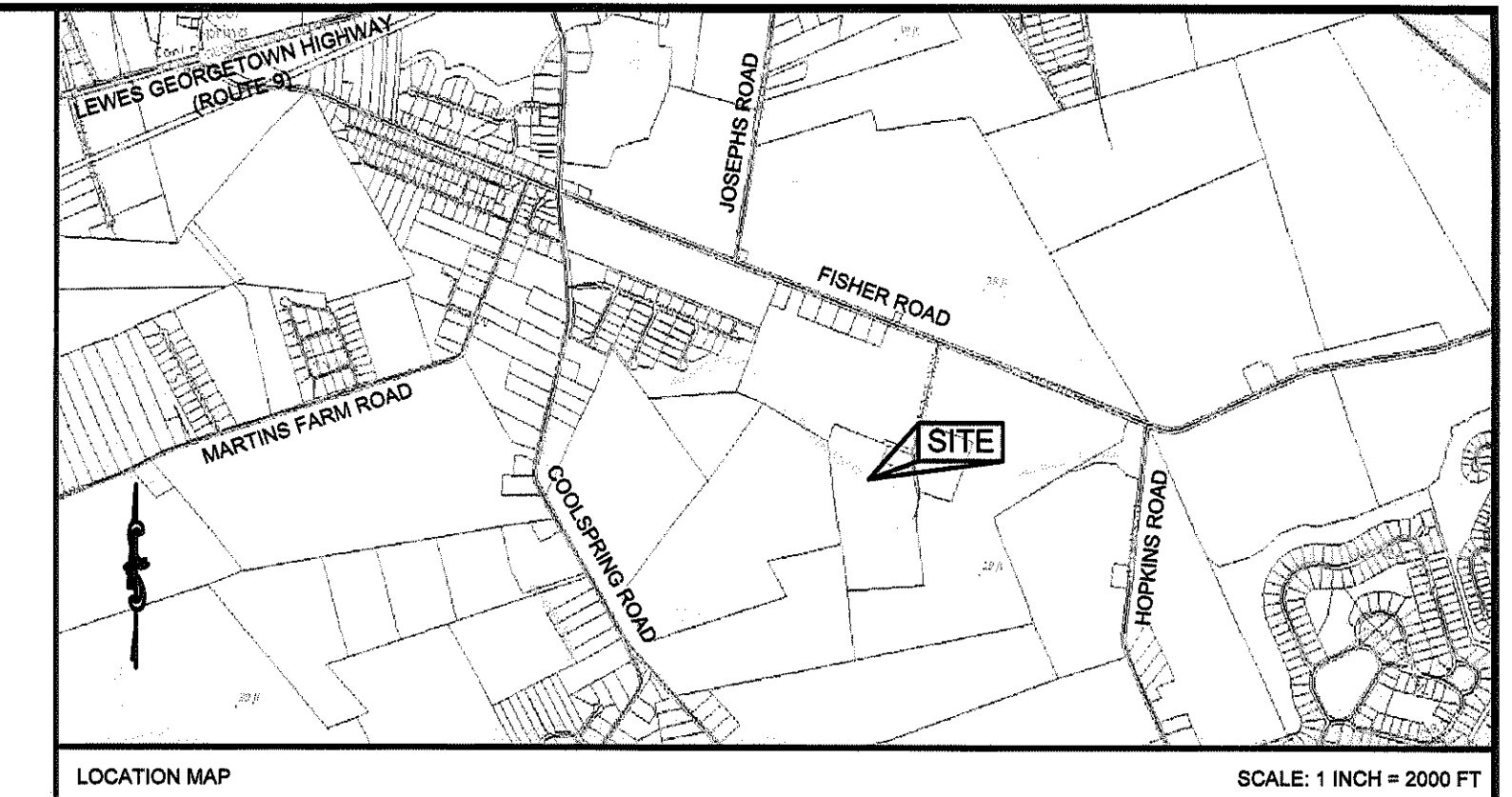
A final inspection is required.

This Plan Review Project was prepared by:



John Colpo
Fire Protection Specialist

RECEIVED
NOV 01 2021
SUSSEX COUNTY
PLANNING & ZONING



PLAN DATA:

PARCEL I.D. No * 334-10.00-69.05
PLAT REFERENCES * DEED BOOK 2740, PAGE 268
 * PLOT BOOK 76, PAGE 308
 * PLOT BOOK 68, PAGE 192 (PERMANENT EASEMENT REFERENCE)
 * PLOT BOOK 37, PAGE 200 (PERPETUAL EASEMENT REFERENCE)
 * DEED BOOK 1502, PAGE 349
 * DEED BOOK 1503, PAGE 1

ZONING DISTRICT * AR-1 (AGRICULTURAL RESIDENTIAL)

COUNTY SETBACKS * FRONT YARD = 40 FT
 * SIDE YARD = 15 FT
 * REAR YARD = 20 FT

MAXIMUM BUILDING HEIGHT * 42'

POSTED SPEED LIMIT * 45 M.P.H.

ROADWAY CLASSIFICATION * FISHER ROAD, SCR 262 (LOCAL ROAD)

SEWAGE DISPOSAL * INDIVIDUAL ON-SITE WASTEWATER DISPOSAL SYSTEMS (PRIVATE)
 SEWERAGE IS SUBJECT TO APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.

WATER SUPPLY * INDIVIDUAL ON-SITE WELLS (PRIVATE)
 WATER IS SUBJECT TO APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE DIVISION OF PUBLIC HEALTH.

OWNER * WALTER BECK AND STACY BECK
 19786 HERMITAGE WAY
 MILTON, DE 19968

LOT AREA RATIONALE * AREA OR PARCEL 1 21.017 ACRES (915,503.43 S.F.)
 * AREA OR PARCEL 2 10.469 ACRES (456,006.67 S.F.)
 * GROSS AREA 31,486 ACRES

TOTAL No. OF LOTS * EXISTING LOTS: 1
 * PROPOSED LOTS: 2

(TID) PROXIMITY * PROPERTY IS NOT LOCATED WITHIN DELDOT T.I.D.

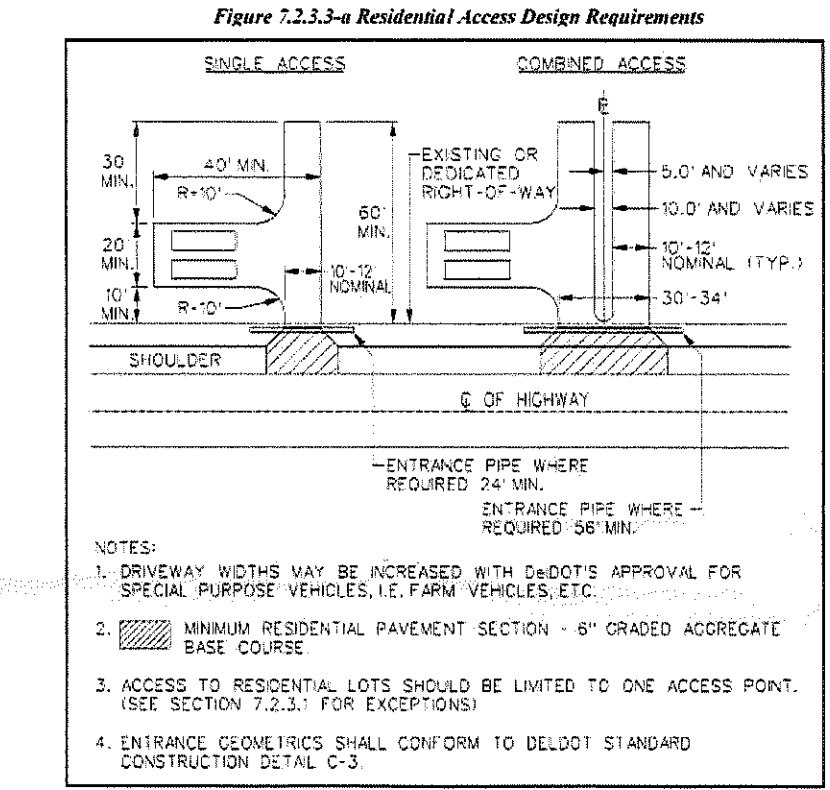
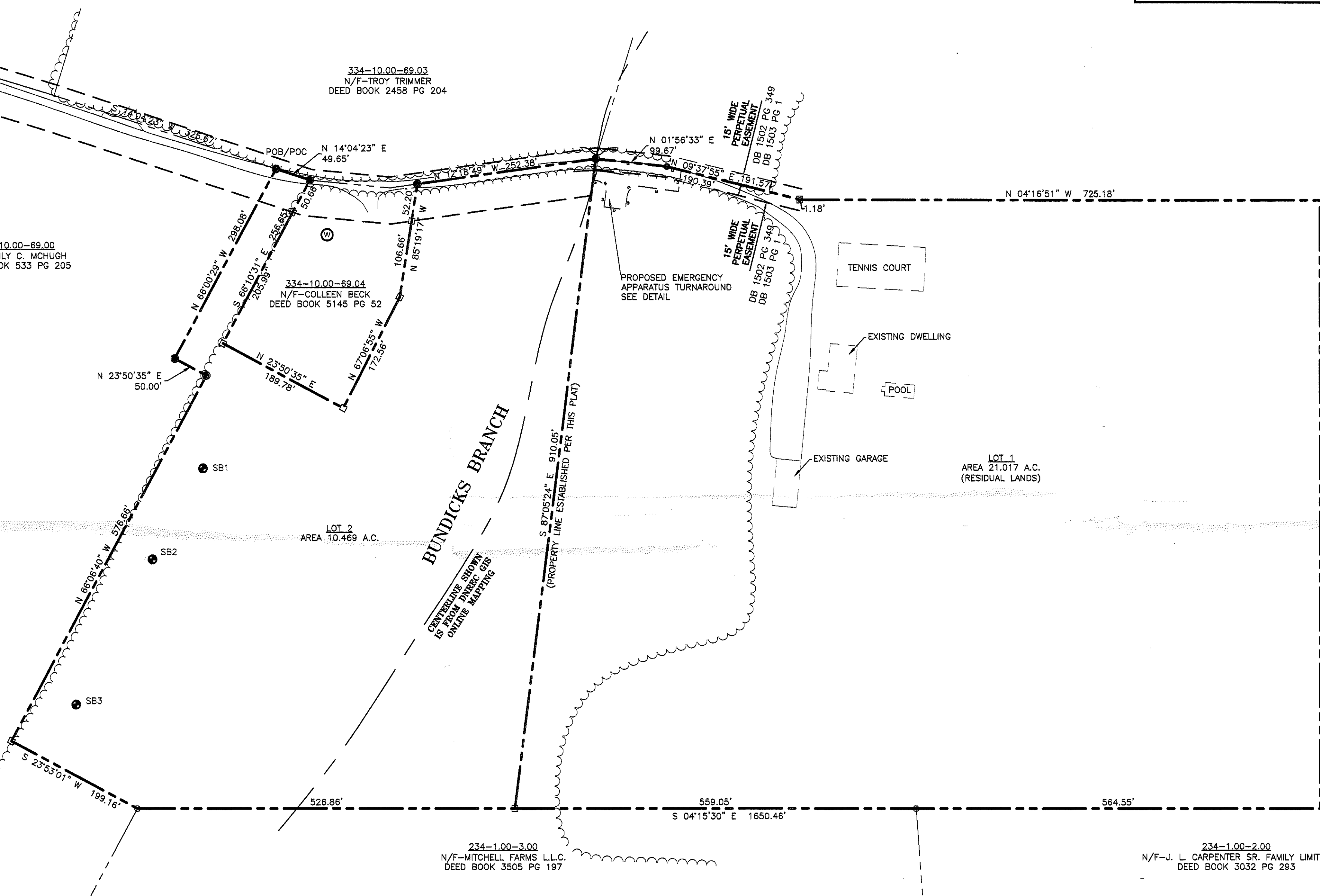
PRESENT USE * VACANT WOODSLAND
PROPOSED USE * SINGLE FAMILY RESIDENCE

FLOODZONE * BASED UPON FEMA FLOOD INSURANCE RATE MAP NUMBER 10005C0330J, WITH AN EFFECTIVE DATE OF JANUARY 6TH 2005, A PORTION OF THE SITE IS LOCATED WITHIN FLOOD ZONE A, NO BASE FLOOD ELEVATIONS DETERMINED.

LEGEND

- IRON PIPE FOUND
- CONCRETE MONUMENT FOUND
- CONCRETE MONUMENT SET
- REBAR FOUND
- CAPPED REBAR SET
- CEDAR POST FOUND
- SOIL BORING
- WELL
- UTILITY POLE
- MAILBOX

—●— PROPERTY LINE
 - - - - - EASEMENT LINE
 --- RIGHT-OF-WAY LINE



FIRE MARSHAL NOTES:

- PROPOSED BUILDING USE RESIDENTIAL
- MAXIMUM HEIGHT PER SUSSEX COUNTY CODE 42 FT.
- PROPOSED CONSTRUCTION WOOD FRAME
- ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS.
- OWNER AND CONTRACTOR SHALL OBTAIN ANY NECESSARY FEDERAL, STATE, AND LOCAL ENVIRONMENTAL PERMITS PRIOR TO THE START OF CONSTRUCTION OF ANY FIRE MARSHAL ROADWAYS AND/OR IMPROVEMENTS.

DELDOT NOTES:

- ALL ENTRANCES SHALL CONFORM TO DELDOT'S DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL.
- 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.
- PARCEL 1 AND PARCEL 2 SHALL HAVE ACCESS VIA THE 50-FOOT WIDE INGRESS/EGRESS EASEMENT NAMED HERMITAGE WAY. PARCELS 69.03 AND 69.04 CURRENTLY HAVE ACCESS TO THE 50-FOOT WIDE INGRESS/EGRESS EASEMENT PER DEED BOOK 2488 PAGE 206, DEED BOOK 5148 PAGE 52, AND PLOT BOOK 66, PAGE 192. PARCEL 69.01 DOES NOT HAVE ACCESS TO THE 50 FOOT WIDE PERMANENT EASEMENT.

OWNER CERTIFICATION

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 THE LAW.

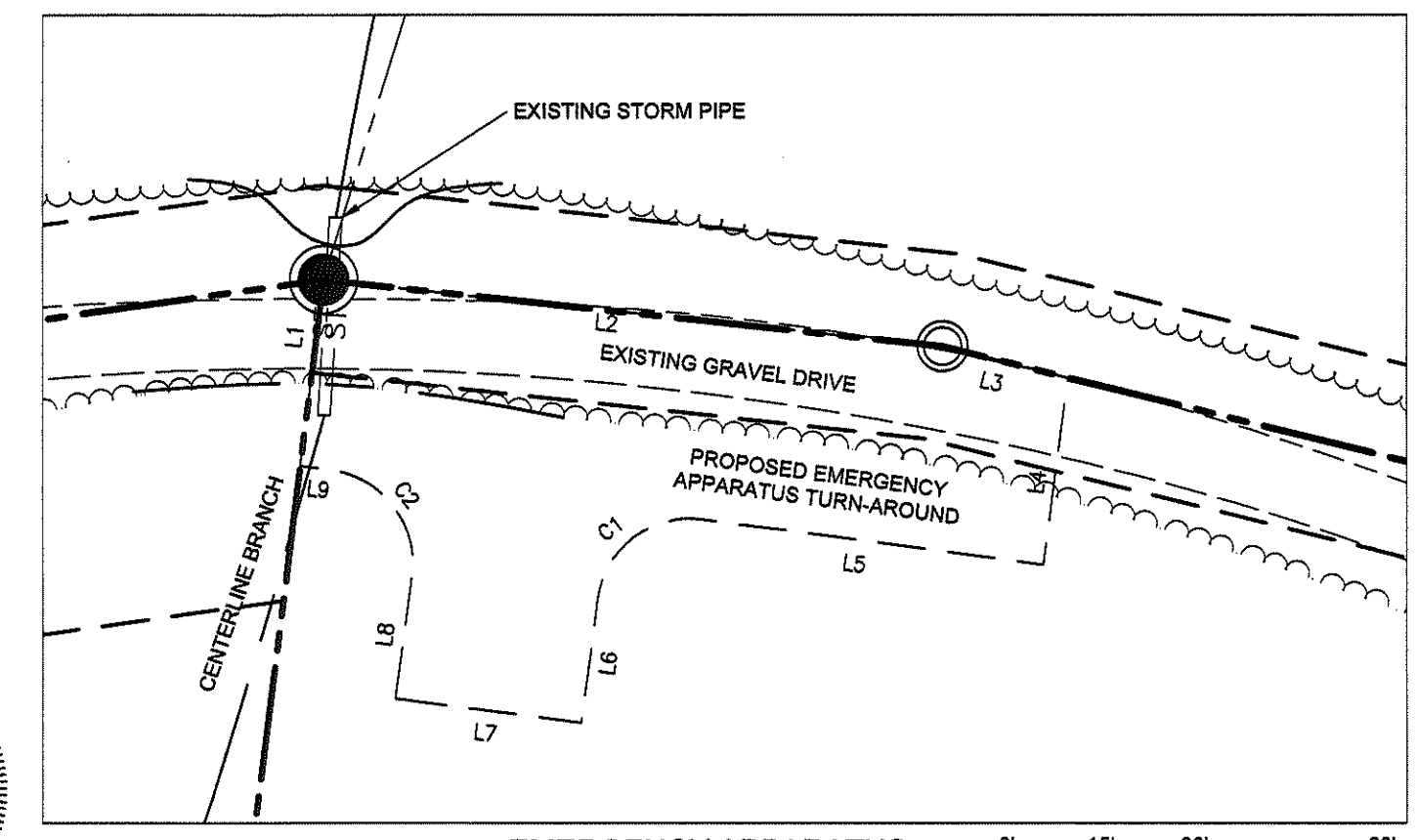
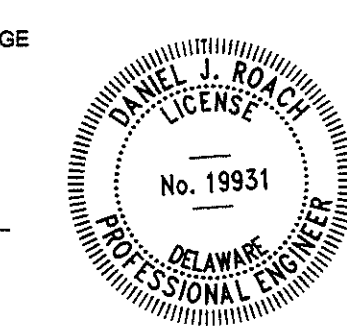
Walter Beck 1/10/22
 DATE

Stacy Beck 1/21/22
 DATE

ENGINEER'S CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE COMPLIES WITH THE APPLICABLE STATE AND LOCAL REGULATIONS AND ORDINANCES.

Daniel J. Roach, P.E. 1/21/22
 DATE



LINE	BEARING	DISTANCE
L1	S 87°05'24" E	30.00'
L2	S 01°56'33" E	99.67'
L3	S 09°37'55" W	20.71'
L4	N 86°39'06" W	30.18'
L5	N 03°20'54" E	55.00'
L6	N 86°39'06" W	20.00'
L7	N 03°20'54" E	30.00'
L8	S 86°39'06" E	20.00'
L9	N 03°20'54" E	5.00'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	15.00'	23.56'	21.21'	N 41°39'06" W	90°00'00"
C2	15.00'	23.56'	21.21'	N 48°20'54" E	90°00'00"

GENERAL NOTES

- THIS SURVEY IS CLASSIFIED AS A "RURAL" SURVEY.
- THE BOUNDARY SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A COMPLETE TITLE REPORT AND IS SUBJECT TO ANY ENCUMBRANCES, RESTRICTIONS, EASEMENTS AND/OR RIGHTS OF WAY THAT MIGHT BE REVEALED BY A THOROUGH TITLE SEARCH.
- ALL SETBACKS MUST BE VERIFIED BY THE HOME OWNER AND/OR CONTRACTOR WITH THE APPROPRIATE REGULATORY AUTHORITY.
- UNLESS THIS PLAN HAS A SEAL WITH AN ORIGINAL SIGNATURE OF ENGINEER, IN RED INK, THIS IS NOT AN AUTHORIZED COPY.
- OTHER THAN SHOWN HEREON, THE SURVEY DOES NOT VERIFY THE EXISTENCE OF OR NONEXISTENCE OF ANY EASEMENTS OR RIGHT OF WAYS.
- THE PURPOSE OF THIS PLAN IS TO CREATE LOT 2 FROM LANDS OF WALTER AND STACY BECK. RESIDUAL LANDS (LOT 1) WERE NOT SURVEYED. INFORMATION SHOWN ON LOT 1 IS FROM BEST AVAILABLE GRAPHICAL DEED AND PLAT INFORMATION AS OF THE DATE OF THIS PLAN.

WETLANDS NOTES

- AS PER THE NATIONAL WETLANDS INVENTORY MAPS AVAILABLE ONLINE THIS PROPERTY IS IMPACTED BY JURISDICTIONAL WETLANDS. NO WETLANDS DELINEATION WAS PERFORMED.

MINOR SUBDIVISION PLAN

FOR PROPERTY KNOWN AS:
LANDS OF WALTER AND STACY BECK

ALSO KNOWN AS:
19786 HERMITAGE WAY

SITUATE IN:
LEWES & REHOBOTH HUNDRED * SUSSEX COUNTY STATE OF DELAWARE

TAX MAP#: 334-10.00-69.05

REVISIONS
REVISED PER DELDOT COMMENTS DATED 9/28/2021

DJR
 Engineering LLC
 Site Design • Land Planning

27345 WALKING RUN
 MILTON, DELAWARE 19968
 PHONE NO. 302-381-3668

Drawn By: DJR Date: 09-06-2021

Scale: AS SHOWN Sheet 1/1



RECEIVED

**OFFICE OF THE STATE FIRE MARSHAL
Technical Services**

JAN 24 2022

22705 Park Avenue
Georgetown, DE 19947

SUSSEX COUNTY
PLANNING & ZONING



SFMO PERMIT – SHALL BE POSTED ON JOBSITE UNTIL FINAL INSPECTION

Plan Review Number: 2021-04-209194-MIS-01

Tax Parcel Number: 334-10.00-69.05

Status: Approved as Submitted

Date: 12/23/2021

Project

Beck Minor Subdivision

19786 Hermitage Way

Walter Beck Property

Milton DE 19968

Scope of Project

Number of Stories:

Square Footage:

Construction Class:

Fire District: 82 - Lewes Fire Dept Inc

Occupant Load Inside:

Occupancy Code: 9601

Applicant

Daniel J Roach
27345 Walking Run
Milton, DE 19968

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 Golpo
Fire Protection Specialist

FIRE PROTECTION PLAN REVIEW COMMENTS

Plan Review Number: 2021-04-209194-MIS-01
Status: Approved as Submitted

Tax Parcel Number: 334-10.00-69.05
Date: 12/23/2021

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.

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 or revisions 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

RECEIVED

JAN 24 2022

SUSSEX COUNTY
 PLANNING & ZONING

NICOLE MAJESKI
 SECRETARY

January 20, 2022

Mr. Jamie Whitehouse, Director
 Sussex County Planning & Zoning Commission
 Sussex County Administration Building
 P.O. Box 417
 Georgetown, Delaware 19947

**SUBJECT: Letter of No Impact
 Lands of Walter and Stacy Beck
 Tax Parcel # 334-10.00-69.05
 Fisher Road (SCR 262)
 Lewes & Rehoboth Hundred, Sussex County**

Dear Mr. Whitehouse:

The Department has received an application regarding the above referenced project. This application has been reviewed by the Department with respect to DeIDOT's formal review requirements. The Department has determined that the proposal does not appear to create any transportation impacts and does not trigger entrance/access improvements that would require further review by the Department. The County may use this correspondence as the basis to finalize processing of this project/site application.

Sincerely,

R. Stephen McCabe
 Sussex County Review Coordinator
 Development Coordination

cc: Robert Braun, Robert Braun
 Daniel Roach, DJR Engineering LLC
 Sussex County Planning & Zoning
 Matt Schlitter, South District Public Works Engineer
 Scott Rust, South District Public Work Manager
 James Argo, South District Project Reviewer
 James Smith, South District Entrance Permit Supervisor
 Richard Larkin, South District Subdivision Manager
 Tim Phillips, Maintenance Support Manager
 Wendy L. Polasko, P.E., Subdivision Engineer
 Brian Yates, Sussex County Reviewer



LEGEND

- CAPPED IRON PIPE / IRON PIPE FOUND
- CONCRETE MONUMENT FOUND
- CAPPED IRON PIPE TO BE SET
- PROPERTY LINE POINT
- UTILITY POLE
- PROPERTY LINE
- PROPOSED PROPERTY LINE
- PROPERTY LINE TO BE EXTINGUISHED
- PROPERTY SETBACK / BUILDING RESTRICTION LINE
- EDGE OF PAVEMENT
- CENTERLINE OF ROAD
- GRAVEL / DIRT DRIVE
- NON-TIDAL WETLANDS
- EXISTING BUILDING

FIRE MARSHAL NOTES

- ALL FIRE LANES, FIRE HYDRANTS AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE DELAWARE FIRE PREVENTION REGULATIONS
- MAXIMUM HEIGHT: 3 STORIES NOT TO EXCEED 42'
- A SINGLE FAMILY RESIDENTIAL DWELLINGS ARE PROPOSED
- BUILDING CONSTRUCTION TYPE: NPPA TYPE V WOOD FRAME
- AUTOMATIC FIRE SPRINKLERS ARE NOT PROPOSED FOR THE RESIDENTIAL LOTS
- THERE ARE NO FIRE HYDRANTS IN THE IMMEDIATE VICINITY OF THE SITE
- OWNER'S NAME AND ADDRESS
JEFFREY S. BURTON
24139 FISHERS POINT
MILLSBORO, DE 19963

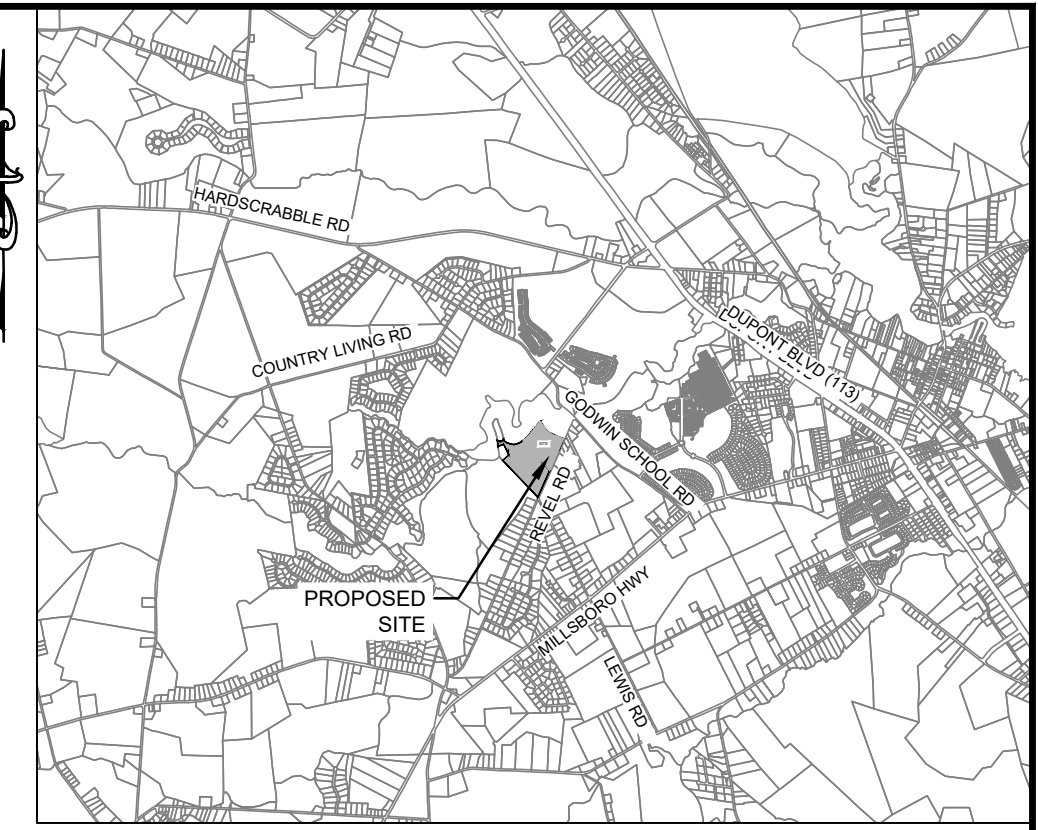
LANDS N.O.F.
WINE DOWN HOLDINGS LLC
TM# 133-16-00-81-03
DB: 5483-115
DB: 5484-262
ZONING: AR-1

THE PURPOSE OF THIS PLAN IS REVISE AND REASSEMBLE PARCELS 81.00, 81.02, 81.08, AND 81.12 AND TO CONSOLIDATE PARCELS 81.00 AND 81.14.

CURVE #	LENGTH	RADIUS	DELTA	CORD DIST.	CORD BEARING
C2	218.44'	53.00'	236°08'30"	93.53'	N51°44'46"E
C3	16.66'	17.00'	056°08'30"	16.00'	S38°15'14"E
C4	39.27'	25.00'	090°00'00"	35.36'	N68°40'32"E

CURVE #	LENGTH	RADIUS	DELTA	CORD DIST.	CORD BEARING
C1	39.27'	25.00'	090°00'00"	35.36'	S21°19'28"E

LINE #	BEARING & DISTANCE	LENGTH
L38	S22°42'48"E	80.47'
L39	S03°10'34"E	60.52'
L40	S40°53'14"E	87.30'
L41	S11°13'40"E	59.54'
L42	S44°57'17"E	71.79'
L43	S50°27'51"E	67.75'
L44	S68°54'38"E	124.36'
L45	S65°59'45"E	183.82'
L46	S58°10'02"E	37.04'
L47	S73°37'53"E	48.33'
L48	S74°59'10"E	65.14'



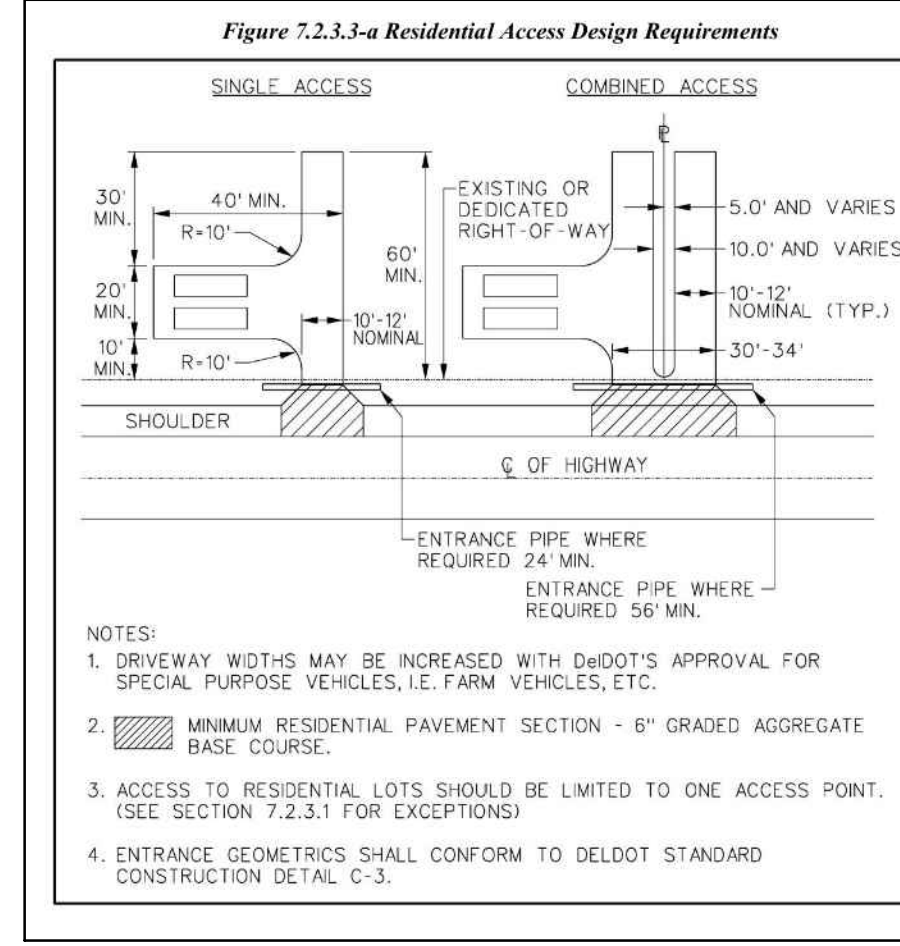
LOCATION MAP

SCALE: 1" = 1 MILE

SITE DATA:

- TAX PARCELS AND OWNERS OF RECORD:
PARCEL 133-16-00-81.00 - THE JEFFREY S. BURTON TRUST
PARCEL 133-16-00-81.02 - JEFFREY S. BURTON, SHANNON C. BURTON, & TY C. BURTON
PARCEL 133-16-00-81.08 - JEFFREY S. BURTON & SHANNON C. BURTON
PARCEL 133-16-00-81.12 - JEFFREY S. BURTON
PARCEL 133-16-00-81.14 - FISHER POINT LLC
- PARCEL AREA:

PARCEL	EXISTING	PROPOSED
133-16-00-81.00	8.37 AC	13.96 AC
133-16-00-81.02	5.04 AC	0.78 AC
133-16-00-81.08	0.76 AC	0.76 AC
133-16-00-81.12	0.86 AC	0.75 AC
133-16-00-81.14	1.22 AC	---
GROSS PROPERTY AREA:	16.25 AC	16.25 AC
- SITE ADDRESS: 29254 REVEL ROAD, MILLSBORO, DE 19966
- EXISTING & PROPOSED LOTS:
EXISTING LOTS = 5
CONSOLIDATED LOTS = 1
PROPOSED LOTS = 0
REMAINING LOTS = 4
- GOVERNMENTAL ENTITY RESPONSIBLE FOR LAND USE APPROVAL: SUSSEX COUNTY
- HUNDRED/COUNTY: DAGSBORO HUNDRED / SUSSEX COUNTY
- CURRENT ZONING: AR-1
- PRESENT USE: TILLED CROPS / RESIDENTIAL
- PROPOSED USE: TILLED CROPS / RESIDENTIAL
- MINIMUM LOT SIZE: AREA = 3/4 ACRES
WIDTH = 100 FEET
DEPTH = 100 FEET
- REQUIRED AR-1 SETBACKS (B.R.L.): FRONT: 30-FEET
SIDE: 15-FEET
REAR: 20-FEET
- WATER AND SEWER: NO PUBLIC WATER AND SEWER SERVICES AVAILABLE ON THESE SITES.
- PROJECT DATUM:
HORIZONTAL: NAD 83
VERTICAL: NAVD88
- FEMA FLOOD MAP: PER FEMA FLOOD MAP 10005C0454K EFFECTIVE 3/16/2015, A PORTION OF THE SITE LIES WITHIN THE AE AND 0.2 PERCENT CHANCE FLOOD AREAS.
- POSTED SPEED LIMIT FOR REVEL RD (SCR 410): 45 MPH
- 2020 STATE INVESTMENT AREA: LEVEL 3
- PROXIMITY TO T.I.D.: NOT WITHIN AN IDENTIFIED T.I.D.



NOTES:

- IF EXISTING ENTRANCES ARE ALTERED, THEY SHALL CONFORM TO DELDOT'S DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL. NO CONSTRUCTION ACTIVITY SHALL OCCUR IN THE RIGHT-OF-WAY (ROW) WITHOUT A DELDOT PERMIT.
- THE BOUNDARY INFORMATION SHOWN ON THIS PLAN IS FROM A FIELD SURVEY AND THE FOLLOWING DOCUMENTS:
- PLOT BOOK 80, PAGE 130
- PLOT BOOK 81, PAGE 50
- PLOT BOOK 129, PAGE 68
- PLOT BOOK 167, PAGE 41
- PLOT BOOK 183, PAGE 42
- DEED BOOK 2213, PAGE 143
- DEED BOOK 4118, PAGE 311
- BEARINGS HAVE BEEN ROTATED INTO THE DELAWARE STATE PLAIN COORDINATES SYSTEM.
- ALL PROPOSED ACCESS EASEMENTS SHALL BE SUBJECT TO A RECORDED SHARED USE MAINTENANCE AGREEMENT.
- IF THE RESIDUAL LANDS OF THE APPLICANT ARE EVER DEVELOPED INTO A MAJOR SUBDIVISION, THEN THE ACCESS TO THE PARCELS CREATED BY THIS MINOR SUBDIVISION PLAN MAY BE REQUIRED TO BE FROM AN INTERNAL SUBDIVISION STREET.
- PARCELS 81.00, 81.08 AND 81.12 SHALL HAVE ACCESS TO SCR 410 VIA THE 75' WIDE INGRESS / EGRESS EASEMENT.
- THE WETLANDS SHOWN ON THIS PLAN ARE NON-TIDAL PER THE DNREC 2007 WETLANDS MAPPING.
- 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.
- A PERPETUAL CROSS ACCESS INGRESS/EGRESS EASEMENT IS HEREBY ESTABLISHED AS SHOWN ON THIS PLAN.
- IF EXISTING ENTRANCES ARE ALTERED, THEY SHALL CONFORM TO DELDOT'S DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL. NO CONSTRUCTION ACTIVITY SHALL OCCUR IN THE RIGHT-OF-WAY (ROW) WITHOUT A DELDOT PERMIT.

ENGINEERS CERTIFICATION

IT IS HEREBY CERTIFIED THAT I AM A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION, AND TO MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

DAVID HEATWOLE, P.E. (DE LICENSE NO. #17780) DATE _____
19 COMMERCIE STREET
HARRINGTON, DE 19952
PHONE (302) 841-7901

OWNER(S) CERTIFICATION

IT IS HEREBY CERTIFIED THAT I AM THE LEGAL OWNER OF THE PROPERTY DESCRIBED AND 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 AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

FISHERS POINT LLC
24139 FISHERS POINT
MILLSBORO, DE 19963
PHONE: (302) 339-7160

OWNER(S) CERTIFICATION

IT IS HEREBY CERTIFIED THAT I AM THE LEGAL OWNER OF THE PROPERTY DESCRIBED AND 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 AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

JEFFREY S. BURTON
24139 FISHERS POINT
MILLSBORO, DE 19963
PHONE: (302) 339-7160

OWNER(S) CERTIFICATION

IT IS HEREBY CERTIFIED THAT I AM THE LEGAL OWNER OF THE PROPERTY DESCRIBED AND 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 AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

TY C. BURTON
24139 FISHERS POINT
MILLSBORO, DE 19963
PHONE: (302) 339-7160

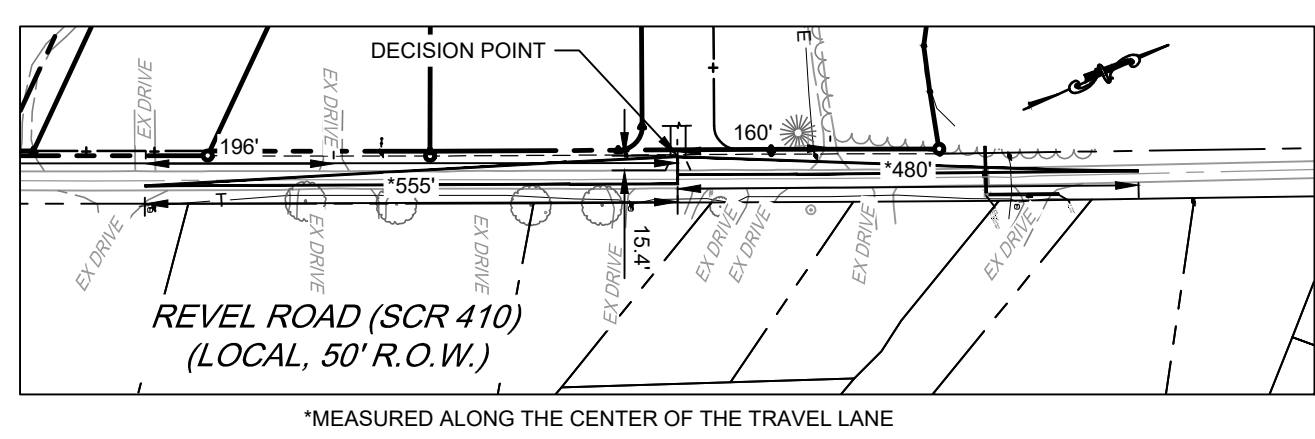
OWNER(S) CERTIFICATION

IT IS HEREBY CERTIFIED THAT I AM THE LEGAL OWNER OF THE PROPERTY DESCRIBED AND 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 AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

SHANNON C. BURTON
24139 FISHERS POINT
MILLSBORO, DE 19963
PHONE: (302) 339-7160

DELDOT RECORD PLAN NOTES:

- IF EXISTING ENTRANCES ARE ALTERED, THEY SHALL CONFORM TO DELDOT'S DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL. NO CONSTRUCTION ACTIVITY SHALL OCCUR IN THE RIGHT-OF-WAY (ROW) WITHOUT A DELDOT PERMIT.
- ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOT'S) CURRENT DEVELOPMENT COORDINATION MANUAL AND SHALL BE SUBJECT TO ITS APPROVAL.
- NO LANDSCAPING SHALL BE ALLOWED WITHIN THE RIGHT-OF-WAY UNLESS THE PLANS ARE COMPLIANT WITH SECTION 3.7 OF THE DEVELOPMENT COORDINATION MANUAL.
- 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.
- THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS IN ACCORDANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.
- 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.



SIGHT DISTANCE TRIANGLE 1

SCALE: 1" = 200'



LEGEND

- CAPPED IRON PIPE / IRON PIPE FOUND
- CONCRETE MONUMENT FOUND
- CAPPED IRON PIPE TO BE SET
- PROPERTY LINE POINT
- UTILITY POLE
- PROPERTY LINE
- PROPOSED PROPERTY LINE
- PROPERTY LINE TO BE EXTINGUISHED
- PROPERTY SETBACK / BUILDING RESTRICTION LINE
- EDGE OF PAVEMENT
- CENTERLINE OF ROAD
- GRAVEL / DIRT DRIVE
- NON-TIDAL WETLANDS
- EXISTING BUILDING

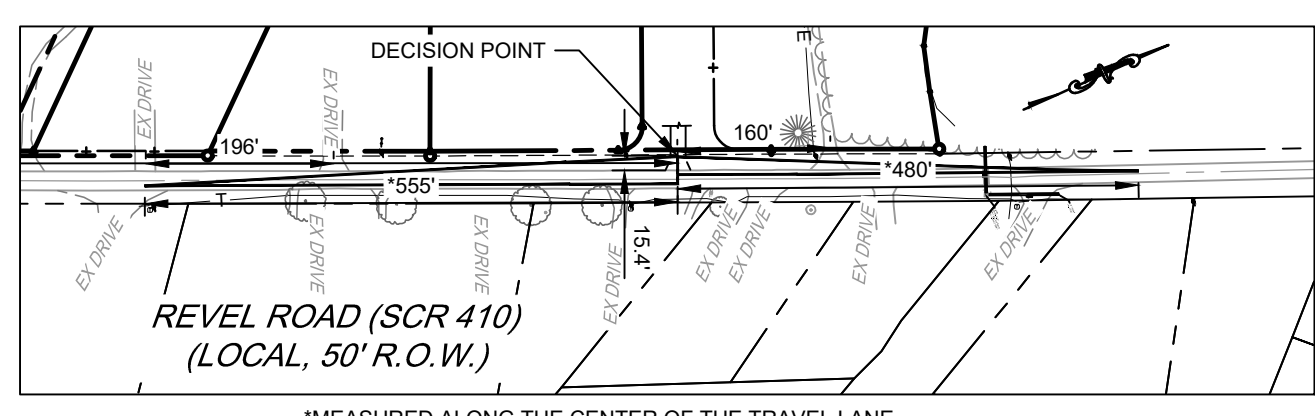
FIRE MARSHAL NOTES

- ALL FIRE LANES, FIRE HYDRANTS AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE DELAWARE FIRE PREVENTION REGULATIONS
- MAXIMUM HEIGHT: 3 STORIES NOT TO EXCEED 42'
- A SINGLE FAMILY RESIDENTIAL DWELLINGS ARE PROPOSED
- BUILDING CONSTRUCTION TYPE: NPPA TYPE V WOOD FRAME
- AUTOMATIC FIRE SPRINKLERS ARE NOT PROPOSED FOR THE RESIDENTIAL LOTS
- THERE ARE NO FIRE HYDRANTS IN THE IMMEDIATE VICINITY OF THE SITE
- OWNER'S NAME AND ADDRESS
JEFFREY S. BURTON
24139 FISHERS POINT
MILLSBORO, DE 19963

PLOTTED: 10/20/22 4:48 PM BY: Devin Hunsicker
 PROJECT: 2022-10-20-22-48-PM-Devin Hunsicker.dwg
 PLOT TITLE: 2022-10-20-22-48-PM-Devin Hunsicker.dwg

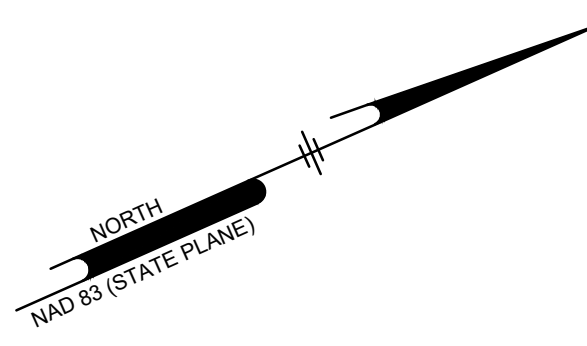
DELDOT RECORD PLAN NOTES:

- IF EXISTING ENTRANCES ARE ALTERED, THEY SHALL CONFORM TO DELDOT'S DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL. NO CONSTRUCTION ACTIVITY SHALL OCCUR IN THE RIGHT-OF-WAY (ROW) WITHOUT A DELDOT PERMIT.
- ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOT'S) CURRENT DEVELOPMENT COORDINATION MANUAL AND SHALL BE SUBJECT TO ITS APPROVAL.
- NO LANDSCAPING SHALL BE ALLOWED WITHIN THE RIGHT-OF-WAY UNLESS THE PLANS ARE COMPLIANT WITH SECTION 3.7 OF THE DEVELOPMENT COORDINATION MANUAL.
- 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.
- THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS IN ACCORDANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.
- 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.



SIGHT DISTANCE TRIANGLE 1
SCALE: 1" = 200'

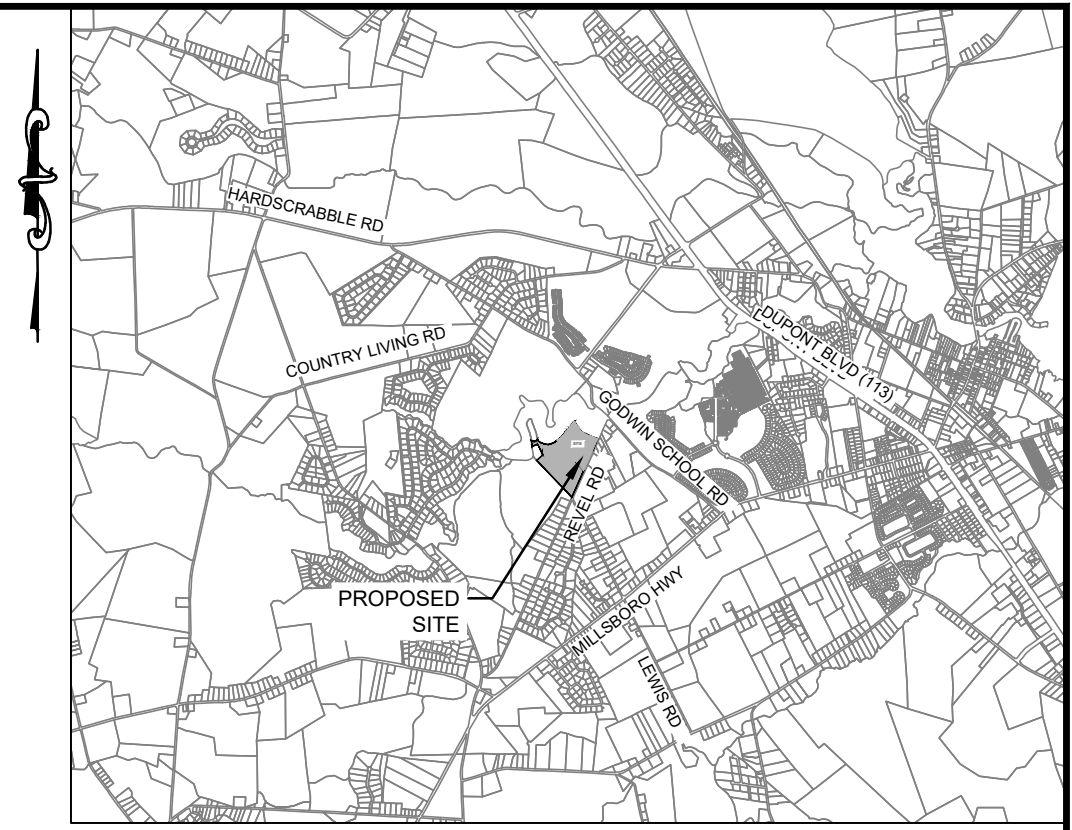
DeIDOT
NO OBJECTION TO
RECORDATION
 January 21, 2022
DATE



CURVE #	LENGTH	RADIUS	DELTA	CORD DIST.	CORD BEARING
C2	218.44'	53.00'	236°08'30"	93.53'	N51°44'46"E
C3	16.66'	17.00'	056°08'30"	16.00'	S38°15'14"E
C4	39.27'	25.00'	090°00'00"	35.36'	N68°40'32"E

CURVE #	LENGTH	RADIUS	DELTA	CORD DIST.	CORD BEARING
C1	39.27'	25.00'	090°00'00"	35.36'	S21°19'28"E

LINE #	BEARING & DISTANCE	LENGTH
L38	S22°42'48"E	80.47'
L39	S03°10'34"E	60.52'
L40	S40°53'14"E	87.30'
L41	S11°13'40"E	59.54'
L42	S44°57'17"E	71.79'
L43	S50°27'51"E	67.75'
L44	S68°54'38"E	124.36'
L45	S65°59'45"E	183.82'
L46	S58°10'02"E	37.04'
L47	S73°37'53"E	48.33'
L48	S74°59'10"E	65.14'



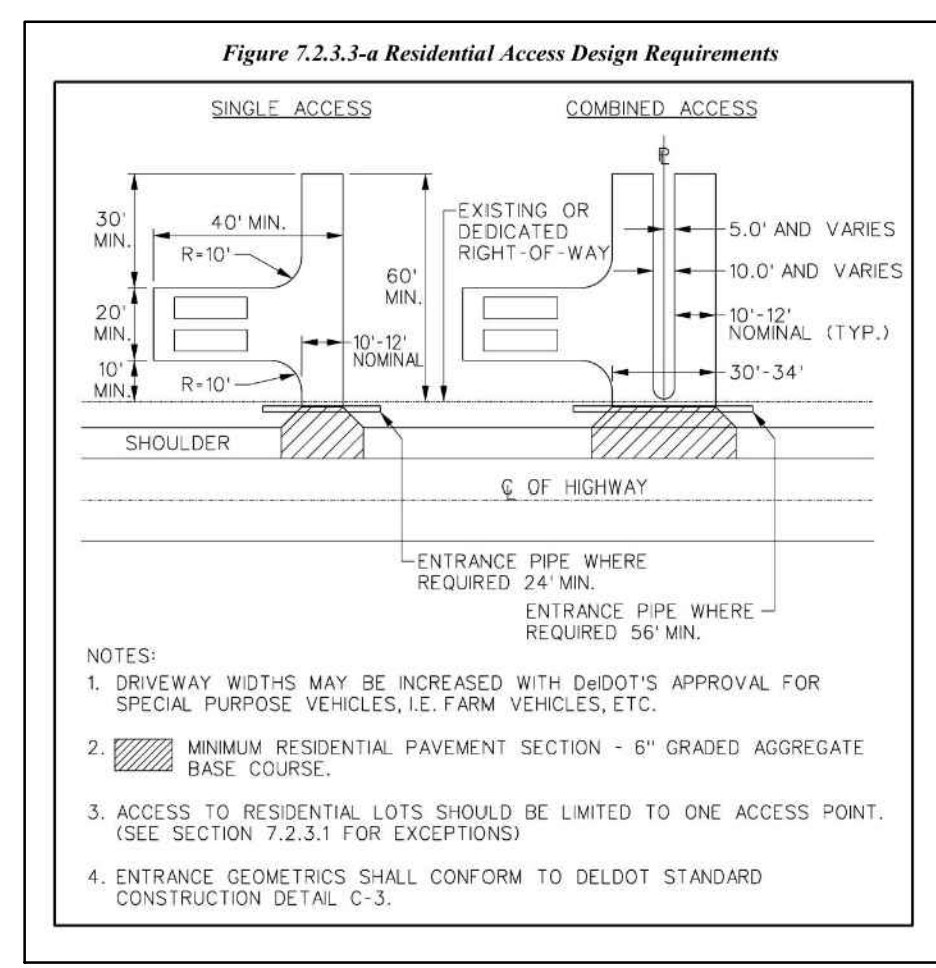
LOCATION MAP

SCALE: 1" = 1 MILE

SITE DATA:

- TAX PARCELS AND OWNERS OF RECORD:
 PARCEL 133-16-00-81.00 - THE JEFFREY S. BURTON TRUST
 PARCEL 133-16-00-81.02 - JEFFREY S. BURTON, SHANNON C. BURTON, & TY C. BURTON
 PARCEL 133-16-00-81.08 - JEFFREY S. BURTON & SHANNON C. BURTON
 PARCEL 133-16-00-81.12 - JEFFREY S. BURTON
 PARCEL 133-16-00-81.14 - FISHER POINT LLC
- PARCEL AREA:

PARCEL	EXISTING	PROPOSED
133-16-00-81.00	8.37 AC	13.96 AC
133-16-00-81.02	5.04 AC	0.78 AC
133-16-00-81.08	0.76 AC	0.76 AC
133-16-00-81.12	0.86 AC	0.75 AC
133-16-00-81.14	1.22 AC	---
GROSS PROPERTY AREA:	16.25 AC	16.25 AC
- SITE ADDRESS:
2924 REVEL ROAD
MILLSBORO, DE 19966
- EXISTING & PROPOSED LOTS:
 EXISTING LOTS = 5
 CONSOLIDATED LOTS = 1
 PROPOSED LOTS = 0
 REMAINING LOTS = 4
- GOVERNMENTAL ENTITY RESPONSIBLE FOR LAND USE APPROVAL: SUSSEX COUNTY
- HUNDRED/COUNTY: DAGSBORO HUNDRED / SUSSEX COUNTY
- CURRENT ZONING: AR-1
- PRESENT USE: TILLED CROPS / RESIDENTIAL
- PROPOSED USE: TILLED CROPS / RESIDENTIAL
- MINIMUM LOT SIZE: AREA = 3/4 ACRES
WIDTH = 100 FEET
DEPTH = 100 FEET
- REQUIRED AR-1 SETBACKS (B.R.L.):
 FRONT: 30-FEET
 SIDE: 15-FEET
 REAR: 20-FEET
- WATER AND SEWER: NO PUBLIC WATER AND SEWER SERVICES AVAILABLE ON THESE SITES.
- PROJECT DATUM:
 HORIZONTAL: NAD 83
 VERTICAL: NAVD88
- FEMA FLOOD MAP: PER FEMA FLOOD MAP 10005C0454K EFFECTIVE 3/16/2015, A PORTION OF THE SITE LIES WITHIN THE AE AND 0.2 PERCENT CHANCE FLOOD AREAS.
- POSTED SPEED LIMIT FOR REVEL RD (SCR 410): 45 MPH
- 2020 STATE INVESTMENT AREA: LEVEL 3
- PROXIMITY TO T.I.D.: NOT WITHIN AN IDENTIFIED T.I.D.



NOTES:

- IF EXISTING ENTRANCES ARE ALTERED, THEY SHALL CONFORM TO DELDOT'S DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL. NO CONSTRUCTION ACTIVITY SHALL OCCUR IN THE RIGHT-OF-WAY (ROW) WITHOUT A DELDOT PERMIT.
- THE BOUNDARY INFORMATION SHOWN ON THIS PLAN IS FROM A FIELD SURVEY AND THE FOLLOWING DOCUMENTS:
 - PLOT BOOK 80, PAGE 130
 - PLOT BOOK 81, PAGE 50
 - PLOT BOOK 129, PAGE 68
 - PLOT BOOK 167, PAGE 41
 - PLOT BOOK 183, PAGE 42
 - DEED BOOK 2213, PAGE 143
 - DEED BOOK 4118, PAGE 311
- BEARINGS HAVE BEEN ROTATED INTO THE DELAWARE STATE PLAIN COORDINATES SYSTEM.
- ALL PROPOSED ACCESS EASEMENTS SHALL BE SUBJECT TO A RECORDED SHARED USE MAINTENANCE AGREEMENT.
- IF THE RESIDUAL LANDS OF THE APPLICANT ARE EVER DEVELOPED INTO A MAJOR SUBDIVISION, THEN THE ACCESS TO THE PARCELS CREATED BY THIS MINOR SUBDIVISION PLAN MAY BE REQUIRED TO BE FROM AN INTERNAL SUBDIVISION STREET.
- PARCELS 81.00, 81.08 AND 81.12 SHALL HAVE ACCESS TO SCR 410 VIA THE 75' WIDE INGRESS / EGRESS EASEMENT.
- THE WETLANDS SHOWN ON THIS PLAN ARE NON-TIDAL PER THE DNREC 2007 WETLANDS MAPPING.
- 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.
- A PERPETUAL CROSS ACCESS INGRESS/EGRESS EASEMENT IS HEREBY ESTABLISHED AS SHOWN ON THIS PLAN.
- IF EXISTING ENTRANCES ARE ALTERED, THEY SHALL CONFORM TO DELDOT'S DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL. NO CONSTRUCTION ACTIVITY SHALL OCCUR IN THE RIGHT-OF-WAY (ROW) WITHOUT A DELDOT PERMIT.

ENGINEERS CERTIFICATION

IT IS HEREBY CERTIFIED THAT I AM A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION, AND TO MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

David Heatwole, P.E. (DE LICENSE NO. #17760) DATE 11/13/22

DAVID HEATWOLE, P.E. (DE LICENSE NO. #17760) DATE 11/13/22
 19 COMMERCE STREET
 HARRINGTON, DE 19952
 PHONE: (302) 841-7901

OWNER(S) CERTIFICATION

IT IS HEREBY CERTIFIED THAT I AM THE LEGAL OWNER OF THE PROPERTY DESCRIBED AND 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 AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

TY C. BURTON 01/13/2022
 24139 FISHERS POINT
 MILLSBORO, DE 19963
 PHONE: (302) 339-7160

OWNER(S) CERTIFICATION

IT IS HEREBY CERTIFIED THAT I AM THE LEGAL OWNER OF THE PROPERTY DESCRIBED AND 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 AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

FISHERS POINT LLC 01/13/2022
 24139 FISHERS POINT
 MILLSBORO, DE 19963
 PHONE: (302) 339-7160

OWNER(S) CERTIFICATION

IT IS HEREBY CERTIFIED THAT I AM THE LEGAL OWNER OF THE PROPERTY DESCRIBED AND 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 AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

SHANNON C. BURTON 01/13/2022
 24139 FISHERS POINT
 MILLSBORO, DE 19963
 PHONE: (302) 339-7160

OWNER(S) CERTIFICATION

IT IS HEREBY CERTIFIED THAT I AM THE LEGAL OWNER OF THE PROPERTY DESCRIBED AND 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 AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

JEFFREY S. BURTON 01/13/2022
 24139 FISHERS POINT
 MILLSBORO, DE 19963
 PHONE: (302) 339-7160

SITeworks
ENGINEERING
 PO BOX 2 | 19 COMMERCE ST., HARRINGTON, DE 19952 Phone: (302) 841-7901
LOT LINE ADJUSTMENT & CONSOLIDATION PLAN

LANDS OF BURTON
SCR 410 (REVEL ROAD) TP#: 133-16-00-81.00, 133-16-00-81.02, 133-16-00-81.08, 133-16-00-81.11, 133-16-00-81.12, 133-16-00-81.14
DAGSBORO HUNDRED, SUSSEX COUNTY

ISSUE / REVISION BLOCK
 7/30/21 - SUSSEX COUNTY P&Z - PRELIMINARY
 9/13/21 - DELDOT
 9/13/21 - FIRE MARSHAL
 9/13/21 - SUSSEX COUNTY
 10/19/21 - DELDOT
 10/19/21 - FIRE MARSHAL
 10/19/21 - SUSSEX COUNTY
 11/30/21 - DELDOT
 11/32/22 - DELDOT

SCALE: 1" = 60'
 PROJECT # 2171-JBR
 DRAWN BY JDC

1
 SHEET 1 OF 1

THIS DRAWING INCLUDING DESIGN AND CONSTRUCTION FEATURES ARE PROPRIETARY TO Siteworks ENGINEERING, LLC. AND SHALL NOT BE ALTERED OR REUSED WITHOUT WRITTEN PERMISSION. © CONTENTS COPYRIGHT 2021 Siteworks ENGINEERING, LLC.



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

NICOLE MAJESKI
SECRETARY

January 21, 2022

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
Lands of Burton - Lot Line Adj & Minor Sub**
Tax Parcel # 133-16.00-81.02,
133-16.00-81.00,
133-16.00-81.14,
133-16.00-81.08,
133-16.00-81.12
SCR00410-REVEL ROAD
Dagsboro Hundred, Sussex County

Dear Mr. Whitehouse:

The Department of Transportation has reviewed the Minor Subdivision Plan dated July 30, 2021 (last revised January 13, 2022), 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



Lands of Burton - Lot Line Adj & Minor Sub
Mr. Jamie Whitehouse
Page 2
January 21, 2022

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 DeIDOT'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 DeIDOT 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: Dave Heatwole, SiteWorks 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
James Smith, 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



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: 2021-04-208583-MIS-01

Tax Parcel Number: 133-16.00-81.14

Status: Approved as Submitted

Date: 10/28/2021

Project

Burton Subdivision

Lands of Burton Property
Phase #: 1

29254 Revel Road
Millsboro DE 19966

Scope of Project

Number of Stories:

Square Footage:

Construction Class:

Fire District: 83 - Millsboro Fire Co Inc

Occupant Load Inside:

Occupancy Code:

Applicant

David Heatwole
PO Box 2
Harrington, DE 19952


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: 2021-04-208583-MIS-01

Tax Parcel Number: 133-16.00-81.14

Status: Approved as Submitted

Date: 10/28/2021

PROJECT COMMENTS

- 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.
- 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.
- 1180 A This report reflects site review only. It is the responsibility of the applicant and owner to forward copies of this review to any other agency as required by those agencies.
- 1501 A If there are any questions about the above referenced comments please feel free to contact the Fire Protection Specialist who reviewed this project. Please have the plan review number available when calling about a specific project. When changes or revisions to the plans occur, plans are required to be submitted, reviewed, and approved.

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



2 THE CIRCLE | PO BOX 417
GEORGETOWN, DE 19947
(302) 855-7878 T
(302) 854-5079 F
sussexcountyde.gov

Sussex County Planning & Zoning Commission

AGENDA

February 10, 2022

5:00 P.M.

Call to Order

Approval of Agenda

Approval of Minutes – December 9, 2021 and January 27

Other Business

S-21-38 All Climate Storage of Millsboro BM
Preliminary Site Plan

Weston Willows Commercial Outparcels (S-17-31) KS
Revised Site Plan

Lands of Shawn Noble KS
Minor Subdivision off of a 60-ft easement

Lands of Stephen & Anne Kelly HW
Minor Subdivision off of a 20-ft easement

Lands of Walter & Stacy Beck KS
Minor Subdivision off of a 50-ft easement

Lands of Jeffrey S. Burton et. Al KH
Minor Subdivision off of a 75-ft easement

Old Business

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

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 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.

Public Hearings

2021-19 East Gate HW

A Coastal Area cluster subdivision to divide 36.71 acres +/- into 88 single-family lots to be located on certain parcels of land and lying and being in Baltimore Hundred, Sussex County. The properties are located on the southwest side of Zion Church Road (Route 20), approximately 0.76 mile southeast of Evans Road (S.C.R. 383). Tax Parcels: 533-11.00-45.05, 45.06, 45.07 & 45.08. Zoning: GR (General Residential District).

C/U 2288 Broom Solar Partners HW

An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District for a solar farm to be located on a certain parcel of land lying and being in Baltimore Hundred, Sussex County, containing 72.00 acres, more or less. The property is lying on the north side of Frankford School Road (S.C.R. 92) approximately 0.55 mile west of Pyle Center Road (S.C.R. 20). 911 Address: N/A. Tax Parcel: 533-5.00-47.00

C/U 2284 Eastern Shore Natural Gas Company KH

An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District for the expansion of C/U 889 (Ordinance No. 536) for public utilities or public services uses to be located on a certain parcel of land lying and being in Northwest Fork Hundred, Sussex County, containing 29.98 acres, more or less. The property being a landlocked parcel accessed off Emma Jane Lane, approximately 0.33 mile south of E. Newton

Road (S.C.R. 584). 911 Address: 17019, 17025, 17035 & 17041 Black Cherry Drive, Bridgeville.
Tax Parcel: 131-10.00-99.00

C/U 2285 Ashley DiMichele

KS

An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential Zoning District for a tourist home to be located on a certain parcel of land lying and being in Broadkill Hundred, Sussex County, containing 2.831 acres, more or less.

The property is lying on the south side of Cave Neck Road (S.C.R. 88), approximately 0.43 mile west of Diamond Farm Road (S.C.R. 257). 911 Address: 26182 Cave Neck Road, Milton. Tax Parcel: 235-21.00-48.00

C/U 2305 Barnhill Preserve of DE, LLC

HW

An Ordinance to grant a Conditional Use of land in an AR-1 (Agricultural Residential District) for a zoological park to be located on a certain parcel of land lying and being in Baltimore Hundred, Sussex County, containing 7.24 acres, more or less. The property

is lying on the northeast side of Peppers Corner Road (S.C.R. 365), approximately 0.61 mile southeast of Roxanna Road (Route 17). 911 Address: 34215 Peppers Corner Road, Frankford. Tax Parcel 134-15.00-124.00

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on February 3, 2022 at 5:15 p.m., and at least seven (7) days in advance of the meeting. The agenda was revised on February 4, 2022 at 10:00 a.m.

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, February 9, 2022.

###

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



Sussex County

DELAWARE
sussexcountyde.gov

PLEASE NOTE

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



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

PLANNING & ZONING COMMISSION

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



Sussex County

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

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: February 10th 2022

Application: 2021-19 East Gate

Applicant: McKee Builders, LLC
c/o Kevin McLaughlin
940 West Sproul Road, Suite 301
Springfield, PA 19064

Owner: Roxanna Preferred Properties, LLC PMP Associates, LLC
1601 Milltown Road, Suite 17 1601 Milltown Road, Suite 19
Wilmington, DE 19808 Wilmington, DE 19808

Site Location: The property is located on the south side of Zion Church Road (Route 20), approximately 0.35 mile northwest of the intersection of Johnson Road (S.C.R. 389) and Bayard Road (S.C.R. 384).

Current Zoning: General Residential (GR) Zoning District

Proposed Use: 88 Single-Family Lots as a Cluster Subdivision

Comprehensive Land Use Plan Reference: Coastal Area

Councilmanic District: Mr. Rieley

School District: Indian River School District

Fire District: Roxana Fire Company

Sewer: Sussex County

Water: Tidewater Utilities

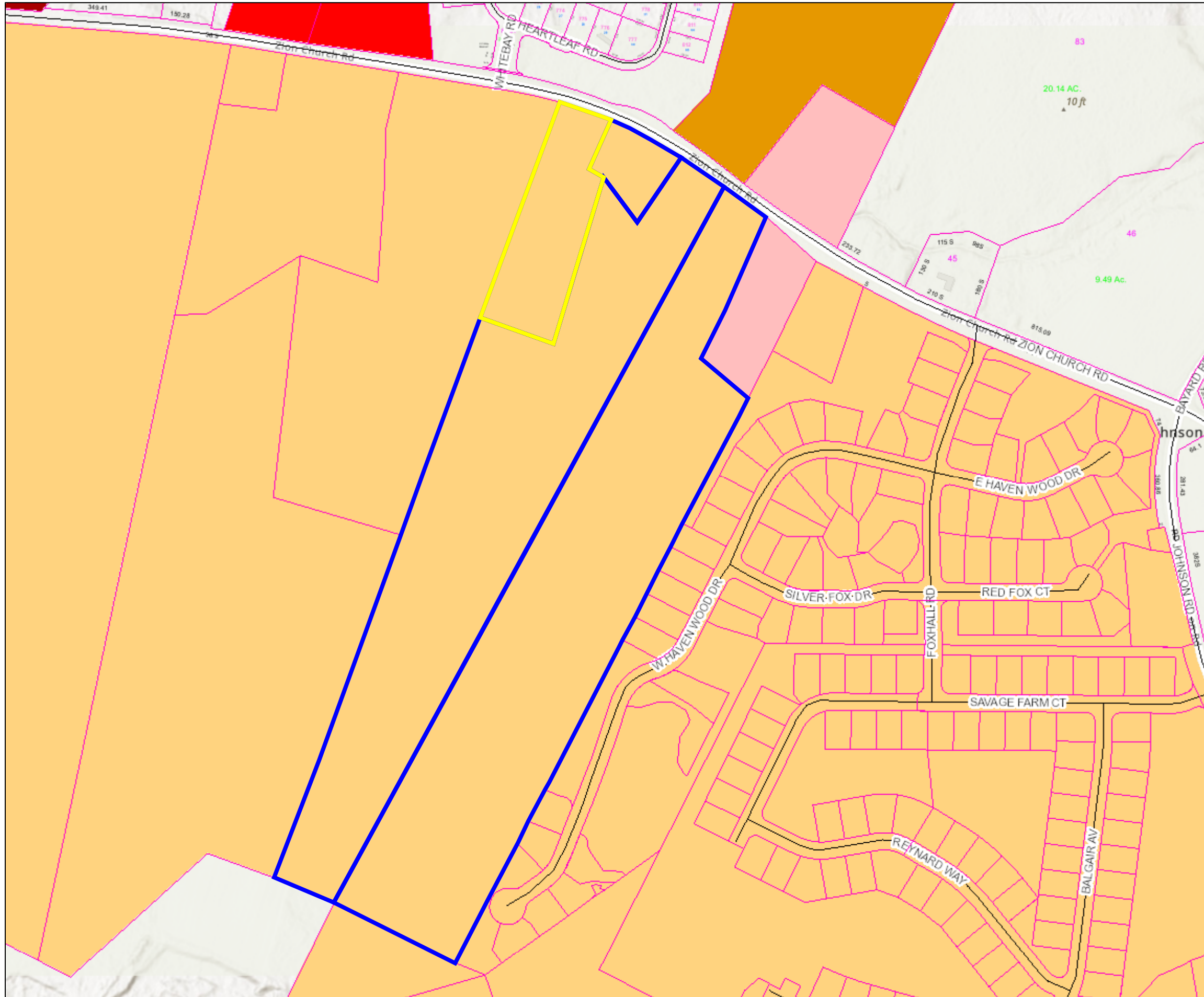
Site Area: 36.71 +/- acres

Tax Map ID: 533-11.00-45.05, 45.06, 45.07 & 45.08





Sussex County



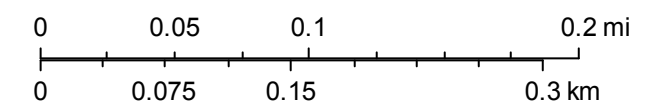
PIN:	533-11.00-45.05
Owner Name	ROXANA PREFERRED PROPERTIES LLC
Book	3522
Mailing Address	1601 MILLTOWN RD STE 17
City	WILMINGTON
State	DE
Description	SW/RD 382
Description 2	LOT 1
Description 3	
Land Code	

- polygonLayer**

Override 1
- polygonLayer**

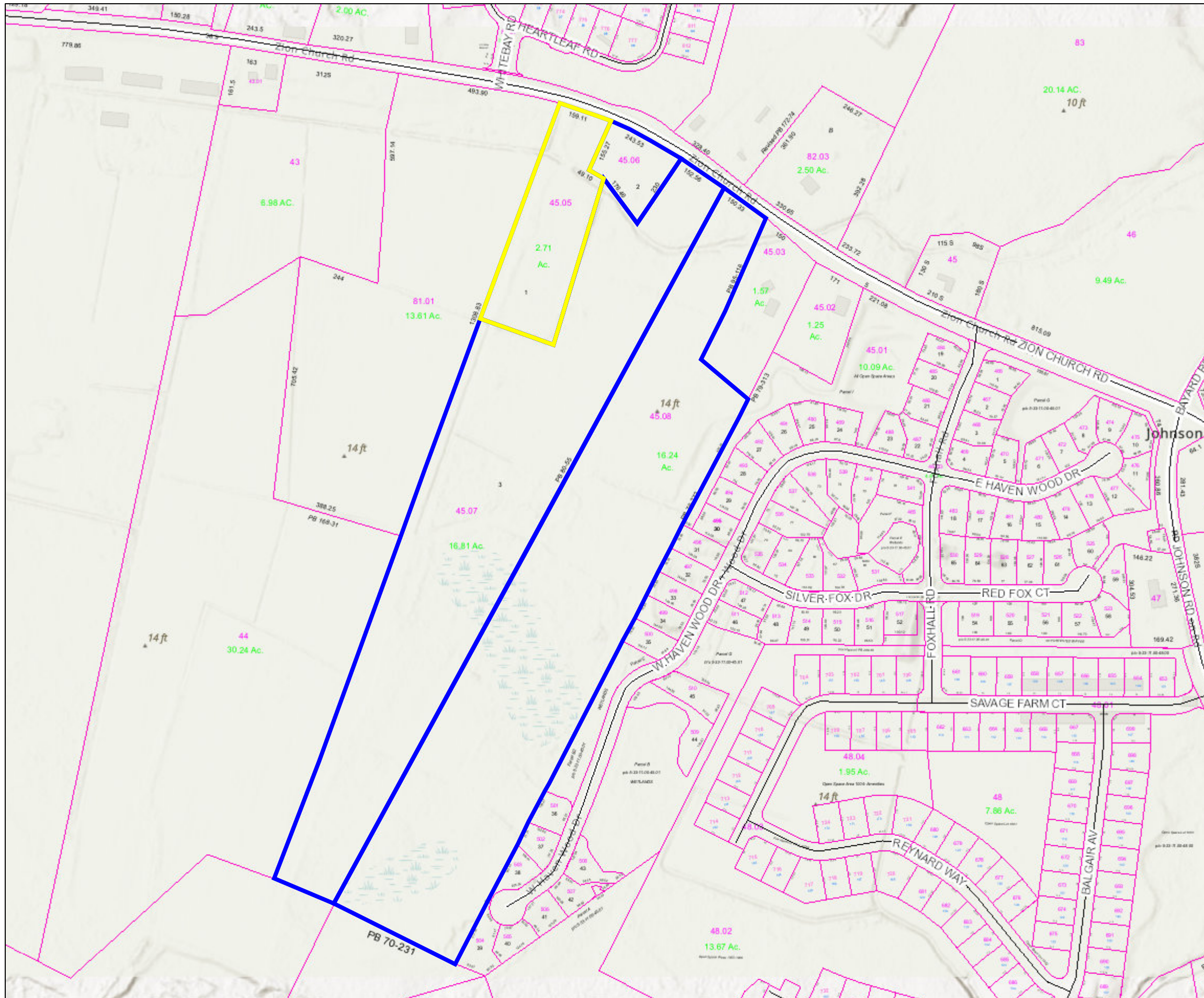
Override 1
- Tax Parcels
- Streets

1:4,514





Sussex County



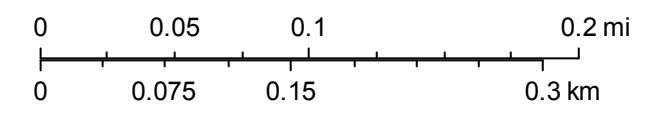
PIN:	533-11.00-45.05
Owner Name	ROXANA PREFERRED PROPERTIES LLC
Book	3522
Mailing Address	1601 MILLTOWN RD STE 17
City	WILMINGTON
State	DE
Description	SW/RD 382
Description 2	LOT 1
Description 3	
Land Code	

- polygonLayer**

 - Override 1
- polygonLayer**

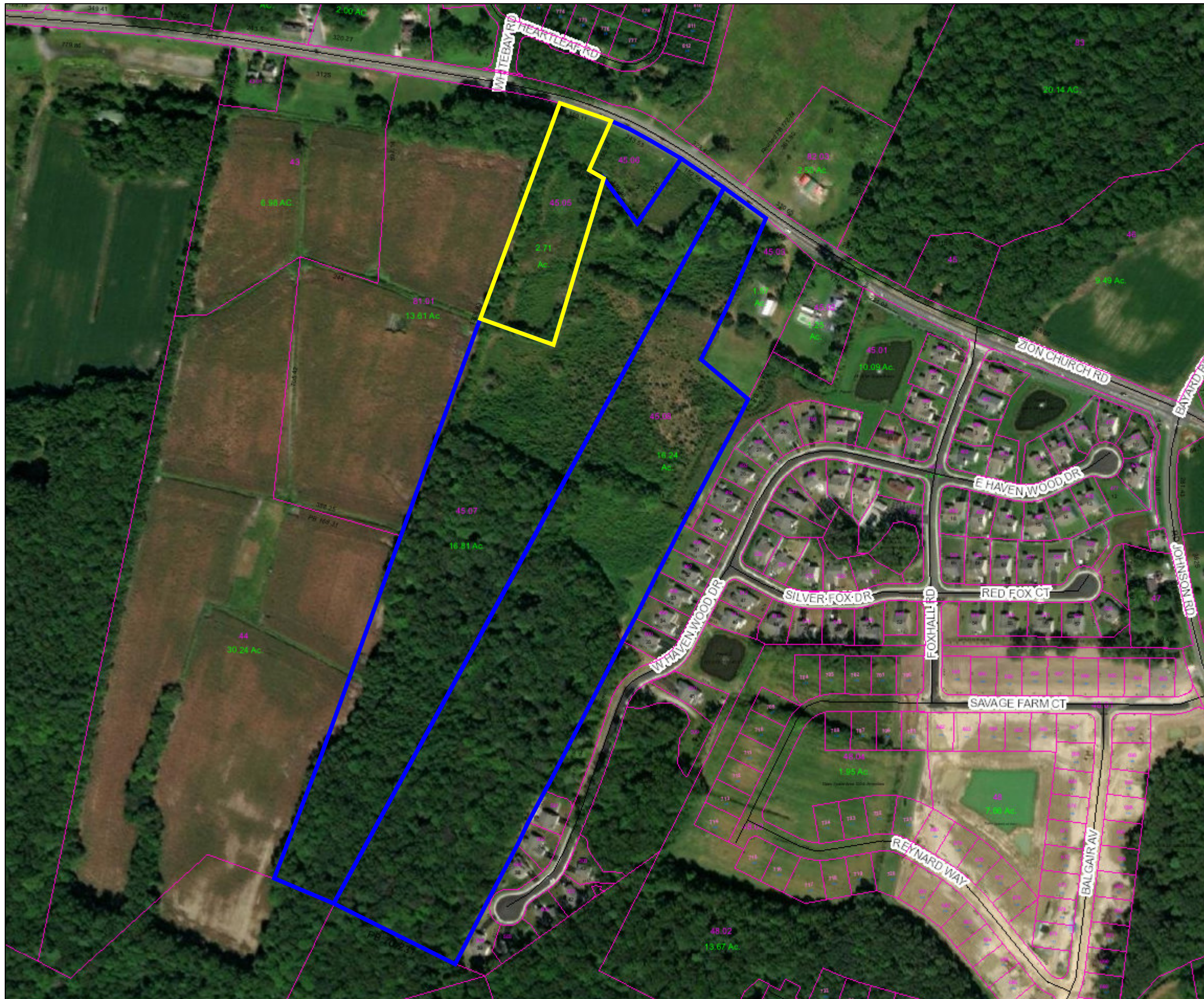
 - Override 1
- ⋯ Tax Parcels
- Streets
- ⋯ County Boundaries
- ⋯ DOE School Districts

1:4,514





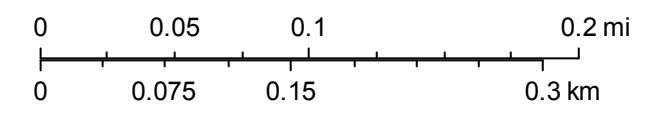
Sussex County



PIN:	533-11.00-45.05
Owner Name	ROXANA PREFERRED PROPERTIES LLC
Book	3522
Mailing Address	1601 MILLTOWN RD STE 17
City	WILMINGTON
State	DE
Description	SW/RD 382
Description 2	LOT 1
Description 3	
Land Code	

- polygonLayer**
- Override 1
- polygonLayer**
- Override 1
- Tax Parcels
- Streets
- County Boundaries
- DOE School Districts

1:4,514



Sussex County Major Subdivision Application 80210985

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:

South side of Zion Church Rd. (Rte 20); approx. 1,500' NW of int. with Johnson Oak Rd (Rd 382)

Proposed Name of Subdivision:

East Gate (formerly known as Twin Lakes)

Tax Map #: (1) 533-11.00-45.05, -45.06 (2) 533-11.0045.07, -45.08 **Total Acreage:** 36.71

Zoning: GR **Density:** 3.06 **Minimum Lot Size:** 7,500 SF **Number of Lots:** 88

Open Space Acres: 14.56 +/-

Water Provider: Tidewater Utilities

Sewer Provider: Sussex County

Applicant Information

Applicant Name: McKee Builders, LLC (c/o Mr. Kevin McLaughlin, Vice-President)

Applicant Address: 940 West Sproul Road, Suite 301

City: Springfield **State:** PA **Zip Code:** 19064

Phone #: 484-908-6252 **E-mail:** kmclaughlin@mckeegroup.net

Owner Information

Owner Name: (1) Roxanna Preferred Properties, LLC (2) PMP Associates, LLC

Owner Address: (1) 1601 Milltown Road, Suite 17 (2) 1601 Milltown Road, Suite 19

City: (1) & (2) Wilmington **State:** DE **Zip Code:** 19808

Phone #: _____ **E-mail:** _____

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Morris & Ritchie Associates, Inc. (c/o Mr. Christopher J. Flathers, P.E.)

Agent/Attorney/Engineer Address: 18 Boulden Circle, Suite 36

City: New Castle **State:** DE **Zip Code:** 19720

Phone #: 302-326-2200 **E-mail:** cflathers@mragta.com



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)**
 - o 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**
 - o Provide compliance with Section 99-9.
 - o Deed or Legal description, copy of proposed deed restrictions, soil feasibility study

Provide Fee \$500.00

* Project Information Booklets will be provided under separate cover in advance of the PC Meeting

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 will be provided under separate cover in advance of the PC Meeting

PLUS Response Letter (if required)

Environmental Assessment & Public Facility Evaluation Report (if within Coastal Area)

51% of property owners consent if applicable

* Coastal Area Report will be provided under separate cover in advance of the PC Meeting

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

I also certify that I or an agent on my behalf shall attend all public hearing before the Planning and Zoning Commission and 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



 Christopher J. Flathers, Morris & Ritchie Associates, Inc.

Date: 6/2/21

Signature of Owner



 Kevin McLaughlin, Vice President, McKee Builders, LLC

Date: 6/2/21

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: _____

64750

EX 03239 & 350

TAX PARCEL NO. 5-33-11.00-45.07

PREPARED BY:

JAMES P. HALL, ESQUIRE
PHILLIPS, GOLDMAN & SPENCE, P.A.
1200 NORTH BROOM STREET
WILMINGTON, DE 19806

GRANTEE'S ADDRESS:

1601 MILLTOWN ROAD, SUITE 19
WILMINGTON, DE 19808

THIS DEED, delivered and effective this 18th day of November, 2005;

BETWEEN, MARK B. BROWN, PAUL E. BROWN and PETER F. SUBACH, of
Wilmington, Delaware, parties of the first part,

-AND-

PMP ASSOCIATES, LLC, a Delaware limited liability company, party of the second
part, in fee,

WITNESSETH, that the said parties of the first part, for and in consideration of the
sum of TEN and 00/100 DOLLARS (\$10.00), lawful money of the United States of America,
the receipt whereof is hereby acknowledged, hereby grant and convey unto the said party
of the second part, in fee,

ALL that certain lot, piece or parcel of land, lying and being situate in Baltimore
Hundred, Sussex County, State of Delaware, being known as Lot No. 3, and being more
particularly described as follows, to-wit:

BEGINNING at a 3/4" pipe found along the most Southerly right-of-way line of
County Road No. 382 (70' r/w), said pipe being 1,357' +/- in a Northwesterly direction from
the right-of-way line of County Road No. 382A, said pipe also being a common property
corner for these lands and lands now or formerly of Mark B. Brown; thence turning and
running with common property line for these lands and lands of Mark B. Brown, S 38° 07'
34" W- 2,387.74 feet to a 5/8" re-bar found, said re-bar being a common property corner
for these lands and lands of Mark B. Brown, said re-bar also being on line for lands of DJF
Holding, Inc.; thence turning and running partially with lands of DJF Holding, Inc., N 58° 14'
35" W- 183.91 feet to a concrete monument found, said monument being a common
property corner for these lands and lands of DJF Holding, Inc., said monument also being
on line for lands of EH& ME Long Farms Limited; thence turning and running partially with
lands of EH & ME Long Farms Limited, N 29° 25' 03" E- 1,784.00 feet to a point located
in a 15' +/- wide ditch, said point being a common property corner for these lands, lands
of EH & ME Long Farms Limited, lands of Martha M. Long and lands of CFL Enterprises;
thence turning and running with common property line for these lands and lands of CFL
Enterprises and said 15' +/- wide ditch the following courses and distances, (1) S 63° 15'
37" E- 189.19 feet to a point; thence (2) N 29° 58' 52" E- 479.25 feet to a point; thence (3)
S 26° 10' 31" E- 176.46 feet to a point; thence (4) leaving said ditch, N 44° 21' 43" E-
230.00 feet to a 5/8" re-bar set on said Southerly right-of-way line of County Road No. 382,
said re-bar being a common property corner for these lands and lands of CFL Enterprises;
thence turning and running with said Southerly right-of-way line a curve to the right with an
arc distance of 26.56 feet, a radius of 1,397.37 feet, a delta angle of 01° 05' 21" and a
chord bearing and distance of S 45° 03' 40" E- 26.56 feet to a 5/8" re-bar set; thence
continuing along said Southerly right-of-way line, S 44° 32' 56" E- 126.00 feet home to the
point and place of beginning, containing 16.7931 acres of land, be the same, more or less,
as surveyed and shown on a plat prepared by Theodore B. Simpler, P.L.S. 289, dated
January 8, 2004.

Considerations: \$0.00 Exempt Code: A

County	State	Total
0.00	0.00	0.00

counter Date: 12/05/2005

BEING the same lands and premises which C.F.L. Enterprises, Inc., a Delaware corporation and Joanne R. Dorsey, by deed dated January 16, 2004 and recorded January 20, 2004, in the Office of the Recorder of Deeds in Deed Book 02945, Page 041, did grant and convey unto Mark B. Brown, Paul E. Brown and Peter F. Subach.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year aforesaid.

WITNESS J Hall

By: Mark B. Brown (Seal)
MARK B. BROWN

STATE OF DELAWARE :
NEW CASTLE COUNTY : SS.

BE IT REMEMBERED, that on this 15th day of November, 2005, personally came before me the Subscriber, a Notary Public for the State and County aforesaid, Mark B. Brown, a party to this Indenture, known to me personally, and acknowledged this Indenture to be his act and deed.

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

JAMES P. HALL
ATTORNEY AT LAW
Notarial Officer, State of Delaware
Pursuant to 29 Del. C. § 4323(e)(3)
My Commission Has No Expiration Date

J Hall
Notarial Officer

WITNESS J Hall

By: Paul E. Brown (Seal)
PAUL E. BROWN

STATE OF DELAWARE :
NEW CASTLE COUNTY : SS.

BE IT REMEMBERED, that on this 18th day of November, 2005, personally came before me the Subscriber, a Notary Public for the State and County aforesaid, Paul E. Brown, party to this Indenture, known to me personally, and acknowledged this Indenture to be his act and deed.

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

JAMES P. HALL
ATTORNEY AT LAW
Notarial Officer, State of Delaware
Pursuant to 29 Del. C. § 4323(e)(3)
My Commission Has No Expiration Date

J Hall
Notarial Officer

WITNESS J Hall

By: Peter F. Subach (Seal)
PETER F. SUBACH

STATE OF DELAWARE :
NEW CASTLE COUNTY : SS.

RECORDER OF DEEDS
JENNIFER PRADY

05 DEC -5 PM 1:47

BE IT REMEMBERED, that on this 18th day of November, 2005, personally came before me the Subscriber, a Notary Public for the State and County aforesaid, Peter F. Subach, party to this Indenture, known to me personally, and acknowledged this Indenture to be his act and deed.

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

JAMES P. HALL
ATTORNEY AT LAW
Notarial Officer, State of Delaware
Pursuant to 29 Del. C. § 4323(a)(3)
My Commission Has No Expiration Date

J Hall
Notarial Officer

Received

DEC 06 2005

ASSESSMENT DIVISION
OF SUSSEX CTY

64751

03240 001

TAX PARCEL NO. 5-33-11.00-45.08

PREPARED BY:

JAMES P. HALL, ESQUIRE
PHILLIPS, GOLDMAN & SPENCE, P.A.
1200 NORTH BROOM STREET
WILMINGTON, DE 19806

GRANTEE'S ADDRESS:

1601 MILLTOWN ROAD, SUITE 18
WILMINGTON, DE 19808

THIS DEED, delivered and effective this 11th day of November, 2005;

BETWEEN, MARK B. BROWN, PAUL E. BROWN and PETER F. SUBACH, of
Wilmington, Delaware, parties of the first part,

-AND-

PMP ASSOCIATES, LLC, a Delaware limited liability company, party of the second
part, in fee,

WITNESSETH, that the said parties of the first part, for and in consideration of the
sum of TEN and 00/100 DOLLARS (\$10.00), lawful money of the United States of America,
the receipt whereof is hereby acknowledged, hereby grant and convey unto the said party
of the second part, in fee,

ALL that certain lot, piece or parcel of land, lying and being situate in Baltimore
Hundred, Sussex County, State of Delaware, and being more particularly described as
follows, to-wit:

BEGINNING at a 3/4" pipe found on the Southerly right-of-way line of County Road
No. 382 (70' r/w), said pipe being 1,207' +/- in a Westerly direction from the right-of-way
line of County Road No. 382, said pipe also being a common property corner these lands
and lands of Herbert Schaefer; thence turning and running with common property line for
these lands and Lands of Herbert Schaefer, S 33°-34'-40" W- 299.80 feet to a 3/4" pipe
found, said pipe being a common property corner for these lands and Lands of Herbert
Schaefer, thence turning and running with said common property line for these lands and
Lands of Herbert Schaefer. The following two (2) courses and distances, (1) S 37°-31'-30"
W-1,228.70 feet to a point; thence, (2) S 02°-22'07" W-258.89 feet to a point, said point
being a common property corner for these lands and Lands of Herbert Schaefer, said point
being a common property corner for these lands and Lands of Herbert Schaefer, said point
also being located on a property line for Lands of CFL Enterprises, Inc.; thence turning and
running partially with common property line for these lands and Lands of CFL Enterprises,
Inc., S 37°-31'-30" W-593.16 feet to a 5/8" re-bar set, said re-bar being a common property
corner for these lands and Lands of CFL Enterprises, Inc., said re-bar also being located
on a property line for Lands of Howard Johnson, thence turning and running with common
property line for these lands and Lands of Howard Johnson, N 58°-14'-35" W-345.43 feet
to a 5/8" re-bar set, said re-bar being a common property corner for these lands and Lands
of CFL Enterprises, Inc., said re-bar also being located on a common property line for
Lands of Howard Johnson, thence turning and running partially with common property line
for these lands and Lands of CFL Enterprises, Inc., N 38°-07'-34" E-2,387.74 feet to a 5/8"
re-bar set on said Southerly right-of-way line of County Road No. 382, said re-bar being
a common property corner for these lands and Lands of CFL Enterprises, Inc.; thence
turning and running with Southerly right-of-way line, S 44°-43'-37" E-150.33 feet home to
the point and place of beginning, containing 12.2394 acres of land, be the same, more or
less, as surveyed and shown on a plat prepared by Theodore B. Simpler, P.L.S. 289, dated
August 15, 2002.

Consideration:	60.00	Exempt Code: A
County	State	Total
8.00	8.00	8.00
counter	Date: 12/05/2005	

81

BEING the same lands and premises which Herbert E. Schaefer, Jr., Trustee Under Revocable Trust Agreement of Herbert E. Schaefer, Jr., dated 5/13/98 and Marjorie D. Schaefer, Trustee Under Revocable Trust Agreement of Marjorie D. Schaefer, dated 5/13/98, by deed dated May 30, 2003 and recorded June 3, 2003, in the Office of the Recorder of Deeds in Deed Book 02843, Page 274, did grant and convey unto Mark B. Brown, Paul E. Brown and Peter F. Subach.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year aforesaid.

WITNESS J. Hall

By: Mark B. Brown (Seal)
MARK B. BROWN

STATE OF DELAWARE :
NEW CASTLE COUNTY : SS.

BE IT REMEMBERED, that on this 18th day of November, 2005, personally came before me the Subscriber, a Notary Public for the State and County aforesaid, Mark B. Brown, a party to this Indenture, known to me personally, and acknowledged this Indenture to be his act and deed.

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

JAMES P. HALL
ATTORNEY AT LAW
Notarial Officer, State of Delaware
Pursuant to 29 Del. C. § 4323(a)(3)
My Commission Has No Expiration Date

J. Hall
Notarial Officer

WITNESS J. Hall

By: Paul E. Brown (Seal)
PAUL E. BROWN

STATE OF DELAWARE :
NEW CASTLE COUNTY : SS.

BE IT REMEMBERED, that on this 18th day of November, 2005, personally came before me the Subscriber, a Notary Public for the State and County aforesaid, Paul E. Brown, party to this indenture, known to me personally, and acknowledged this Indenture to be his act and deed.

JAMES P. HALL
ATTORNEY AT LAW
Notarial Officer, State of Delaware
Pursuant to 29 Del. C. § 4323(a)(3)
My Commission Has No Expiration Date

J. Hall
Notarial Officer

WITNESS J. Hall

By: Peter F. Subach (Seal)
PETER F. SUBACH

STATE OF DELAWARE :
NEW CASTLE COUNTY : SS.

BE IT REMEMBERED, that on this 18th day of November, 2005, personally came before me the Subscriber, a Notary Public for the State and County aforesaid, Peter F. Subach, party to this Indenture, known to me personally, and acknowledged this Indenture to be his act and deed.

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

JAMES P. HALL
ATTORNEY AT LAW
Notarial Officer, State of Delaware
Pursuant to 29 Del. C. § 4323(a)(3)
My Commission Has No Expiration Date

J. Hall
Notarial Officer

Received
DEC 06 2005

ASSESSMENT DIVISION
OF SUSSEX CTY

RECORDER OF DEEDS
JIMMY P. BRADY
05 DEC -5 PM 1:48
SUSSEX COUNTY
DOC. SURCHARGE PAID

BK 3522 Pg 9

000053534
500009

NO TITLE SEARCH OR SURVEY REQUESTED OR PERFORMED

**TAX PARCEL NOS.: 5-33-11.00-45.05 and
5-33-11.-00-45.06**

**PREPARED BY:
JAMES P. HALL, ESQUIRE
PHILLIPS, GOLDMAN & SPENCE, P.A.
1200 NORTH BROOM STREET
WILMINGTON, DE 19806**

*** GRANTEE'S ADDRESS:
1601 MILLTOWN ROAD, SUITE 10
WILMINGTON, DE 19808**

THIS DEED, delivered and effective this *2nd* day of November, 2007;

**BETWEEN, PMP ASSOCIATES, LLC, a Delaware limited liability company, party
of the first part,**

- AND -

*** ROXANA PREFERRED PROPERTIES, LLC, A Delaware limited liability company,
party of the second part, in fee,**

**WITNESSETH, that the said party of the first part, for and in consideration of the
sum of TEN and 00/100 DOLLARS (\$10.00), lawful money of the United States of America,
the receipt whereof is hereby acknowledged, hereby grants and conveys unto the said
party of the second part, in fee,**

**ALL those certain lots, pieces or parcels of land, lying and being situate in Baltimore
Hundred, Sussex County, State of Delaware, as follows, to-wit:**

TRACT 1- LOT NO. 1

**ALL that certain piece, parcel or tract of land lying and being in Baltimore Hundred,
Sussex County, Delaware, and being more particularly bounded and described as follows:**

**BEGINNING at an iron pipe located on the southerly right-of-way of State Rt. 20
(Zion Church Road), said iron pipe being a corner for this lot and Lot 2; thence by and with
Lot NO. 2, South 34 degrees 22 minutes 36 seconds West, thru an iron pipe at 144.40',
a distance of 155.27' to a point; thence by and with the center of a ditch and Lot No. 2,
South 49 degrees 00 minutes 26 seconds East, a distance of 49.10' to a point; thence by
and with Lot No. 3, and the center of a ditch, South 29 degrees 58 minutes 52 seconds
West, a distance of 479.23' to a point; thence North 63 degrees 16 minutes 37 seconds
West, a distance of 189.15' to a point; thence by and with the lands now or formerly of
Martha M. Long, North 29 degrees 25 minutes 03 seconds East, a distance of 657.17' to
an iron pipe, said iron pipe being a point of curve of a non tangent curve to the right, having
a radius of 1.397.39' and having a chord bearing of South 58 degrees 57 minutes 01
seconds East, 159.04'; thence by and with the southerly right of way of State Rt. 20, along
the arc, through a central angle of 6 degrees 31 minutes 28 seconds, a distance of 159.13'
to the point of beginning. Said tract to contain 2.71 acres more or less.**

TRACT 2- LOT NO. 2

**ALL that certain piece, parcel or tract of land lying and being in Baltimore Hundred,
Sussex County, Delaware, and being more particularly bounded and described as follows:**

**BEGINNING at an iron pipe located on the southerly right-of-way of State Rt. 20
(Zion Church Road), said iron pipe being a corner for this lot and Lot No. 3; thence by and**

Jes
mw

50139

03205 281

P/O TAX PARCEL NO. 5-33-11.00-45.03
TO BE COMBINED WITH TAX PARCEL NO.: 5-33-11.00-45.08

PREPARED BY:

JAMES P. HALL, ESQUIRE
PHILLIPS, GOLDMAN & SPENCE, P.A.

1200 NORTH BROOM STREET

WILMINGTON, DE 19806

GRANTEE'S ADDRESS RETURN TO:

1601 MILLTOWN ROAD, SUITE 19

WILMINGTON, DE 19808

THIS DEED, delivered and effective this 14th day of September, 2005;

BETWEEN, HERBERT E. SCHAEFER, JR., Trustee Under Revocable Trust

Agreement of Herbert E. Schaefer, Jr., dated 5/13/98, and MARJORIE D. SCHAEFER,

Trustee Under Revocable Trust Agreement of Marjorie D. Schaefer, dated 5/13/98, parties

of the first part,

- AND -

PMP ASSOCIATES, LLC, A Delaware limited liability company, party of the second part, in fee,

WITNESSETH, that the said parties of the first part, for and in consideration of the sum of TWO HUNDRED THOUSAND and 00/100 DOLLARS (\$200,000.00), lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the said party of the second part, in fee,

ALL that certain lot, piece or parcel of land, lying and being situate in Baltimore Hundred, Sussex County, State of Delaware, being bounded on the East by other lands of these Grantors, on the South by lands now or formerly of Bay Twenty, L.L.C., and on the West and North by lands now or formerly of Mark B. Brown, Paul E. Brown and Peter F. Subach; more particularly described as per Survey Plan No.: 050413-C, dated July 26, 2005, prepared by Adams-Kemp Associates, Inc., Professional Land Surveyors, as recorded in the Office of the Recorder of Deeds in and for Sussex County in the County Administration Building in Georgetown, Delaware, in Plot Book 95, Page 116, as follows, to-wit:

BEGINNING at a set iron bar along the line of lands now or formerly of Bay Twenty, L.L.C., said set iron bar being located the following two (2) courses and distances from a found iron pipe along the southerly right of way line of County Road 392 (at 70 feet wide) at a corner of the lands of these Grantors and for lands now or formerly of Richard D. and Melissa Campbell: (1) South 33 degrees 35 minutes 38 seconds West, 300.09 feet to a found iron bar; and 2) South 37 degrees 31 minutes 30 seconds West, 157.37 feet; thence with lands now or formerly of Bay Twenty, L.L.C., South 37 degrees 31 minutes 30 seconds West, 1266.34 feet to a set iron bar at a corner of this parcel and lands now or formerly of Mark B. Brown, Paul E. Brown and Peter F. Subach; thence with lands now or formerly of Mark B. Brown, Paul E. Brown and Peter F. Subach, the following two (2) courses and distances: 1) North 02 degrees 22 minutes 07 seconds East, 258.89 feet to a set iron bar; and 2) North 37 degrees 31 minutes 30 seconds East, 1071.33 feet to a set iron bar at a corner of this parcel; thence along a new line, South 46 degrees 06 minutes 01 second, East 150.00 feet to the point and place of Beginning. Containing within described metes and bounds 4.000 acres of land be the same more or less.

Consideration: \$200,000.00 Exempt Code: A

County	State	Total
36600.00 counter	36600.00	60000.00

Date: 09/22/2005

SDH

BEING a part of the same lands and premises which Herbert E. Schaefer, Jr. and Marjorie D. Schaefer, by deed dated May 13, 1998 and recorded May 21, 1998 in the Office of the Recorder of Deeds in Deed Book 02289, Page 229, did grant and convey unto Herbert E. Schaefer, Jr., Trustee Under Revocable Trust Agreement of Herbert E. Schaefer, Jr., dated 5/13/98 and Marjorie D. Schaefer, Trustee Under Revocable Trust Agreement of Marjorie D. Schaefer, dated 5/13/98.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year aforesaid.

By: Herbert E. Schaefer, Jr. (Seal)
HERBERT E. SCHAEFER, JR.
Trustee Under Revocable Trust
Agreement dated 5/13/98

Linda P. Williams
WITNESS

By: Marjorie D. Schaefer (Seal)
MARJORIE D. SCHAEFER
Trustee Under Revocable Trust
Agreement dated 5/13/98

Linda P. Williams
WITNESS

STATE OF DELAWARE : :
NEW-CASTLE COUNTY : :
Sussex

BE IT REMEMBERED, that on this 14th day of Sept., 2005, personally came before me the Subscriber, a Notary Public for the State and County aforesaid, Herbert E. Schaefer, Jr., Trustee and Marjorie D. Schaefer, Trustee, parties to this Indenture, known to me personally, and acknowledged this Indenture to be their act and deed.

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

Linda P. Williams
Notarial Officer

RECORDER OF DEEDS
JOHN F. BRADY
05 SEP 22 PM 1:58
SUSSEX COUNTY
DOC. SURCHARGE PAID

Linda P. Williams
Notary Public, State of Delaware
My Commission Expires 7-23-06

Received

SEP 23 2005
ASSESSMENT DIVISION
OF SUSSEX CTY

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

RECEIVED

DATE: **1/13/2022**

JAN 19 2022

APPLICATION: **2021-19 East Gate**

SUSSEX COUNTY
PLANNING & ZONING

APPLICANT: **McKee Builders, LLC**

FILE NO: **JCS-5.06**

TAX MAP &
PARCEL(S): **533-11.00-45.05, 45.06, 45.07, 45.08**

LOCATION: **Located on the south side of Zion Church Road (Rt. 20),
approximately 0.35 mile northwest of the intersection of
Johnson Road (SCR 389) and Bayard Road (SCR 384)**

NO. OF UNITS: **88**

GROSS
ACREAGE: **36.71**

SYSTEM DESIGN ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: **4**

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 1**

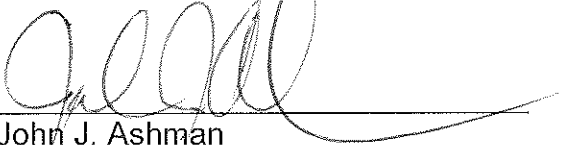
(3). Is wastewater capacity available for the project? **Yes** If not, what capacity is available? **N/A.**

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

(5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **N/A.** Is it likely that additional SCCs will be required? **Yes** If yes, the current System Connection Charge Rate is **Unified \$6,600.00** per EDU. Please contact **Noell Warren** at **302-855-7719** for additional information on charges.

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **N/A**
- Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **N/A**
- (8). Comments: **N/A**
- (9). Is a Sewer System Concept Evaluation required? **Yes, Contact Utility Planning at 302-855-7370 to apply**
- (10). Is a Use of Existing Infrastructure Agreement Required? **Yes**
- (11). **All residential roads must meet or exceed Sussex County minimum design standards.**

UTILITY PLANNING & DESIGN REVIEW APPROVAL:



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

Xc: Hans M. Medlarz, P.E.
Lisa Walls
Noell Warren

Sussex County, Delaware
Technical Advisory Committee

Comment Sheet



DATE OF REVIEW: June 25, 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
John A. Colpo, Fire Protection Specialist

AGENCY PHONE NUMBERS: 302-856-5298, Fax: 302-856-5800

RE: EAST GATE (2021-19)

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 Zion Church 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:**

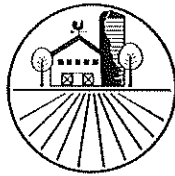
- Provide type of fuel proposed and show locations of bulk containers on plan.

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



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

July 28, 2021

Chase Phillips, Planner I
Planning & Zoning Commission
P.O. Box 417
Georgetown, Delaware 19947

Subject: **Preliminary Plans for East Gate**

Dear Mr. Phillips,

Thank you for providing preliminary plans for East Gate submitted by Morris & Ritchie Associates, Inc. The plans submitted to our section dated June 9, 2021 are sufficient to meet the Sussex County Planning and Zoning Forested Buffer Ordinance.

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 has no further comment to East Gate's preliminary subdivision plans dated June 9, 2021 at this time.

If you have any questions please feel free to contact me at taryn.davidson@delaware.gov.

Sincerely,

A handwritten signature in cursive script that reads "Taryn Davidson".

Taryn Davidson
Urban Forestry Program
Delaware Forest Service



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

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

DRAINAGE PROGRAM

June 30, 2021

Lauren DeVore
Sussex County
Planning and Zoning Office
2 The Circle
Georgetown, DE 19947

RE: Parcel # 533-11.00-45.05, 45.06, 45.06, & 45.08, East Gate

The Delaware Department of Natural Resources and Environmental Control (DNREC), Drainage Program has reviewed the preliminary plans submitted by Morris & Ritchie Associates, Inc. for the above noted properties within the Batson Branch Tax Ditch watershed.

The Drainage Program has performed a preliminary review and offers the following guidance:

- The proposed project is located within the Batson Branch Tax Ditch watershed. A portion of parcels 533-11.00-45.07 & 45.08 fall within the Bear Hole Tax Ditch watershed. If the drainage area between Batson Branch and Bear Hole Tax Ditch watersheds is to change, a Court Order Change (COC) will need to be process by the DNREC Drainage Program.
- Prong 1, Sub Prong 2 of Prong 1, Sub Prong 1 of Sub Prong 2 of Prong 1, and Sub Prong 3 of Prong 1 of the Batson Branch Tax Ditch are located within or along the project area. Tax Ditch channels have associated Tax Ditch Rights-of-Way (ROW) that are utilized for access as well as sediment and debris disposal during tax ditch maintenance activities. Tax Ditch ROWs vary by channel size and location. Prong 1 has an 80' from top of bank (TOB) ROW on Parcel 533-11.00-45.05. On the other parcels, Prong 1 has a 25' TOB ROW and a 15' from centerline (CL) ROW. Sub Prong 2 of Prong 1 has a 25' TOB on the right and 80' TOB on the left. Sub Prong 1 of Sub Prong 2 of Prong 1 also has a 25' TOB on the right and 80' TOB on the left. Sub Prong 3 of Prong 1 has an 80' TOB ROW on the right and an 80' CL ROW on the left. Tax Ditch rights-of-way information is available at de.gov/taxditchmap or DE FirstMap.

- Permanent obstructions, including but not limited to; stormwater management facilities, buildings, sheds, streets, wells, and septic systems are not allowed within the Tax Ditch ROW. To reduce the Tax Ditch ROWs, a Court Order Change (COC) will need to be completed by the DNREC Drainage Program. Please note that ROWs that have already been reduced to 25' TOB or lower cannot be reduced further.
- If the site and/or stormwater management features are planned to discharge into Prong 1, Sub Prong 2 of Prong 1, Sub Prong 1 of Sub Prong 2 of Prong 1, or Sub Prong 3 of Prong 1, consideration of existing conditions versus design specifications of each should be considered. Please consult with the DNREC Drainage Program for As-Built design information if necessary.
- Existing tax ditches on the property should be surveyed and compared to tax ditch design specifications for effective function. The channels should be cleared or excavated prior to the construction of the project if needed. If needed, please include this information in the Sediment and Stormwater plans.
- There is one reported drainage concern from 2004 within the project site, involving a request for a pipe crossing to be placed in a Tax Ditch channel.
- 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.

If you have any questions or concerns, please contact the Drainage Program at (302) 855-1930.

Sincerely,

Allison Wheatley

Allison Wheatley

Environmental Planner II

cc: Brittany L. Haywood, Tax Ditch Program Manager I

Tax Ditch Web Map



6/28/2021, 8:30:12 AM

1:4,514

-  Parcels - Sussex
-  DE_Boundaries - Communities
-  Approx. Watershed Boundary
-  Tax Ditch Segments
-  Extent of Right-of-Way
-  Tax Ditch Channel
-  State and County Boundaries

DNREC, Division of Watershed Stewardship, Drainage Program,
 DNREC, Division of Watershed Stewardship, Drainage Program
 DNREC, Division of Watershed Stewardship, Drainage Program
 These maps do not replace the official documents on file in the Prothonotary Office, and not to be used for engineering purposes



Division of Watershed Stewardship
Drainage Program
21309 Berlin Rd., Unit 6
Georgetown, DE 19947

Tax Ditch Land Development Project Review Request Form

Project Name: _____

Attach Site Plan of proposed request(s) and include all structures, easements, setbacks, etc. that make your proposal as requested necessary. Include and label existing tax ditch channel and rights-of-way for comparison.

Check out de.gov/taxditchmap to view tax ditch channels and rights-of-way from any web browser. To download the tax ditch GIS Feature Service layer to your own application, visit Delaware FirstMap. Don't forget to label all tax ditch features in all your plans!

Project Representative/Consultant Information:

Name(s): _____
Company: _____
Title(s): _____
Phone Number(s): _____
Email(s): _____

Owner(s) Contact Information:

Name: _____
Phone Number: _____
Email: _____

Authorized Signer(s) Contact Information (when applicable):

Name: _____
Title: _____
Phone Number: _____
Email: _____

For Internal Use Only

Date Received: _____
Tracking #: _____



Division of Watershed Stewardship
Drainage Program
21309 Berlin Rd., Unit 6
Georgetown, DE 19947

Property Information:

Tax Parcel(s) Affected: _____
Tax Ditch Organization(s) Affected: _____

Request(s) of / Proposed Impact(s) to Tax Ditch System (Check all that apply):

<input type="checkbox"/>	Outfall/Discharge into Tax Ditch Channel(s)
<input type="checkbox"/>	Pipe Crossing/Entrances in Tax Ditch Channel(s)
<input type="checkbox"/>	Relocate/Eliminate Tax Ditch Channel(s)
<input type="checkbox"/>	Reduce/Increase Tax Ditch Rights-of-Way
<input type="checkbox"/>	Change Tax Ditch Watershed Boundary
<input type="checkbox"/>	Alteration of Existing Tax Ditch Channel(s)
<input type="checkbox"/>	Utility Crossing in Tax Ditch Channel
<input type="checkbox"/>	Other Explain: _____

Based on the options selected above, additional information may be requested.

Please specify Tax Ditch Channel(s) affected, existing and requested tax ditch rights-of-way extents whenever applicable, using the space below. (REQUIRED)

Submit all forms to the DNREC Drainage Program
Via email: DNREC_drainage@delaware.gov
Subject Line: Tax Ditch- Land Development Request

For questions about this form please call the Tax Ditch Program at 302-855-1930.

For Internal Use Only

Date Received: _____
Tracking #: _____



DELAWARE HEALTH AND SOCIAL SERVICES

Division of Public Health

Office of Engineering
Phone: (302) 741-8640
Fax: (302) 741-8641

June 30, 2021

Mr. Chase Phillips
Sussex County Planning & Zoning Commission
PO Box 417
Georgetown, DE 19947

Re: Sussex County Technical Advisory Committee

Dear Mr. Phillips:

The Division of Public Health Office of Engineering is in receipt of the following applications:

1. **Application:** **2021-19 East Gate**

This application indicates central water will be supplied by Artesian Water Company, Inc. *This project requires 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 this project, the Office of Engineering requires one set of as-built drawings, including profile markups, for all plans approved for construction. An Approval 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,

A handwritten signature in black ink, appearing to read "William J. Milliken, Jr.", written in a cursive style.

William J. Milliken, Jr.
Engineer III
Office of Engineering

Nick Torrance

From: Cullen, Kathleen M <kathleen_cullen@fws.gov>
Sent: Monday, August 30, 2021 9:39 AM
To: Planning and Zoning
Subject: FWS review of East Gate

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-

This email is regarding the East Gate cluster subdivision. There are no federally listed species at this location, 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!

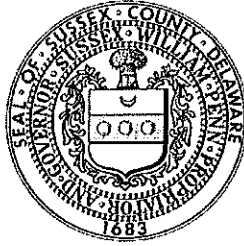
Thank you,
Kathleen

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

ENGINEERING DEPARTMENT

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

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



Sussex County

DELAWARE
sussexcountype.gov

Date: July 6, 2021

REF: **T. A. C. COMMENTS**
EAST GATE
SUSSEX COUNTY ENGINEERING DEPARTMENT
SUSSEX COUNTY TAX MAP NUMBER
533-11.00-45.05, 45.06, 45.07 & 45.08
AGREEMENT NO. 1176

The following comments are the result of the Sussex County Engineering Department's review of the preliminary site plan for the above referenced project:

DESIGN REVIEW 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.
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 Arrow required to identify northern direction and viewport should be best fit for the project.
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' or less.

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, 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 following:
 - a. Delaware Professional Engineer or Delaware Land Surveyor.
 - b. Owner or Representative of the Owner.
 - c. Professional Wetlands Delineator.
10. 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.
11. Indicate the location of all wetlands, both state and federal, in order to facilitate compliance with County, State and Federal requirements.
12. 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, georeferenced 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.
13. 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 and shall be recorded prior to being issued a notice to proceed.
14. 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. Sussex County Mapping & Addressing will have final say on proposed street names.
15. 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.

16. Provide the limits and elevations of the 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 of the base flood.
17. False berms shall not be utilized to create roadside drainage swale back slopes.
18. 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.
19. Provide and show the locations and details of all ADA pedestrian connections.
20. 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.
21. 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.
22. 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.
23. Provide statements concerning any proposed deed restrictions to be imposed by the owner.
24. 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.
25. 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.
26. 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.

SEWER SPECIFIC COMMENTS

LOCATION: **1500 feet northwest of Johnson Road (SCR 389)**

NO. OF UNITS:88

GROSS ACREAGE: 36.71

(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 1

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

(4). Is a Construction Agreement required? Yes If yes, contact Utility Engineering at (302) 855-7370 / option 2.

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

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

(6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **No**

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

(7). Is project adjacent to the Unified Sewer District? **No**

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

(9). Is a Sewer System Concept Evaluation required? **Yes, Contact Utility Planning at 302-855-7370 to apply**

(10). Is a Use of Existing Infrastructure Agreement Required? **Yes**

If the above items, as applicable, are incorporated into the development plans, then preliminary approval is recommended. However, final plan approval should be withheld pending the approval of the construction plans by the Sussex County Engineering Department.

Chase Phillips

From: Dickerson, Troy <TDickerson@delaware.coop>
Sent: Wednesday, June 23, 2021 3:49 PM
To: Chase Phillips
Subject: RE: Sussex County TAC Submission: Major Cluster Subdivision - East Gate (S.C. 2021-19)

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.

Chase,

The East Gate subdivision is located within DEC's service territory and we have facilities in the area to serve it. We have no objection.

Thanks!

Troy W. Dickerson, P.E.
Assistant V.P. of Engineering
Voice: (302) 349-3125
Cell: (302) 635-9048
Fax: (302) 349-5891
tdickerson@delaware.coop



This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, copy, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

From: Chase Phillips <chase.phillips@sussexcountyde.gov>
Sent: Wednesday, June 23, 2021 8:19 AM
To: 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>; 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; Jordan T. Dickerson <jordan.dickerson@sussexcountyde.gov>; Melendez, Milton (DDA <milton.melendez@delaware.gov>; Anthony, Mindy (DNREC) <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>
Cc: Jennifer Norwood <jnorwood@sussexcountyde.gov>
Subject: Sussex County TAC Submission: Major Cluster Subdivision - East Gate (S.C. 2021-19)

Hello, All,

The Sussex County Planning and Zoning Department has received an application for a major subdivision that requires review by the Technical Advisory Committee. Attached is the memo alongside the Preliminary Subdivision Plan. Please send all comments to pandz@sussexcountyde.gov. Our office is available for any questions or concerns. Thank you.

Nick Torrance

From: Cullen, Kathleen M <kathleen_cullen@fws.gov>
Sent: Monday, August 30, 2021 9:39 AM
To: Planning and Zoning
Subject: FWS review of East Gate

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-

This email is regarding the East Gate cluster subdivision. There are no federally listed species at this location, 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

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **6/25/2021**

APPLICATION: **2021-16 Lands of Kathy Lingo**

APPLICANT: **Kathy Lingo**

FILE NO: **NCPA-5.03**

TAX MAP &
PARCEL(S): **135-19.00-50.00**

LOCATION: **22888 East Trap Pond Road**

NO. OF UNITS: **1 single-family lot**

GROSS
ACREAGE: **3.59**

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? **Municipal Growth & annexation Area**
- (3). Is wastewater capacity available for the project? **N/A** If not, what capacity is available? **N/A**.
- (4). Is a Construction Agreement required? **No** If yes, contact Utility Engineering at (302) 855-7717.
- (5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **N/A**. Is it likely that additional SCCs will be required? **No** If yes, the current System Connection Charge Rate is **Unified \$6,360.00** per EDU. Please contact **N/A** at **302-855-7719** for additional information on charges.

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **No**
- Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **No**
- (8). Comments: **The proposed subdivision of land is within the Growth and Annexation of the Town of Georgetown. Contact the Town concerning the availability of sewer and/or water.**
- (9). Is a Sewer System Concept Evaluation required? **No**
- (10). Is a Use of Existing Infrastructure Agreement Required? **No**
- (11). **All residential roads must meet or exceed Sussex County minimum design standards.**

UTILITY PLANNING & DESIGN REVIEW APPROVAL:



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

Xc: Hans M. Medlarz, P.E.
Lisa Walls
No Permit Tech Assigned

Sussex County, Delaware
Technical Advisory Committee

Comment Sheet



DATE OF REVIEW: June 25, 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
John A. Colpo, Fire Protection Specialist

AGENCY PHONE NUMBERS: 302-856-5298, Fax: 302-856-5800

RE: EAST GATE (2021-19)

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

Lauren DeVore

From: Anthony, Mindy (DNREC) <Mindy.Anthony@delaware.gov>
Sent: Wednesday, June 23, 2021 9:40 AM
To: Planning and Zoning
Subject: FW: Sussex County TAC Submission: Major Cluster Subdivision - East Gate (S.C. 2021-19)
Attachments: TAC Memo East Gate (2021-19) .pdf; 2021-06-11 - EAST GATE - PRELIM.pdf

Categories: Lauren

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 no comments on this project.

Thank you,
Mindy



Mindy Anthony

Planner IV

Phone: 302-739-9466 • Mobile: 302-242-9780

Email: mindy.anthony@delaware.gov

89 Kings Highway, Dover, DE 19901

dnrec.delaware.gov



From: Chase Phillips <chase.phillips@sussexcountyde.gov>
Sent: Wednesday, June 23, 2021 8:19 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>; Sullivan, James C. (DNREC) <James.Sullivan@delaware.gov>; Cinelli, Jennifer (DeIDOT) <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>; Jordan T. Dickerson <jordan.dickerson@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 (DeIDOT) <Susanne.Laws@delaware.gov>; tdickerson@decoop.com; Terri Dukes <tdukes@sussexcountyde.gov>; tgiroux@chpk.com; Vince Robertson <vrobertson@pgslegal.com>
Cc: Jennifer Norwood <jnorwood@sussexcountyde.gov>
Subject: Sussex County TAC Submission: Major Cluster Subdivision - East Gate (S.C. 2021-19)

Hello, All,

Chase Phillips

From: Dickerson, Troy <TDickerson@delaware.coop>
Sent: Wednesday, June 23, 2021 3:49 PM
To: Chase Phillips
Subject: RE: Sussex County TAC Submission: Major Cluster Subdivision - East Gate (S.C. 2021-19)

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.

Chase,

The East Gate subdivision is located within DEC's service territory and we have facilities in the area to serve it. We have no objection.

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"

This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, copy, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

From: Chase Phillips <chase.phillips@sussexcountyde.gov>
Sent: Wednesday, June 23, 2021 8:19 AM
To: 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>; 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; Jordan T. Dickerson <jordan.dickerson@sussexcountyde.gov>; Melendez, Milton (DDA <milton.melendez@delaware.gov>); Anthony, Mindy (DNREC) <Mindy.Anthony@delaware.gov>; subdivision@delaware.gov; Susan Isaacs <sisaaacs@sussexcountyde.gov>; susanne.laws@delaware.gov; Dickerson, Troy <TDickerson@delaware.coop>; Terri Dukes <tdukes@sussexcountyde.gov>; tgiroux@chpk.com; Vince Robertson <vrobertson@pgslegal.com>
Cc: Jennifer Norwood <jnorwood@sussexcountyde.gov>
Subject: Sussex County TAC Submission: Major Cluster Subdivision - East Gate (S.C. 2021-19)

Hello, All,

The Sussex County Planning and Zoning Department has received an application for a major subdivision that requires review by the Technical Advisory Committee. Attached is the memo alongside the Preliminary Subdivision Plan. Please send all comments to pandz@sussexcountyde.gov. Our office is available for any questions or concerns. Thank you.

EAST GATE

SUSSEX COUNTY, DELAWARE

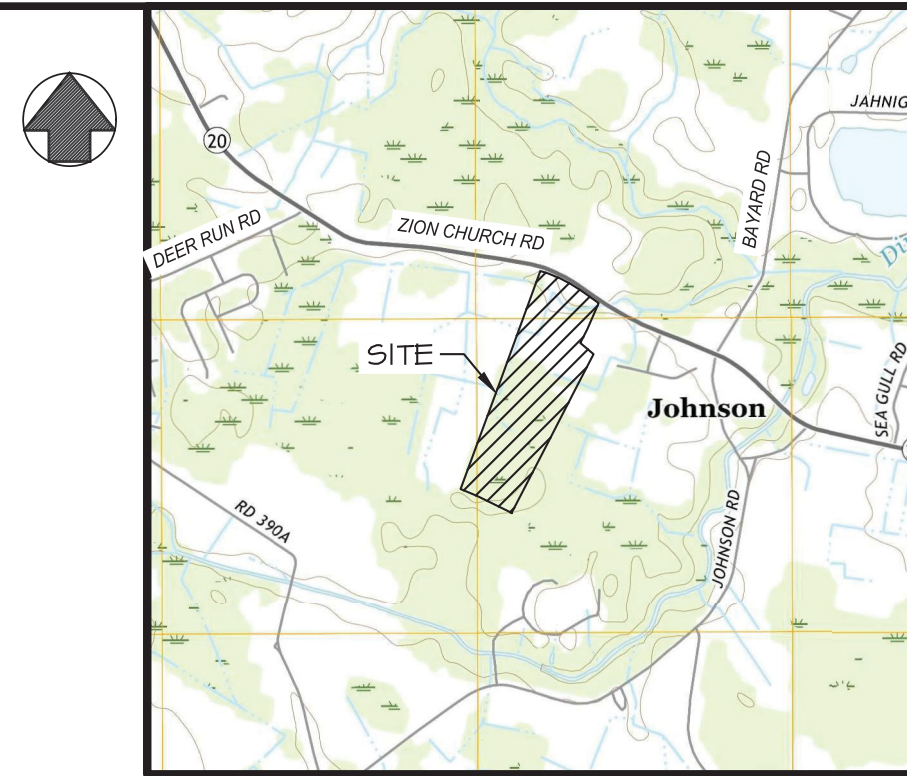
PRELIMINARY PLANS

SUSSEX COUNTY PLANNING # 2021-19

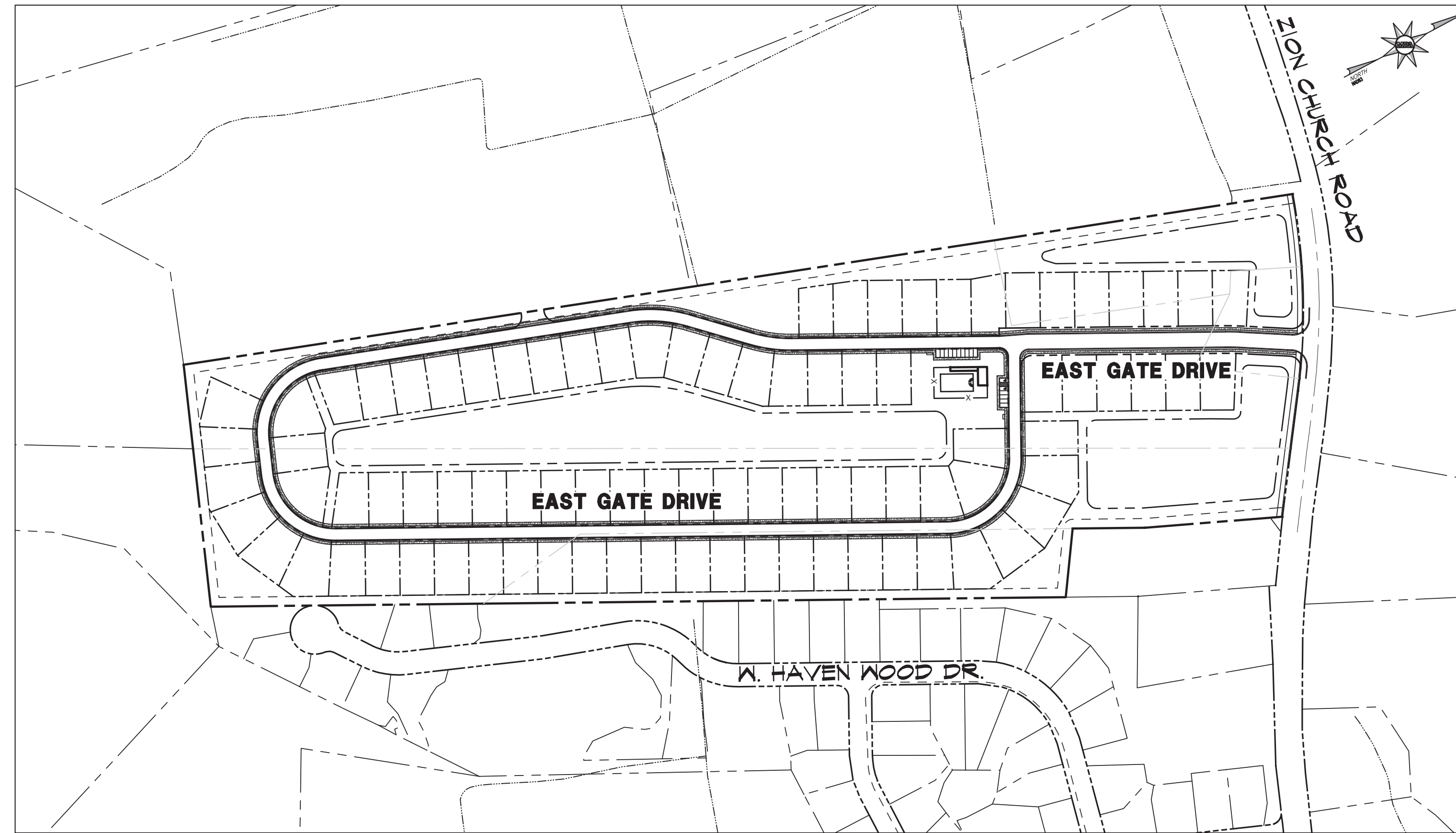
GR - COASTAL AREA CLUSTER

LEGEND

	EXISTING PROPERTY LINE
	PROPOSED R/L LINE
	PROPOSED LOT LINE
	PROPOSED BUILDING SETBACK LINE
	EXISTING CONTOURS
	PROPOSED CONTOURS
	PROPOSED LOT NUMBER
	EXISTING WOODLANDS LINE
	WOODLAND PRESERVATION LINE



VICINITY MAP
SCALE: 1" = 2000'



SITE OVERVIEW
SCALE: 1" = 200'



PROJECT TEAM

DEVELOPER:	McKEE BUILDERS, LLC 940 WEST SPROUL ROAD, SUITE 301 SPRINGFIELD, PA 19064 ATTN: MR. MARK MCGONIGAL
LAND PLANNERS, CIVIL ENGINEER:	MORRIS & RITCHIE ASSOCIATES, INC. 18 BOULDEN CIRCLE, SUITE 36 NEW CASTLE, DE 19720 ATTN: MR. PHILLIP L. TOLLIVER, P.E.
SURVEYOR:	MORRIS & RITCHIE ASSOCIATES, INC. 8 WEST MARKET STREET GEORGETOWN, DE 19341 ATTN: MR. GARY POWERS
ENVIRONMENTAL CONSULTANT:	GEO-TECHNOLOGY ASSOCIATES, INC. 3445 BOX HILL CORPORATE CENTER DRIVE, SUITE A ASBINGDON, MD 21009 ATTN: MR. ANDY STANSFIELD
GEOTECHNICAL ENGINEER:	GEO-TECHNOLOGY ASSOCIATES, INC. 2133 STERLING AVENUE, SUITE 7 GEORGETOWN, DE 19341 ATTN: MR. GREG SAUTER
TRAFFIC CONSULTANT:	THE TRAFFIC GROUP 9100 FRANKLIN SQUARE DR. - SUITE H BALTIMORE, MD 21236 ATTN: MR. JOE CALOGGERO, P.E.
ATTORNEY:	FUQUA, WILLARD, STEVENS & SCHAB, P.A. 20245 BAY VISTA ROAD #203 REHOBOTH BEACH, DE 19871 MR. JAMES A. FUQUA, JR.

INDEX OF DRAWINGS

- 1 - PRELIMINARY TITLE SHEET
- 2 - PRELIMINARY GENERAL NOTES & DETAILS
- 3 - OVERALL PRELIMINARY PLAN
- 4 - PRELIMINARY PLAN
- 5 - PRELIMINARY PLAN
- 6 - PRELIMINARY PLAN

DEVELOPER'S CERTIFICATION

I, UNDERSIGNED, AS DEVELOPER OF THE PROPERTY SHOWN, HEREBY APPROVE THESE PLANS FOR DEVELOPMENT AS SHOWN OR OTHERWISE NOTED.

McKEE BUILDERS, LLC
940 WEST SPROUL ROAD, SUITE 301
SPRINGFIELD, PA 19064

OWNER'S CERTIFICATION

I, UNDERSIGNED, AS OWNER OF THE PROPERTY SHOWN, HEREBY APPROVE THESE PLANS FOR DEVELOPMENT AS SHOWN OR OTHERWISE NOTED.

ROXANA PREFERRED PROPERTIES, LLC DATE
1601 MILLTOWN ROAD, SUITE 17
WILMINGTON, DE 19808

PMP ASSOCIATES, LLC DATE
1601 MILLTOWN ROAD, SUITE 19
WILMINGTON, DE 19808

WETLANDS STATEMENT

GEO-TECHNOLOGY ASSOCIATES, INC. (GTA) HAS CONDUCTED A FIELD REVIEW WITHIN THE BOUNDARIES OF THIS PLAN TO EVALUATE THE PRESENCE OR ABSENCE OF POTENTIAL STATE AND FEDERAL JURISDICTIONAL WETLANDS FOR THE PURPOSES OF DELAWARE WETLAND AND SUBAQUEOUS LAND REGULATIONS AND SECTION 404 OF THE CLEAN WATER ACT. GTA'S REVIEW WAS CONDUCTED IN GENERAL ACCORDANCE WITH THE TECHNIQUES AND CRITERIA PROVIDED IN THE 1991 CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL AND THE REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL, ATLANTIC AND GULF COASTAL PLAN REGION (VERSION 2.0), DATED NOVEMBER 2010. THE LIMITS OF THE WETLANDS WERE EVALUATED IN THE FIELD BY GTA PERSONNEL USING BEST PROFESSIONAL JUDGMENT. NO WETLANDS OR WATERWAYS WERE OBSERVED WITHIN THE BOUNDARIES OF THIS PLAN. NO STATE OR FEDERAL JURISDICTIONAL APPROVAL WAS OBTAINED FOR THIS PROPERTY.

ANDY STANSFIELD DATE
GEO-TECHNOLOGY ASSOCIATES, INC.

ENGINEER'S CERTIFICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF DELAWARE AND THAT THE PLAN SHOWN AND DESCRIBED HEREON, IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY ACCEPTED STANDARDS AND PRACTICES AND BY THE SUSSEX COUNTY SUBDIVISION AND LAND DEVELOPMENT REGULATIONS TO THE EXTENT THAT IT DESCRIBES THE PROPOSED MANNER AND LAYOUT OF THE SUBDIVISION.

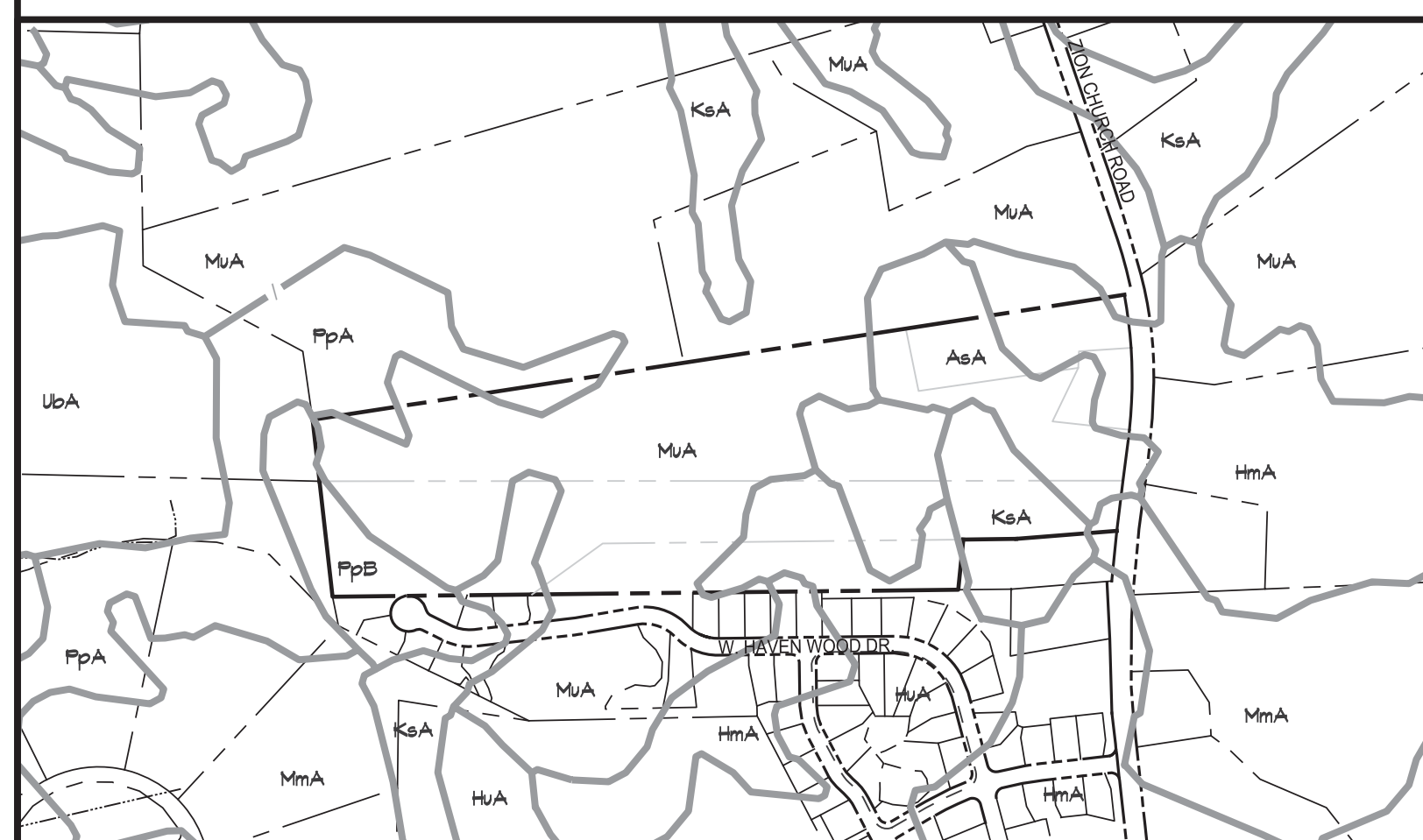
PHILLIP L. TOLLIVER, P.E. DATE
DE LICENSE NO. #12489

PLAN APPROVALS
SUSSEX COUNTY ENGINEERING DEPARTMENT
2 THE CIRCLE
GEORGETOWN, DE 19341

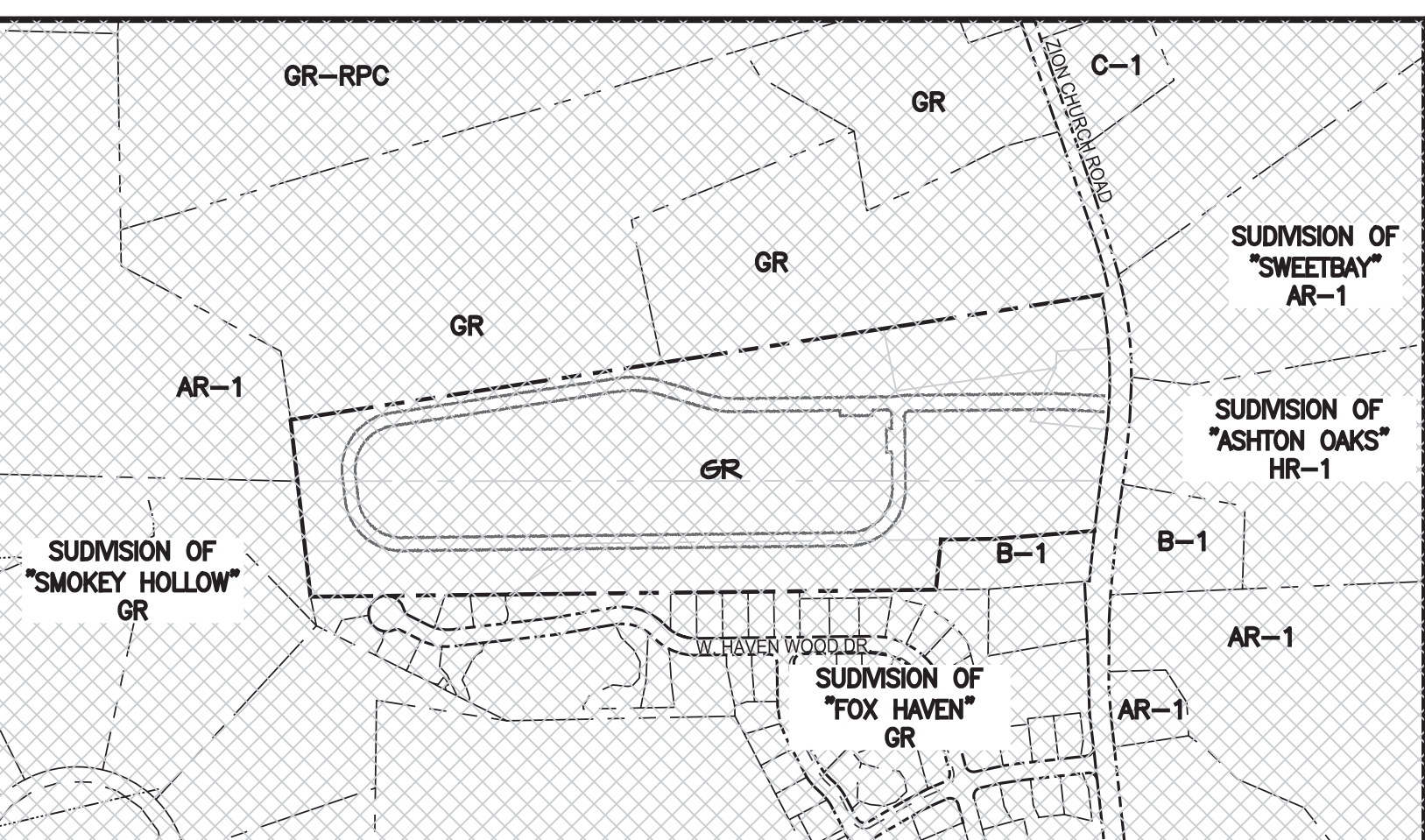
APPROVED DATE

APPROVED BY: CHAIRMAN OR SECRETARY DATE
SUSSEX COUNTY PLANNING
AND
ZONING COMMISSION

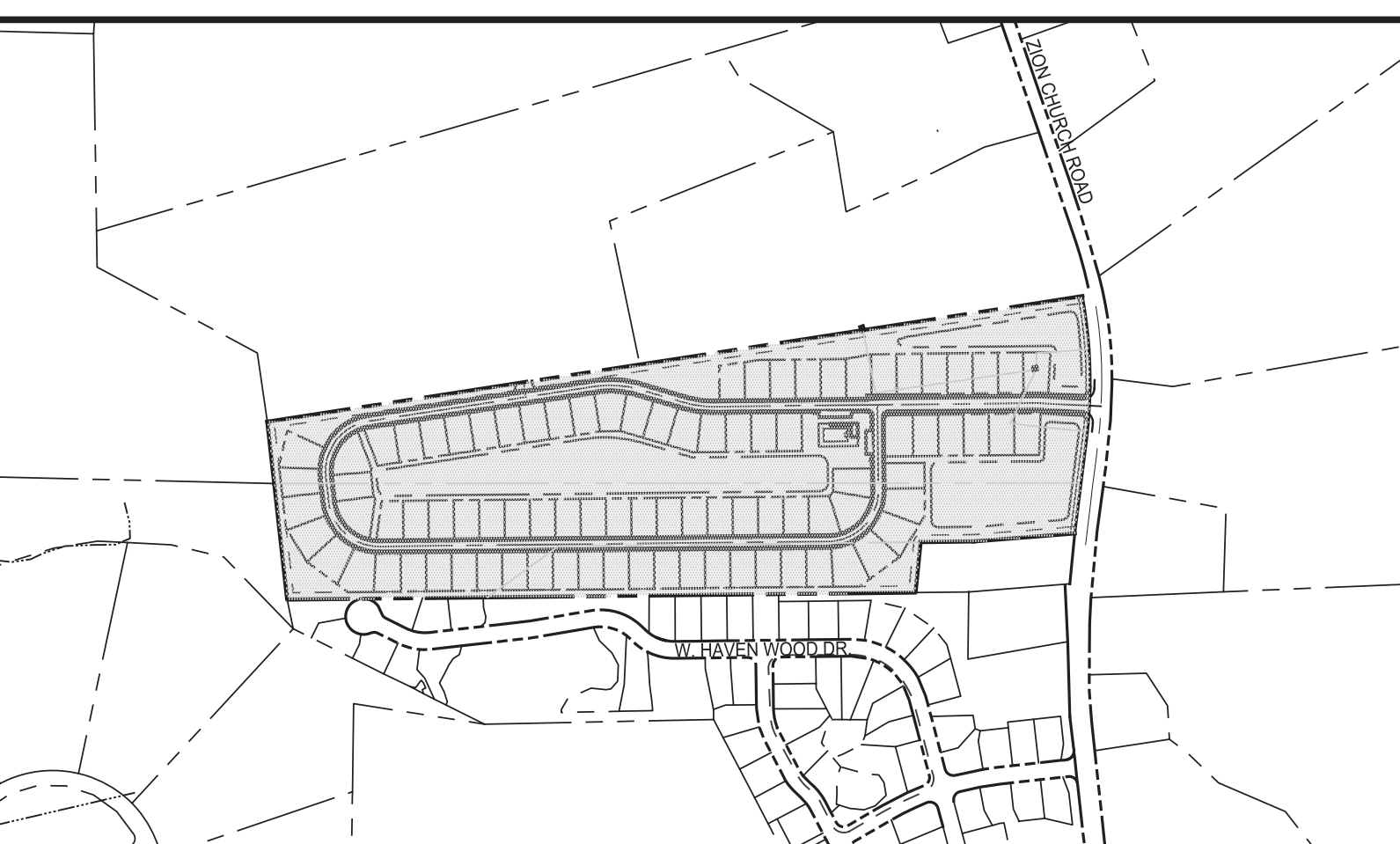
APPROVED BY: PRESIDENT DATE
SUSSEX COUNTY PLANNING



SOILS MAP
SCALE: 1" = 500'



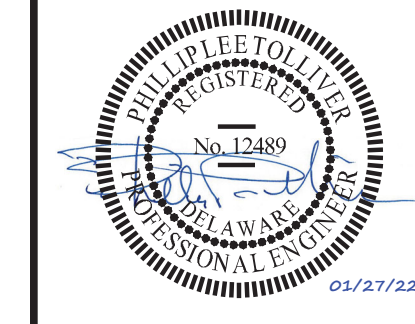
ZONING MAP
SCALE: 1" = 500'



PHASING MAP
SCALE: 1" = 500'



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
18 BOULDEN CIRCLE, SUITE 36
NEW CASTLE, DELAWARE 19720
(302) 326-2200
FAX: (302) 326-2399
WWW.MRAGTA.COM
© 2022 MORRIS & RITCHIE ASSOCIATES, INC.



**PRELIMINARY PLAN
TITLE SHEET**
FOR
EAST GATE

DATE	REVISIONS	JOB NO.: 21179
01/10/22	REV. PER TAC / P&Z COMMENTS	SCALE: AS NOTED
		DATE: 06/09/21
		DRAWN BY: CJF
		DESIGN BY: CJF
		REVIEW BY: PLT
		SHEET: 1 OF 6

CONSTRUCTION NOTES

- CONTRACTOR SHALL NOTIFY "MISS UTILITY" AT (1-800-282-8555) AT LEAST (3) WORKING DAYS PRIOR TO EXCAVATION, TO HAVE EXISTING UNDERGROUND UTILITIES LOCATED AND MARKED.
- ALL MATERIALS & WORKMANSHIP SHALL MEET THE STATE OF DELAWARE STANDARDS & SPECIFICATIONS.
- ALL MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS, AND PROJECT SPECIFICATIONS.
- THE CONTRACTOR SHALL NOTIFY THE FOLLOWING TWO WEEKS PRIOR TO THE START OF CONSTRUCTION AND SHALL APPRISE AND COORDINATE DURING ALL PHASES OF CONSTRUCTION:
 - A. BAY DEVELOPERS, LLC 302-736-0424
 - B. SUSSEX COUNTY ENGINEERING DEPARTMENT 302-855-7718
 - C. ARTESIAN WATER COMPANY 302-453-6471
 - D. SUSSEX CONSERVATION DISTRICT 302-856-2105
 - E. DELMARVA POWER 604-759-4700
 - F. VERIZON 302-422-1464
 - G. DELAWARE ELECTRIC COOP CO. 302-344-5941
 - H. DNREC 302-856-5488
- CONTRACTOR SHALL DETERMINE THE LOCATION OF ALL RIGHT-OF-WAY LINES AND PROPERTY LINES TO HIS OWN SATISFACTION. ALL PROPOSED UTILITIES ARE TO BE CONSTRUCTED WITHIN THE ROADWAY OR EASEMENT RIGHT-OF-WAY. DISTURBED AREAS BEYOND THE EASEMENT LINES SHALL BE RESTORED IMMEDIATELY TO THEIR ORIGINAL CONDITION.
- INFORMATION SHOWN HEREON IS BASED UPON GIS DATA OBTAINED THROUGH THE STATE OF DELAWARE GIS WEBSITE (FIRSTMAP-DELAWARE.OPENDATA.ARCGIS.COM) AND DOES NOT REPRESENT FIELD RUN TOPOGRAPHIC OR BOUNDARY SURVEY. SITE LAYOUT IS SUBJECT TO REVISION PENDING FIELD SURVEY.
- EXISTING UNDERGROUND UTILITIES SHOWN ON THE PLANS ARE BASED UPON THE BEST AVAILABLE INFORMATION AND ARE SHOWN FOR THE CONVENIENCE OF THE CONTRACTOR ONLY. NO GUARANTEE IS MADE OR IMPLIED REGARDING THE ACCURACY OR COMPLETENESS THEREOF. CONTRACTOR IS RESPONSIBLE FOR THE VERIFICATION OF DEPTH, SIZE AND MATERIAL OF ALL UNDERGROUND UTILITIES TO HIS OWN SATISFACTION BEFORE BEGINNING ANY EXCAVATION OR UTILITY INSTALLATION. THE OWNER AND ENGINEER DISCLAIM ANY RESPONSIBILITY FOR THE ACCURACY OR COMPLETENESS OF SAID INFORMATION. IF THE CONTRACTOR RELIES ON SAID INFORMATION, HE DOES SO AT HIS OWN RISK. THE GIVING OF THIS INFORMATION ON THE PLANS WILL NOT RELIEVE THE CONTRACTOR OF HIS OBLIGATIONS TO SUPPORT AND PROTECT ALL SHOWN OR NOT SHOWN EXISTING UTILITIES AND APPURTENANCES. SHOULD ANY EXISTING UTILITIES BE DAMAGED BY THE CONTRACTOR, THE CONTRACTOR SHALL REPAIR THE DAMAGE CAUSED TO THE UTILITY OWNER'S SATISFACTION, AT THE CONTRACTOR'S EXPENSE.
- DRAININGS DO NOT INCLUDE THE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE PERFORMED IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970, AS AMENDED AND ALL RULES AND REGULATIONS THERETO APPURTENANT.
- CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTENANCE OF TRAFFIC IN ALL WORK AREAS.
- ROUGH GRADING SHALL BE COMPLETE PRIOR TO THE CONSTRUCTION OF WATER & SEWER SYSTEMS.
- USE ONLY SUITABLE AND APPROVED GRANULAR MATERIAL IN ACCORDANCE WITH SECTION 204 OF THE DELAWARE DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS STANDARD SPECIFICATIONS AND REFERENCED BY SUSSEX COUNTY ORDINANCE 30 SECTION 5-05 EXCAVATION AND BACKFILL FOR PIPE TRENCHES SUBSECTION B MATERIALS
- CONTRACTOR SHALL ADJUST TO FINISH GRADE AS NECESSARY ANY VALVE BOXES, MANHOLES, CATCH BASINS ETC., PRIOR TO PLACING PAVING.
- CONTRACTOR SHALL PROVIDE STAKEOUT NECESSARY FOR THE INSTALLATION OF UTILITIES, STORMDRAINS, PAVING AND ALL OTHER SITE WORK INCLUDED IN THESE PLANS. ALL STAKEOUT WORK IS TO BE PERFORMED UNDER THE DIRECT SUPERVISION OF A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF DELAWARE.
- CONTRACTOR TO MAINTAIN MINIMUM OF 3.0 FEET OF COVER OVER ALL NEW WATER LINES AS MEASURED FROM TOP OF PIPE TO FINISHED GRADE, UNLESS OTHERWISE NOTED.
- SEWER LINES SHALL HAVE MINIMUM VERTICAL CLEARANCE OF 10 INCHES FROM WATER MAINS AT CROSSINGS, MAINTAIN A 10 FOOT MINIMUM PLAN SEPARATION BETWEEN SEWER AND WATER MAINS. SEWER LINES SHALL HAVE A MINIMUM VERTICAL CLEARANCE OF 12 INCHES FROM OTHER UTILITIES. IF THESE CLEARANCES CANNOT BE MAINTAINED, THEN PROVISIONS FOR PROPERLY ENCASE THE PIPE IN CONCRETE MUST BE PROVIDED.
- LATERALS SHALL BE 6 INCHES IN DIAMETER, WITH VERTICAL CLEANOUTS OF 6 INCHES IN DIAMETER, AND TO HAVE A MINIMUM OF 3' OF COVER FROM SUSSEX COUNTY CLEANOUT TO MAIN LINE.
- ALL GRAVITY SEWER PIPES SHALL BE PVC SDR 35, FOR PIPE SLOPES SEE FINAL CONSTRUCTION DRAWINGS FOR SANITARY SEWER PROFILES.
- MATERIAL OF CONSTRUCTION FOR SEWER FORCE MAINS SHALL BE AS NOTED ON THE FINAL CONSTRUCTION DRAWINGS, FORCE MAIN SHALL BE INSTALLED AS PROFILED TO PREVENT FORMATION OF UNANTICIPATED HIGH POINTS IN THE INSTALLATION.
- ALL SEWER LINES MUST BE SUCCESSFULLY TESTED ACCORDING TO SUSSEX COUNTY ORDINANCE 38, SECTION 5-05, E, 1-4, ON PAGE 518 THROUGH 519, ACCEPTANCE TESTING, PRIOR TO FINAL ACCEPTANCE.
- ALL SANITARY SEWER SYSTEM CONSTRUCTION PERFORMED SHALL BE IN ACCORDANCE WITH SUSSEX COUNTY ORDINANCE 38, THESE PLANS AND ALL APPLICABLE CONSTRUCTION PERMITS.
- ALL DROP MANHOLES TO BE 5'-0" IN DIAMETER.
- FITTINGS SHOWN ON THE PLANS ILLUSTRATE ANTICIPATED ANGLE OF DEFLECTION. THIS INFORMATION IS SHOWN FOR GENERAL INFORMATION AND IS NOT GUARANTEED. ACTUAL ANGLE MAY VARY DUE TO FIELD CONDITIONS. USE OF ADDITIONAL FITTINGS SHALL BE AUTHORIZED BY THE ENGINEER.
- THE CONTRACTOR SHALL ASSUME ALL RESPONSIBILITY FOR ANY DEVIATION FROM THESE PLANS UNLESS WRITTEN APPROVAL HAS BEEN PROVIDED BY THE ENGINEER.
- ALL DISTURBED AREAS IN THE STATED RIGHT OF WAY, BUT NOT IN THE PAVEMENT SECTION MUST BE TOPSOILED (6" MINIMUM), FERTILIZED, MULCHED, AND SEEDED.
- ALL PAVEMENT MARKINGS AND SIGNAGE SHALL BE PLACED IN ACCORDANCE WITH THE MUTCD, MANUAL, MOST CURRENT EDITION.
- ALL PROPOSED STORM DRAIN DESIGNATED AS "RCOP" IS TO BE REINFORCED CONCRETE CIRCULAR PIPE, MEETING AASHTO M-110 SPECIFICATIONS. SEE FINAL CONSTRUCTION PLAN & PROFILES FOR SPECIFIC PIPE CLASS.
- ALL LENGTHS OF SANITARY SEWER PIPE ARE MEASURED HORIZONTALLY FROM CENTER LINES OF INLETS, MANHOLES OR FITTINGS. ALL LENGTHS OF STORM DRAIN PIPE ARE MEASURED HORIZONTALLY FROM EDGE OF STRUCTURE TO EDGE OF STRUCTURE. ACTUAL TRUE LENGTHS OF PIPES ARE TO BE DETERMINED IN THE FIELD.
- WHERE SPECIFIED, HDPE STORM DRAIN PIPE SHALL BE ADS N-12 (SMOOTH INTERIOR) PIPE WITH ADS PRO-LINK KIT (BELL/BELL COUPLER) FOR WATER TIGHT CONNECTIONS. REFER TO PLAN AND PROFILES FOR MATERIALS USED.
- ALL EMBEDMENT MATERIALS USED FOR BEDDING, HAUNCHING, AND INITIAL BACKFILL FOR HDPE PIPE SHALL CONFIRM TO AASHTO SECTION 30 AND ASTM D-2321 AS PER MANUFACTURER INSTALLATION REQUIREMENTS. CONTRACTOR SHALL ENSURE THAT PROPER LINE AND GRADE IS ESTABLISHED WITHIN TRENCH BEDDING PRIOR TO PLACEMENT OF PIPE AND THAT PROPER MATERIALS ARE USED AND COMPACTION IS ACHIEVED DURING HAUNCHING AND INITIAL BACKFILL. A GEOTECHNICAL ENGINEER SHALL BE RETAINED TO VERIFY SUITABILITY OF MATERIALS USED AND PROPER COMPACTION. ANY DEVIATION IN LINE AND GRADE OR OBVIOUS JOINT SEPARATION SHALL BE CORRECTED PRIOR TO ESTABLISHMENT OF FINAL SUBGRADE AND PAVEMENT SURFACE. THE CONTRACTOR SHALL TAKE EVERY CARE TO ENSURE CORRECT PIPE INSTALLATION.
- UNLESS OTHERWISE SPECIFIED ALL ROADWAY INLETS SHALL HAVE A TYPE I INLET GRATE AND TYPE 5 TOP UNIT PER DELDOT STANDARDS, CURRENT REVISION.
- IT IS THE CONTRACTORS RESPONSIBILITY TO INSURE THAT PAVING IS INSTALLED TO THE ELEVATIONS SHOWN AND THAT NO PONDING OF WATER EXISTS AFTER PAVING IS COMPLETE.

SUSSEX COUNTY CONSTRUCTION NOTES:

- ROADWAY STAKEOUTS:
 - A. RIGHT-OF-WAY STAKES SHALL BE OFFSET A MINIMUM OF FIVE (5) FEET OUTSIDE THE RIGHT-OF-WAY.
 - B. STATION NUMBERS TO BE INDICATED ON EACH SIDE OF THE STAKE.
 - C. THE CENTERLINE ROADWAY CUT AND CUT-LINE SHALL BE LOCATED ON THE SIDE OF THE STAKE WHICH FACES THE CENTERLINE, ALSO A "CL" DESIGNATION SHALL BE INCLUDED.
 - D. THE SHALE CUT AND CUT-LINE SHALL BE INDICATED ON THE OUTSIDE OF THE STAKE, WHILE ALSO CONTAINING A "SM" DESIGNATION.
- THE CONTRACTOR SHALL PROVIDE TWO (2) WORKING DAYS NOTICE TO THE COUNTY INSPECTOR PRIOR TO PAVING. AT THIS TIME, THE INSPECTOR MAY REQUIRE THE CONTRACTOR COMPLETE RELATED OR UNRELATED WORK ITEMS BEFORE PAVING MAY BEGIN.
- SURFACE TREATMENT SHALL NOT BE APPLIED. (SURFACE TREATMENT NOT USED)
 - A. AFTER NOVEMBER 1 OR PRIOR TO APRIL 1, OR
 - B. WHEN THE TEMPERATURE IS BELOW 50° F, OR
 - C. ON ANY WET OR FROZEN SURFACE.
- HOT MIX SHALL NOT BE APPLIED.
 - A. WHEN THE TEMPERATURE IS BELOW 40° F, OR
 - B. ON ANY WET OR FROZEN SURFACE.
- FOR ALL WOODED AREAS, A SUFFICIENT AREA BEYOND THE RIGHT-OF-WAY SHALL BE CLEARED AND GRUBBED TO ALLOW PROPER GRADING OF THE ROADWAY SHALE BACKSLOPES.
- ALL DISTURBED AREAS MUST BE STABILIZED WITH 4 INCHES OF TOPSOIL, SEED, AND MULCH.

DELDOT RECORD PLAN NOTES:

- NO LANDSCAPING SHALL BE ALLOWED WITHIN DELDOT MAINTAINED R/W UNLESS THE PLANS ARE COMPLIANT WITH SECTION 3.7 OF THE DEVELOPMENT COORDINATION MANUAL (DCM).
- ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOT'S) CURRENT DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL.
- 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.
- 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 SHARED-USE PATH AND/OR SIDEWALK TERMINATION POLICY.
- SUBDIVISION STREETS CONSTRUCTED WITHIN THE LIMITS OF THE RIGHT-OF-WAY ARE PRIVATE AS SHOWN ON THIS PLAN AND ARE TO BE MAINTAINED BY THE DEVELOPER, HOMEOWNERS ASSOCIATION, OR BOTH. THE STATE OF DELAWARE ASSUMES NO MAINTENANCE RESPONSIBILITIES FOR THE FUTURE MAINTENANCE OF THESE STREETS.
- 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.
- ALL LOTS SHALL HAVE ACCESS ONLY FROM THE INTERNAL SUBDIVISION STREETS.
- DRIVEWAYS WILL NOT BE PERMITTED TO BE PLACED AT CATCH BASIN LOCATIONS.
- THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS IN ACCORDANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.
- 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.

PROJECT PHASING

PHASE I - 3 YEARS
 TOTAL PROJECT BUILDOUT - 3 YEARS
 ESTIMATED PROJECT COMPLETION DATE - JULY 2025

THE PROJECT IS BE APPROVED AS A SINGLE PHASE PROJECT, WITH TWO (2) OPERATIONAL BREAKS FOR PURPOSES OF BONDING, BENEFICIAL OCCUPANCY INSPECTION, RELEASE OF USE AND OCCUPANCY PERMITS.

GENERAL NOTES:

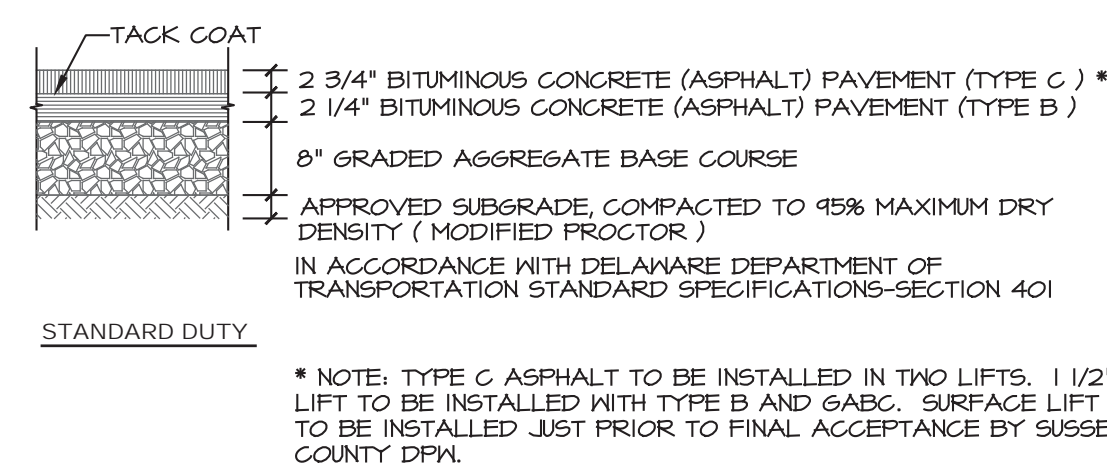
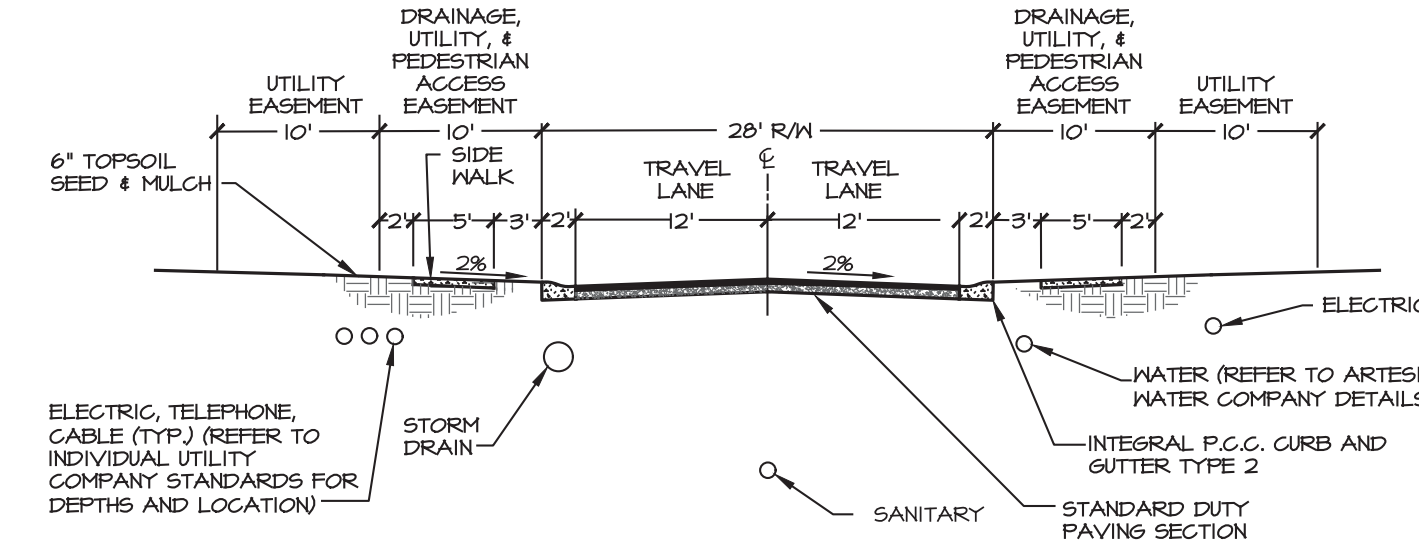
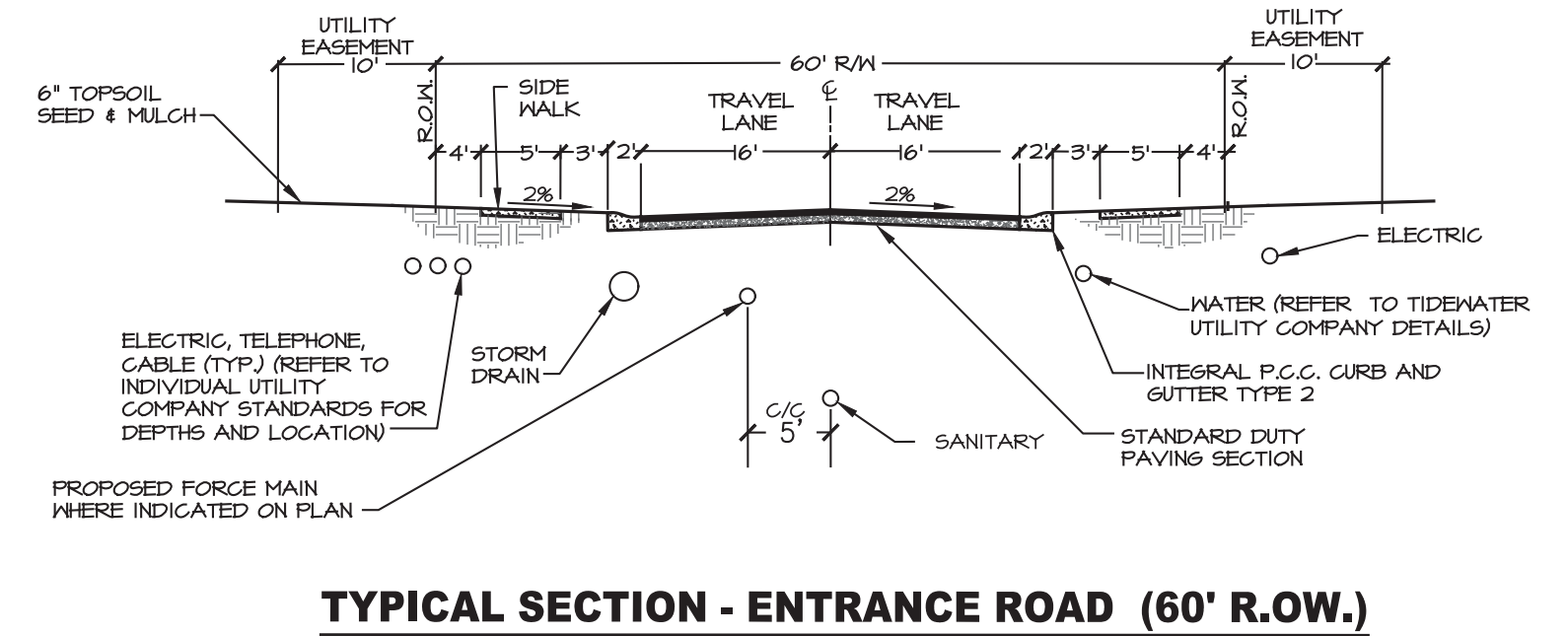
- SUBDIVISION STREETS ARE TO REMAIN PRIVATE AND ARE TO BE CONSTRUCTED IN ACCORDANCE WITH SUSSEX COUNTY REGULATIONS.
- MAINTENANCE OF THE STREET WITHIN THIS SUBDIVISION WILL BE THE RESPONSIBILITY OF THE OWNER/DEVELOPER AND/OR HOME OWNER'S ASSOCIATION. THE STATE AND SUSSEX COUNTY ASSUMES NO RESPONSIBILITY FOR FUTURE MAINTENANCE OF THE STREETS.
- ACCESS TO ALL LOTS IS TO BE FROM SUBDIVISION STREETS OR DRIVE ACCESS LOOPS; NO LOTS SHALL BE GRANTED DIRECT ACCESS TO ZION CHURCH ROAD.
- MAINTENANCE OF THE STORM WATER MANAGEMENT AREAS WILL BE THE RESPONSIBILITY OF THE OWNER/DEVELOPER AND/OR HOMEOWNER'S ASSOCIATION.
- THE PROPOSED ENTRANCES/EXITS ARE CONCEPTUAL ONLY AND ARE SUBJECT TO REVIEW AND APPROVAL BY THE DELAWARE DEPARTMENT OF TRANSPORTATION BEFORE A CONSTRUCTION PERMIT IS ISSUED.
- THIS PROPERTY IS LOCATED IN THE VICINITY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES ON WHICH NORMAL AGRICULTURAL USES AND ACTIVITIES MAY NOW OR IN THE FUTURE INVOLVE NOISE, DUST, MANURE AND OTHER ODORS, 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.
- MAINTENANCE OF ALL OPEN SPACE AREA AND ASSOCIATED LANDSCAPING, INCLUDING FORESTED / LANDSCAPE BUFFERS SHALL BE THE RESPONSIBILITY OF THE HOMEOWNER'S ASSOCIATION.
- THIS PROJECT IS NOT LOCATED WITHIN ANY TRANSPORTATION IMPROVEMENT DISTRICT (TID).

SITE DATA

- PROJECT TITLE/NAME: EAST GATE
- TAX PARCELS: (1) 533-11.00-45.05, -45.06
(2) 533-11.00-45.07, -45.08
- OWNER INFORMATION: (1) ROXANA PREFERRED PROPERTIES, LLC
1601 MILLTOWN RD, SUITE 17
WILMINGTON, DE 19808
(2) PMP ASSOCIATES, LLC
1601 MILLTOWN RD, SUITE 19
WILMINGTON, DE 19808
- DEVELOPER: MCKEE HOMES, LLC
940 WEST SPROUL ROAD, SUITE 301
SPRINGFIELD, PA 19084
ATTN: MR. MARK MCGONIGAL
- ZONING: EXISTING: GR
PROPOSED: GR
- DEVELOPMENT TYPE: COASTAL AREA CLUSTER
SINGLE FAMILY DETACHED
- BULK AREA STANDARDS (GR - COASTAL AREA CLUSTER)
MIN. FRONT YARD 30'
MIN. CORNER FRONT YARD 15'
MIN. SIDE YARD 10'
MIN. REAR YARD 10'
MIN. LOT WIDTH 75'
MIN. LOT AREA 7,500 SF
- LAND USE: EXISTING USE: AGRICULTURAL
PROPOSED USE: RESIDENTIAL
- PROPOSED DWELLING UNITS: 88 SINGLE FAMILY LOTS
- DEVELOPMENT DENSITY COMPUTATIONS:

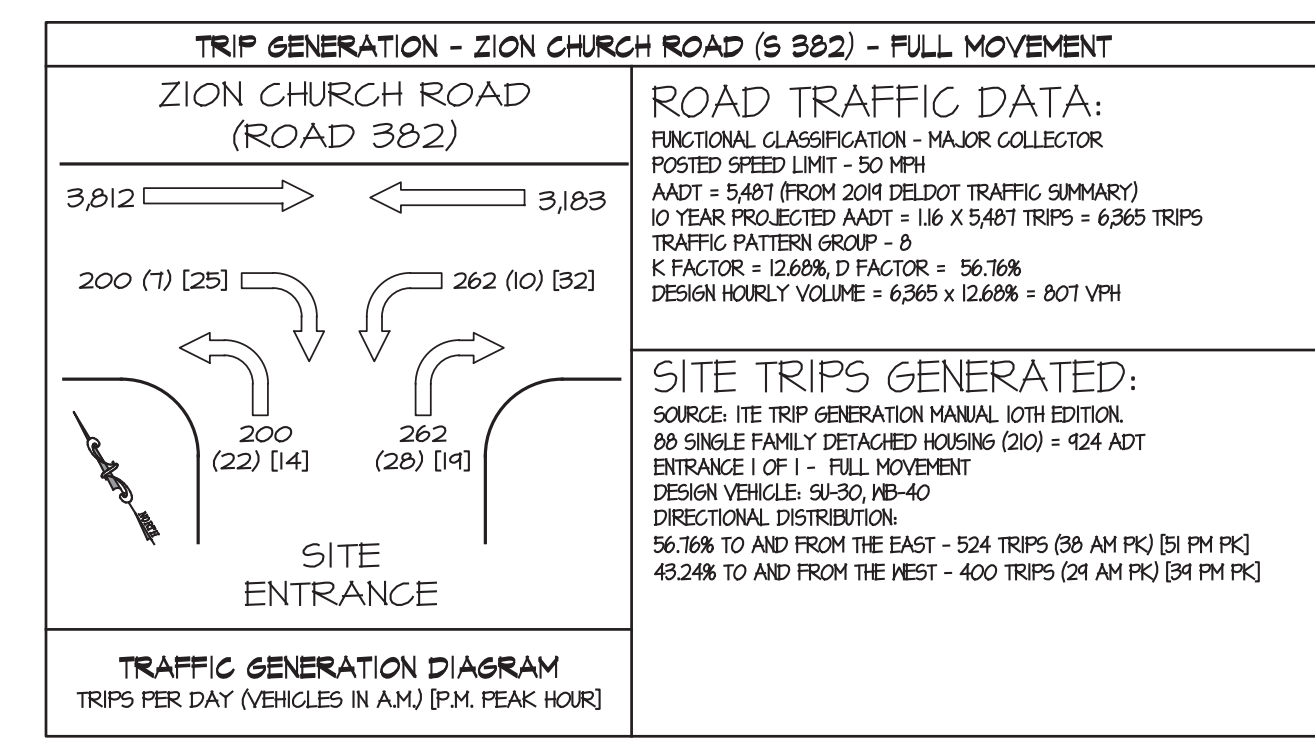
NET SITE AREA:	
TOTAL SITE AREA:	36.71 AC. ±
PROPOSED PUBLIC ROW:	0.00 AC. ±
PROPOSED PRIVATE ROW:	3.40 AC. ±
NET SITE AREA:	33.31 AC. ±
ALLOWABLE DWELLING UNITS:	
NET SITE AREA * ALLOWABLE DENSITY = ALLOWABLE DU:	33.31 x 4.365 DU / AC. = 145 DU.
PROPOSED DENSITY:	
88 DU / 33.31 AC. ± = 2.64 DU/AC. (NET)	
88 DU / 36.71 AC. ± = 2.40 DU/AC. (GROSS)	
OPEN SPACE AREAS:	
REQUIRED [SECTION 91.21(D)]:	
10% x 36.71 AC. ± =	3.67 AC. ±
PROPOSED*	
PASSIVE:	13.74 AC. ±
(INCL. NATURAL FOREST & BUFFER AREAS, STORMWATER MANAGEMENT AREAS, ETC.)	
ACTIVE:	0.74 AC. ±
(INCL. COMMUNITY POOL, RECREATION AREA)	
TOTAL PROPOSED	14.48 AC. ±
(14.48 AC. / 36.71 AC.) =	39.4 %

- TREE COVER:
 - EXIST. WOODS: 14.31 AC. ±
 - WOODS TO BE CLEARED: 10.08 AC. ±
 - WOODS TO REMAIN: 1.23 AC. ± (6.4%)
 - AFFORESTATION / BUFFER:
 - TOTAL PROPOSED TREE COVER:
- WATER SERVICE: PUBLIC (ARTESIAN WATER)
- SANITARY SEWER: PUBLIC (SUSSEX COUNTY)
- PARKING ANALYSIS:
 - PARKING REQUIRED: 88 SFD X 2 SP/DU = 176 SP
 - PARKING PROVIDED: 88 SFD X 2 SP/DU = 176 SP ON LOT
COMM. CLUBHOUSE = 16 SP
TOTAL = 192 SP
- A WETLAND DELINEATION WAS PREPARED BY GEO-TECHNOLOGY ASSOCIATES, INC. (GTA), LAST REVISED MARCH 22, 2021. A JURISDICTIONAL DETERMINATION (GEN-OPR-2021-50-23) WAS ISSUED BY THE PHILADELPHIA DISTRICT CORP OF ENGINEERS APPROVING THIS DELINEATION INDICATING THAT THERE ARE NO JURISDICTIONAL WETLANDS OR "WATERS OF THE U.S." PRESENT WITHIN THE SUBJECT SITE AREA.
- ALL DROP MANHOLES TO BE 5' OR LARGER IN DIAMETER.
- ALL FACILITIES TO MEET SUSSEX COUNTY ENGINEERING DEPARTMENT'S STANDARDS AND SPECIFICATIONS.
- CLEANOUTS TO BE AT EDGE OF ROAD PAVEMENT OR EDGE OF RIGHT-OF-WAY, 6-INCH LATERAL FOR ALL SINGLE FAMILY HOUSES.
- NO CHURCHES, SCHOOLS, OR COMMERCIAL USE AREAS PROPOSED ON THIS SITE.
- SIDEWALKS SHALL BE PROVIDED ON BOTH SIDES OF ALL INTERNAL SUBDIVISION STREETS TO PROVIDE PEDESTRIAN LINKAGE TO FUTURE SIDEWALK / SHARED USE PATH TO BE CONSTRUCTED ALONG ZION CHURCH ROAD FRONTAGE.
- PROJECT SITE AREA IS NOT LOCATED WITHIN A WELLHEAD PROTECTION AREA.
- PROJECT SITE AREA IS LOCATED IN AN AREA OF "FAIR" RECHARGE POTENTIAL.



* NOTE: TYPE C ASPHALT TO BE INSTALLED IN TWO LIFTS. 1 1/2\"/>

PAVING SECTIONS
NOT TO SCALE

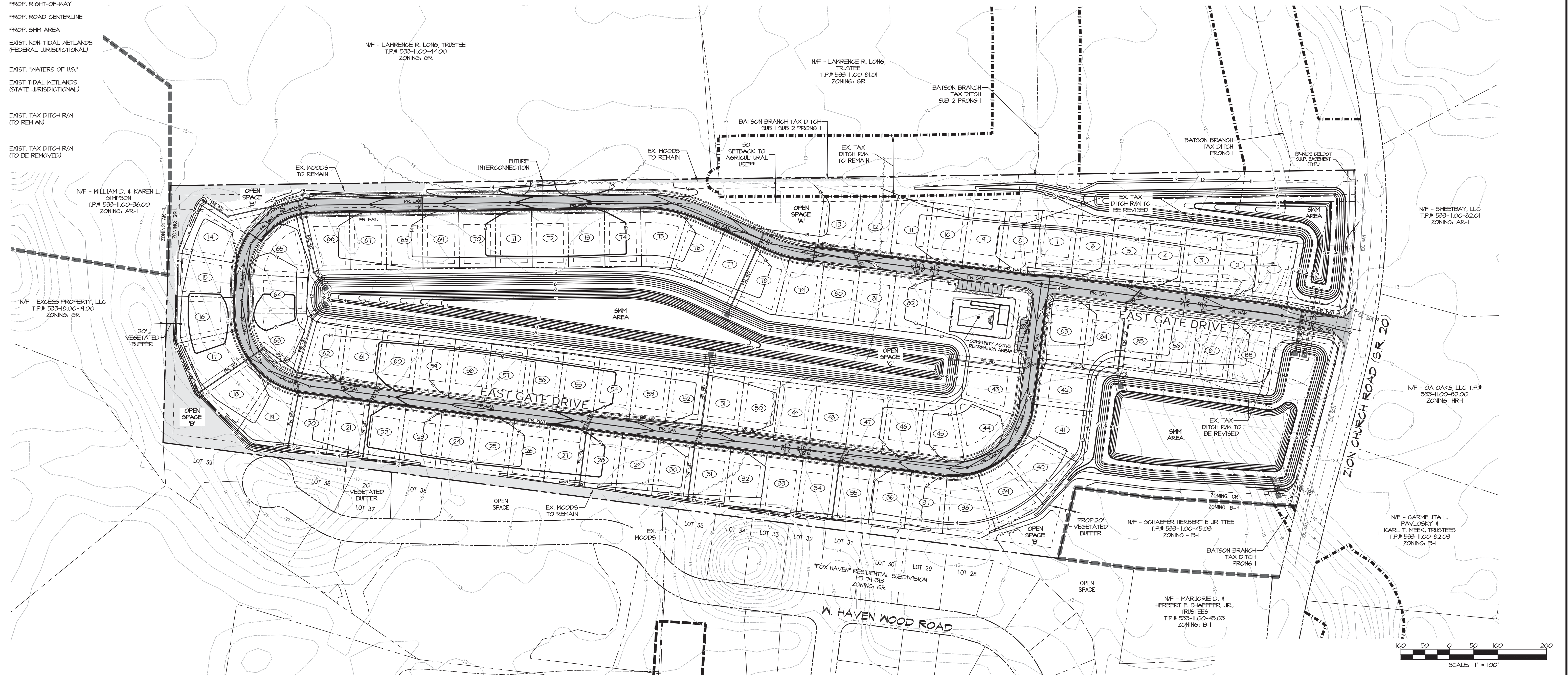
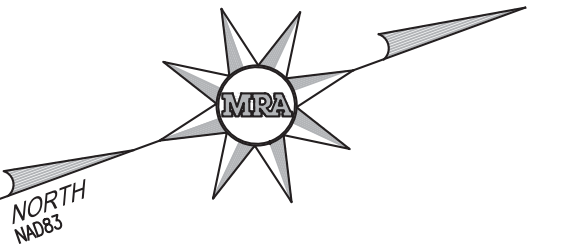


		<p>MORRIS & RITCHIE ASSOCIATES, INC. ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS 18 BOULDEN CIRCLE, SUITE 36 NEW CASTLE, DELAWARE 19720 (302) 326-2200 FAX: (302) 326-2399 WWW.MRAGTA.COM © 2022 MORRIS & RITCHIE ASSOCIATES, INC.</p>	
		<p>PRELIMINARY PLAN GENERAL NOTES & DETAILS FOR EAST GATE</p>	
DATE	REVISIONS	JOB NO.: 21179	
01/10/22	REV. PER TAC / P&Z COMMENTS	SCALE: AS NOTED	
		DATE: 06/09/21	
		DRAWN BY: CJF	
		DESIGN BY: CJF	
		REVIEW BY: PLT	
		SHEET: 2 OF 6	

LEGEND

- EXIST. PARCEL BOUNDARY
- EXIST. RIGHT-OF-WAY
- EXIST. LOT LINE
- ZONING: AR-1
- EXIST. ZONING
- EXIST. WOODS
- PROP. WOODS TO REMAIN
- PROP. CURB
- PROP. SIDEWALK
- PROP. LOT LINE
- PROP. RIGHT-OF-WAY
- PROP. ROAD CENTERLINE
- PROP. SKM AREA
- EXIST. NON-TIDAL WETLANDS (FEDERAL JURISDICTIONAL)
- EXIST. "WATERS OF U.S."
- EXIST. TIDAL WETLANDS (STATE JURISDICTIONAL)
- EXIST. TAX DITCH R/W (TO REMAIN)
- EXIST. TAX DITCH R/W (TO BE REMOVED)

- * NOTE: THE EXACT SIZE AND CONFIGURATION OF COMMUNITY ACTIVE RECREATION AREA, INCLUDING THE POOL HOUSE, POOL, AND DECKING, SHALL BE DETERMINED DURING THE FINAL ENGINEERING PROCESS AND SHALL BE SHOWN ON A SEPARATE SITE PLAN PREPARED FOR THE SAME.
- ** NOTE: LANDS OF LAWRENCE R. LONG, TRUSTEE (PARCELS 533-11.00-44.00 & 533-11.00-81.01) ARE UTILIZED FOR AGRICULTURAL PURPOSES; SEE SHEET 2, GENERAL NOTE 6.

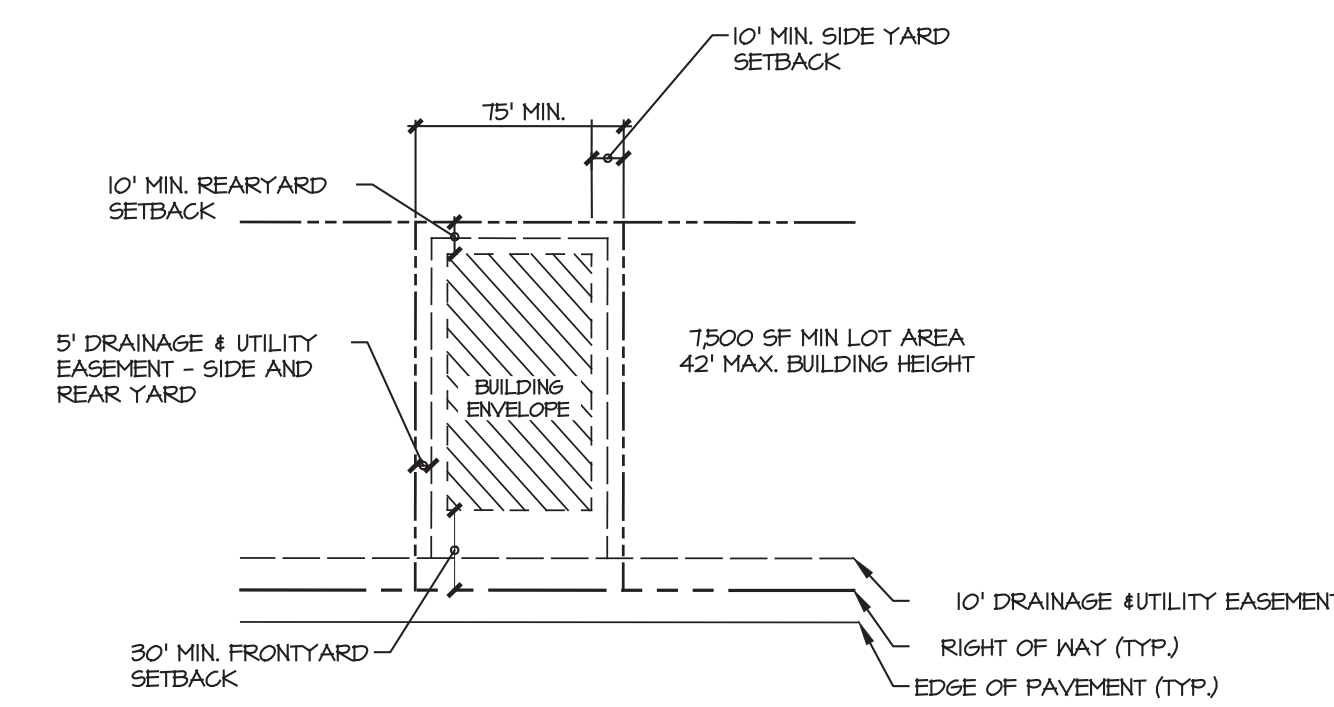


FOX HAVEN OWNER INFORMATION

LOT	PARCEL	OWNER	BOOK / PAGE	ZONING
OS-1	533-11.00-45.01	FOX HAVEN HOMEOWNERS ASSOCIATION, INC.	5140 / 203	GR
31	533-11.00-496.00	DAVID SPALLONE & JOANN SPALLONE	5366 / 94	GR
32	533-11.00-497.00	LINDA M. SANDLOF	4791 / 57	GR
33	533-11.00-498.00	CHRISTIAN E. WEIR & DARLENE H. WEIR	4703 / 144	GR
34	533-11.00-499.00	PATICA A. ASHBURN & ALLEN J. ASBURN	4719 / 315	GR
35	533-11.00-500.00	KEVIN J. GRIMM & BARBARA J. GRIMM	4718 / 35	GR
36	533-11.00-501.00	WENDY J. SCOTT	4879 / 308	GR
37	533-11.00-502.00	GEORGE H. SCHULTZ & ELIZABETH ANN SCHULTZ, IRR TRUST	5158 / 112	GR
38	533-11.00-503.00	THERESA MOSIER & TODD KURTZ	4922 / 297	GR
39	533-11.00-504.00	KEVIN J. CLARK	5119 / 99	GR

AREA	SKM FACILITY	ACTIVE OPEN SPACE	PASSIVE OPEN SPACE*
A	1.02 AC. ±	-	3.54 AC. ±
B	1.96 AC. ±	-	5.32 AC. ±
C	3.68 AC. ±	0.72 AC. ±	3.48 AC. ±
TOTAL	6.66 AC. ±	0.72 AC. ±	12.84 AC. ±

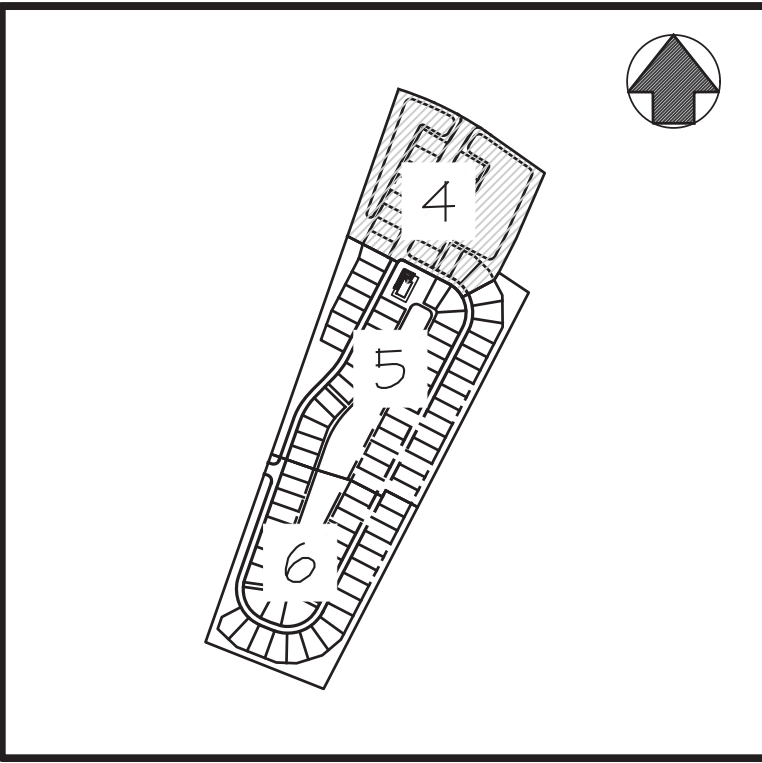
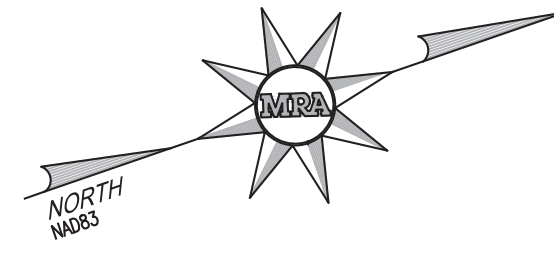
* NOTE: PASSIVE OPEN SPACE AREA IS INCLUSIVE OF SKM FACILITIES LOCATED THEREIN.



TYPICAL LAYOUT SINGLE FAMILY LOT (VARIABLE WIDTHS)

NOT TO SCALE!

		MORRIS & RITCHIE ASSOCIATES, INC. ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS 18 BOULDEN CIRCLE, SUITE 36 NEW CASTLE, DELAWARE 19720 (302) 326-2200 FAX: (302) 326-2399 WWW.MRAGTA.COM ©2021 MORRIS & RITCHIE ASSOCIATES, INC.	
		PRELIMINARY PLAN OVERALL PLAN FOR EAST GATE	
ENGINEER'S SEAL:		BALTIMORE HUNDRED SUSSEX COUNTY, DELAWARE	
DATE	REVISIONS	JOB NO.: 21179	
01/10/22	REV. PER TAC / P&Z COMMENTS	SCALE: 1" = 100'	
		DATE: 06/09/21	
		DRAWN BY: CJF	
		DESIGN BY: CJF	
		REVIEW BY: PLT	
		SHEET: 3 OF 6	



KEY MAP
SCALE: 1"=800'

LEGEND

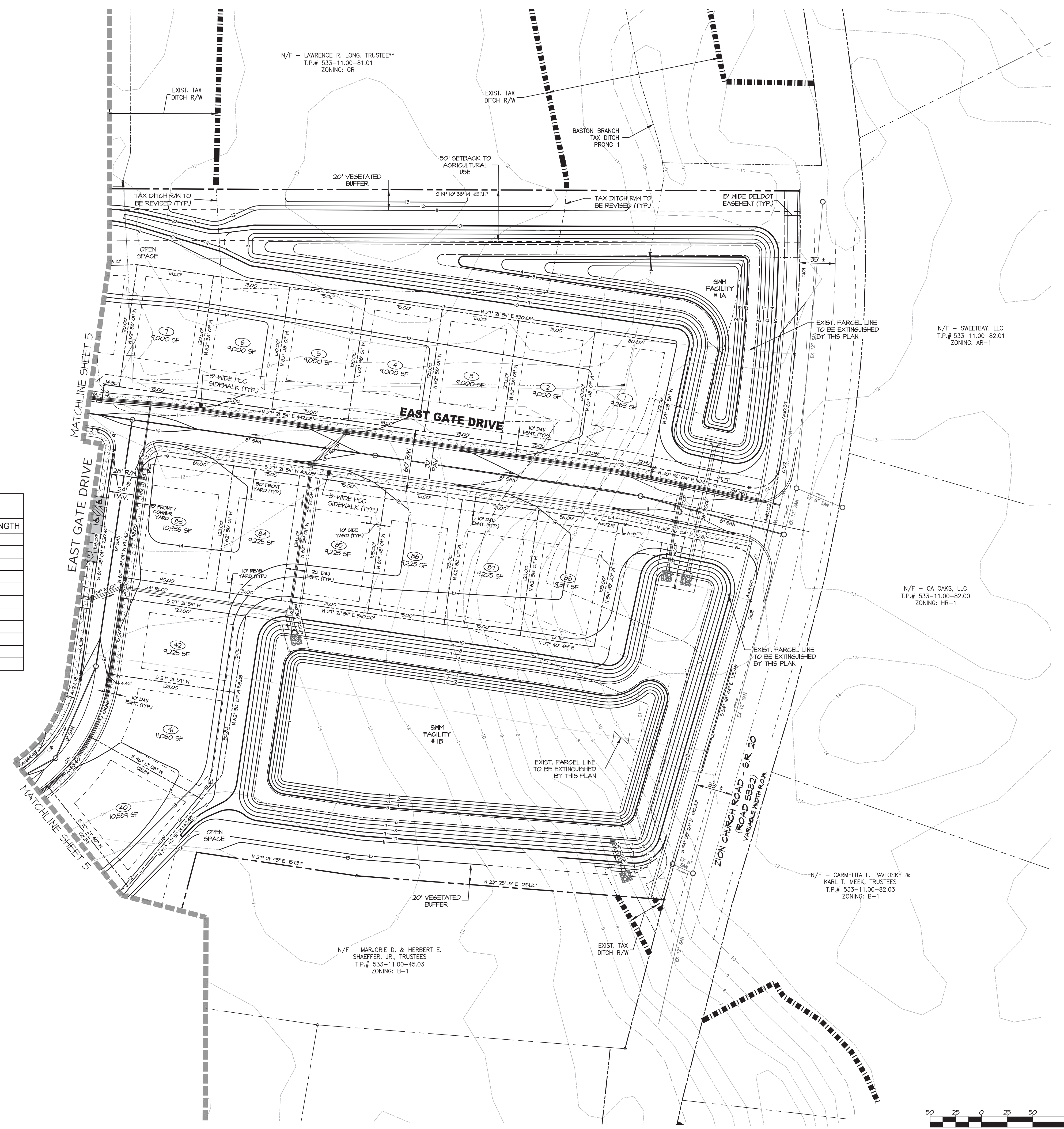
- EXIST. PARCEL BOUNDARY
- EXIST. RIGHT-OF-WAY
- EXIST. LOT LINE
- ZONING: AR-1
- EXIST. WOODS
- PROP. WOODS TO REMAIN
- PROP. CURB
- PROP. SIDEWALK
- PROP. LOT LINE
- PROP. RIGHT-OF-WAY
- PROP. ROAD CENTERLINE
- PROP. SHM AREA
- EXIST. NON-TIDAL WETLANDS (FEDERAL JURISDICTIONAL)
- EXIST. TIDAL WETLANDS (STATE JURISDICTIONAL)
- EXIST. "WATERS OF U.S." (FEDERAL JURISDICTIONAL)
- EXIST. TAX DITCH R/W (TO REMAIN)
- EXIST. TAX DITCH R/W (TO BE REMOVED)
- EXIST. CONTOUR
- PROP. CONTOUR
- SPOT ELEVATION
- EXIST. STORM DRAIN
- PROP. STORM DRAIN
- EXIST. SANITARY SEWER
- PROP. SANITARY SEWER
- EXIST. WATER LINE
- PROP. WATER LINE

LOT LINE TABLE

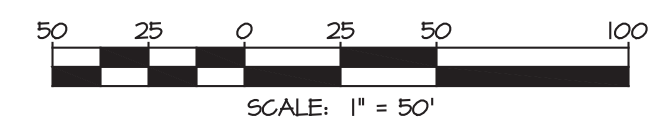
LINE #	LENGTH	DIRECTION
L6	16.00'	N 62° 38' 01" W

RIGHT OF WAY CURVE TABLE

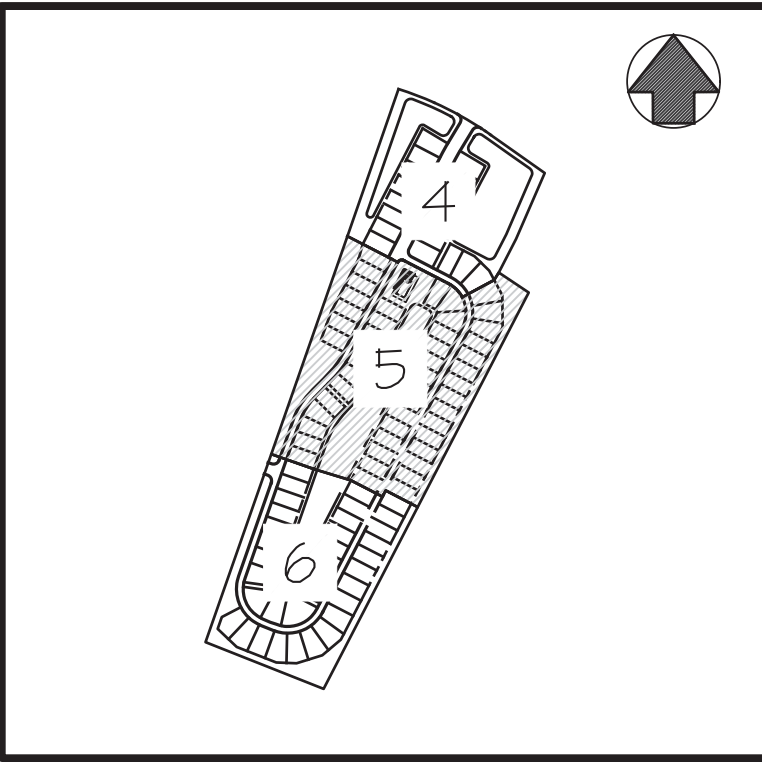
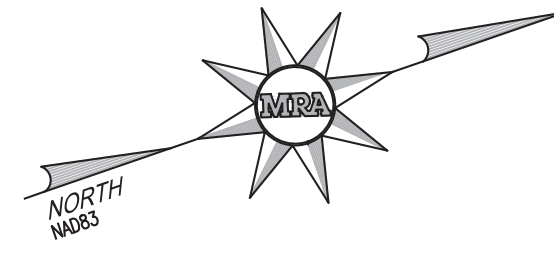
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	40.21'	25.00'	42.28°	N 15° 12' 21" W	36.05'
C2	40.21'	25.00'	42.28°	N 71° 04' 34" E	36.05'
C3	33.00'	530.00'	3.51°	N 24° 04' 01" E	33.00'
C4	24.21'	470.00'	3.51°	S 24° 04' 01" W	24.21'
C5	34.21'	25.00'	40.00°	S 11° 38' 01" E	35.36'
C6	28.21'	18.00'	40.00°	S 12° 21' 54" W	25.46'
C15	251.60'	164.00'	40.00°	S 11° 38' 04" E	231.42'
C16	213.62'	136.00'	40.00°	S 11° 38' 04" E	142.33'
C101	154.13'	1347.30'	6.52°	S 64° 11' 25" E	154.04'
C102	243.83'	1405.36'	4.44°	S 60° 52' 42" E	243.52'
C103	26.56'	1347.31'	1.04°	S 55° 13' 21" E	26.56'



****NOTE:** LANDS OF LAWRENCE R. LONG, TRUSTEE (PARCELS 533-11.00-44.00 & 533-11.00-81.01) ARE UTILIZED FOR AGRICULTURAL PURPOSES; SEE SHEET 2, GENERAL NOTE 6.



 MORRIS & RITCHIE ASSOCIATES, INC. ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS 18 BOULDER CIRCLE, SUITE 36 NEW CASTLE, DELAWARE 19720 (302) 326-2200 FAX: (302) 326-2399 WWW.MRAGTA.COM <small>©2021 MORRIS & RITCHIE ASSOCIATES, INC.</small>	GR - COASTAL AREA CLUSTER PRELIMINARY PLAN FOR EAST GATE													
	 ENGINEER'S SEAL	BALTIMORE HUNDRED	SUSSEX COUNTY, DELAWARE											
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>DATE</th> <th>REVISIONS</th> <th>JOB NO.:</th> </tr> </thead> <tbody> <tr> <td>01/10/22</td> <td>REV. PER TAC / P&Z COMMENTS</td> <td>21179</td> </tr> </tbody> </table>	DATE	REVISIONS	JOB NO.:	01/10/22	REV. PER TAC / P&Z COMMENTS	21179		<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td>SCALE: 1"= 50'</td> </tr> <tr> <td>DATE: 06/09/21</td> </tr> <tr> <td>DRAWN BY: CJF</td> </tr> <tr> <td>DESIGN BY: CJF</td> </tr> <tr> <td>REVIEW BY: PLT</td> </tr> <tr> <td>SHEET: 4 OF 6</td> </tr> </tbody> </table>	SCALE: 1"= 50'	DATE: 06/09/21	DRAWN BY: CJF	DESIGN BY: CJF	REVIEW BY: PLT	SHEET: 4 OF 6
DATE	REVISIONS	JOB NO.:												
01/10/22	REV. PER TAC / P&Z COMMENTS	21179												
SCALE: 1"= 50'														
DATE: 06/09/21														
DRAWN BY: CJF														
DESIGN BY: CJF														
REVIEW BY: PLT														
SHEET: 4 OF 6														



KEY MAP
SCALE: 1"=800'

NOTE: THE EXACT SIZE AND CONFIGURATION OF COMMUNITY ACTIVE RECREATION AREA, INCLUDING THE POOL, HOUSE, POOL, AND DECKING, SHALL BE DETERMINED DURING THE FINAL ENGINEERING PROCESS AND SHALL BE SHOWN ON A SEPARATE SITE PLAN PREPARED FOR THE SAME.

****NOTE:** LANDS OF LAWRENCE R. LONG, TRUSTEE (PARCELS 533-11.00-44.00 & 533-11.00-91.01) ARE UTILIZED FOR AGRICULTURAL PURPOSES; SEE SHEET 2, GENERAL NOTE 6.

LEGEND

- EXIST. PARCEL BOUNDARY
- EXIST. RIGHT-OF-WAY
- EXIST. LOT LINE
- ZONING: AR-1 EXIST. ZONING
- EXIST. WOODS
- PROP. WOODS TO REMAIN
- PROP. CURB
- PROP. SIDEWALK
- PROP. LOT LINE
- PROP. RIGHT-OF-WAY
- PROP. ROAD CENTERLINE
- PROP. SHM AREA
- EXIST. NON-TIDAL WETLANDS (FEDERAL JURISDICTIONAL)
- EXIST. TIDAL WETLANDS (STATE JURISDICTIONAL)
- US US EXIST. "WATERS OF U.S." (FEDERAL JURISDICTIONAL)
- EXIST. TAX DITCH R/W (TO REMAIN)
- EXIST. TAX DITCH R/W (TO BE REMOVED)
- EXIST. CONTOUR
- PROP. CONTOUR
- x50.00 SPOT ELEVATION
- EXIST. STORM DRAIN
- PROP. STORM DRAIN
- EXIST. SANITARY SEWER
- PROP. SANITARY SEWER
- EXIST. WATER LINE
- PROP. WATER LINE

FOX HAVEN OWNER INFORMATION

LOT	PARCEL	OWNER	BOOK / PAGE	ZONING
05-1	533-11.00-45.01	FOX HAVEN HOMEOWNERS ASSOCIATION, INC.	5140 / 203	GR
31	533-11.00-496.00	DAVID SPALLONE & JOANN SPALLONE	5366 / 94	GR
32	533-11.00-497.00	LINDA M. SANDLOF	4791 / 57	GR
33	533-11.00-498.00	CHRISTIAN E. WEIR & DARLENE H. WEIR	4703 / 144	GR
34	533-11.00-499.00	PATRICIA A. ASHBURN & ALLEN J. ASHBURN	4719 / 315	GR
35	533-11.00-500.00	KEVIN J. GRIMM & BARBARA J. GRIMM	4718 / 35	GR

LOT LINE TABLE

LINE #	LENGTH	DIRECTION
L5	17.21	S 22° 21' 10" E
L6	16.00	N 62° 38' 01" W

RIGHT OF WAY CURVE TABLE

CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C5	34.21'	25.00'	90.00°	S 17° 38' 01" E	35.36'
C6	28.21'	18.00'	90.00°	S 72° 21' 54" W	25.46'
C7	84.22'	286.00'	16.81°	N 35° 48' 04" E	83.42'
C8	42.46'	314.00'	16.81°	N 35° 48' 04" E	42.13'
C4	136.82'	314.00'	24.41°	N 31° 45' 20" E	135.14'
C10	124.62'	286.00'	24.41°	N 31° 45' 20" E	123.64'
C15	257.60'	164.00'	90.00°	S 17° 38' 04" E	231.42'
C16	213.62'	136.00'	90.00°	S 17° 38' 04" E	142.33'

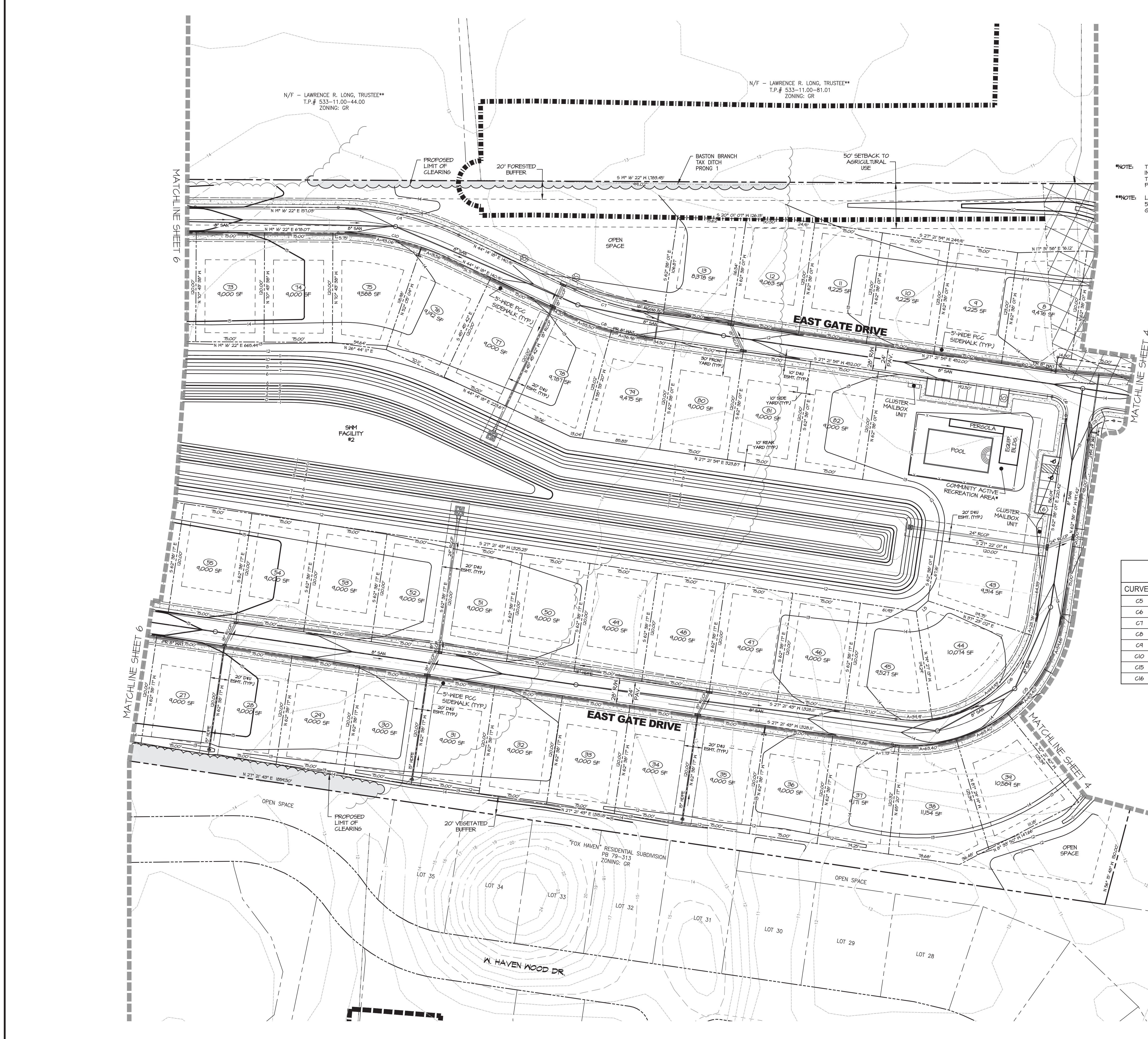


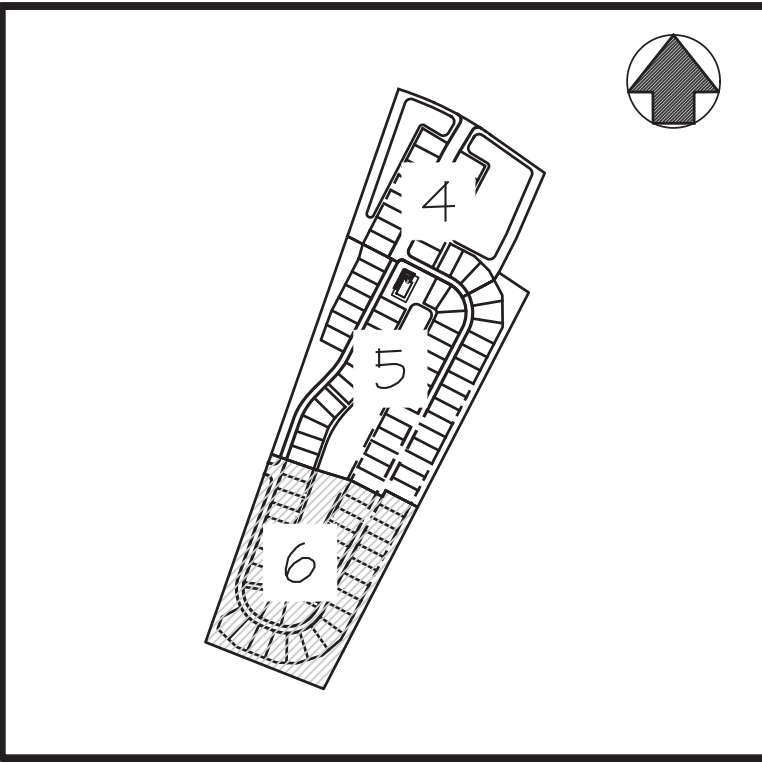
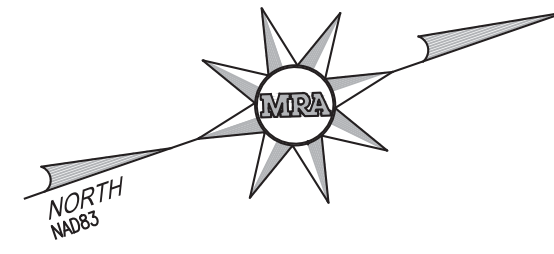
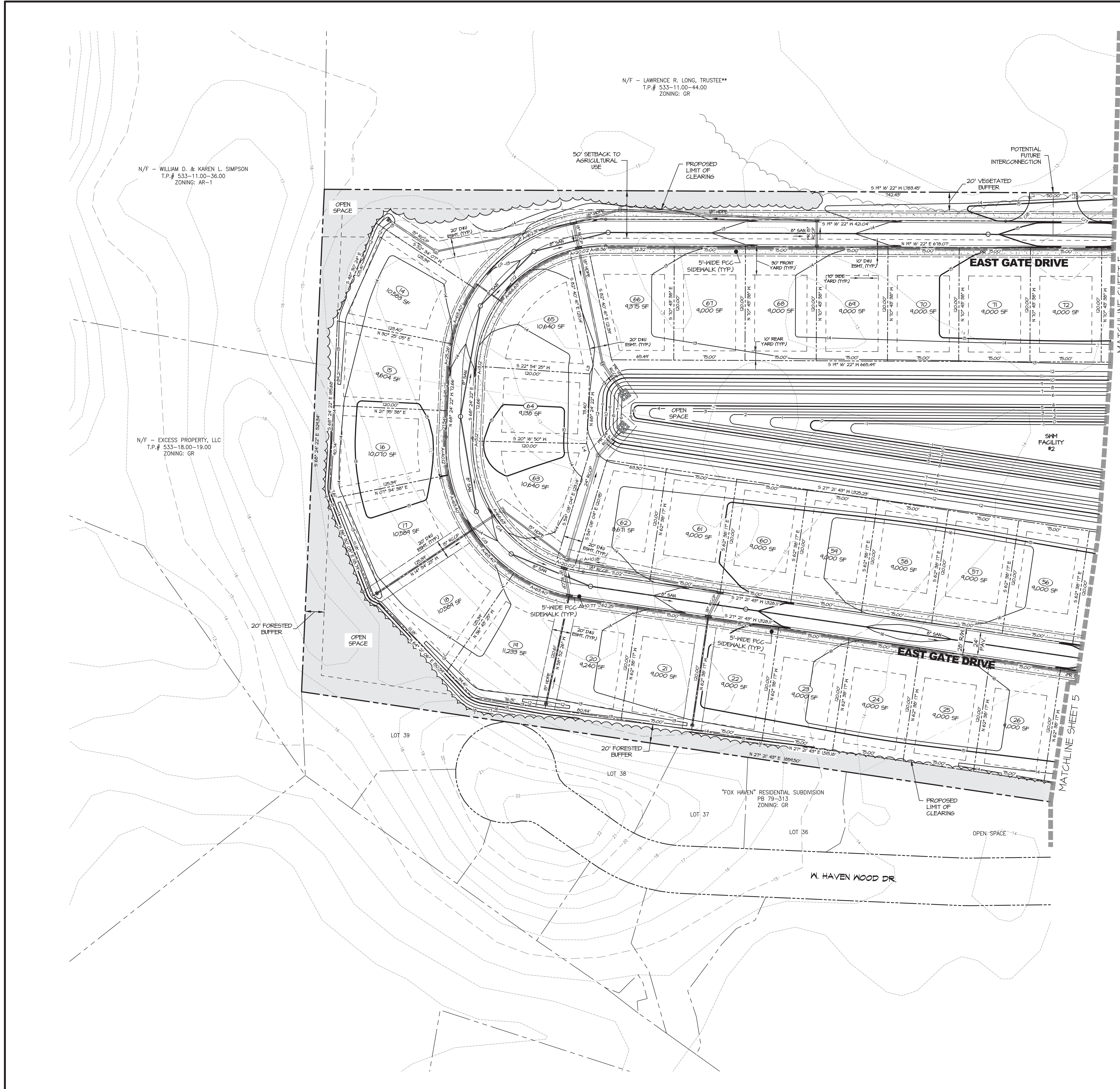
MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
18 BOULDER CIRCLE, SUITE 36
NEW CASTLE, DELAWARE 19720
(302) 326-2200
FAX: (302) 326-2399
WWW.MRAGTA.COM
©2021 MORRIS & RITCHIE ASSOCIATES, INC.



GR - COASTAL AREA CLUSTER PRELIMINARY PLAN FOR EAST GATE

DATE	REVISIONS	JOB NO.:
01/10/22	REV. PER TAC / P&Z COMMENTS	21179
		SCALE: 1"= 50'
		DATE: 06/09/21
		DRAWN BY: CJF
		DESIGN BY: CJF
		REVIEW BY: PLT
		SHEET: 5 OF 6





KEY MAP
SCALE: 1"=800'

****NOTE:** LANDS OF LAWRENCE R. LONG, TRUSTEE (PARCELS 533-11.00-44.00 & 533-11.00-49.00) ARE UTILIZED FOR AGRICULTURAL PURPOSES; SEE SHEET 2, GENERAL NOTE 6.

LEGEND

- EXIST. PARCEL BOUNDARY
- EXIST. RIGHT-OF-WAY
- EXIST. LOT LINE
- ZONING: AR-1
- EXIST. WOODS
- PROP. WOODS TO REMAIN
- PROP. CURB
- PROP. SIDEWALK
- PROP. LOT LINE
- PROP. RIGHT-OF-WAY
- PROP. ROAD CENTERLINE
- PROP. SHM AREA
- EXIST. NON-TIDAL WETLANDS (FEDERAL JURISDICTIONAL)
- EXIST. TIDAL WETLANDS (STATE JURISDICTIONAL)
- EXIST. "WATERS OF U.S." (FEDERAL JURISDICTIONAL)
- EXIST. TAX DITCH R/W (TO REMAIN)
- EXIST. TAX DITCH R/W (TO BE REMOVED)
- EXIST. CONTOUR
- PROP. CONTOUR
- SPOT ELEVATION
- EXIST. STORM DRAIN
- PROP. STORM DRAIN
- EXIST. SANITARY SEWER
- PROP. SANITARY SEWER
- EXIST. WATER LINE
- PROP. WATER LINE

FOX HAVEN OWNER INFORMATION

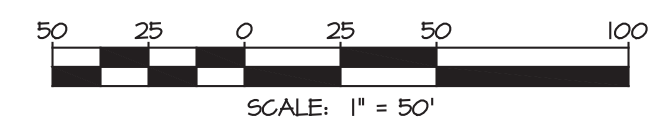
LOT	PARCEL	OWNER	BOOK / PAGE	ZONING
36	533-11.00-501.00	WENDY J. SCOTT	4879 / 308	GR
37	533-11.00-502.00	GEORGE H. SCHULTZ & ELIZABETH ANN SCHULTZ, IRR TRUST	5158 / 112	GR
38	533-11.00-503.00	THERESA MOSIER & TODD KURTZ	4922 / 297	GR
39	533-11.00-504.00	KEVIN J. CLARK	5119 / 99	GR

RIGHT OF WAY CURVE TABLE

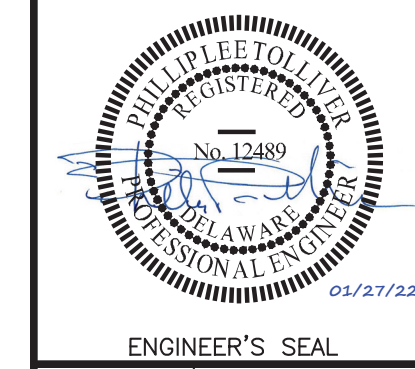
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C11	250.41'	164.00'	81.68°	N 24° 34' 00" W	227.14'
C12	208.12'	136.00'	81.68°	N 24° 34' 00" W	188.40'
C13	241.10'	164.00'	84.23°	S 64° 28' 40" W	214.47'
C14	144.44'	136.00'	84.23°	S 64° 28' 40" W	182.41'
C17	34.21'	25.00'	90.00°	S 64° 16' 22" W	35.36'
C18	34.21'	25.00'	90.00°	N 25° 43' 38" W	35.36'

LOT LINE TABLE

LINE #	LENGTH	DIRECTION
L1	5.00	N 10° 43' 38" W
L2	5.00	N 10° 43' 38" W
L3	4.82	N 44° 12' 12" W
L4	4.82	N 81° 36' 33" W



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
18 BOULDEN CIRCLE, SUITE 36
NEW CASTLE, DELAWARE 19720
(302) 326-2200
FAX: (302) 326-2399
WWW.MRAGTA.COM
©2021 MORRIS & RITCHIE ASSOCIATES, INC.



GR - COASTAL AREA CLUSTER PRELIMINARY PLAN
FOR
EAST GATE

DATE	REVISIONS	JOB NO.:
01/10/22	REV. PER TAC / P&Z COMMENTS	21179
		SCALE: 1"= 50'
		DATE: 06/09/21
		DRAWN BY: CJF
		DESIGN BY: CJF
		REVIEW BY: PLT
		SHEET: 6 OF 6



ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS, AND
LANDSCAPE ARCHITECTS

EAST GATE

A Residential Coastal Area Cluster Community

Baltimore Hundred
Sussex County, Delaware

Developed By:

McKee Builders, LLC



Prepared By:
Morris & Ritchie Associates, Inc.
18 Boulden Circle, Suite 36
New Castle, DE 19720
Phone: (302) 326-2200
Attn: Christopher J. Flathers, P.E.

January 2022



EASTGATE

SUSSEX COUNTY DELAWARE

NOTE: The blue shading of the SWM facilities shown hereon is for presentational / graphical purposes only. The design and determination of the type of SWM facilities (wet, dry, infiltration, etc) shall be made during the final engineering process. Via this color rendering, MRA makes no representations either explicitly or implicitly that the SWM facilities will be wet ponds.



302.326.2200
18 BOULDEN CIRCLE, SUITE 36
WILMINGTON, DELAWARE
WWW.MRAGTA.COM

E A S T G A T E

COASTAL AREA CLUSTER COMMUNITY INFORMATION BOOKLET TABLE OF CONTENTS

Project Team	2
Land Use Data	4
<i>Site Data</i>	4
<i>Land Use Breakdown</i>	4
<i>Lot Compilation</i>	4
<i>Project Density</i>	4
Executive Summary	6
Appendices	i
<i>Appendix 1 – 99-9C Compliance</i>	<i>i</i>
<i>Appendix 2 – Environmental Assessment and Public Utility Evaluation</i>	<i>ii</i>
115-194.3 Compliance.....	ii
<i>Appendix 3 – Preliminary Plan</i>	<i>iii</i>
<i>Appendix 4 – PLUS Review Response Letter</i>	<i>iv</i>
<i>Appendix 5 – Soils Report</i>	<i>v</i>
“Report of Subsurface Exploration”.....	<i>v</i>
Geo-Technology Associates, Inc. (GTA), June 3, 2021.....	<i>v</i>
<i>Appendix 6 – Wetlands Exhibits</i>	<i>vi</i>
Approved Jurisdictional Determination, US Army Corps of Engineers, March 26, 2021.....	<i>vi</i>
Wetland Delineation Plan, GTA, December 10, 2020.....	<i>vi</i>
<i>Appendix 7 – Traffic Analysis</i>	<i>vii</i>
Service Level Evaluation, DelDOT, December 23, 2020.....	<i>vii</i>

P R O J E C T T E A M

DEVELOPER

McKEE BUILDERS, LLC
940 WEST SPROUL ROAD, SUITE 301
SPRINGFIELD, PA 19064
MR. MARK MCGONIGAL

LAND PLANNER & CIVIL ENGINEER

MORRIS & RITCHIE ASSOCIATES, INC.
18 BOULDEN CIRCLE, SUITE 36
NEW CASTLE, DELAWARE 19720
MR. PHILLIP L. TOLLIVER, P.E.

ENVIORONMENTAL CONSULTANTS

GEO-TECHNOLOGY ASSOCIATES, INC.
3445-A BOX HILL CORPORATE CENTER DRIVE
ABINGDON, MARYLAND 21009
MR. ANDY STANSFIELD

GEOTECHNICAL CONSULTANTS

GEO-TECHNOLOGY ASSOCIATES, INC.
21133 STERLING AVENUE, SUITE 7
GEORGETOWN, DELAWARE 19947
MR. GREGORY R. SAUTER, P.E.

TRAFFIC CONSULTANTS

THE TRAFFIC GROUP, INC.
9900 FRANKLIN SQUARE DRIVE, SUITE H
BALTIMORE, MD 21236
MR. JOE CALOGERO, P.E.

ATTORNEY

FUQUA, WILLARD, STEVENS & SCHAB, P.A.
20245 BAY VISTA ROAD #203
REHOBOTH BEACH, DE 19971
MR. JAMES A. FUQUA, ESQ.

LAND USE DATA

Site Data:

Location: South side of Zion Church Rd. (Rte. 20)
Approx. 1,500' NW of intersection with Johnson Oak Road (Rd 382)
Lewes, DE

Owner: (1) Roaxanna Preferred Properties, LLC
(2) PMP Associates, LLC

Tax Map Parcel Number: (1) 533-11.00-45.06, -45.06
(2) 533-11.45.04, -45.08

Gross Acreage: 36.71 ± ac.

Current Zoning: GR

Proposed Zoning: GR – Coastal Area Cluster

Floodplain: No portions of the project site area located within the delineation FEMA floodplain areas as shown by FEMA FIRM 10005C0635K, effective date 3/16/15.

Land Use Breakdown

Residential Lot Areas: 18.83 ± ac.
88 Detached Single Family Lots

Right-of-Way:

Public R.O.W. (DelDOT Dedication) 0 ac.
Private R.O.W. 3.40 ± ac.

Open Space: 14.48 ± ac.
14.48 / 136.71 = 39.4%

Lot Compilation

GR Coastal Area Cluster

Single Family

Min. Lot Area: 7,500 sf
Lot Width: 75 ft.
Front Yard Setback: 30 ft.
Side Yard Setback: 10 ft
Rear Yard Setback 10 ft.

Project Density

Gross Site Area 36.71± ac. – 3.40± ac. R.O.W. = 33.31± ac.
88 d.u / 33.31± ac. = 2.64 d.u./ac.

E X E C U T I V E S U M M A R Y

East Gate is a proposed Coastal Area Cluster residential subdivision located on Zion Church Road, approximately 1,500 feet northwest of the intersection with Johnson Oak Road (Road 382) in an unincorporated portion of Sussex County, Delaware. The 36.71-acre site is located entirely within the Coastal Area, formerly referred to as the Environmentally Sensitive Development District Overlay Zone, as shown on the Sussex County Comprehensive Plan dated March 2019. Design and development concepts for East Gate focused on creating a pedestrian friendly community of single-family detached dwellings with a community recreation area. The project site includes more than 14 acres of open space, with each of the residential lots connecting directly to open space.

The community recreation area is anticipated to include a community pool with an associated pool building and patio area. Sidewalks will be provided throughout the community along both sides of the vehicular thoroughfares to connect the residences to the community amenity area.

Stormwater management for the developed site will be provided in accordance with the requirements of Sussex Conservation District, DNREC, and the Delaware Sediment and Stormwater Regulations. Due to high groundwater conditions anticipated on site, extended detention stormwater practices including wet ponds and/or created wetlands will be implemented to provide runoff management. Utilization of these facilities will provide a reduction in both runoff and nutrients (i.e. nitrogen, phosphorus) from the developed site.

The East Gate site is currently located with the Johnsons Corner Sanitary Sewer District. The proposed on-site sewer system is anticipated to be able to connect directly to the existing County sewer main located along the site frontage on Zion Church Road without the need for a proposed sanitary sewer pump station. The site is also located within an existing Certificate of Public Convenience and Necessity (CPCN) service area designated to Artesian Water Company, Inc. Similarly, the on-site water distribution will be connected to the existing Artesian mains located along the site frontage without the need for extension of existing service.

Forested and/or landscaped buffer areas will be provided around the perimeter of the community in accordance with Section 99-5 of the Sussex County Code. The internal subdivision street system will be designed and constructed in accordance with Sussex County standards and will be privately owned and maintained upon completion. Consideration for pedestrian safety and convenience through traffic calming design techniques, sidewalks; unified street signage and lighting standards will be incorporated into the final design of the project.

East Gate is anticipated to provide a vibrant community, with social and recreational benefits to the residents, economic benefits to the County and surrounding areas, utilizing the existing infrastructure located within the designated grown zone while minimizing impacts to the neighboring properties.

A P P E N D I C E S

Appendix 1 – 99-9C Compliance



ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS

Sussex County Code Chapter 99-9C Compliance

for

East Gate

Baltimore Hundred
Sussex County, Delaware

Prepared By:
Morris & Ritchie Associates, Inc.
18 Boulden Circle, Suite 36
New Castle, DE 19720
Phone: (302) 326-2200
Attn: Christopher J. Flathers, P.E.

January 2022

S U S S E X C O U N T Y C O D E
C H A P T E R 9 9 - 9 C C O M P L I A N C E

It is the intent of this submittal to demonstrate how the proposed East Gate project complies with regulatory requirements and follows the County growth objectives with regard to the Sussex County Code and Ordinances.

Located within the GR Zoning District, the proposed residential Coastal Area Cluster community will be comprised of 88 single-family detached dwelling units. Based upon an overall site area of 36.71± acres, the resulting gross density of the proposed project will be 2.40 dwelling units per acre. The project is located entirely within the designated Coastal Area growth zone as shown by the 2018 Sussex County Comprehensive Plan.

All infrastructure for the development (both on-site and off-site), will be designed and constructed at the developer's expense. The infrastructure will include roads, sidewalks, lighting within the project, off-site road improvements along road frontage, stormwater management, on-site sewer collection and transmission, on-site water distribution, and on-site community recreation facilities.

The East Gate community will be served by both centralized public water and sanitary sewer systems. The project is located within the existing CPCN service area of Artesian Water Company, Inc. (AWC). Water service for the community will be provided through connection to the existing AWC main located along the site frontage on Zion Church Road. All water distribution will be designed to requirements of the State Fire Marshal's Office and the Office of Drinking Water, and constructed in accordance with AWC standards. The project is located within the Sussex County Johnsons Corner Sanitary Sewer District. Public sewer service for the community will be provided by Sussex County through direct connection of the on-site gravity system to the existing County infrastructure located along the site frontage on Zion church Road. All sanitary sewer systems will be designed in accordance with State and County requirements and constructed in accordance with Sussex County standards.

The East Gate subdivision will be developed as community of market rate single-family dwelling units. A centrally located community active recreation area will be provided for the use and benefit of the community residents.

The information below is provided to address the requirements of Chapter 99-9C of the Sussex County Code:

- 1. Integration of the proposed subdivision into the existing terrain and surrounding landscape.*

The East Gate site is located along the Zion Church Road corridor in close proximity to other projects approved for development within the Coastal Area growth zone. The proposed development area is located immediately adjacent to the existing Fox Haven subdivision, opposite of approved Sweetbay subdivision, and two parcels east of the recently approved Twin Cedars RPC site. A 20'-wide landscape buffer has been proposed around the perimeter of the site adjacent to

the neighboring parcels. Proposed site grading is anticipated to maintain overall drainage patterns of the existing condition.

2. *Minimal use of wetlands and floodplains.*

A Wetlands Delineation Plan was prepared by Geo-Technology Associates, Inc. (GTA) for the project site in December 2020. Based upon this investigation, it was determined that no jurisdictional wetlands or “Waters of the U.S” were identified within the limits of the subject project area in the professional opinion of GTA. A Jurisdictional Determination was issued by the U.S. Army Corps of Engineers, confirming the GTA delineation that no federally regulated wetlands are located within the project area. Additionally, no State regulated wetlands, including tidal-wetlands, are located within the project. Based upon this information, no impact to regulated wetlands are anticipated as a result of this project.

Review of the FEMA floodplain maps indicate that the entirety of the parcel is located within the limits of Zone X, identified as “areas determined to be outside the 0.2% annual chance floodplain.” Therefore, no impacts to the floodplain are anticipated as a result of the proposed East Gate project.

3. *Preservation of natural and historical features.*

The front portion of the site is currently covered in mixture of meadow and scrub brush, but had until recently been utilized for agricultural purposes. The remaining back half is primarily wooded. As noted above, there are no regulated wetland areas on the site. The presence of rare and endangered plants, animals, and natural communities will be investigated during the course of design in accordance with current State and County regulatory requirements.

There are no known archaeological sites or known National register listed or eligible properties on the parcel. As noted in the comments from the State Historic Preservation Office (SHPO) received during the PLUS review, “prehistoric archaeological potential is low” and “historic archaeological potential is low” for the project site area. Therefore, no impacts to historical features are anticipated as a result of the proposed East Gate project.

4. *Preservation of open space and scenic views.*

The implementation of Coastal Area Cluster Design option in the creation of the proposed East Gate layout is anticipated to result in more than 14 acres (39% of project area) to be utilized for passive and active open space purposes. Open space area has been distributed throughout the entirety of the community such that each residential lot will have a direct connection to open space area. Non-wooded areas of the perimeter buffers the open space will be enhanced through the planting of native plant materials. A centralized community amenity area will be provided for the enjoyment and active recreation of the community residents.

5. *Minimization of tree, vegetation and soil removal and grade changes.*

As noted above, the northerly portion of the site was historically utilized for agricultural purposes. In order to minimize tree clearing throughout the wooded portions of the site, only those areas required to be disturbed for the construction of the proposed site improvements (lots, roadways, utilities, SWM features, site amenities) will be proposed to be cleared. Forested buffers are anticipated to remain within the existing wooded portions of the site.

The site design will attempt to maintain the existing drainage patterns of the existing site conditions. As noted above, only those areas that are proposed for development are planned to be disturbed. Erosion and Sediment control BMPs will be employed in accordance with Sussex Conservation District (SCD) and Delaware Department of Natural Resources and Environmental Control (DNREC) guidelines in order to minimize erosion and loss of soil throughout the construction process. Through detailed design and analysis of the proposed site development, on-site grading will be designed to minimize the import, or export, of excess soil from the project site area.

6. *Screening of objectionable features from neighboring properties and roadways.*

A 20'-wide landscaped buffer strip will be provided around the perimeter of the site adjacent to the neighboring parcels in accordance with Section 99-6 of the County Subdivision Code. A site landscape plan will be incorporated into the design documents with consideration given to the utilization of native Delaware plants and trees where practicable.

No objectionable features such as sanitary sewer pump stations, water towers, propane tank fields, or electric substation facilities, are anticipated to be installed as a result of this project. In the event these facilities are required (i.e. sanitary sewer pumping station), they will be screened with landscaping so that they are congruent with the surrounding areas.

7. *Provision for water supply.*

Artesian Water Company, Inc. (a certified PUC utility company) will provide central water service for the project. Plans will be submitted concurrently to both Sussex County and the State Department of Health and Human Services in order to obtain an Approval to Construct and an Approval to Operate with regard to all of the proposed water facilities. Artesian Water Company, Inc. has issued a "Willing & Able" letter indicating ability to provide service to the subject project in accordance with State standards.

As part of the water supply design, Fire Marshal requirements will be adhered to with regard to the water distribution system.

Based on preliminary discussions with Artesian Water, a large water main is located directly in front of the subject parcels along Zion Church Road that is anticipated to have available capacity to service the proposed East Gate project. It is anticipated a direct connection will be made to this transmission main to serve the on-site distribution system.

8. Provision for sewage disposal.

Sussex County will provide central sewer service for the project. Plans will be submitted concurrently to both Sussex County Engineering and DNREC for ultimate approval of the plans and construction, in addition to the operation of the proposed wastewater collection, transmission, treatment, and disposal facilities.

The East Gate site is currently located within a Sussex County Johnson Corner Sanitary Sewer District. Contributions to the existing sanitary sewer infrastructure were made by the existing property owners based upon the previous development application for the site. The on-site gravity sewer system will connect directly to the existing County facilities located along Zion Church Road in front of the project area. No on-site sanitary sewer pump stations are anticipated to be required at this time.

9. Prevention of pollution of surface and groundwater.

Stormwater facilities will be designed according to DNREC and SCD standards and regulations; as such, they will be designed to reduce impacts to surrounding natural water resources. Designs are anticipated to include the use of natural looking and functioning features like bio-swales, bio-retention, infiltration facilities, created wetlands, and/or extended detention wet pond facilities to allow the stormwater to receive pollutant removal prior to infiltration and/or discharge from the developed site.

The site will utilize centralized sanitary sewer systems in lieu of on-site septic systems. Wastewater will be conveyed to the existing Sussex County treatment facility and disposed of in accordance with current DNREC permit requirements. Therefore, the potential for surface and groundwater pollution from wastewater disposal is low.

10. Minimization of erosion and sedimentation, minimization of changes in groundwater levels, minimization of increased rates of runoff, minimization of potential for flooding and design of drainage so that the groundwater is maximized.

Erosion and sediment control plans will be developed in accordance with regulatory requirements. Careful planning and construction phasing will allow the contractor to minimize the area of disturbance at any given time in order to limit the potential for sediment issues on-site.

On-site stormwater facilities will be designed to filter and infiltrate or slowly release stormwater runoff to mimic existing conditions in order to not exacerbate downstream flooding issues. Infiltration and/or slow release facilities will be employed in accordance with DNREC guidelines will help mimic recharge/discharge from the developed site for the Resource Protection Event Volume (RPv). On site management for the Conveyance (Cv) and Flood (Fv) events will be provided in to meet State and SCD requirements.

11. Provision for safe vehicular and pedestrian movement within the site and to adjacent roadways.

Construction plans for the proposed site entrance and any off-site road improvements will be designed in accordance with DeIDOT regulatory requirements. Easement areas have been provided along the Zion Church Road frontage for the installation of a shared use path in accordance with DeIDOT's typical requirements. Final plans will be submitted to DeIDOT for review and approval prior to construction.

Construction plans for the interior private roads will be developed in accordance with the requirements of the Sussex County Code and Sussex County Engineering. In addition to the sidewalks to be provided on both sides of all internal streets. Street lighting will also be provided along all private roads to promote safety within the development.

Additionally, all private roads and community parking lot areas will be designed in accordance with Fire Marshal requirements to ensure adequate lane widths, emergency access, and any additional safety features for fire / rescue vehicular movement.

12. Effect on area property values.

The East Gate project proposes a community comprised of market-rate single-family detached dwelling units. This development configuration is consistent with the development options permitted within the underlying GR zoning and the Sussex County Codes. This single-family project and lot size are generally consistent with the existing Fox Haven project located immediately to the east, and the previously approved Sweetbay project located on the north side of Zion Church Road. Perimeter buffering areas will be utilized to reduce direct visual impact on neighboring parcels.

The project is proposed to modify the configuration / alignment of the Batson Branch, Prong 1 and Sub 2, Prong 1 ax Ditches. These modifications will improve drainage for the upstream properties, and provide SWM in a currently unregulated area. As a result, these improvements should have a positive impact on both the upstream, and downstream properties.

13. Preservation and conservation of farmland.

The subject parcel is located entirely within the Coastal Area designated growth zone as shown in the Sussex County Zoning Map and Comprehensive Development Plan. Utilization of the Coastal Area Cluster Option as shown by the East Gate Preliminary Plan will allow for the efficient utilization of land within the targeted growth areas, in an area already serviced by public water and sewer infrastructure, and reduce the development of agricultural areas outside of the growth areas.

14. Effect on schools, public buildings and community facilities.

The East Gate site is located within the Indian River School District (IRSD). Based on similar projects within the area, an estimate of one student per 6 dwelling units may be anticipated as a result of this project. The proposed 88 units would therefore result in an increase of approximately 15 students being introduced to the IRSD. It is anticipated that the children of East Gate would attend Showell Elementary School, Selbyville Middle School, and Indian River High School based on current distribution patterns within the district. Coordination with the school district will occur throughout the plan approval process to determine necessary school bus stop location(s) to serve the residents of East Gate.

It is anticipated that additional local property taxes and the state contribution from income tax receipts will continue to support the school system to offset the impacts created by the additional student demand associated with this project.

15. Effect on area roadways and public transportation.

Based on the proposed 88 single-family homes, an estimated 924 average daily trips will be added to the existing road network surrounding the East Gate site. A Traffic Impact Study (TIS) was recently prepared for the Twin Cedars project on a nearby site along Zion Church Road to assess the current traffic in the area. In lieu of preparing a stand-alone TIS for the East Gate project, the developer will participate in the Area Wide Study (AWS) program. It is our understanding that DeIDOT is currently evaluating the transportation needs within this area as part of the Southeast Sussex Circulator Study. It is anticipated that the developer will construct one site entrance to the project from Zion Church Road and make improvements to Zion Church Road along the project frontage in accordance with current DeIDOT standards. Additionally, it is anticipated that the developer will participate in signal agreements associated with improvements to the nearby intersection of Zion Church Road (Route 20) and Bayard Road / Johnson Road, through an equitable share contribution.

Through the DeIDOT review and approval process related to the Site Entrance Plans and the Record Plats, the needs for contributions to existing DeIDOT

projects and/or construction of off-site road improvements to the existing infrastructure (roadways, intersections, etc.) and public transportation (i.e. bus stops) will be finalized.

16. Compatibility with other area land uses.

The surrounding properties are comprised of a mixture of GR, C-1, C-2, CR-1, AR-1, AR-2, and MR Zoning classifications. The East Gate residential project has been designed as a GR Coastal Area Cluster residential subdivision under the provisions allocated by the Sussex County Zoning Code. The proposed single-family residential subdivision is consistent with the existing and recently approved projects on the neighboring parcels as noted above. The overall project density proposed is consistent with the requirements of the existing GR zoning.

17. Effect on area waterways.

Erosion and sediment control measures will be implemented during construction in accordance with DNREC requirements to minimize impact to surrounding waterways during the construction process. It is anticipated that permanent stormwater management facilities will rely primarily upon the implementation of extended detention wet ponds to achieve stormwater management and water quality compliance for the developed site. The design of all stormwater management facilities will be in compliance with the requirements of Sussex Conservation District and DNREC. All stormwater runoff will be managed in accordance with requirements of the current Delaware Sediment and Stormwater Regulations.

Appendix 2 – Environmental Assessment and Public Utility Evaluation

115-194.3 Compliance



ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS

Environmental Assessment & Public Facilities Evaluation

Sussex County Code Chapter 115-194.3 Compliance

for

East Gate

Baltimore Hundred
Sussex County, Delaware

Prepared By:
Morris & Ritchie Associates, Inc.
18 Boulden Circle, Suite 36
New Castle, DE 19720
Phone: (302) 326-2200
Attn: Christopher J. Flathers, P.E.

January 2022

E N V I R O N M E N T A L
A S S E S S M E N T & P U B L I C
F A C I L I T I E S E V A L U A T I O N

It is the intent of this submittal to demonstrate how the proposed East Gate complies with the regulatory requirements and follows the County growth objectives with regard to the Sussex County Code and Ordinances.

Located within the GR Zoning District, the proposed residential Coastal Area Cluster community will be comprised of 88 single-family detached dwelling units. Based upon an overall site area of 36.71± acres, the resulting gross density of the proposed project will be 2.40 dwelling units per acre. The project is located entirely within the designated Coastal Area growth zone as shown by the 2018 Sussex County Comprehensive Plan.

All infrastructure for the development (both on-site and off-site), will be designed and constructed at the developer's expense. The infrastructure will include roads, sidewalks, lighting within the project, off-site road improvements along road frontage, stormwater management, on-site sewer collection and transmission, on-site water distribution, and on-site community recreation facilities.

The East Gate community will be served by both centralized public water and sanitary sewer systems. The project is located within the existing CPCN service area of Artesian Water Company, Inc. (AWC). Water service for the community will be provided through connection to the existing AWC main located along the site frontage on Zion Church Road. All water distribution will be designed to requirements of the State Fire Marshal's Office and the Office of Drinking Water, and constructed in accordance with AWC standards. The project is located within the Sussex County Johnsons Corner Sanitary Sewer District. Public sewer service for the community will be provided by Sussex County through direct connection of the on-site gravity system to the existing County infrastructure located along the site frontage on Zion church Road. All sanitary sewer systems will be designed in accordance with State and County requirements and constructed in accordance with Sussex County standards.

The East Gate subdivision will be developed as community of market rate single-family dwelling units. A centrally located community active recreation area will be provided for the use and benefit of the community residents.

The information below is provided to address the requirements of Chapter 115-194.3.B(2) of the Sussex County Code:

- a) *Proposed drainage design and the effect on stormwater quality and quantity leaving the site, including methods for reducing the amount of phosphorous and nitrogen in the stormwater runoff and the control of any other pollutants such as petroleum hydrocarbons or metals.*

The grading of the developed site will attempt to maintain the drainage patterns of the pre-developed condition. Runoff from the developed site will be conveyed to

on-site stormwater management (SWM) facilities through a combination of surficial sheet flow, open channel, and closed pipes.

The permanent on-site SWM facilities will be designed in accordance with Delaware Department of Natural Resources and Environmental Control (DNREC) and Sussex Conservation District (SCD) standards to minimize potential impacts to the receiving watershed. Due to shallow groundwater conditions limiting the potential for infiltration based SWM practices, it is anticipated that the site will rely primarily upon extended detention wet pond facilities to achieve SWM compliance for the site. These facilities will address peak rate management and pollutant loading to the receiving watershed through a combination of slow release, sedimentation, and nutrient uptake. All SWM facilities will be designed in accordance with DNREC standards to achieve pollutant reduction requirements.

Erosion and sediment control measures will be implemented during the construction phase in accordance with DNREC requirements to minimize impact of sediment-laden runoff discharging to the watershed.

- b) *Proposed method of providing potable and, where appropriate, irrigation water and the effect on public or private water systems and groundwater, including an estimate of average and peak demands.*

The East Gate project is located within the CPCN service area assigned to Artesian Water Company, Inc. (AWC). The project will utilize public water supply to provide potable water and fire protection throughout the community. It is anticipated that the on-site distribution system will connect to the existing AWC water main located along the property frontage on Zion Church Road. No large scale irrigation is anticipated as a result of this project. AWC has issued a "Willing & Able" letter indicating ability to serve the proposed project in accordance with State standards.

Plans will be developed in accordance with AWC and Sussex County standards. These plans will be submitted concurrently to both Sussex County and the State Department of Health and Human Services in order to obtain an Approval to Construct and an Approval to Operate with regard to all of the proposed water facilities.

The 88 single-family homes and community center proposed by this project are anticipated to result in an average daily water demand of 27,000 gallons, with a corresponding peak demand of 40,500 gallons per day. With no on-site wells proposed by this project, there is no anticipated direct impact to the groundwater at the site location due to the proposed water use.

- c) *Proposed means of wastewater treatment and disposal with an analysis of the effect on the quality of groundwater and surface waters, including alternative locations for on-site septic systems.*

The East Gate project will utilize a public sewer system to serve the residents of the community; the site area located within Sussex County's Johnson Corner Sanitary Sewer District (SSD). Contributions to the sanitary sewer infrastructure

were made by the owners of the project parcels as part of a previous proposal for the project area. The proposed on-site gravity sewer system will connect directly to the existing County gravity sewer system located along the property frontage on Zion Church Road. No sanitary sewer pump station is anticipated to be required to serve the East Gate project. No on-site septic systems are proposed by the project; there are no anticipated impacts to the quality of groundwater or surface waters at the East Gate site as a result of the proposed sanitary sewer systems to serve this community.

Plans will be developed in accordance with Sussex County standards and submitted concurrently to both Sussex County Engineering and the Delaware Department of Natural Resources for ultimate approval of the plans and construction.

d) Analysis of the increase in traffic and the effect on the surrounding roadway system.

As part of the application process for this project, a Service Level Evaluation was performed by DeIDOT in December 2020. Based on this evaluation site qualifies to participate in Area Wide Study (AWS) Fee program in lieu of performing a stand-alone Traffic Impact Study (TIS). As noted in the PLUS review letter, DeIDOT is currently developing the Southeast Sussex Circulator Study to assess the transportation needs throughout the area of the East Gate project. Contributions to the AWS will support this study. .

Based on the proposed single-family dwellings to be constructed at full build-out of the East Gate project, an estimated 924 average daily trips will be added to the existing road network surrounding the project site area. In order to address the impacts of these additional trips on the surrounding road network, it is anticipated that the developer will make the following improvements in accordance with the TIS approval:

- Construct a full-movement access for the site onto Zion Church Road (Route 20)
- Complete roadway improvements to Zion Church Road to bring the roadway up to current DeIDOT standards for the length of the project frontage.
- Contribute equitable share for installation of traffic signal at Route 20 and Bayard Road / Johnson Road.
- Construct bike lanes as part of Route 20 / site entrance improvements.
- Provide easement area for the future construction of a shared use path along site frontage.

e) The presence of any endangered or threatened species listed on federal or state registers and proposed habitat protection areas.

No federally protected endangered or threatened species are known to exist on site. No protected critical habitat areas are known to exist on the site for federally threatened or endangered species based upon review of the US Fish & Wildlife Services Critical Habitat mapping tool.

(<https://fws.maps.arcgis.com/home/webmap/viewer.html?webmap=9d8de5e265ad4fe09893cf75b8dbfb77>)

No state protected endangered or threatened species, as defined by Title 7 §16.2.3 of the Delaware Administrative Code are known to exist within the site boundary.

- f) *The preservation and protection from loss of any tidal or non-tidal wetlands on the site.*

A Wetlands Delineation Plan was prepared by Geo-Technology Associates, Inc. (GTA) for the project site in December 2020. Based upon this investigation, it was determined that no jurisdictional wetlands or “Waters of the U.S” were identified within the limits of the subject project area in the professional opinion of GTA. A Jurisdictional Determination was issued by the U.S. Army Corps of Engineers, confirming the GTA delineation that no federally regulated wetlands are located within the project area. Additionally, no State regulated wetlands, including tidal-wetlands, are located within the project. Based upon this information, no impact to regulated wetlands are anticipated as a result of this project.

Disturbances to portions of the Batson Branch, Prong 1 and Sub 2, Prong 1 Tax Ditches that crosses the front portion of the site are anticipated as the alignment of this feature is proposed to be modified by this project. These impacts will be performed under the permit requirements of the DNREC Subaqueous Lands Section and coordinated with the Tax Ditch managers.

- g) *Provisions for open space as defined in § 115-4.*

The implementation of Coastal Area Cluster Design option in the creation of the proposed East Gate layout is anticipated to result in more than 14 acres (39% of project area) to be utilized for passive and active open space purposes. Open space area has been distributed throughout the entirety of the community such that each residential lot will have a direct connection to open space area. Non-wooded areas of the perimeter buffers the open space will be enhanced through the planting of native plant materials. A centralized community amenity area will be provided for the enjoyment and active recreation of the community residents.

- h) *A description of provisions for public and private infrastructure.*

Public infrastructure will be utilized to provide sanitary sewer and water service for the proposed community, as noted above. The site entrance at Zion Church Road and associated improvements along the project frontage will be constructed in accordance with current DelDOT standards; the associated right-of-way frontage will be dedicated to public use for future maintenance by DelDOT. The internal community streets and associated storm drainage will be private infrastructure

designed in accordance with current Sussex County standards, and will be owned and maintained by the East Gate Homeowners Association (EGHOA).

Public water will be provided by AWC; all water mains will be designed and constructed in accordance with AWC and Sussex County standards as applicable. AWC will operate and maintain the water facilities throughout the community.

Public sanitary sewer will be provided by Sussex County; all sewers will be designed and constructed in accordance with Sussex County standards. Sussex County will operate and maintain the sewer facilities throughout the community.

The on-site stormwater management facilities will be designed and constructed in accordance with DRNEC and SCD standards as applicable. The EGHOA will be responsible for the long-term maintenance and operation of all on-site SWM facilities.

i) Economic, recreational or other benefits.

The architecture, housing styles, and proposed construction practices that are anticipated to be used for the single-family dwelling units proposed within the East Gate community will likely mirror those practices employed at the nearby communities like Batson Creek Estates and Fox Haven

The East Gate community will incorporate a central amenity feature that will provide an active recreation component for use by the community residents.

The subject parcel is located entirely within the Coastal Area growth zone as shown in the Sussex County Zoning Map and Comprehensive Development Plan. Utilization of a cluster type development developed under the County Zoning Code will allow for the efficient utilization of land within the targeted growth areas, and reduce the development of agricultural areas outside of the growth area.

j) The presence of any historic or cultural resources that are listed on the National Register of Historic Places.

There are no known archaeological sites or known National register listed or eligible properties within the boundaries of the East Gate project. As noted in the PLUS comments from the State Historic Preservation Office (SHPO) review, "prehistoric archaeological potential is low" and "historic archaeological potential is low" for the project site area.

k) An affirmation that the proposed application and proposed mitigation measures are in conformance with the current Sussex County Comprehensive Plan.

The entirety of the East Gate site is located within the Coastal Area as shown on the current Sussex County Comprehensive Plan. The site has ready access to public utilities as noted above. Utilizing the cluster design approach afforded by the County Code for parcels located within the Coastal Area will allow for efficient use of the project site.

- l) Actions to be taken by the applicant to mitigate the detrimental impacts identified relevant to Subsection B(2)(a) through (k) above and the manner by which they are consistent with the Comprehensive Plan.*

The East Gate project, from site selection to site layout, has resulted in a proposed project that will have minimal detrimental impact on the natural resources of the County, and the area surrounding the project site. The East Gate site design aligns with the goals of the Sussex County Comprehensive Plan:

The East Gate site is located within the Coastal Area growth zone; this is consistent with the County's strategy to "prioritize new development in designated Growth Areas to better preserve other areas".

The East Gate project is located within Johnson Corner Sanitary Sewer District (SSD) and within the Artesian Water Company, Inc. CPCN area. With direct access to existing public sewer and water mains located along the Zion Church Road frontage, the site is anticipated to have adequate access to public utilities. This is consistent with the County's objective for "planning that considers the efficient location of public services and infrastructure."

Based on the proposed 88 single-family homes, an estimated 924 average daily trips will be added to the existing road network surrounding the East Gate site. To evaluate the impacts of these additional vehicle trips, a Service Level Evaluation was performed by DeIDOT. Based on this study, DeIDOT noted the project would qualify to participate in the Area Wide Study Fee (AWS) program for the evaluation of traffic impacts throughout the East Gate area. Based upon recommendations for recent DeIDOT TIS approvals for other nearby projects, it is anticipated that the developer will participate in a signal agreement for the future construction of a traffic signal at the intersection of Zion Church Road (Route 20) and Bayard Road / Johnson Road, through an equitable share contribution. Through these proposed improvements, and commitments to financial contributions to the offsite intersection upgrades, traffic impacts as a result of the propose East Gate project will be mitigated in the vicinity of the East Gate site. This approach is consistent with the County's strategy for the coordination with "DeIDOT on road improvements and other transportation projects."

The East Gate site does not contain any regulated wetland areas, as noted above. On-site stormwater management facilities will be provided to mitigate the runoff from the developed site on the adjacent properties and downstream areas. The entirety of the site is located outside of a delineated FEMA floodplain; therefore, no direct impact to the floodplain is anticipated as a result of the proposed development on site.

The East Gate project is located along Zion Church Road, where continued residential development has continued to develop within the designated Coastal Area growth zone. The East Gate site is located to the southeast of the Twin Cedars and Hampden Park subdivisions, and immediately northwest of the Fox Haven residential community. Addition residential development projects are anticipated to occur on the north side of Zion Church Road as well. The East Gate residential project has been designed as a Coastal Area Cluster under the

provisions allocated by the Sussex County Zoning Code. The proposed single-family lots should blend in well with the surrounding land uses surrounding the project site as the area is generally dominated by residential uses. The surrounding properties are comprised of a mixture of GR, C-1, C-2, CR-1, AR-1, AR-2, and MR Zoning classifications. The cluster configuration and proposed lot sizes within the single family portion of the site are similar in nature to the recently constructed Batson Creek Estates and Fox Haven communities.

The East Gate project is proposing the implementation of a 20'-wide forested / vegetated buffer surrounding the outer boundary of the project area bordering the neighboring residential properties in accordance with the County Code requirements. These buffer areas will be enhanced through the use of native plant materials in order to "minimize the adverse impacts of development on existing development."

The implementation of Coastal Area Cluster development option under the County Code ordinance will allow for the efficient use of the East Gate site, while also providing for increased open space areas within the community. The project area is currently zoned for residential use and has been identified by the County for development under the Coastal Area designation. The efficient utilization of this site will allow for the concentration of development within one of the growth areas, and allow for the preservation of the rural areas of the County to support the "importance of the agricultural land base of the County".

Although the East Gate site does not front directly upon the inlays, the project is located within the Dirickson-Little / Inland Bays watershed. Throughout the construction phase of the project, temporary erosion control measures will be utilized to minimize the discharge of sediment laden water off-site. In the final configuration of the site structural and no-structural SWM BMPs will be utilized to reduce the direct discharge of polluted runoff to the watershed. The East Gate project will utilize the connection to the County public sewer system, eliminating the potential need for on-site septic systems. These practices will support the County's goal to "recognize the importance of the Inland Bays."

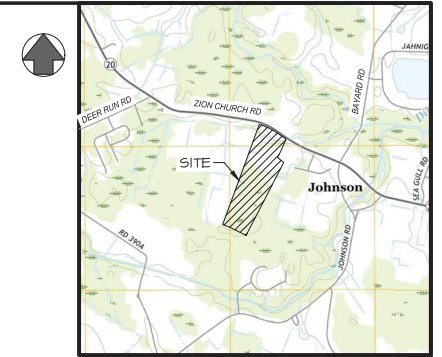
Appendix 3 – Preliminary Plan

EAST GATE

SUSSEX COUNTY, DELAWARE PRELIMINARY PLANS SUSSEX COUNTY PLANNING # 2021-19 GR - COASTAL AREA CLUSTER

LEGEND

	EXISTING PROPERTY LINE
	PROPOSED R/W LINE
	PROPOSED LOT LINE
	PROPOSED BUILDING SETBACK LINE
	EXISTING CONTOURS
	PROPOSED CONTOURS
	PROPOSED LOT NUMBER
	EXISTING WOODLANDS LINE
	WOODLAND PRESERVATION LINE



VICINITY MAP

SCALE: 1" = 2000'

DEVELOPER'S CERTIFICATION

I, UNDERSIGNED, AS DEVELOPER OF THE PROPERTY SHOWN, HEREBY APPROVE THESE PLANS FOR DEVELOPMENT AS SHOWN OR OTHERWISE NOTED.

McKEE BUILDERS, LLC
440 WEST SPROUL ROAD, SUITE 301
SPRINGFIELD, PA 19064

OWNER'S CERTIFICATION

I, UNDERSIGNED, AS OWNER OF THE PROPERTY SHOWN, HEREBY APPROVE THESE PLANS FOR DEVELOPMENT AS SHOWN OR OTHERWISE NOTED.

ROXANA PREFERRED PROPERTIES, LLC DATE
1601 MILLTOWN ROAD, SUITE 17
WILMINGTON, DE 19806

PMP ASSOCIATES, LLC DATE
1601 MILLTOWN ROAD, SUITE 14
WILMINGTON, DE 19806

WETLANDS STATEMENT

GEO-TECHNOLOGY ASSOCIATES, INC. (GTA) HAS CONDUCTED A FIELD REVIEW WITHIN THE BOUNDARIES OF THIS PLAT TO EVALUATE THE PRESENCE OR ABSENCE OF POTENTIAL STATE AND FEDERAL JURISDICTIONAL WETLANDS FOR THE PURPOSES OF DELAWARE WETLAND AND SUBAQUEOUS LAND REGULATIONS AND SECTION 404 OF THE CLEAN WATER ACT. GTA'S REVIEW WAS CONDUCTED IN GENERAL ACCORDANCE WITH THE TECHNIQUES AND CRITERIA PROVIDED IN THE 1987 CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL AND THE REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL, ATLANTIC AND GULF COASTAL PLAN REGION (VERSION 2.0), DATED NOVEMBER 2010. THE LIMITS OF THE WETLANDS WERE EVALUATED IN THE FIELD BY GTA PERSONNEL USING BEST PROFESSIONAL JUDGEMENT. NO WETLANDS OR WATERWAYS WERE OBSERVED WITHIN THE BOUNDARIES OF THIS PLAT. NO STATE OR FEDERAL JURISDICTIONAL APPROVAL HAS OBTAINED FOR THIS PROPERTY.

ANDY STANSFIELD DATE
GEO-TECHNOLOGY ASSOCIATES, INC.

ENGINEER'S CERTIFICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF DELAWARE AND THAT THE PLAN SHOWN AND DESCRIBED HEREON, IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY ACCEPTED STANDARDS AND PRACTICES AND BY THE SUSSEX COUNTY SUBDIVISION AND LAND DEVELOPMENT REGULATIONS TO THE EXTENT THAT IT DESCRIBES THE PROPOSED MANNER AND LAYOUT OF THE SUBDIVISION.

PHILLIP L. TOLLIVER, P.E. DATE
DE LICENSE NO. #12464

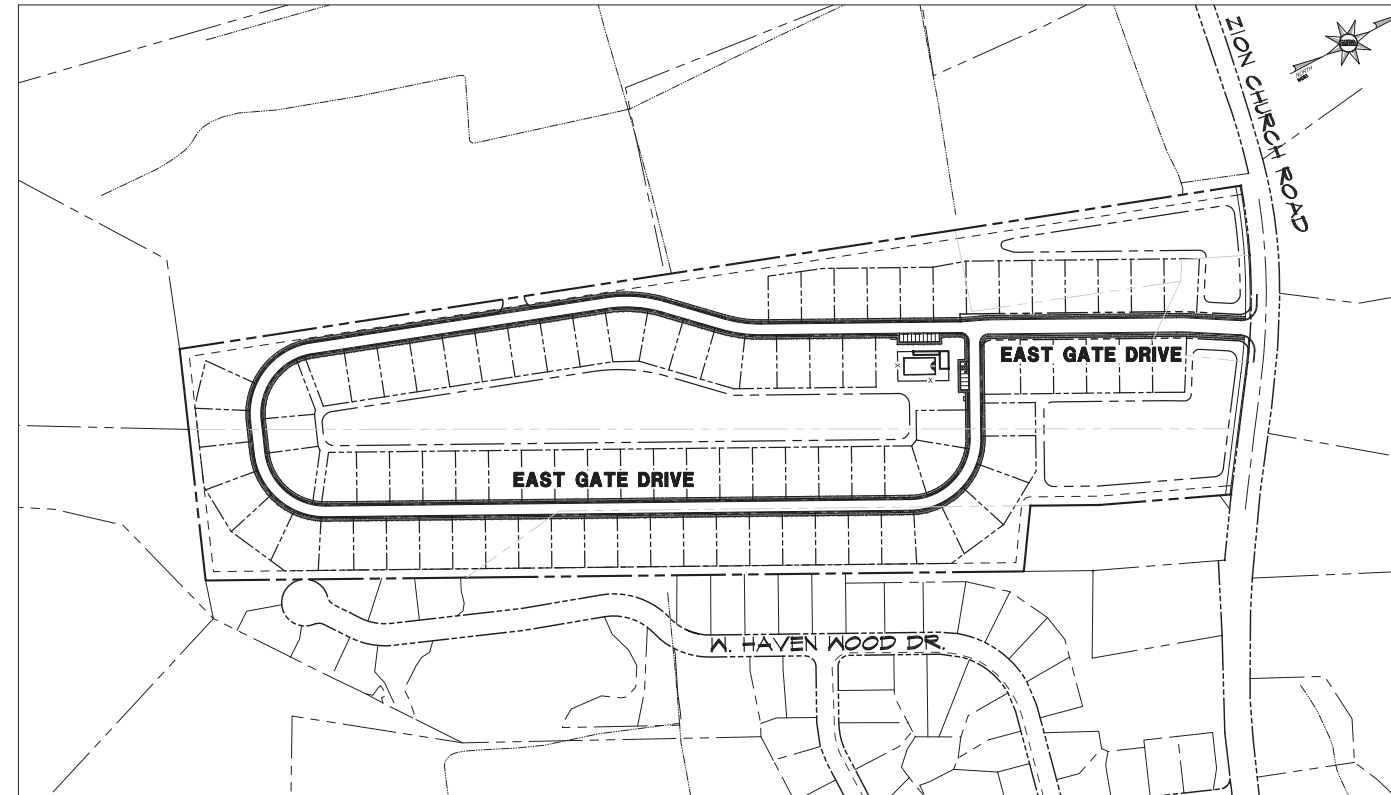
PLAN APPROVALS

SUSSEX COUNTY ENGINEERING DEPARTMENT
2 THE CIRCLE
GEORGETOWN, DE 19447

APPROVED DATE

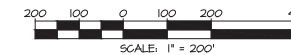
APPROVED BY: CHAIRMAN OR SECRETARY DATE
SUSSEX COUNTY PLANNING AND ZONING COMMISSION

APPROVED BY: PRESIDENT DATE
SUSSEX COUNTY PLANNING



SITE OVERVIEW

SCALE: 1" = 200'



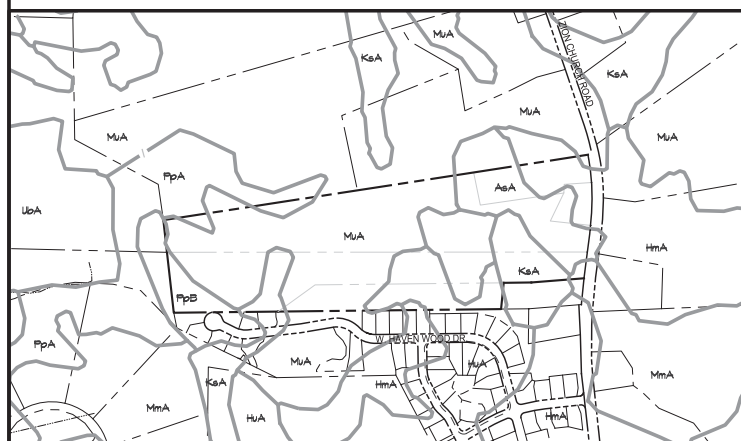
SCALE: 1" = 200'

PROJECT TEAM

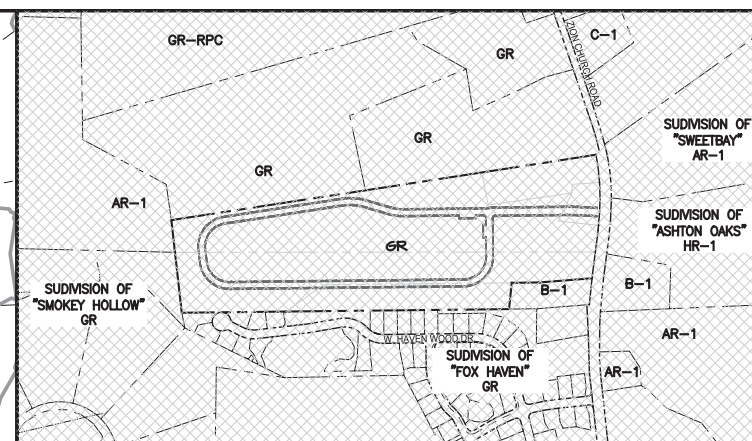
DEVELOPER:	McKEE BUILDERS, LLC 440 WEST SPROUL ROAD, SUITE 301 SPRINGFIELD, PA 19064 ATTN: MR. MARK MCGONIGAL
LAND PLANNERS, CIVIL ENGINEER:	MORRIS & RITCHE ASSOCIATES, INC. 18 BOULDEN CIRCLE, SUITE 36 NEW CASTLE, DE 19720 ATTN: MR. PHILLIP L. TOLLIVER, P.E.
SURVEYOR:	MORRIS & RITCHE ASSOCIATES, INC. 8 WEST MARKET STREET GEORGETOWN, DE 19447 ATTN: MR. GARY FOKERS
ENVIRONMENTAL CONSULTANT:	GEO-TECHNOLOGY ASSOCIATES, INC. 3445 BOX HILL CORPORATE CENTER DRIVE, SUITE A ABINGDON, MD 21004 ATTN: MR. ANDY STANSFIELD
GEOTECHNICAL ENGINEER:	GEO-TECHNOLOGY ASSOCIATES, INC. 2193 STERLING AVENUE, SUITE 7 GEORGETOWN, DE 19447 ATTN: MR. GREG SAUTER
TRAFFIC CONSULTANT:	THE TRAFFIC GROUP 4800 FRANKLIN SQUARE DR. - SUITE H BALTIMORE, MD 21236 ATTN: MR. JOE CALOGGERO, P.E.
ATTORNEY:	FUGIA, WILLARD, STEVENS & SCHAB, P.A. 20245 BAY VISTA ROAD #203 REHOBOTH BEACH, DE 19871 MR. JAMES A. FUGIA, JR.

INDEX OF DRAWINGS

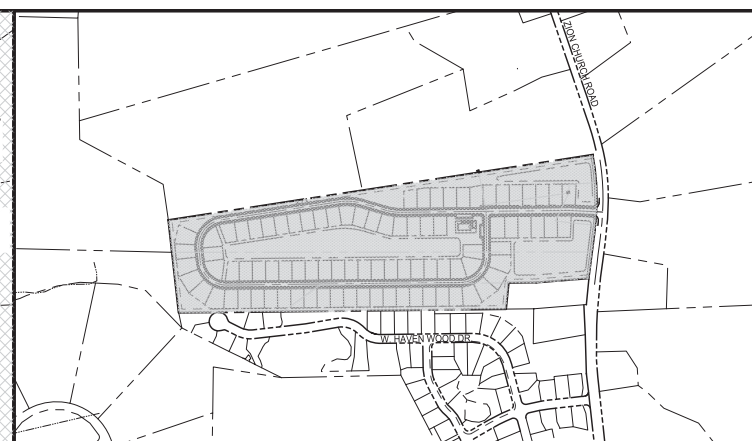
- 1 - PRELIMINARY TITLE SHEET
- 2 - PRELIMINARY GENERAL NOTES & DETAILS
- 3 - OVERALL PRELIMINARY PLAN
- 4 - PRELIMINARY PLAN
- 5 - PRELIMINARY PLAN
- 6 - PRELIMINARY PLAN



SOILS MAP
SCALE: 1" = 500'



ZONING MAP
SCALE: 1" = 500'



PHASING MAP
SCALE: 1" = 500'

		MORRIS & RITCHE ASSOCIATES, INC. ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS 18 BOULDEN CIRCLE, SUITE 36 NEW CASTLE, DELAWARE 19720 (302) 326-2200 FAX: (302) 326-2399 WWW.MRAGTA.COM © 2022 MORRIS & RITCHE ASSOCIATES, INC.	
		PRELIMINARY PLAN TITLE SHEET FOR EAST GATE	
ENGINEER'S SEAL	BALTIMORE HUNDRED	SUSSEX COUNTY, DELAWARE	
DATE	REVISIONS	JOB NO.: 21179	
01/10/22	REV. PER TAC / P&Z COMMENTS	SCALE: AS NOTED	
		DATE: 06/09/21	
		DRAWN BY: CJF	
		DESIGN BY: CJF	
		REVIEW BY: PLT	
		SHEET: 1 OF 6	

CONSTRUCTION NOTES

- CONTRACTOR SHALL NOTIFY "MISS UTILITY" AT (1-800-282-8555) AT LEAST (3) WORKING DAYS PRIOR TO EXCAVATION, TO HAVE EXISTING UNDERGROUND UTILITIES LOCATED AND MARKED.
- ALL MATERIALS & WORKMANSHIP SHALL MEET THE STATE OF DELAWARE STANDARDS & SPECIFICATIONS.
- ALL MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS, AND PROJECT SPECIFICATIONS.
- THE CONTRACTOR SHALL NOTIFY THE FOLLOWING TWO WEEKS PRIOR TO THE START OF CONSTRUCTION AND SHALL APPRISE AND COORDINATE DURING ALL PHASES OF CONSTRUCTION:
 - BAY DEVELOPERS, LLC 302-736-0424
 - SUSSEX COUNTY ENGINEERING DEPARTMENT 302-855-7110
 - ARTESIAN WATER COMPANY 302-453-6711
 - SUSSEX COUNTY ENGINEERING DISTRICT 302-856-2105
 - DELMARVA POWER 604-750-4100
 - VERIZON 302-422-1464
 - DELAWARE ELECTRIC COOP CO. 302-344-5081
 - DNREC 302-856-5400
- CONTRACTOR SHALL DETERMINE THE LOCATION OF ALL RIGHT-OF-WAY LINES AND PROPERTY LINES TO HIS OWN SATISFACTION. ALL PROPOSED UTILITIES ARE TO BE CONSTRUCTED WITHIN THE ROADWAY OR EASEMENT RIGHT-OF-WAY. DISTURBED AREAS BEYOND THE EASEMENT LINES SHALL BE RESTORED IMMEDIATELY TO THEIR ORIGINAL CONDITION.
- INFORMATION SHOWN HEREON IS BASED UPON GIS DATA OBTAINED THROUGH THE STATE OF DELAWARE GIS WEBSITE (FIRSTMAP-DELAWARE.OPERDATA.ARCGIS.COM) AND DOES NOT REPRESENT FIELD RUN TOPOGRAPHIC OR BOUNDARY SURVEY. SITE LAYOUT IS SUBJECT TO REVISION PENDING FIELD SURVEY.
- EXISTING UNDERGROUND UTILITIES SHOWN ON THE PLANS ARE BASED UPON THE BEST AVAILABLE INFORMATION AND ARE SHOWN FOR THE CONVENIENCE OF THE CONTRACTOR ONLY. NO GUARANTEE IS MADE OR IMPLIED REGARDING THE ACCURACY OR COMPLETENESS THEREOF. CONTRACTOR IS RESPONSIBLE FOR THE VERIFICATION OF DEPTH, SIZE AND MATERIAL OF ALL UNDERGROUND UTILITIES TO HIS OWN SATISFACTION BEFORE BEGINNING ANY EXCAVATION OR UTILITY INSTALLATION. THE OWNER AND ENGINEER DISCLAIM ANY RESPONSIBILITY FOR THE ACCURACY OR COMPLETENESS OF SAID INFORMATION. IF THE CONTRACTOR RELIES ON SAID INFORMATION, HE DOES SO AT HIS OWN RISK. THE GIVING OF THE INFORMATION ON THE PLANS WILL NOT RELIEVE THE CONTRACTOR OF HIS OBLIGATIONS TO SUPPORT AND PROTECT ALL SHOWN OR NOT SHOWN EXISTING UTILITIES AND SHOULD ANY EXISTING UTILITIES BE DAMAGED BY THE CONTRACTOR, THE CONTRACTOR SHALL REPAIR THE DAMAGE CAUSED TO THE UTILITY OWNER'S SATISFACTION, AT THE CONTRACTOR'S EXPENSE.
- DRAWINGS DO NOT INCLUDE THE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE PERFORMED IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970, AS AMENDED AND ALL RULES AND REGULATIONS THERETO APPURTENANT.
- CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTENANCE OF TRAFFIC IN ALL WORK AREAS.
- ROUGH GRADING SHALL BE COMPLETE PRIOR TO THE CONSTRUCTION OF WATER & SEWER SYSTEMS.
- USE ONLY SUITABLE AND APPROVED GRANULAR MATERIAL IN ACCORDANCE WITH SECTION 2091 OF THE TRANSPORTATION DIVISION OF HIGHWAYS STANDARD SPECIFICATIONS AND REFERENCED BY SUSSEX COUNTY ORDINANCE 30 SECTION 5-05 EXCAVATION AND BACKFILL FOR PIPE TRENCH SUBSECTION B MATERIALS
- CONTRACTOR SHALL ADJUST TO FINISH GRADE AS NECESSARY ANY VALVE BOXES, MANHOLES, CATCH BASINS ETC., PRIOR TO PLACING PAVING.
- CONTRACTOR SHALL PROVIDE STAKEOUT NECESSARY FOR THE INSTALLATION OF UTILITIES, STORMDRAINS, PAVING AND ALL OTHER SITE WORK INCLUDED IN THESE PLANS. ALL STAKEOUT WORK TO BE PERFORMED UNDER THE DIRECT SUPERVISION OF A PROFESSIONAL LAND SURVEYOR, REGISTERED IN THE STATE OF DELAWARE.
- CONTRACTOR TO MAINTAIN MINIMUM OF 3.0 FEET OF COVER OVER ALL NEW WATER LINES AS MEASURED FROM TOP OF PIPE TO FINISHED GRADE, UNLESS OTHERWISE NOTED.
- SEWER LINES SHALL HAVE MINIMUM VERTICAL CLEARANCE OF 18 INCHES FROM WATER MAINS AT CROSSINGS, MAINTAIN A 10 FOOT MINIMUM PLAIN SEPARATION BETWEEN SEWER AND WATER MAINS. SEWER LINES SHALL HAVE A MINIMUM VERTICAL CLEARANCE OF 12 INCHES FROM OTHER UTILITIES. IF THESE CLEARANCES CANNOT BE MAINTAINED, THEN PROVISIONS FOR PROPERLY ENCASED THE PIPE IN CONCRETE MUST BE PROVIDED.
- LATERALS SHALL BE 6 INCHES IN DIAMETER, WITH VERTICAL CLEARANCES OF 6 INCHES IN DIAMETER, AND TO HAVE A MINIMUM OF 3' OF COVER FROM SUSSEX COUNTY CLEANOUT TO MAIN LINE.
- ALL GRAVITY SEWER PIPES SHALL BE PVC SDR 35, FOR PIPE SLOPES SEE FINAL CONSTRUCTION DRAWINGS FOR SANITARY SEWER PROFILES.
- MATERIAL OF CONSTRUCTION FOR SEWER FORCE MAINS SHALL BE AS NOTED ON THE FINAL CONSTRUCTION DRAWINGS. FORCE MAINS SHALL BE INSTALLED AS PROFILED TO PREVENT FORMATION OF UNANTICIPATED HIGH POINTS IN THE INSTALLATION.
- ALL SEWER LINES MUST BE SUCCESSFULLY TESTED ACCORDING TO SUSSEX COUNTY ORDINANCE 30, SECTION 5.01, 1-4, ON PAGE 513 THROUGH 516, ACCEPTANCE TESTING, PRIOR TO FINAL ACCEPTANCE.
- ALL SANITARY SEWER SYSTEM CONSTRUCTION PERFORMED SHALL BE IN ACCORDANCE WITH SUSSEX COUNTY ORDINANCE 30, THESE PLANS AND ALL APPLICABLE CONSTRUCTION PERMITS.
- ALL DROP MANHOLES TO BE 5'-0" IN DIAMETER.
- FITTINGS SHOWN ON THE PLANS ILLUSTRATE ANTICIPATED ANGLE OF DEFLECTION. THIS INFORMATION IS SHOWN FOR GENERAL INFORMATION AND IS NOT GUARANTEED. ACTUAL ANGLE MAY VARY DUE TO FIELD CONDITIONS. USE OF ADDITIONAL FITTINGS SHALL BE AUTHORIZED BY THE ENGINEER.
- THE CONTRACTOR SHALL ASSUME ALL RESPONSIBILITY FOR ANY DEVIATION FROM THESE PLANS UNLESS WRITTEN APPROVAL HAS BEEN PROVIDED BY THE ENGINEER.
- ALL DISTURBED AREAS IN THE STATED RIGHT OF WAY, BUT NOT IN THE PAVEMENT SECTION MUST BE TOPSOILED (6" MINIMUM), FERTILIZED, MULCHED, AND SEEDED.
- ALL PAVEMENT MARKINGS AND SIGNAGE SHALL BE PLACED IN ACCORDANCE WITH THE M.U.T.C.D. MANUAL, MOST CURRENT EDITION.
- ALL PROPOSED STORM DRAIN DESIGNATED AS "RCCP" IS TO BE REINFORCED CONCRETE CIRCULAR PIPE, MEETING AASHTO M-170 SPECIFICATIONS. SEE FINAL CONSTRUCTION PLAN & PROFILES FOR SPECIFIC PIPE CLASS.
- ALL LENGTHS OF SANITARY SEWER PIPE ARE MEASURED HORIZONTALLY FROM CENTER LINES OF INLETS, MANHOLES OR FITTINGS. ALL LENGTHS OF STORM DRAIN PIPE ARE MEASURED HORIZONTALLY FROM EDGE OF STRUCTURE TO EDGE OF STRUCTURE. ACTUAL TRUE LENGTHS OF PIPES ARE TO BE DETERMINED IN THE FIELD.
- WHERE SPECIFIED, HDPE STORM DRAIN PIPE SHALL BE ADS N-12 (SMOOTH INTERIOR) PIPE WITH ADS PRO-LINK WT (BELL/BELL COUPLER) FOR WATER TIGHT CONNECTIONS. REFER TO PLAN AND PROFILES FOR MATERIALS USED.
- ALL EMBEDMENT MATERIALS USED FOR BEDDING, HAUNCHING, AND INITIAL BACKFILL FOR HDPE PIPE SHALL CONFORM TO AASHTO SECTION 30 AND ASTM D-2521 AS PER MANUFACTURER INSTALLATION REQUIREMENTS. CONTRACTOR SHALL ENSURE THAT PROPER LINE AND GRADE IS ESTABLISHED WITHIN TRENCH BEDDING PRIOR TO PLACEMENT OF PIPE AND THAT PROPER MATERIALS ARE USED AND COMPACTION IS ACHIEVED DURING HAUNCHING AND INITIAL BACKFILL. A GEOTECHNICAL ENGINEER SHALL BE RETAINED TO VERIFY SUITABILITY OF MATERIALS USED AND PROPER COMPACTION. ANY DEVIATION IN LINE AND GRADE OR OBVIOUS JOINT SEPARATION SHALL BE CORRECTED PRIOR TO ESTABLISHMENT OF FINAL SUBGRADE AND PAVEMENT SURFACE. THE CONTRACTOR SHALL TAKE EVERY CARE TO ENSURE CORRECT PIPE INSTALLATION.
- UNLESS OTHERWISE SPECIFIED ALL ROADWAY INLETS SHALL HAVE A TYPE I INLET GRATE AND TYPE 5 TOP UNIT PER DELDOT STANDARDS, CURRENT REVISION.
- IT IS THE CONTRACTORS RESPONSIBILITY TO INSURE THAT PAVING IS INSTALLED TO THE ELEVATIONS SHOWN AND THAT NO PONDING OF WATER EXISTS AFTER PAVING IS COMPLETE.

SUSSEX COUNTY CONSTRUCTION NOTES:

- ROADWAY STAKEOUTS:
 - RIGHT-OF-WAY STAKES SHALL BE OFFSET A MINIMUM OF FIVE (5) FEET OUTSIDE THE RIGHT-OF-WAY.
 - STATION NUMBERS TO BE INDICATED ON EACH SIDE OF THE STAKE.
 - THE CENTERLINE ROADWAY CUT AND CUT-LINE SHALL BE LOCATED ON THE SIDE OF THE STAKE WHICH FACES THE CENTERLINE, ALSO A 'CL' DESIGNATION SHALL BE INCLUDED.
 - THE SHALE CUT AND CUT-LINE SHALL BE INDICATED ON THE OUTSIDE OF THE STAKE, WHILE ALSO CONTAINING A 'SM' DESIGNATION.
- THE CONTRACTOR SHALL PROVIDE TWO (2) WORKING DAYS NOTICE TO THE COUNTY INSPECTOR PRIOR TO PAVING. AT THIS TIME, THE INSPECTOR MAY REQUIRE THE CONTRACTOR COMPLETE RELATED OR UNRELATED WORK ITEMS BEFORE PAVING MAY BEGIN.
- SURFACE TREATMENT SHALL NOT BE APPLIED. (SURFACE TREATMENT NOT USED)
 - AFTER NOVEMBER 1 OR PRIOR TO APRIL 1, OR
 - WHEN THE TEMPERATURE IS BELOW 50° F, OR
 - ON ANY WET OR FROZEN SURFACE.
- HOT MIX SHALL NOT BE APPLIED:
 - WHEN THE TEMPERATURE IS BELOW 40° F, OR
 - ON ANY WET OR FROZEN SURFACE.
- FOR ALL WOODED AREAS, A SUFFICIENT AREA BEYOND THE RIGHT-OF-WAY SHALL BE CLEARED AND GRUBBED TO ALLOW PROPER GRADING OF THE ROADWAY SHALE BACKSLOPES.
- ALL DISTURBED AREAS MUST BE STABILIZED WITH 4 INCHES OF TOPSOIL, SEED, AND MULCH.

DELDOT RECORD PLAN NOTES:

- NO LANDSCAPING SHALL BE ALLOWED WITHIN DELDOT MAINTAINED R/W UNLESS THE PLANS ARE COMPLIANT WITH SECTION 3.7 OF THE DEVELOPMENT COORDINATION MANUAL (DCM).
- ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOT'S) CURRENT DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL.
- 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.
- 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 SHARED-USE PATH AND/OR SIDEWALK TERMINATION POLICY.
- SUBDIVISION STREETS CONSTRUCTED WITHIN THE LIMITS OF THE RIGHT-OF-WAY ARE PRIVATE AS SHOWN ON THIS PLAN AND ARE TO BE MAINTAINED BY THE DEVELOPER, HOMEOWNERS ASSOCIATION, OR BOTH. THE STATE OF DELAWARE ASSUMES NO MAINTENANCE RESPONSIBILITIES FOR THE FUTURE MAINTENANCE OF THESE STREETS.
- 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.
- ALL LOTS SHALL HAVE ACCESS ONLY FROM THE INTERNAL SUBDIVISION STREETS.
- DRIVEWAYS WILL NOT BE PERMITTED TO BE PLACED AT CATCH BASIN LOCATIONS.
- THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS IN ACCORDANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.
- 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 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.

PROJECT PHASING

PHASE I - 3 YEARS

TOTAL PROJECT BUILDOUT - 3 YEARS
ESTIMATED PROJECT COMPLETION DATE - JULY 2025

THE PROJECT IS BE APPROVED AS A SINGLE PHASE PROJECT, WITH TWO (2) OPERATIONAL BREAKS FOR PURPOSES OF BONDING, BENEFICIAL OCCUPANCY INSPECTION, RELEASE OF USE AND OCCUPANCY PERMITS.

GENERAL NOTES:

- SUBDIVISION STREETS ARE TO REMAIN PRIVATE AND ARE TO BE CONSTRUCTED IN ACCORDANCE WITH SUSSEX COUNTY REGULATIONS.
- MAINTENANCE OF THE STREET WITHIN THIS SUBDIVISION WILL BE THE RESPONSIBILITY OF THE OWNER/DEVELOPER AND/OR HOME OWNERS ASSOCIATION. THE STATE AND SUSSEX COUNTY ASSUMES NO RESPONSIBILITY FOR FUTURE MAINTENANCE OF THE STREETS.
- ACCESS TO ALL LOTS IS TO BE FROM SUBDIVISION STREETS OR DRIVE ACCESS LOOPS; NO LOTS SHALL BE GRANTED DIRECT ACCESS TO ZION CHURCH ROAD.
- MAINTENANCE OF THE STORM WATER MANAGEMENT AREAS WILL BE THE RESPONSIBILITY OF THE OWNER/DEVELOPER AND/OR HOMEOWNERS ASSOCIATION.
- THE PROPOSED ENTRANCES/EXITS ARE CONCEPTUAL ONLY AND ARE SUBJECT TO REVIEW AND APPROVAL BY THE DELAWARE DEPARTMENT OF TRANSPORTATION BEFORE A CONSTRUCTION PERMIT IS ISSUED.
- THIS PROPERTY IS LOCATED IN THE VICINITY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES ON WHICH NORMAL 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.
- MAINTENANCE OF ALL OPEN SPACE AREA AND ASSOCIATED LANDSCAPING, INCLUDING FORESTED / LANDSCAPE BUFFERS SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION.
- THIS PROJECT IS NOT LOCATED WITHIN ANY TRANSPORTATION IMPROVEMENT DISTRICT (TID).

SITE DATA

- PROJECT TITLE/NAME: EAST GATE
- TAX PARCELS: (1) 533-11.00-45.05, -45.06
(2) 533-11.00-45.07, -45.08
- OWNER INFORMATION: (1) ROXANA PREFERRED PROPERTIES, LLC
1601 MILLTOWN RD, SUITE 17
WILMINGTON, DE 19808
(2) PMP ASSOCIATES, LLC
1601 MILLTOWN RD, SUITE 19
WILMINGTON, DE 19808
- DEVELOPER: MCKEE HOMES, LLC
440 WEST SPRUCE ROAD, SUITE 301
SPRINGFIELD, PA 19064
ATTN: MR. MARK MCGONIGAL
- ZONING: EXISTING: GR
PROPOSED: GR
- DEVELOPMENT TYPE: COASTAL AREA CLUSTER
SINGLE FAMILY DETACHED
- BULK AREA STANDARDS (GR - COASTAL AREA CLUSTER)

MIN. FRONT YARD	30'
MIN. CORNER FRONT YARD	15'
MIN. SIDE YARD	10'
MIN. REAR YARD	10'
MIN. LOT WIDTH	75'
MIN. LOT AREA	7500 SF
- LAND USE: EXISTING USE: AGRICULTURAL
PROPOSED USE: RESIDENTIAL
- PROPOSED DWELLING UNITS: 88 SINGLE FAMILY LOTS
- DEVELOPMENT DENSITY COMPUTATIONS:

NET SITE AREA:	
TOTAL SITE AREA:	36.71 AC. ±
PROPOSED PUBLIC R/W:	0.00 AC. ±
PROPOSED PRIVATE R/W:	3.40 AC. ±
NET SITE AREA:	33.31 AC. ±
- ALLOWABLE DWELLING UNITS:

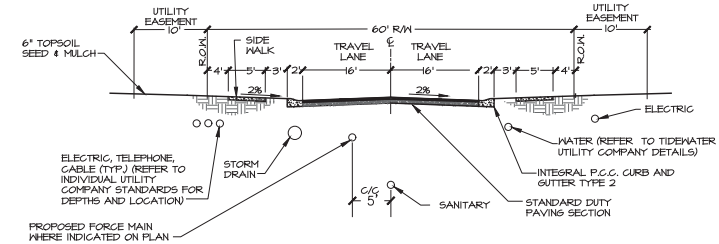
NET SITE AREA * ALLOWABLE DENSITY = ALLOWABLE D.U.	
33.31 X 4.365 D.U. / AC. = 145 D.U.	
- PROPOSED DENSITY:

88 D.U. / 33.31 AC. ± = 2.64 D.U./AC. (NET)	
88 D.U. / 36.71 AC. ± = 2.40 D.U./AC. (GROSS)	
- OPEN SPACE AREAS:

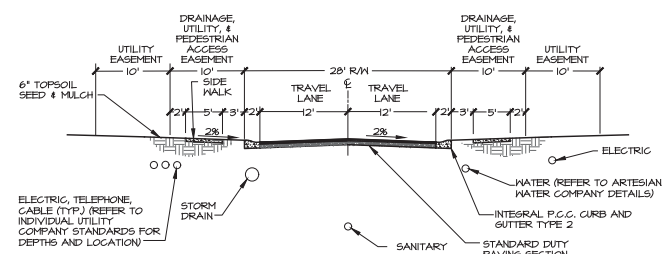
REQUIRED [SECTION 91.2(D)]	
10% X 36.71 AC ± =	3.67 AC. ±
PROPOSED*	
PASSIVE (INCL. NATURAL FOREST & BUFFER AREAS, STORMWATER MANAGEMENT AREAS, ETC.)	13.74 AC. ±
ACTIVE (INCL. COMMUNITY POOL, RECREATION AREA)	0.74 AC. ±
TOTAL PROPOSED (14.48 AC. / 36.71 AC.) =	14.48 AC. ±
	39.4 %
- TREE COVER:

EXIST. WOODS:	19.31 AC. ±
WOODS TO BE CLEARED:	10.08 AC. ±
WOODS TO REMAIN:	1.23 AC. ± (6.4%)
AFFORESTATION / BUFFER:	
TOTAL PROPOSED TREE COVER:	
- WATER SERVICE: PUBLIC (ARTESIAN WATER)
- SANITARY SEWER: MCKEE (SUSSEX COUNTY)
- PARKING ANALYSIS:

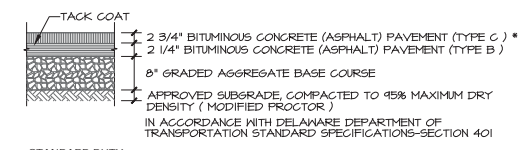
PARKING REQUIRED:	88 SPD X 2 SPD/DU = 176 SP
PARKING PROVIDED:	88 SPD X 2 SPD/DU = 176 SP ON LOT
COMM. CLUBHOUSE =	16 SP
TOTAL =	192 SP
- A WETLAND DELINEATION WAS PREPARED BY GEO-TECHNOLOGY ASSOCIATES, INC. (GTA), LAST REVISED MARCH 22, 2021. A JURISDICTIONAL DETERMINATION (CENAP-OPR-2021-50-23) WAS ISSUED BY THE PHILADELPHIA DISTRICT CORP. OF ENGINEERS APPROVING THIS DELINEATION INDICATING THAT THERE ARE NO JURISDICTIONAL WETLANDS OR "WATERS OF THE U.S." PRESENT WITHIN THE SUBJECT SITE AREA.
- ALL DROP MANHOLES TO BE 5' OR LARGER IN DIAMETER.
- ALL FACILITIES TO MEET SUSSEX COUNTY ENGINEERING DEPARTMENT'S STANDARDS AND SPECIFICATIONS.
- CLEANOUTS TO BE AT EDGE OF ROAD PAVEMENT OR EDGE OF RIGHT-OF-WAY; 6-INCH LATERAL FOR ALL SINGLE FAMILY HOUSES.
- NO CHURCHES, SCHOOLS, OR COMMERCIAL USE AREAS PROPOSED ON THIS SITE.
- SIDEWALKS SHALL BE PROVIDED ON BOTH SIDES OF ALL INTERNAL SUBDIVISION STREETS TO PROVIDE PEDESTRIAN LINKAGE TO FUTURE SIDEWALK / SHARED USE PATH TO BE CONSTRUCTED ALONG ZION CHURCH ROAD FRONTAGE.
- PROJECT SITE AREA IS NOT LOCATED WITHIN A WELHEAD PROTECTION AREA.
- PROJECT SITE AREA IS LOCATED IN AN AREA OF "FAIR" RECHARGE POTENTIAL.



TYPICAL SECTION - ENTRANCE ROAD (60' R.O.W.)
NOT TO SCALE

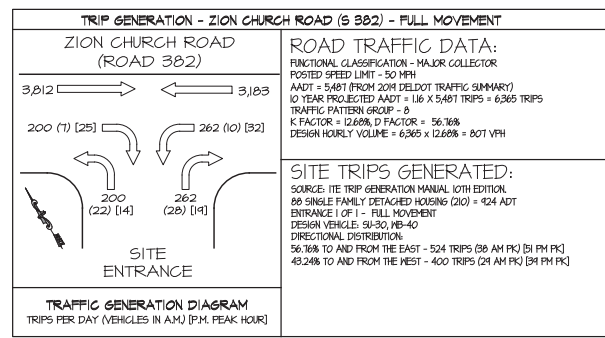


TYPICAL SECTION - 28' REDUCED R.O.W.
NOT TO SCALE



* NOTE: TYPE C ASPHALT TO BE INSTALLED IN TWO LIFTS. 1 1/2\"/>

PAVING SECTIONS
NOT TO SCALE

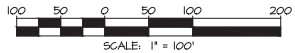
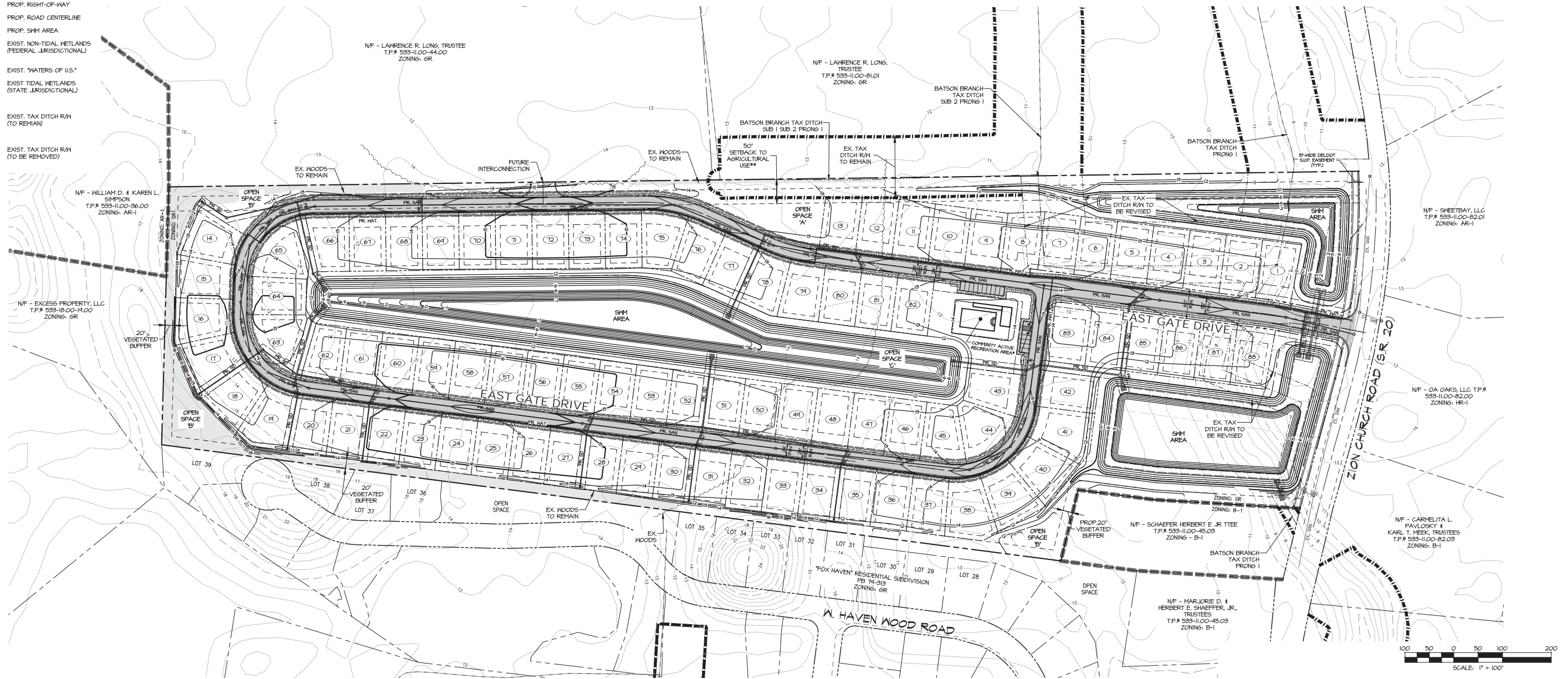


		MORRIS & RITCHIE ASSOCIATES, INC. ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS 18 BOULDER CIRCLE, SUITE 36 NEW CASTLE, DELAWARE 19720 (302) 326-2200 FAX: (302) 326-2399 WWW.MRAGTA.COM © 2022 MORRIS & RITCHIE ASSOCIATES, INC.	
		PRELIMINARY PLAN GENERAL NOTES & DETAILS FOR EAST GATE	
ENGINEER'S SEAL	BALTIMORE HUNDRED	SUSSEX COUNTY, DELAWARE	
DATE	REVISIONS	JOB NO.: 21179	
01/10/22	REV. PER TAC / P&Z COMMENTS	SCALE: AS NOTED	
		DRAWN BY: CJF	
		DESIGN BY: CJF	
		REVIEW BY: PLT	
		SHEET: 2 OF 6	

LEGEND

- EXIST. PARCEL BOUNDARY
- EXIST. RIGHT-OF-WAY
- EXIST. LOT LINE
- ZONING: AR-1
- EXIST. ZONING
- EXIST. HOODS
- PROP. HOODS TO REMAIN
- PROP. CURB
- PROP. SIDEWALK
- PROP. LOT LINE
- PROP. RIGHT-OF-WAY
- PROP. ROAD CENTERLINE
- PROP. SHM AREA
- EXIST. NON-TIDAL WETLANDS (FEDERAL JURISDICTIONAL)
- EXIST. "WATERS OF U.S."
- EXIST. TIDAL WETLANDS (STATE JURISDICTIONAL)
- EXIST. TAX DITCH R/W (TO REMAIN)
- EXIST. TAX DITCH R/W (TO BE REMOVED)

- * NOTE: THE EXACT SIZE AND CONFIGURATION OF COMMUNITY ACTIVE RECREATION AREA, INCLUDING THE POOL HOUSE, POOL, AND DECKING, SHALL BE DETERMINED DURING THE FINAL ENGINEERING PROCESS AND SHALL BE SHOWN ON A SEPARATE SITE PLAN PREPARED FOR THE SAME.
- **NOTE: LANDS OF LAWRENCE R. LONG, TRUSTEE (PARCELS 533-11.00-44.00 & 533-11.00-81.01) ARE UTILIZED FOR AGRICULTURAL PURPOSES; SEE SHEET 2, GENERAL NOTE 6.

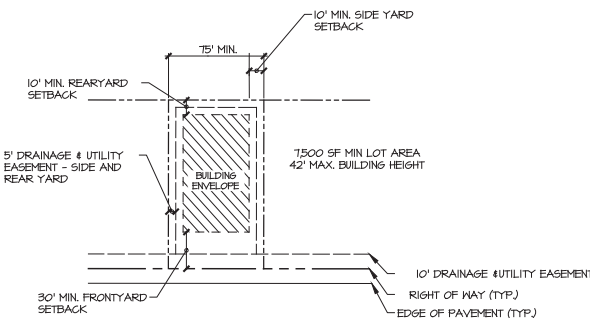


FOX HAVEN OWNER INFORMATION

LOT	PARCEL	OWNER	BOOK / PAGE	ZONING
05-1	533-11.00-45.01	FOX HAVEN HOMEOWNERS ASSOCIATION, INC.	5140 / 203	GR
31	533-11.00-496.00	DAVID SPALLONE & JOANN SPALLONE	5366 / 94	GR
32	533-11.00-497.00	LINDA M. SANDLOF	4791 / 57	GR
33	533-11.00-498.00	CHRISTIAN E. WEIR & DARLENE H. WEIR	4703 / 144	GR
34	533-11.00-499.00	PATICA A. ASHBURN & ALLEN J. ASHBURN	4719 / 315	GR
35	533-11.00-500.00	KEVIN J. GRIMM & BARBARA J. GRIMM	4718 / 35	GR
36	533-11.00-501.00	WENDY J. SCOTT	4879 / 308	GR
37	533-11.00-502.00	GEORGE H. SCHULTZ & ELIZABETH ANN SCHULTZ, IRR TRUST	5158 / 112	GR
38	533-11.00-503.00	THERESA MOSIER & TODD KURTZ	4922 / 297	GR
39	533-11.00-504.00	KEVIN J. CLARK	5119 / 99	GR

PROPOSED OPEN SPACE SUMMARY			
AREA	SHM FACILITY	ACTIVE OPEN SPACE	PASSIVE OPEN SPACE*
A	1.02 AC. ±	-	3.54 AC. ±
B	1.96 AC. ±	-	5.32 AC. ±
C	3.68 AC. ±	0.72 AC. ±	3.98 AC. ±
TOTAL	6.66 AC. ±	0.72 AC. ±	12.84 AC. ±

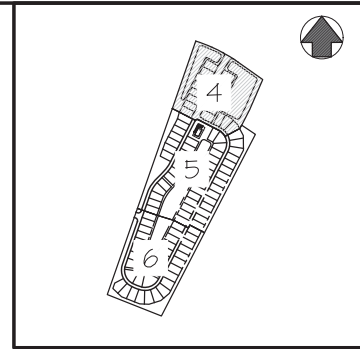
* NOTE: PASSIVE OPEN SPACE AREA IS INCLUSIVE OF SHM FACILITIES LOCATED THEREIN.



TYPICAL LAYOUT SINGLE FAMILY LOT (VARIABLE WIDTHS)

NOT TO SCALE

		MORRIS & RITCHE ASSOCIATES, INC. ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS 18 BOULDEN CIRCLE, SUITE 36 NEW CASTLE, DELAWARE 19720 (302) 326-2200 FAX: (302) 326-2399 WWW.MRAGTA.COM ©2021 MORRIS & RITCHE ASSOCIATES, INC.	
		PRELIMINARY PLAN OVERALL PLAN FOR EAST GATE	
ENGINEER'S SEAL	BALTIMORE HUNDRED	SUSSEX COUNTY, DELAWARE	
DATE	REVISIONS	JOB NO.: 21179	
01/10/22	REV. PER TAC / P&Z COMMENTS	SCALE: 1" = 100'	
		DATE: 06/09/21	
		DRAWN BY: CJF	
		DESIGN BY: CJF	
		REVIEW BY: PLT	
		SHEET: 3 OF 6	



KEY MAP
SCALE: 1"=800'

LEGEND

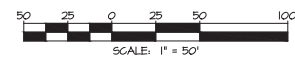
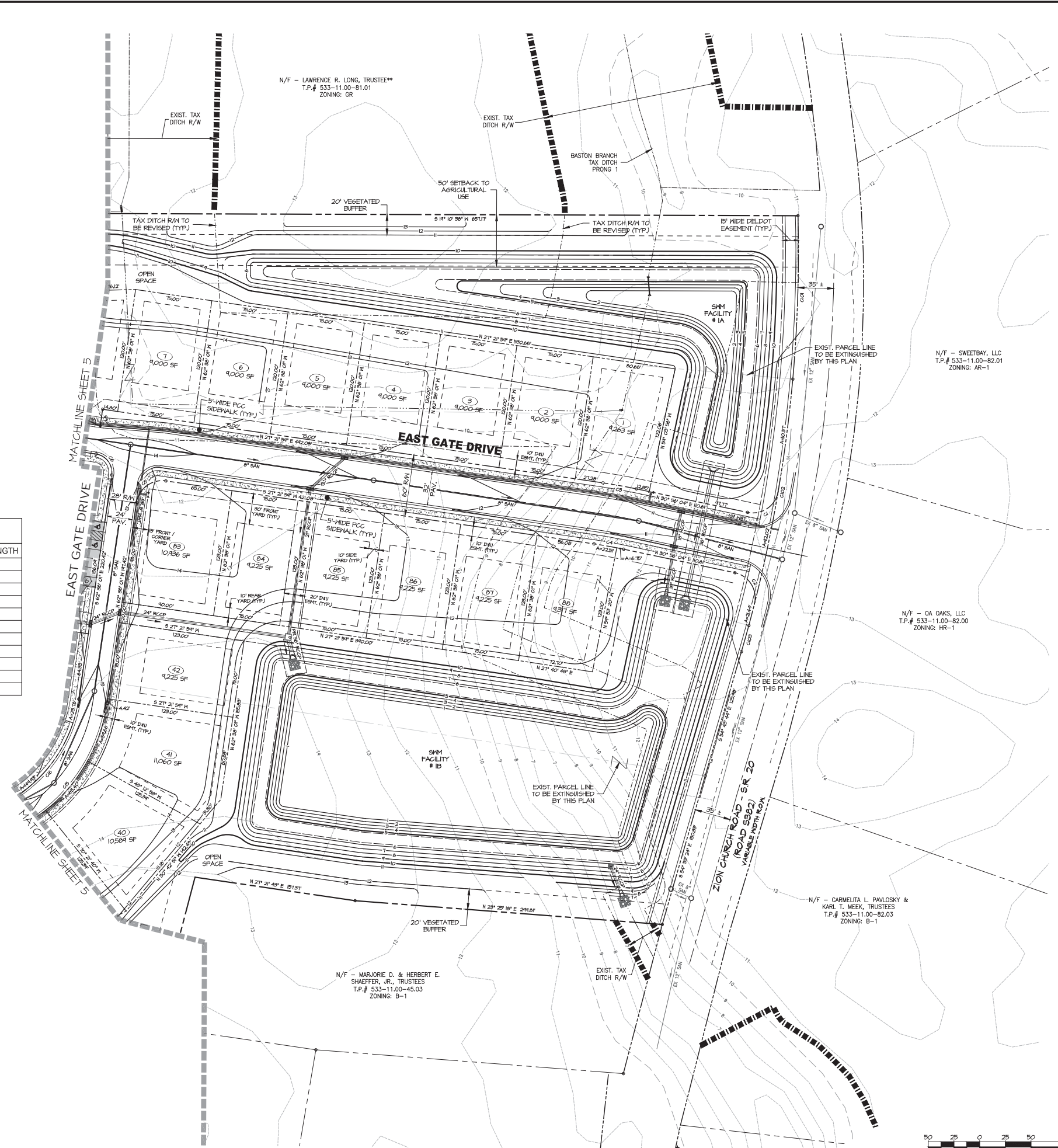
	EXIST. PARCEL BOUNDARY
	EXIST. RIGHT-OF-WAY
	EXIST. LOT LINE
	EXIST. ZONING
	EXIST. WOODS
	PROP. WOODS TO REMAIN
	PROP. CURB
	PROP. SIDEWALK
	PROP. LOT LINE
	PROP. RIGHT-OF-WAY
	PROP. ROAD CENTERLINE
	PROP. SHM AREA
	EXIST. NON-TIDAL WETLANDS (FEDERAL JURISDICTIONAL)
	EXIST. TIDAL WETLANDS (STATE JURISDICTIONAL)
	EXIST. "WATERS OF U.S." (FEDERAL JURISDICTIONAL)
	EXIST. TAX DITCH R/W (TO REMAIN)
	EXIST. TAX DITCH R/W (TO BE REMOVED)
	EXIST. CONTOUR
	SPOT ELEVATION
	EXIST. STORM DRAIN
	PROP. STORM DRAIN
	EXIST. SANITARY SEWER
	PROP. SANITARY SEWER
	EXIST. WATER LINE
	PROP. WATER LINE

LOT LINE TABLE

LINE #	LENGTH	DIRECTION
L6	16.00	N 62° 38' 01" W

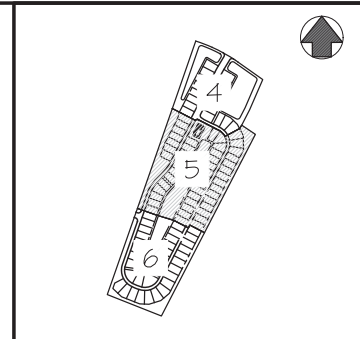
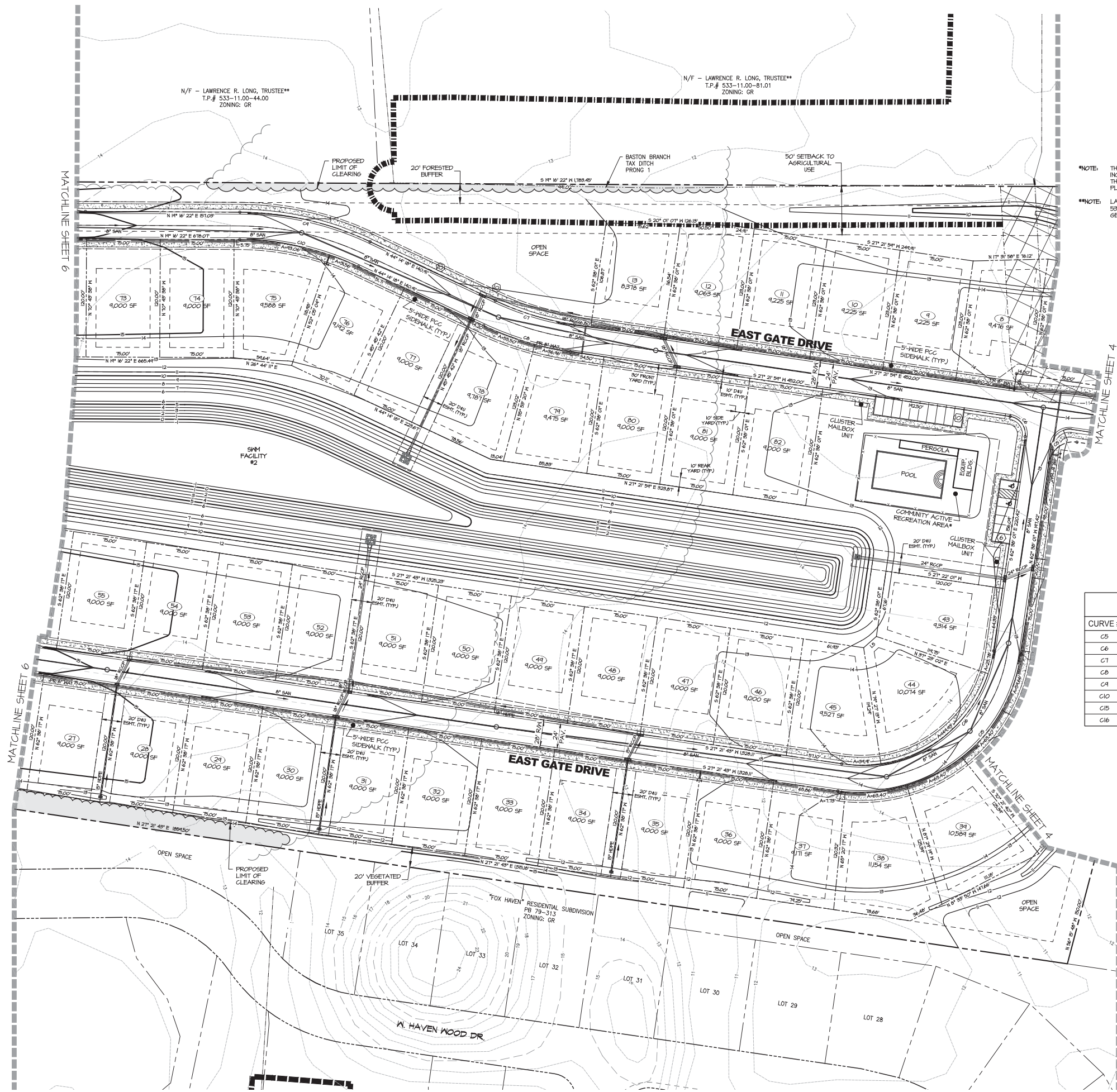
RIGHT OF WAY CURVE TABLE

CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	40.27'	25.00'	42.28°	N 15° 12' 27" W	36.05'
C2	40.27'	25.00'	42.28°	N 77° 04' 34" E	36.05'
C3	39.00'	530.00'	3.51°	N 24° 04' 01" E	39.00'
C4	24.27'	410.00'	3.51°	S 29° 04' 01" W	24.26'
C5	34.27'	25.00'	40.00°	S 17° 38' 04" E	35.36'
C6	28.27'	18.00'	40.00°	S 72° 21' 54" W	25.46'
C15	251.60'	164.00'	40.00°	S 17° 38' 04" E	231.42'
C16	213.62'	136.00'	40.00°	S 17° 38' 04" E	142.33'
C101	154.13'	1341.30'	6.52°	S 64° 11' 25" E	154.04'
C102	243.83'	1405.36'	4.44°	S 60° 52' 42" E	243.52'
C103	26.56'	1341.31'	1.04°	S 55° 19' 27" E	26.56'



***NOTE: LANDS OF LAWRENCE R. LONG, TRUSTEE (PARCELS 533-11.00-44.00 & 533-11.00-81.01) ARE UTILIZED FOR AGRICULTURAL PURPOSES; SEE SHEET 2, GENERAL NOTE 6.

	MORRIS & RITCHE ASSOCIATES, INC. ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS 18 BOULDEN CIRCLE, SUITE 36 NEW CASTLE, DELAWARE 19720 (302) 326-2200 FAX: (302) 326-2399 WWW.MRAGTA.COM <small>©2021 MORRIS & RITCHE ASSOCIATES, INC.</small>
	GR - COASTAL AREA CLUSTER PRELIMINARY PLAN FOR EAST GATE
ENGINEER'S SEAL: BALTIMORE HUNDRED	SUSSEX COUNTY, DELAWARE
DATE: 01/10/22 REVISIONS: REV. PER TAC / P&Z COMMENTS	JOB NO.: 21179 SCALE: 1"= 50' DATE: 06/09/21 DRAWN BY: CJF DESIGN BY: CJF REVIEW BY: PLT SHEET: 4 OF 6



NOTE: THE EXACT SIZE AND CONFIGURATION OF COMMUNITY ACTIVE RECREATION AREA, INCLUDING THE POOL, HOUSE, POOL, AND DECKING, SHALL BE DETERMINED DURING THE FINAL ENGINEERING PROCESS AND SHALL BE SHOWN ON A SEPARATE SITE PLAN PREPARED FOR THE SAME.

****NOTE:** LANDS OF LAWRENCE R. LONG, TRUSTEE (PARCELS 533-11.00-44.00 & 533-11.00-81.01) ARE UTILIZED FOR AGRICULTURAL PURPOSES, SEE SHEET 2, GENERAL NOTE 6.

FOX HAVEN OWNER INFORMATION

LOT	PARCEL	OWNER	BOOK / PAGE	ZONING
05-1	533-11.00-45.01	FOX HAVEN HOMEOWNERS ASSOCIATION, INC.	5140 / 203	GR
31	533-11.00-496.00	DAVID SPALLONE & JOANN SPALLONE	5366 / 94	GR
32	533-11.00-497.00	LINDA M. SANDLOF	4791 / 57	GR
33	533-11.00-498.00	CHRISTIAN E. WEIR & DARLENE H. WEIR	4703 / 144	GR
34	533-11.00-499.00	PATCIA A. ASHURN & ALLEN J. ASHURN	4719 / 315	GR
35	533-11.00-500.00	KEVIN J. GRIMM & BARBARA J. GRIMM	4718 / 35	GR

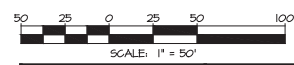
LOT LINE TABLE

LINE #	LENGTH	DIRECTION
L5	17.21	S 22° 21' 18" E
L6	16.00	N 62° 38' 01" W

RIGHT OF WAY CURVE TABLE

CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C5	34.21'	25.00'	90.00°	S 17° 38' 01" E	35.36'
C6	28.21'	18.00'	90.00°	S 72° 21' 54" W	25.46'
C7	84.22'	286.00'	16.87°	N 35° 48' 04" E	83.92'
C8	42.46'	314.00'	16.87°	N 35° 48' 04" E	42.13'
C9	136.82'	314.00'	24.91°	N 31° 45' 20" E	135.74'
C10	124.62'	286.00'	24.91°	N 31° 45' 20" E	123.64'
C15	257.60'	164.00'	90.00°	S 17° 38' 04" E	231.92'
C16	219.62'	136.00'	90.00°	S 17° 38' 04" E	142.93'

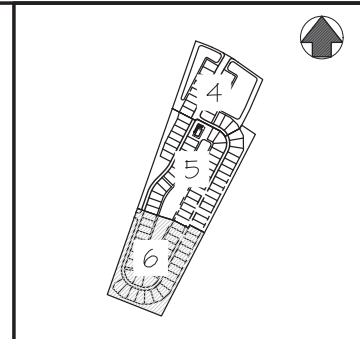
- LEGEND**
- EXIST. PARCEL BOUNDARY
 - EXIST. RIGHT-OF-WAY
 - EXIST. LOT LINE
 - EXIST. ZONING
 - EXIST. WOODS
 - PROP. WOODS TO REMAIN
 - PROP. CURB
 - PROP. SIDEWALK
 - PROP. LOT LINE
 - PROP. RIGHT-OF-WAY
 - PROP. ROAD CENTERLINE
 - PROP. SHM AREA
 - EXIST. NON-TIDAL WETLANDS (FEDERAL JURISDICTIONAL)
 - EXIST. TIDAL WETLANDS (STATE JURISDICTIONAL)
 - EXIST. "WATERS OF U.S." (FEDERAL JURISDICTIONAL)
 - EXIST. TAX DITCH R/W (TO REMAIN)
 - EXIST. TAX DITCH R/W (TO BE REMOVED)
 - EXIST. CONTOUR
 - PROP. CONTOUR
 - SPOT ELEVATION
 - EXIST. STORM DRAIN
 - PROP. STORM DRAIN
 - EXIST. SANITARY SEWER
 - PROP. SANITARY SEWER
 - EXIST. WATER LINE
 - PROP. WATER LINE



MORRIS & RITCHIE ASSOCIATES, INC.
 ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
 18 BOULDER CIRCLE, SUITE 36
 NEW CASTLE, DELAWARE 19720
 (302) 326-2200
 FAX: (302) 326-2399
 WWW.MRAGTA.COM
 ©2021 MORRIS & RITCHE ASSOCIATES, INC.

GR - COASTAL AREA CLUSTER PRELIMINARY PLAN FOR EAST GATE

DATE	REVISIONS	JOB NO.:
01/10/22	REV. PER TAC / P&Z COMMENTS	21179
		SCALE: 1"= 50'
		DATE: 06/09/21
		DRAWN BY: CJF
		DESIGN BY: CJF
		REVIEW BY: PLT
		SHEET: 5 OF 6



**NOTE: LANDS OF LAWRENCE R. LONG, TRUSTEE (PARCELS 533-11.00-44.00 & 533-11.00-81.00) ARE UTILIZED FOR AGRICULTURAL PURPOSES; SEE SHEET 2, GENERAL NOTE 6.

N/F - WILLIAM D. & KAREN L. SIMPSON
T.P.# 533-11.00-36.00
ZONING: AR-1

N/F - LAWRENCE R. LONG, TRUSTEE**
T.P.# 533-11.00-44.00
ZONING: GR

N/F - EXCESS PROPERTY, LLC
T.P.# 533-18.00-19.00
ZONING: GR

FOX HAVEN OWNER INFORMATION

LOT	PARCEL	OWNER	BOOK / PAGE	ZONING
36	533-11.00-501.00	WENDY J. SCOTT	4879 / 308	GR
37	533-11.00-502.00	GEORGE H. SCHULTZ & ELIZABETH ANN SCHULTZ, IRR TRUST	5158 / 112	GR
38	533-11.00-503.00	THERESA MOSER & TODD KURTZ	4922 / 297	GR
39	533-11.00-504.00	KEVIN J. CLARK	5119 / 99	GR

RIGHT OF WAY CURVE TABLE

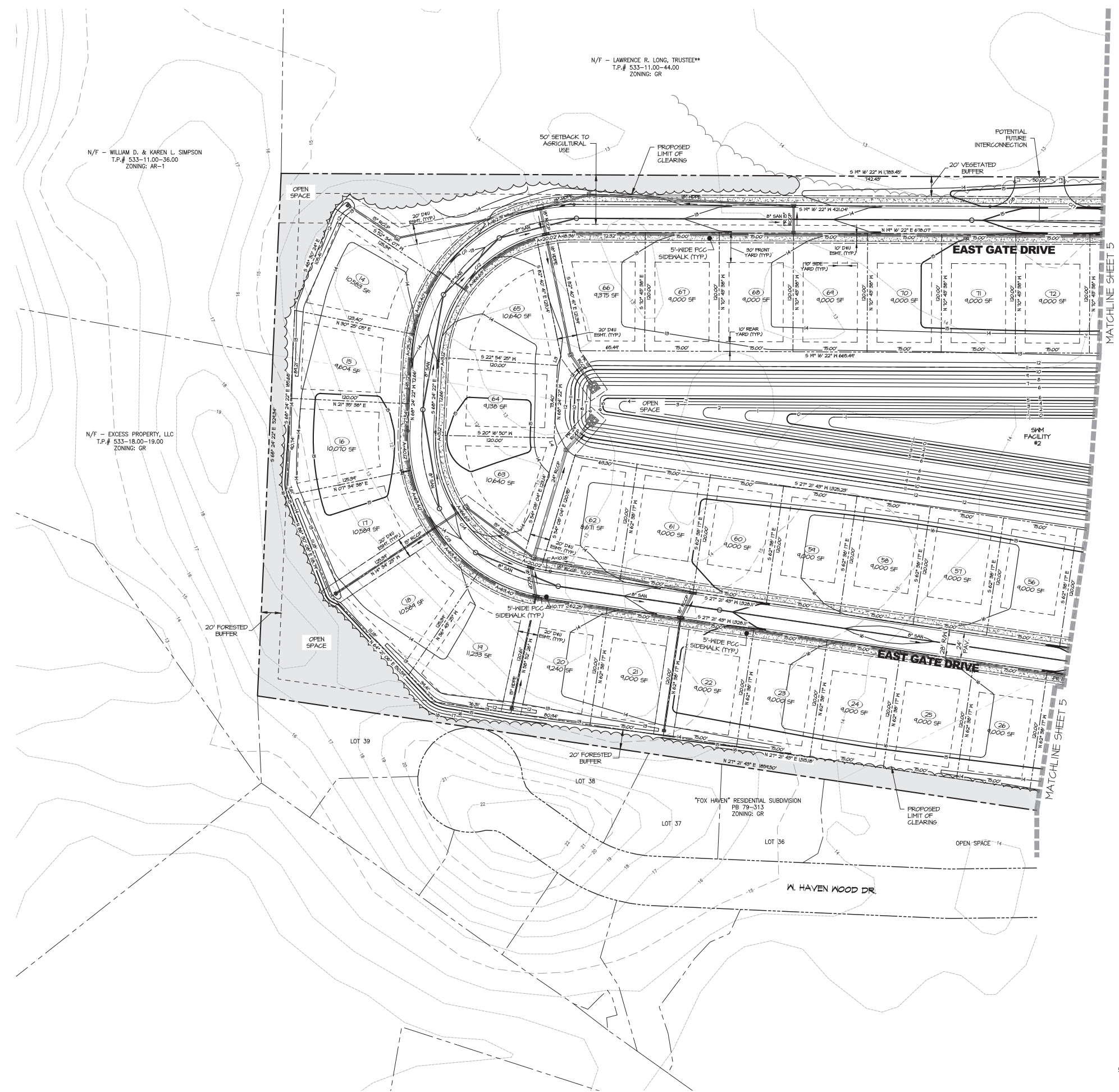
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C11	250.91'	164.00'	87.68°	N 24° 34' 00" W	227.11'
C12	208.12'	136.00'	87.68°	N 24° 34' 00" W	188.40'
C13	241.10'	164.00'	84.23°	S 64° 28' 40" W	219.41'
C14	191.94'	136.00'	84.23°	S 64° 28' 40" W	182.41'
C17	34.21'	25.00'	90.00°	S 64° 16' 22" W	35.36'
C18	34.21'	25.00'	90.00°	N 25° 43' 38" W	35.36'

LOT LINE TABLE

LINE #	LENGTH	DIRECTION
L1	5.00	N 10° 43' 38" W
L2	5.00	N 70° 43' 38" W
L3	4.82	N 41° 12' 12" W
L4	4.82	N 81° 36' 33" W

LEGEND

- EXIST. PARCEL BOUNDARY
- EXIST. RIGHT-OF-WAY
- EXIST. LOT LINE
- EXIST. ZONING
- EXIST. WOODS
- PROP. WOODS TO REMAIN
- PROP. CURB
- PROP. SIDEWALK
- PROP. LOT LINE
- PROP. RIGHT-OF-WAY
- PROP. ROAD CENTERLINE
- PROP. SHM AREA
- EXIST. NON-TIDAL WETLANDS (FEDERAL JURISDICTIONAL)
- EXIST. TIDAL WETLANDS (STATE JURISDICTIONAL)
- EXIST. "WATERS OF U.S." (FEDERAL JURISDICTIONAL)
- EXIST. TAX DITCH R/W (TO REMAIN)
- EXIST. TAX DITCH R/W (TO BE REMOVED)
- EXIST. CONTOUR
- PROP. CONTOUR
- SPOT ELEVATION
- EXIST. STORM DRAIN
- PROP. STORM DRAIN
- EXIST. SANITARY SEWER
- PROP. SANITARY SEWER
- EXIST. WATER LINE
- PROP. WATER LINE



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
18 BOULDEN CIRCLE, SUITE 36
NEW CASTLE, DELAWARE 19720
(302) 326-2200
FAX: (302) 326-2399
WWW.MRAGTA.COM
©2021 MORRIS & RITCHIE ASSOCIATES, INC.

GR - COASTAL AREA CLUSTER PRELIMINARY PLAN FOR EAST GATE

ENGINEER'S SEAL	BALTIMORE HUNDRED	SUSSEX COUNTY, DELAWARE
DATE	REVISIONS	JOB NO.: 21179
01/10/22	REV. PER TAC / P&Z COMMENTS	SCALE: 1"= 50'
		DATE: 06/09/21
		DRAWN BY: CJF
		DESIGN BY: CJF
		REVIEW BY: PLT
		SHEET: 6 OF 6

Appendix 4 – PLUS Review Response Letter

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



Date: January 27, 2022

Office of State Planning Coordination
122 Martin Luther King Jr. Blvd. South
Dover, DE 19901

Attention: Mr. David L. Edgell, Director

Subject: East Gate (formerly Twin Lakes)
PLUS Review 2020-11-08

Dear Mr. Edgell,

We are in receipt of your comment letter dated December 18, 2020 with regard to Concept Plan associated with the proposed East Gate (formerly known as Twin Lakes) residential subdivision to be located in Sussex County and respond as follows:

Strategies for State Policies and Spending

Comment 1: This project is located in Investment Levels 3 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 may have priorities for the near future. Level 3 areas may mean that there may be environmental concerns on or near the parcel and we would encourage you to design the site with respect for the environmental features which are present.

This project was reviewed in September 2020 and at that time the proposal was also for 102 units, however the units were clustered on the front portion of the lot to avoid the forest and wetlands on the site. This resulted in approximately 28 acres of open space. The current proposal is seeking to use the entire site for development leaving approximately 15 acres of open space but removing much of the forested area and wetlands.

It is our understanding that the change to the site plan is due to the April 21, 2020 federal clarification on the Navigable Waters Protection Rule for the Definition of Waters of the United States ("WOTUS" Rule). With the new site plan, approximately 8 acres of forested non-tidal wetlands is anticipated to be filled by this development proposal, with no wetland permitting or wetland mitigation required, resulting in significant adverse effects for drainage, water quality, and plant and animal species.

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.

As noted above, this parcel is within a Level 3 Investment area. State Strategies in Level 3 areas call for the protection of environmental features in and around the site. Therefore, the State objects to the current site plan for this parcel and asks that the County to

18 Boulden Circle, Suite 36, New Castle, DE 19720 (302) 326-2200 Fax: (302) 326-2399 www.mragta.com

Abingdon, MD ♦ Baltimore, MD ♦ Laurel, MD ♦ Towson, MD ♦ Georgetown, DE ♦ New Castle, DE ♦ Leesburg, VA ♦ Raleigh, NC
(410) 515-9000 (410) 935-5050 (410) 792-9792 (410) 821-1690 (302) 855-5734 (302) 326-2200 (703) 994-4047 (984) 200-2103

PLUS

Re: East Gate - 2019-12-07

January 27, 2022

Page 2 of 18

consider requiring the developer to protect this valuable resource by reverting to the September 2020 site plan. The September 2020 site plan is a true cluster subdivision that will allow the owner the same number of units while protecting Delaware's natural resources and protect future residents of this area from the drainage and flooding impacts that can result from filling wetland areas.

Response: Comment acknowledged. The project site area has direct access to public water and sanitary sewer; the site is located within the Coastal Area growth zone as designated by the Sussex County Comprehensive Plan. Site design, including preservation and protection of existing natural resources, will be performed in accordance with requirements of the Sussex County Code in effect at the time of the Preliminary Plan application.

Code Requirements/Agency Permitting Requirements

Department of Transportation - Contact Bill Brockenbrough 760-2109

Comment 2: The site access on Zion Church Road (Delaware Route 20) must be designed in accordance with DelDOT's Development Coordination Manual, which is available at <https://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes>

Response: Comment acknowledged; the site access will be designed in accordance with the Development Coordination Manual (DCM).

Comment 3: 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://deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017

Response: Comment acknowledged; a Pre-Submittal Meeting with the DelDOT Subdivision Section will be scheduled prior to submittal of plans for review.

Comment 4: Section 1.6 of the Manual addresses the location of development entrances. The site access must be located in accordance with that section and specifically in accordance with Figure 1.5.1 which is referenced therein.

Response: Comment acknowledged; project site entrance will be located in accordance with requirements of the DCM.

Comment 5: Section P.5 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.

Response: Comment acknowledged; review fees are anticipated to be provided in accordance with current DelDOT policy.

Comment 6: 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 1,274 vehicle trip ends per day. Using the 10th edition of the Institute of Transportation Engineers' Trip Generation Manual, DelDOT calculates this number to be 1,059 and estimates the weekday morning and evening peak hour trip ends at 77 and 104, respectively.

Section 2.2.2.2 of the Development Coordination Manual provides that for developments

PLUS

Re: East Gate - 2019-12-07

January 27, 2022

Page 3 of 18

generating less than 2000 vehicle trip ends per day and less than 200 vehicle trip ends per hour in any hour of the day, DelDOT may accept an Area Wide Study (AWS) Fee in lieu of the TIS if the local government does not require a TIS. The AWS Fee is calculated as \$10 per daily trip or, in this case, \$10,590. AWS Fees are used to fund traffic studies, not to build improvements.

DelDOT anticipates requiring the developer to improve Zion Church Road, within the limits of their frontage, to meet DelDOT's Major Collector Road standards, which include 72-foot lanes and 8-foot shoulders. Presently, DelDOT has begun work on an area study, tentatively named the Southeast Sussex Circulator Study, from which it anticipates identifying transportation improvements needed near this development. Depending on the timing of that study and this development, DelDOT may require participation in some of those improvements. DelDOT will definitely require the developer to enter a signal agreement for the intersection of Zion Church Road, Bayard Road (Sussex Road 384) and Bunting Road (Sussex Road 389). The developer may contact Ms. Jennifer Cinelli, a planner in DelDOT's Statewide and Regional Planning Section for more information on the Southeast Sussex Circulator Study as needed. Ms. Cinelli may be reached at (302) 7 60-2549 or Jennifer.Cinelli@delaware.gov.

Response: Comment acknowledged; as noted in the Service Level Evaluation performed by the Department as part of the Sussex County Preliminary Plan process, a TIS study was recently completed in the area for the Twin Cedars residential project. The developer for the East Gate project anticipates participating in the AWS alternative and make proportional contributions to the projects under design as part of the Southeast Sussex Circulator Study.

Comment 7: As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DelDOT require dedication of right-of-way along the site's frontage on Zion Church Road. By this regulation, this dedication is to provide a minimum of 40 feet of right-of-way from the physical centerline along both roads. 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."

Response: Comment addressed; as shown on the Preliminary Plan, right-of-way dedication for Zion Church Road has been provided along the project frontage to current DelDOT standards. Dedication of this right-of-way will be noted no final Record Plans utilizing DelDOT standard language requirements.

Comment 8: 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 Zion Church 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."

Response: Comment addressed; the requested easement area has been shown on the plan. The Record Plan will include the requested easement note in accordance with DelDOT requirements.

Comment 9: 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.

PLUS

Re: East Gate - 2019-12-07

January 27, 2022

Page 4 of 18

- Depiction of all existing entrances within 450 feet of the entrances on Zion Church Road.
- Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.

Response: Comment acknowledged; Record Plans will be prepared in and submitted for DelDOT review in accordance with current DelDOT requirements.

Comment 10: 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. DelDOT anticipates requiring the developer to build an SUP along their frontage on Zion Church Road.

Response: Comment addressed; the easement area for a Shared Use Path has been shown on the Preliminary Plan as noted above. The requirement to install the Shared Use Path will be discussed with the Subdivision Engineer to determine confirm DelDOT's preference as part of the pre-submittal process.

Comment 11: In accordance with Section 3.8 of the Manual, storm water facilities, excluding filter strips and bio swales, shall be located a minimum of 20 feet from the ultimate State right-of-way along Zion Church Road.

Response: Comment addressed; all SWM areas will be more a minimum of 20' beyond the area of DelDOT Right-of-Way dedication.

Comment 12: 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 <https://deldot.gov/Business/subdivisions/index.shtml>.

Response: Comment acknowledged; site entrance will be designed in accordance with current DelDOT requirements. Supporting design calculations will be provided as part of the plan review package. Design deviation requests will be submitted for DelDOT consideration in accordance with current DelDOT policy.

Comment 13: 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>.

Response: Comment acknowledged; site distance triangles will be shown in accordance with current DelDOT requirements. Supporting design calculations will be provided as part of the plan review package.

Comment 14: 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.

Response: Comment acknowledged; plans will be developed and submitted for DelDOT review in accordance with current DelDOT requirements.

Department of Natural Resources and Control - Contact Beth Krumrine 735-3480

Concerns Identified Within the Development Footprint

Wetlands

Comment 15: This project was previously reviewed through PLUS in September 2020. According to the September application, approximately 8.6 acres of wetlands existed on the site. Development was limited to the northern portion of the site, avoiding development on forested wetlands to the south. 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 now proposes to expand housing into the forested wetland areas. Consequently, approximately 8 acres of forested non-tidal wetlands is anticipated to be filled by this development proposal, with no wetland permitting or wetland mitigation required, resulting in significant adverse effects for drainage, water quality, and plant and animal species.

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.

- Revert to September 2020 plan. 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.

Response: Recommendations to revert to previous site configuration are noted. Per DNREC comment, the site design was revised in response to a change at the federal level that affected the interpretation of federally protected wetlands. As a result, the areas in question are no longer regulated at the federal, state, or local level. The site design will comply with current Federal, State, and County laws

Comment related to need for wetlands delineation has been addressed. A wetlands delineation was performed by Geo-Technology Associates, Inc. (GTA) and a jurisdictional determination was issued by the U.S. Army Corps of Engineers. Permitting of any disturbance to the regulated wetlands and/or subaqueous lands will be processed through the Army Corp and DNREC, as applicable.

Comment 16: For a list of consultants and engineers please visit the DNREC Wetlands and Subaqueous Lands Section link:
<http://www.dnrec.delaware.gov/wr/Documents/WSLS/Consultant%20List.pdf>

Response: Comment addressed; as noted above, wetland delineation has been performed by GTA.

Comment 17: 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/>

Response: Information acknowledged.

Tax Ditches

Comment 18: The proposed project lies within the Batson Branch Tax Ditch Tax Ditch. Tax ditch Rights-of- Way exist in areas of proposed development on the site. These Rights-of-Way restrict certain activities within a set distance from the tax ditch, which varies by location.

Contact the DNREC Drainage Program to acquire approval for the revisions of the proposed changes to existing on-site tax ditches and associated Rights-of-Way prior to the project application meeting.

Response: Comment acknowledged; coordination will be made with the DNREC Drainage Program and the tax ditch managers for the Batson Branch Tax Ditch.

Comment 19: Permanent obstructions, such as stormwater management areas, buildings, sheds, and streets are not allowed within the tax ditch Rights-of-Way. Wetland permits may be required before clearing, cleaning, dredging ditches.

Response: Comment acknowledged; coordination will be made with the DNREC Drainage Program and the tax ditch managers for requirements related to the Tax Ditch right-of-way. Permits for modifications to the tax ditch will be pursued through the U.S. Army Corps of Engineers and/or DNREC Subaqueous Lands, as applicable.

Comment 20: Contact: DNREC Drainage Program at (302) 855-1930. Website: <http://www.dnrec.delaware.gov/swc/Drainage/Pages/TaxDitches.aspx>

Response: Information acknowledged.

Vegetated Buffer Zones

Comment 21: Vegetated buffer zones placed adjacent to waterways and wetlands help to 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.

Response: Comment addressed; buffer areas have been provided in accordance with the Sussex County Code in effect at the time of the Preliminary Plan application.

Stormwater Management

Comment 22: This project/site has met the minimum threshold of 5000 square feet of land disturbing activity under the Delaware Sediment and Stormwater Program.

A Sediment and Stormwater Plan must be developed and approved prior to any land disturbing activity taking place on the site. This plan approval agency will vary, depending on the location of the project, or whether it is operated by a state agency or school district. The appropriate agency for this project is the Sussex Conservation District.

Response: Comment acknowledged; Sediment and Stormwater Management approval will be obtained for the proposed project through the Sussex Conservation District (SCD).

Comment 23: 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

PLUS

Re: East Gate - 2019-12-07

January 27, 2022

Page 7 of 18

submitted electronically (<https://apps.dnrec.state.de.us/eNOI/default.aspx>) to the DNREC Division of Watershed Stewardship, along with the \$195 fee.

Response: Comment acknowledged; NOI will be submitted to DNREC as part of the E&S approval through SCD.

Comment 24: 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.

Response: Comment acknowledged; a Stormwater Assessment Study will be submitted to SCD as part of the pre-application process for Sediment and Stormwater design.

Comment 25: Appropriate 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.Stormwaterer@delaware.gov
Website: <http://www.dnrec.delaware.gov/swc/Pages/SedimentStormwater.aspx>

Response: Information acknowledged.

Water Quality (Pollution Control Strategies)

Comment 26: 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.

This site lies within the Inland Bays Watershed. Consult with the appropriate plan review agency to determine if stricter stormwater management standards may apply for development projects in this area.

Response: Comment acknowledged; stormwater management, including water quality, will be provided in accordance with the requirements of the Delaware Sediment and Stormwater Regulations. Requirements for TMDL reductions will be discussed as part of the pre-submittal process.

Comment 27: Contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219
Website: <https://www.sussexconservation.org/>

Response: Information acknowledged.

Hydric Soils

Comment 28: Hydric Soil Group C or D soils have been identified on the site (specifically poorly drained A/D). 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.

Response: Comment acknowledged; due to the underlying soils conditions, and the likelihood of shallow groundwater conditions throughout the site, it is anticipated that Extended Detention Wet Pond facilities will be utilized for stormwater management on the project site. Geotechnical evaluations will be performed on the site to provide guidance on the appropriate stormwater approach to utilize.

PLUS

Re: East Gate - 2019-12-07

January 27, 2022

Page 8 of 18

Comment 29: 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>

Response: Information acknowledged.

Nutrient Management Plan

Comment 30: This project proposes open space exceeding 15.9 Acres, which includes the stormwater management pond.

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.

Response: Comment acknowledged; requirements for nutrient management plan will be incorporated into the Landscape Plan prepared for the site.

Comment 31: Contact: Delaware Department of Agriculture's Nutrient Management Program at (302) 698-4558. Website: <https://agriculture.delaware.gov/nutrient-management/>

Response: Information acknowledged.

Wastewater Permitting - Large Systems

Comment 32: Sussex County (permittee) holds existing permits with the DNREC Groundwater Discharges Section's Large Systems Branch.

It is the responsibility of the permittee to notify the Large Systems Branch if the capacity of the rate of wastewater disposal is to be updated.

Response: Comment acknowledged; wastewater approval will be coordinated through Sussex County Engineering and DNREC Groundwater Discharges Section.

Comment 33: Contact: DNREC Large Systems Branch at (302) 739-9948
Website: <https://dnrec.alpha.delaware.gov/water/groundwater/>

Response: Information acknowledged.

State Historic Preservation Office - Contact Carlton Hall 736-7400

Comment 34: Prehistoric archaeological potential is low. Majority of soils are poorly drained, not prime farmland. Although the creek that flows nearby/through the parcel is shown on Beers 1868, it's hard to tell the original path vs artificial rerouting since the historic aerials show early changes having been made.

Response: Comment acknowledged.

Comment 35: Historic archaeological potential is low. Historic aerials and topos don't show anything on the parcel, and Beers shows empty land.

Response: Comment acknowledged.

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:

PLUS

Re: East Gate - 2019-12-07

January 27, 2022

Page 9 of 18

Fire Protection Water Requirements:

Comment 36: 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.

Response: Comment acknowledged; water distribution system will be coordinated with Artesian Water to designed to provide required fire flows in accordance with the Delaware State Fire Prevention Regulations (DFSFR). Hydrant spacing design will achieve maximum 800' spacing as noted in accordance with the current DSFR.

Comment 37: Where a water distribution system is proposed for townhouse type dwelling sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants

Response: Comment acknowledged; no townhouse type dwelling units are proposed by the current project.

Fire Protection Features:

Comment 38: For townhouse buildings, provide a section I detail and the UL design number of the 2-hour fire rated separation wall on the Site plan

Response: Comment acknowledged; no townhouse type dwelling units are proposed by the current project.

Accessibility:

Comment 39: 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. The road island at the entrance from the main thoroughfare must be constructed so fire department apparatus may negotiate it. If a "center island" is placed at an entrance into the subdivision, it shall be arranged in such a manner that it will not adversely affect quick and unimpeded travel of fire apparatus into the subdivision. Where traffic circles (roundabouts) are located in the subdivision, they too are to be arranged in such a manner that they will not adversely affect quick and unimpeded travel of fire apparatus throughout the subdivision. Additionally, where trees are to be situated adjacent to travel roads in the subdivision, some forethought should be exercised regarding how future growth of the trees may affect fire department travel throughout the subdivision

Response: Comment acknowledged; site entrance and all internal roadways will be designed in accordance with the requirements of DelDOT and Sussex County, as applicable. No traffic circles are anticipated to be utilized for this project. All street trees will be placed outside of the road right-of-way and are not anticipated to interfere with vehicular traffic within the roadway areas.

Comment 40: 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.

Response: Comment acknowledged; all structures will be located such that they are within 100' of the road area for fire apparatus accessibility.

Comment 41: 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

PLUS

Re: East Gate - 2019-12-07

January 27, 2022

Page 10 of 18

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.

Response: Comment acknowledged; no dead end streets in excess of 300' are proposed by this project.

Comment 42: The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.

Response: Comment acknowledged; no speed bumps are anticipated to be utilized within this project.

Comment 43: 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.

Response: Comment acknowledged; no gates are anticipated to be utilized to limit access to the subdivision.

Gas Piping and System Information:

Comment 44: Provide type of fuel proposed, and show locations of bulk containers on plan.

Response: Comment acknowledged; no bulk fuel storage is proposed on site by the current project.

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

Response: Comment acknowledged; plans will be prepared and submitted to the SFMO in accordance with the current Delaware Fire Regulations.

Sussex County Engineering Department - Contact Chris Calio 855-1299

Comment 45: Unified Sanitary Sewer District, Johnson's Corner area and connection to the sewer system is mandatory. 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

PLUS

Re: East Gate - 2019-12-07

January 27, 2022

Page 11 of 18

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

Response: Comment acknowledged; evaluation of the sanitary sewer system was made by Sussex County Utility Planning as part of a previous application for the subject parcels. It is our understanding that financial contributions for improvements to the existing sanitary sewer infrastructure were previously made by the property owner. We will work with the Utility Planning and Sussex County Engineering to finalize any sewer agreements. All proposed public sewer system will be designed in accordance with the requirements of Sussex County and approved through the Sussex County Engineering.

Comment 46: The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.

Response: Comment acknowledged; public sanitary sewer system will be constructed by the developer in accordance with the requirements of Sussex County.

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 - Bill Brockenbrough 760-2109

Recommendation 1: From the discussion at the PLUS meeting, DeIDOT understands that the County is encouraging the developer to provide a stub street to the property line in the area of Lots 76 through 83 to allow for an interconnection to the lands to the Long property (Tax Parcel No. 533-11.00-44.00). DeIDOT supports such interconnections as being consistent with Section 3.5 of the Manual.

Response: Comment addressed; an interconnection to the Long property, located to the northwest of the East Gate site, has been provided as shown on the Preliminary Plan.

Recommendation 2: 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 Zion Church Road.

Response: Comment acknowledged; no substations or wastewater facilities are anticipated to be constructed by the Developer as part of the proposed East Gate project.

Recommendation 3: The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.

Response: Comment acknowledged; plans will be submitted to DeIDOT with revisions to address TAC and PLUS comments as noted above.

PLUS

Re: East Gate - 2019-12-07

January 27, 2022

Page 12 of 18

Recommendation 4: 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/>.

Response: Comment acknowledged; plans to be submitted to DelDOT will reference latest General Notes for Record Plans, Entrance Plans, and Maintenance of Traffic Plans.

Department of Natural Resources and Environmental Control – Beth Krumrine 735-3480

Concerns Identified Within the Development Footprint

Wetlands

Recommendation 5: 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.

Response: Recommendation acknowledged; all proposed site improvements will be designed and constructed in accordance with local, county, state, and federal requirements. On-site stormwater management will be designed in accordance to mitigate discharge of runoff from the site in accordance with the Delaware Sediment and Stormwater Regulations.

Recommendation 6: Schedule a meeting through the DNREC Joint Permit Processing (JPP), which are held on the 3'd 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

Response: Recommendation addressed; a jurisdictional determination was issued by the U.S. Army Corps of Engineers on March 26, 2021.

Recommendation 7: Recommendations for wetland buffers are prescribed under the heading, Vegetated Buffer Zones.

Response: Recommendation acknowledged; buffers will be provided to all regulated wetland areas in accordance with the requirements of Sussex County in effect at the time of application submittal

Tax Ditches

Recommendation 8: All measures should be taken to ensure the project does not create off-site, downstream, or upstream drainage or flooding issues due to increased stormwater or changes in drainage patterns.

Response: Recommendation acknowledged; modifications to the existing tax ditches will be done in accordance with the requirements of DNREC Drainage Section and the Tax Ditch Managers for the Batson Branch Tax Ditch. On-site stormwater management will be provided in accordance with the DSSR to mitigate the impacts of stormwater runoff generated by the developed site.

PLUS

Re: East Gate - 2019-12-07

January 27, 2022

Page 13 of 18

Recommendation 9: Any area designated as a drainage/utility easement should be open space and not owned by the individual landowners.

Response: Recommendation acknowledged; locations of drainage and utility easements will be provided in accordance with the requirements of the utility owners and Sussex County

Recommendation 10: 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.

Response: Recommendation acknowledged; the purpose of the easement is to restrict the construction of obstructions for access and maintenance of the utility for which the easement is provided. Preparation of the Landscape Plan will account for the location of existing and proposed utilities, and access to stormwater management facilities.

Recommendation 11: Contact: DNREC Drainage Program at (302) 855-1930.

Website: <http://www.dnrec.delaware.gov/swc/Drainage/Pages/TaxDitches.aspx>

Response: Information noted.

Forest Removal (Mature Forest)

Recommendation 12: 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. The September submittal of the preliminary site design (2020-09-04) proposed to avoid these areas, leaving contiguous tracts of forests intact. However, the newest preliminary plan submitted (2020-11-08) proposes the removal of 17.4 of 19.8 acres of mature forest.

Response: Recommendation acknowledged; any on-site clearing will be designed and performed in accordance with the requirements of Sussex County.

Recommendation 13: Removing forested areas for development 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. Particularly, mature forests, as observed on this site, possess the potential for rare, threatened, or endangered species that rely on this habitat type.

Response: Recommendation acknowledged; any on-site clearing will be designed and performed in accordance with the requirements of Sussex County.

State-listed Threatened and Endangered Species

The Cypress-swamp sedge (*Carex jorii*) is a plant listed as a State of Delaware rare, threatened, or endangered species, which has been documented within the project area. It is listed under State Rank 52, State Status (unlisted), and Global Rank G4G5. Please visit the following website for definitions on the specified State Rank, State Status, and Global Ranking:

<http://www.dnrec.delaware.gov/fw/dwap/Pages/CGCNTTest.aspx>

PLUS

Re: East Gate - 2019-12-07

January 27, 2022

Page 14 of 18

Recommendation 14: To minimize negative impacts to these species, we recommend that wetlands, natural habitats of the Cypress-swamp sedge (*Carex jorii*), be conserved to the maximum extent practicable.

Response: Recommendation acknowledged; any disturbance to jurisdictional wetlands will be performed in accordance with permit requirements as issued by the U.S. Army Corps of Engineers and/or DNREC, as applicable.

Recommendation 15: Habitat type of wetlands indicates the likely presence of turtles and salamanders. For threatened or endangered turtles and salamanders located in proposed developments containing forest habitat and wetlands, design the development to exclude traditional street curb and gutter systems. Instead, utilize vegetated swales or other road curbing (such as Cape Cod curbing) that allows small animals to climb out of the roadbed. This is preferred over steep, vertical curbing.

Response: Recommendation addressed; DelDOT Type 2 curbing (rolled styled) is proposed for use on all internal subdivision streets

Recommendation 16: Recommendations for buffers pertaining to rare and endangered species are prescribed under heading, Vegetated Buffer Zones.

Response: Recommendation acknowledged; buffers will be provided to all regulated wetland areas in accordance with the requirements of Sussex County in effect at the time of application submittal

Recommendation 17: Contact: DNREC Division of Fish & Wildlife at (302)735-3600.

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/>

Response: Information noted

Vegetated Buffer Zones

Recommendation 18: Incorporate a 100-foot vegetated buffer zone from the edge of all waterways and wetlands (including tax ditches) to protect water quality and to protect a potential State of Delaware rare and endangered species, the Cypress-swamp sedge (*Carex jorii*), having a natural habitat of swamps and wetlands.

Response: Recommendation acknowledged; buffers will be provided to all regulated wetland areas in accordance with the requirements of Sussex County in effect at the time of application submittal

Recommendation 19: 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.

Response: Recommendation acknowledged; disturbance to proposed buffers will be minimized to the maximum extent practicable.

Recommendation 20: 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.

Response: Recommendation acknowledged; required buffer areas will be located within open space areas of the community, in accordance with the requirements Sussex County in effect at the time of application submittal

Recommendation 21: 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 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.

Response: Recommendation acknowledged; buffer areas will be planted in accordance with the requirements of Sussex County. Maintenance requirements of these buffer areas will be noted on the Landscape Plan to be prepared as part of the project approval with Sussex County Planning & Zoning.

Recommendation 22: Contact: DNREC Wildlife Species Conservation & Research Program at (302) 735-3600
Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/>

Response: Information noted

Stormwater Management

Recommendation 23: Where site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage onsite stormwater infiltration and reduce overall runoff including pollutant runoff.

Response: Recommendation acknowledged; due to shallow groundwater conditions on the project site, opportunities for infiltration based stormwater management practices are limited. Site stormwater management will be designed in accordance with the DSSR and approved by SCD.

Recommendation 24: For improved stormwater management, preserve existing trees, wetlands, and passive open space.

Response: Recommendation acknowledged; site stormwater management will be designed in accordance with the DSSR and approved by SCD.

Nutrient Management Plan

Recommendation 25: Calculation of open space should not include stormwater management areas

Response: Recommendation acknowledged; open space calculations will be determined in accordance with the requirements of the Sussex County Zoning Code. .

Mosquitoes

The project lies within a zone that will be impacted by mosquitoes due to its location near large expanses of wetlands.

Recommendation 26: 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.

Response: Comment acknowledged; proposed on-site stormwater management facilities will utilize deep pool areas that we believe will allow for the establishment of mosquito

PLUS

Re: East Gate - 2019-12-07

January 27, 2022

Page 16 of 18

predators within the SWM facilities. Information related to supplemental mosquito control measures will be shared with the developer for consideration.

Recommendation 27: Contact: DNREC Division of Fish and Wildlife at (302) 739-9917
Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/mosquito-control/>

Response: Information acknowledged.

Recommendations for Sustainable Practices

Recommendation 28: 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.

Response: Recommendation acknowledged; information will be shared with the developer and builder for their consideration.

Recommendation 29: Consider the use of solar panels for the club house. Renewable energy infrastructure such as solar or geothermal will 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/eef.

Response: Recommendation acknowledged; information will be shared with the developer and builder for their consideration.

Recommendation 30: Incorporate non-motorized connectivity and install bicycle racks where feasible will help to facilitate non-vehicular travel modes.

Response: Recommendation to be addressed; a shared use path may be installed along the project frontage to provide for non-motorized connectivity to the surrounding areas. It is anticipated that a bike rack facility will be installed at the clubhouse for the use of the community residents

Recommendation 31: 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.

Response: Recommendation acknowledged; information will be shared with the developer and builder for their consideration.

Recommendation 32: The applicant should consider the use of recycled materials, such as reclaimed asphalt pavement, to reduce landfill waste, heat island effects on paved surfaces, and pavement costs.

Response: Recommendation acknowledged; information will be shared with the developer and builder for their consideration.

Recommendation 33: Include space for recycling dumpsters within the preliminary site design stage. These can be placed adjacent to trash dumpsters.

Response: Recommendation acknowledged; no dumpsters are proposed to be installed in support of the community development.

Concerns Identified Outside the Development Footprint

Current or Previous Contamination

Based on DNREC records, a remediation project, called Hitchens Pit, is located along the southern border of the project area. This project is closed and poses no risk.

Response: Information acknowledged.

Recommendation 34: For additional questions, contact the Division of Waste and Hazardous Substances Remediation Section at (302) 395-2600.

Website : <https://dnrec.alpha.delaware.gov/waste-hazardous/>

Response: Information acknowledged.

Recommendation 35: Additional information may also be found online by searching Delaware's Environmental Navigator at <http://www.nav.dnrec.delaware.gov/den3/>

Response: Information acknowledged.

Delaware State Fire Marshall's - Contact Duane Fox 259-7037

Recommendation 36: 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>

Response: Recommendation acknowledged; information related to sprinkler installation will be shared with the homebuilders for their consideration.

Recommendation 37: 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.

Response: Recommendation acknowledged; we anticipate holding a pre-submittal meeting with the Fire Protection Specialist in advance of application submittal.

Delaware Transit Corporation (DTC) - Contact Jared Kauffman 576-6062

Recommendation 38: A shared Use Pathway is needed along the frontage.

Response: Recommendation acknowledged; a shared use path will be constructed along the Zion Church Road frontage in accordance with DelDOT requirements.

Delaware Emergency Management Agency - Contact Philip Cane 659-2325

Recommendation 39: Depending on the location along Zion Church road, the construction could fall within the 7 ft. coastal inundation zone, caution is advised depending on location.

Response: Comment acknowledged; while portions of the tax ditch appear to be around elevation 7, the upland area (outside the limits of the existing tax ditch) appear to be at elevations or higher.

Sussex County Housing: Brandv Nauman 855-7779

Recommendation 40: 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.

Response: Information acknowledged; the East Gate project is anticipated to be developed as a market-rate single-family development.

Recommendation 41: 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.sussexcountypde.gov/affordable-and-fairhousing-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.

Response: Information acknowledged; details related to the County's resources will be provided to the developer and builder for their consideration.

Recommendation 42: 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.

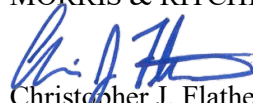
Response: Information acknowledged details related to the County's incentive programs will be provided to the developer and builder for their consideration.

Recommendation 43: 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.

Response: Comment acknowledged; site will be developed in accordance with the requirements of the Sussex County Subdivision and Zoning Codes.

A Preliminary Plan application has been submitted to Sussex County Department of Planning and Zoning review and approval. If you should require additional information regarding this PLUS application, please contact me to discuss at 302-326-2200.

Very Truly Yours,
MORRIS & RITCHIE ASSOCIATES, INC.


Christopher J. Flathers, P.E.
Senior Project Manager

cc: J. Whitehouse, Sussex County
K. McLaughlin, McKee Builders, LLC
J. Fuqua, Esq.
P. Tolliver, MRA
File

Appendix 5 – Soils Report

“Report of Subsurface Exploration”

Geo-Technology Associates, Inc. (GTA), June 3, 2021

GEO-TECHNOLOGY ASSOCIATES, INC.

GEOTECHNICAL AND
ENVIRONMENTAL CONSULTANTS

A Practicing Geoprofessional Business Association Member Firm



June 3, 2021

McKee Capital Partners, LP
940 W. Sprout Road, Suite 301
Springfield, Pennsylvania 19064

Attn: Mr. Mark McGonigal, Vice President

Re: Report of Subsurface Exploration
East Gate
Sussex County, Delaware

Dear Mr. McGonigal:

In accordance with our agreement dated December 30, 2020, Geo-Technology Associates (GTA) has completed subsurface exploration for the East Gate project located in Sussex County, Delaware. The exploration consisted of performing 27 borings within the proposed development area, visually classifying the soils, and performing limited laboratory testing. Transmitted herein is a report of our findings and conclusions about our preliminary recommendations with respect to general development implications. A report regarding stormwater management was submitted separately.

Unless McKee Capital Partners, LP specifies otherwise, the samples collected as a part of the subsurface exploration will be disposed of after a period of 60 days from the date of this report. Thank you for the opportunity to be of assistance. If you have any questions or require additional information, please do not hesitate to contact our office.

Sincerely,
GEO-TECHNOLOGY ASSOCIATES, INC.

Travis Caraway, E.I.T.
Project Geotechnical Professional

Gregory R. Sauter, P.E.
Vice President



TPC/GRS/llh 31210297

21133 Sterling Avenue, Suite 7, Georgetown, DE 19947 (302) 855-9761

◆ Abingdon, MD ◆ Baltimore, MD ◆ Laurel, MD ◆ Frederick, MD ◆ Waldorf, MD ◆ New Castle, DE ◆ Georgetown, DE
◆ Somerset, NJ ◆ NYC Metro ◆ Pittsburgh Metro ◆ Quakertown, PA ◆ Scranton/Wilkes-Barre, PA ◆ York, PA
◆ Northeastern, OH ◆ Sterling, VA ◆ Nashville, TN ◆ Charlotte, NC ◆ Raleigh, NC ◆ Orlando, FL

Visit us on the web at www.gtaeng.com



REPORT OF SUBSURFACE EXPLORATION

East Gate

Sussex County, Delaware

June 3, 2021

Prepared For:

McKee Capital Partners, LP
940 W. Sprout Road, Suite 301
Springfield, Pennsylvania 19064

Attn: Mr. Mark McGonigal
Vice President

Prepared By:

GEO-TECHNOLOGY ASSOCIATES, INC.
Geotechnical and Environmental Consultants
21133 Sterling Avenue, Suite 7
Georgetown, Delaware 19947
302-855-9761 / Fax 302-856-3388

GTA Job No: 31210297

TABLE OF CONTENTS

	PAGE
INTRODUCTION	1
SITE CONDITIONS.....	1
PROPOSED CONSTRUCTION	1
SITE GEOLOGY	2
SUBSURFACE EXPLORATION.....	2
SUBSURFACE CONDITIONS	3
LABORATORY TESTING.....	5
CONCLUSIONS AND RECOMMENDATIONS	6
Earthwork.....	6
Subsurface Utilities.....	7
Surface and Subsurface Drainage	8
Crawlspace Feasibility	8
Foundations.....	9
Floor Slabs	9
Pavements	10
ADDITIONAL SERVICES.....	13
LIMITATIONS.....	14
GBA — Important Information About Your Geotechnical Engineering Report	
APPENDICES	
Appendix A – Figures	
Figure No. 1 – Site Location Plan	
Figure No. 2 – Exploration Location Plan	
Appendix B – Exploration Data	
Notes for Exploration Logs (1 Sheet)	
Exploration Logs (27 Sheets)	
Appendix C – Laboratory Data	
Particle Size Distribution Report (3 Sheets)	
Moisture Density Relationship Test Report (1 Sheet)	
California Bearing Ratio Test Report (1 Sheet)	

**REPORT OF SUBSURFACE EXPLORATION
EAST GATE
SUSSEX COUNTY, DELAWARE
JUNE 2021**

INTRODUCTION

Geo-Technology Associates, Inc. (GTA) was retained by McKee Capital Partners, LP to perform a geotechnical exploration of the East Gate project. The scope of this study included field exploration, limited laboratory testing and analysis pertaining to general development implications. The field exploration consisted of 27 Standard Penetration Test (SPT) borings located throughout the property. Conclusions and recommendations regarding site development were derived from analysis of field data and plans titled *East Gate* prepared by Morris and Ritchie Associates (MRA), dated March 17, 2021. A stormwater management subsurface exploration report has been submitted separately.

SITE CONDITIONS

Referring to the attached Site Location Plan, the site consists of an almost rectangular-shaped parcel located along the south side of Zion Church Road (Route 20) approximately ¼-mile west of Bayard Road in Sussex County, Delaware. The northern portion of the property consists of overgrown vegetation and immature woods with mature woods located along the southern portion of the site. Topographically, the property is generally flat with the existing ground surface at the exploration locations ranges between approximate Elevation 10 and 16 Mean Sea Level (MSL), as determined by MRA.

PROPOSED CONSTRUCTION

The proposed construction will consist of 102 single family lots, roadways, stormwater management (SWM) facilities, and a community clubhouse/recreation area. The houses will be wood framed with slab-on-grade or conditioned crawlspace construction. The buildings will be served by public water and sewer. The grading scheme will generally entail several feet of cuts to fills in proposed building and roadway areas with upwards to 10 to 15 feet of cut in the pond areas.

SITE GEOLOGY

According to the Geologic Map of the Frankford and Selbyville Quadrangle, Delaware (2013) published by the Delaware Geological Survey, the site is within the Coastal Plain Physiographic Province. Coastal Plain sediments below the surficial deposits exposed in the site area were generally deposited in commonly estuarine environments of Quaternary geologic age. The Pleistocene deposits are designated as the Ironshire Formation of the Delaware Bay Group and typically consist of “Pale-yellow to light-gray, fine to very coarse sand... Thin, light-gray, silty clay beds occur but are not present at all localities.” Localized Swamp Deposits are present and generally consist of “...silty and clayey gravelly sand overlain by organic-rich fine to coarse sand.” Additionally, localized Dune Deposits are present in the southern end of the site, which consist of “white to pale-yellow, well-sorted, medium to fine sand.” Please refer to the publication for additional information.

SUBSURFACE EXPLORATION

To characterize subsurface conditions, 27 Standard Penetration Test (SPT) borings, designated as P-1 through P-6, P-8, P-11 and SWM-1 through SWM-19, were performed at the approximate locations shown on the Exploration Location Plan, presented as Figure 2 in Appendix A. Borings P-7, P-9 and P-10 were not performed as they were not accessible due to ponded water surrounding the locations. Boring locations were selected by GTA. The borings were staked with elevations determined by MRA. The exploration locations indicated on the plan should be considered approximate.

The SPT borings were advanced to depths of approximately 10 feet below existing grades for Borings P-1 through P-6, P-8 and P-11 and 14 to 16 feet for Borings SWM-1 through SWM-19, using an ATV-mounted CME-55 drill rig. Standard Penetration Testing was performed in the boreholes, with soil samples obtained at approximately 2-foot intervals in the upper 10 feet and then at 5-foot intervals thereafter at the roadway borings and samples obtained at approximately 2-foot intervals until the boring termination depths. Standard Penetration Testing involves driving a 2-inch O.D., 1 3/8 -inch I.D. split-spoon sampler with a 140-pound hammer free-falling 30 inches. The SPT N-value, given as blows per foot (bpf), is defined as the total number of blows required to drive the

sampler from 6 to 18 inches below the initial sampling depth. The boring holes were backfilled after longer term readings were performed.

Samples obtained from the borings were delivered to GTA's office for visual classification by GTA personnel. Selected samples recovered from the field exploration were submitted for limited laboratory analysis. The soil layers were classified in accordance with the Unified Soil Classification System (USCS). Classifications provided on the logs are visual descriptions, supplemented by available laboratory data. The exploration logs are presented in Appendix B. The logs represent our interpretation of the field data based on observation and selected soil classification tests. The interfaces indicated on the logs may be gradual.

SUBSURFACE CONDITIONS

The explorations generally confirm the description of subsurface conditions provided in the *SITE GEOLOGY* section of this report. Below a 4- to 24-inch-thick surface topsoil layer, the explorations generally encountered native subsoils visually classified as predominately consisting of Poorly-graded SANDs with Silt (USCS: SP-SM), Poorly-graded SANDs (SP), Silty SANDs (SM) and Clayey SANDs (SC). The relative densities of the granular soils were very loose to medium dense based on SPT N-values of 2 to 21 blows per foot (bpf).

At most exploration locations, the explorations encountered interspersed fine-grained native subsoil layers visually classified as predominately consisting of SILTs (USCS: ML) and Lean CLAYs (CL). The relative consistencies of the fine-grained soils were soft to very stiff based on SPT N-values of 2 to 18 bpf and cohesion values of 0.25 to 0.6 kips per square foot (ksf).

GTA's estimate of the seasonal high groundwater level at the borings is based upon water levels above seasonal high; and soil coloring, saturation and/or mottling. The results of the groundwater level readings and GTA's opinion of the estimated seasonal high groundwater depth are summarized as follows:

GROUNDWATER DATA SUMMARY

Exploration No.	Existing Ground Surface Elevation (MSL)	Depth Below Existing Ground Surface (ft.)/ Elevation (MSL) to Groundwater at Completion	Depth Below Existing Ground Surface (ft.)/ Elevation (MSL) to Groundwater At Two to Eight Days After Completion	*Depth Below Existing Ground Surface (ft.)/ Elevation (MSL) to Estimated Seasonal High Groundwater
P-1	EL 11.4	2.0 / EL 9.4	0.5 / EL 10.9	1 / EL 11
P-2	EL 13.9	2.0 / EL 11.9	0.2 / EL 13.7	<1 / EL 14
P-3	EL 14.9	3.0 / EL 11.9	1.0 / EL 13.9	1 / EL 14
P-4	EL 14.8	3.0 / EL 11.8	1.5 / EL 13.3	2 / EL 13
P-5	EL 13.5	3.0 / EL 10.5	2.5 / EL 11.0	3 / EL 11
P-6	EL 13.4	3.0 / EL 10.4	0.6 / EL 12.8	1 / EL 13
P-8	EL 15.8	3.0 / EL 12.8	2.0 / EL 13.8	2 / EL 14
P-11	EL 13.9	4.0 / EL 9.9	3.5 / EL 10.4	4 / EL 10
SWM-1	EL 13.9	3.0 / EL 10.9	0.8 / EL 13.1	1 / EL 13
SWM-2	EL 11.4	3.0 / EL 8.4	2.0 / EL 9.4	2 / EL 9
SWM-3	EL 13.6	1.5 / EL 12.1	0.5 / EL 13.1	<1 / EL 13
SWM-4	EL 13.1	2.0 / EL 11.1	0.5 / EL 12.6	<1 / EL 13
SWM-5	EL 13.6	2.0 / EL 11.6	0.4 / EL 13.2	<1 / EL 13
SWM-6	EL 12.5	3.0 / EL 9.5	0.0 / EL 12.5	<1 / EL 12
SWM-7	EL 9.6	2.0 / EL 7.6	0.8 / EL 8.8	1 / EL 9
SWM-8	EL 11.3	3.0 / EL 8.3	2.0 / EL 9.3	2 / EL 9
SWM-9	EL 14.1	6.0 / EL 8.1	2.0 / EL 12.1	2 / EL 12
SWM-10	EL 13.9	4.0 / EL 9.9	2.0 / EL 11.9	2 / EL 12
SWM-11	EL 10.9	12.0 / EL -1.1	1.0 / EL 9.9	1 / EL 10
SWM-12	EL 12.4	4.2 / EL 8.2	4.8 / EL 7.6	5 / EL 8
SWM-13	EL 13.6	5.3 / EL 8.3	1.5 / EL 12.1	2 / EL 12
SWM-14	EL 14.0	9.0 / EL 5.0	5.0 / EL 9.0	5 / EL 9
SWM-15	EL 12.8	8.5 / EL 4.3	5.0 / EL 7.8	5 / EL 8
SWM-16	EL 11.8	2.5 / EL 9.3	1.0 / EL 10.8	1 / EL 11
SWM-17	EL 11.5	4.0 / EL 7.5	0.5 / EL 10.0	1 / EL 11
SWM-18	EL 12.2	4.0 / EL 8.2	2.0 / EL 10.2	2 / EL 10
SWM-19	EL 11.8	2.5 / EL 9.3	1.5 / EL 10.3	2 / EL 10

*Seasonal high groundwater estimate based upon observed soil mottling, saturation and color and should be considered approximate.

The groundwater levels can be expected to fluctuate with seasonal changes, precipitation, and other factors such as development activity. Additionally, perched water conditions develop in granular soils overlying fine-grained soils during the “wet season” as well as during periods of precipitation.

LABORATORY TESTING

Selected samples were obtained from the borings and were tested for grain-size analyses, Atterberg Limits, and natural moisture content. The grain-size analysis and Atterberg Limits testing were performed to determine the Unified Soil Classification System (USCS) designations for the soil. USCS classifications provide information regarding soil behavior beneath pavement, foundation systems, and infiltration areas. The results of testing are as follows:

SUMMARY OF INDEX TESTING

EXPLORATION NO.	DEPTH (ft)	USCS CLASSIFICATION	LL %	PI %	NMC%
P-1	1 – 4	Silty SAND (SM)	NP	NP	15.2
SWM-1	1 – 4	Clayey SAND (SC)	23	14	7.5
Composite: P-1/SWM-1	1 – 4	Clayey SAND (SC)	23	14	19.1

Note: LL=Liquid Limit PI=Plastic Index NP=Non-Plastic NMC=Natural Moisture Contents

A bulk, near-surface sample was also tested for moisture-density relationships in accordance with the Modified Proctor (ASTM D-1557) method for use in evaluating the suitability of these soils for reuse as fill. The sample was also subjected to California Bearing Ratio (CBR) testing for use in evaluation of pavement subgrade supporting quality. Results of this test are summarized in the following table.

**SUMMARY OF COMPACTION and CBR DATA
(ASTM D 1557, the Modified Proctor; ASTM D 1883, CBR)**

EXPLORATION NO.	DEPTH (FT)	MAXIMUM DRY DENSITY (PCF)	OPTIMUM MOISTURE (%)	NATURAL MOISTURE (%)	APPROXIMATE CBR AT 95% COMPACTION (%)
Composite: P-1/SWM-1	1 – 4	124.5	8.6	19.1	5.9

Please refer to the laboratory test results included within Appendix C for additional information.

CONCLUSIONS AND RECOMMENDATIONS

Based upon the results of this study, it is our opinion that development of the property is feasible, given that the geotechnical recommendations are followed and that the standard level of care is maintained during construction. Shallow groundwater will impact site development. GTA's preliminary recommendations are provided in the following paragraphs.

Earthwork

Prior to the placement of compacted fill, areas below proposed foundation, slab, and pavement should be stripped and grubbed to remove topsoil and otherwise unsuitable materials to expose native granular soils. The building pads should be oversized at least 5 feet outside the building footprints. The actual stripping thickness will be dependent on localized topsoil development, previous plow depth, precipitation, soil moisture, construction traffic disturbance, and contractor care.

Precipitation will result in standing water at low areas and in localized undercut areas. If the water is allowed to pond, the exposed subgrade materials may deteriorate and additional over-excavation or subgrade improvement may be required at the affected areas. Positive drainage should be provided to protect exposed subgrades. During wet season construction, GTA anticipates that the existing surficial soils may soften and significant rutting may occur. The affected material will likely require removal prior to placement of fill. GTA recommends a summer season earthwork operation to minimize the economic impact of wet near surface soils.

Most near surface on-site soils beneath the topsoil are considered suitable for re-use as structural fill material. Excavated site materials conforming to SP, SP-SM or SM classifications will be suitable for re-use in structural areas of mass earthwork construction. The moisture content of the bulk sample materials tested was approximately ten percent above the optimum moisture, and at the tested moisture, on-site soils similar to the samples tested will require significant drying by aeration

or chemical amendment (e.g., Calciment, Portland Cement, etc.) after spreading over a large area and prior to compaction in fill construction.

Off-site borrow should meet Unified Soil Classification System (USCS) designation SM, SP, SW, GP, GM, or GW for general structural fill and be approved by GTA. All fills should be constructed in maximum 8-inch-thick loose lifts and be compacted to the following specifications:

COMPACTION SPECIFICATIONS

Structure / Fill Location	Compaction / Moisture Specification
Below foundations, retaining walls, floor slabs, fills below top one foot of pavement subgrade and within wall backfill or slopes steeper than 5H:1V	95% of ASTM D-698 Moisture: ± 3% of optimum
Fills within top one foot of pavement subgrade	95% of ASTM D-1557 Moisture: ± 3% of optimum

A soils-technician should observe fill construction on a full-time basis under the supervision of a geotechnical engineer in accordance with the 2012 International Building Code (IBC). Compactive effort should be verified by in-place density testing.

Subsurface Utilities

Based upon the results of the exploration, GTA anticipates that standard excavating techniques should be suitable for utility installation to depths of 10 feet. Firm natural soil and controlled compacted fill are considered suitable for support of the proposed pipe systems. Due to the potential for collapse of unsupported excavation in granular soils, the utility contractor should be prepared to provide adequate earth support systems during utility construction. Dewatering through the use of “sump and pump” for trenches extending 1 to 2 feet below groundwater, in conjunction with well point techniques in deeper utility areas, will be required for utility installation. At the current groundwater levels, most utility installations extended below 2 feet will likely encounter groundwater.

Surface and Subsurface Drainage

Final building pad and pavement grades should be carefully established to provide adequate surface drainage away from the foundations. Groundwater levels referenced in the *SUBSURFACE CONDITIONS* section of the report are, in our opinion, below normal seasonal high groundwater levels. Furthermore, soil layers containing appreciable amounts of silt or clay tend to perch groundwater at higher levels during wetter periods.

Crawlspace Feasibility

Based upon the results of this study, it is our opinion that the current groundwater levels are at or above the normal seasonal highs, typically at a depth ½ to 3-feet and averaging at 1½-feet below the existing ground surface. To facilitate conditioned crawlspace construction and an 18-inch or greater buffer between the seasonal high groundwater level and the bottom of footing elevation, the bottom of footing will generally need to be placed an average of ½-foot below the existing ground surface elevation with a nominal range of one foot above to below the existing ground elevation. Slab-on-grade construction is recommended at lots where grades cannot be raised to facilitate crawlspace construction.

For the conditioned crawlspace foundations, an exterior and interior perimeter foundation drain system outletted to a sump crock provided with a backup mechanical pump is recommended. All exterior grades should slope to drain away from the building foundation. Drains, damproofing, footings, and wall construction should be in general accordance with IRC 2012 and Sussex County requirements, as applicable.

With crawlspace grades outlined above, it is our opinion that with the recommended earthwork construction, the site native soils and structural fill will generally be suitable to support standard footing details. If saturated footing and crawlspace slab subgrades are encountered during construction, GTA should be consulted, as the subgrade will likely need to be stabilized using a 4-inch bed of AASHTO #57 stone and the crawlspace ground floor level may have to be raised as recommended by GTA at the time of construction. If saturated footing excavations are encountered,

the foundation contractor should anticipate dewatering from temporary sump pits to facilitate footing subgrade improvements.

Foundations

It is GTA's opinion that the community center and residential building construction may be supported on native soils or structural fill using shallow spread footings preliminarily designed for a maximum net allowable bearing pressure on the order of 2,000 pounds per square foot (psf). Minimum widths for wall footings of 16 inches and column footings of 24 inches are recommended. Exterior footings should be founded a minimum of 24 inches below the final exterior grades to provide protection from frost action.

Standard footing details should prove acceptable for construction. However, if very loose or soft soils are encountered at footing subgrade, these materials will require remediation. Remediation may include undercut and replacement of subgrade material using AASHTO #57 aggregate. Remediation should be performed during foundation construction as directed by the project geotechnical engineer.

Floor Slabs

Ground floor slabs should be designed as concrete slab-on-grade. GTA recommends that the concrete floor slabs supported on grade be founded on a four-inch thick open-graded washed gravel or stone layer covered with a polyethylene vapor retarder to interrupt the rise of moisture through the slab. Natural and compacted fill subgrades for support of the floor slabs should be tested to verify stability and compaction in accordance with GTA's earthwork recommendations prior to placement of concrete. Control joints should be provided to control shrinkage cracking of the concrete floor system. Isolation joints should be present at the location of walls, columns, and footings to allow for differential movement.

Pavements

Pavement sections should be designed based on anticipated subgrade conditions and traffic intensity. Laboratory testing of selected site soils conforming to USCS classification SC and AASHTO classification A-2-4 indicated a CBR value of approximately 6 percent for the sample tested. The CBR value is based upon a relative compaction of 95 percent of maximum dry density (Modified Proctor, ASTM D-1557). Based upon the CBR value and the field conditions encountered at the borings, the site soils tested are considered to be generally fair for supporting standard pavement sections.

Based on GTA's experience with similar developments, construction traffic is likely to be more significant for the design of the pavements. The pavement section thickness should be designed to reflect construction traffic and the subgrade supporting quality of the site soils. It is likely that the majority of the on-site soils conforming to USCS Classifications SP, SP-SM or SM, and AASHTO A-1, A-2, or A-3 will be suitable for the support of standard pavement thickness sections. However, subgrade materials should be carefully evaluated prior to graded aggregate base placement and paving. Therefore, GTA recommends that the upper 12 inches of pavement subgrade be constructed of fill with the following characteristics:

PAVEMENT SUBGRADE SPECIFICATIONS

Liquid Limit	35 or less
Plasticity Index	Non-Plastic
Maximum Dry Density	105 pcf or greater
California Bearing Ratio	6 or greater

Prior to construction of pavement sections, the pavement subgrade should be proof-rolled with a loaded tandem-axle dump truck under the observation of GTA to verify stability. Unstable or unsuitable soils should be over-excavated to a stable bearing layer. The subgrade may be re-established with approved, controlled, compacted stabilized fill. A contingency for undercutting and replacement of unsuitable materials should be provided.

For pavement construction, it is recommended that two different pavement sections be utilized to reduce the potential for pavement failures during construction. The heavy-duty pavement section can be constructed for the main roadway. The standard-duty pavement section can be constructed in the clubhouse parking lot. It is recommended that construction traffic be limited to the heavy-duty pavement sections. The recommended preliminary pavement sections are as follows:

FLEXIBLE PAVEMENT

Pavement Components	Standard-Duty	Heavy-Duty
Bituminous Concrete Surface Course (Type C; 9.5 mm Superpave)	1 ¼ inches	1 ¼ inches
Bituminous Concrete Intermediate Course (Type C)*	--	1 ½ inches
Bituminous Concrete Base Course (Type B; 12.5 or 19 mm Superpave)	3 inches	3 inches
Graded Aggregate Base Course (Type B Crusher Run)	6 inches	8 inches
Approved Subgrade	12 inches	12 inches

*Intermediate Course placed immediately following Base Course.

RIGID PAVEMENT

Pavement Components	Standard-Duty	Heavy-Duty
Portland Cement Concrete*	5 inches	6 inches
Graded Aggregate Base Course (Type B Crusher Run)	4 inches	4 inches
Approved Subgrade	12 inches	12 inches

*f_c= 4,000 psi concrete provided with 7% air-entrainment; control joints, isolation joints, load transfer devices, and reinforcement as required.

As an alternative, GTA recommends that the pavement soil subgrade be amended with cement to improve the subgrade supporting qualities of the native soils, to facilitate pavement construction and to maximize the use of available on-site soils for reuse in structural fill areas. The cement treated subgrade should be constructed and cured in general accordance with the Portland Cement Association (PCA) specifications. The cement amended subgrade should be compacted to 95 percent of the Standard Proctor (AASHTO T-99) maximum dry density.

GTA should monitor cement amended subgrade and pavement construction. Some areas may require deeper treatment should weak soils extend below the 12-inch depth. The decision to treat depths greater than 12 inches should be made in the field during construction. The subgrade should be cured and heavy construction traffic should be prohibited for a period of up to seven days after completion, as directed by GTA depending upon field conditions. Past experience has indicated that approximately 5 percent cement content (dry weight) may be needed. This is equivalent to a spread rate of approximately 50 pounds of cement per square yard, 12 inches deep, and compacted to 95 percent of the Standard Proctor maximum dry density. The actual amount of cement required will need to be determined based upon laboratory testing and the results of initial field treatment.

GTA should be present during a proofroll of the subgrade soils in these areas prior to subgrade cement amendment and paving. Any unsuitable or unstable soils present at the time should be undercut and replaced with suitable materials amended with cement as outlined in the following paragraphs. GTA recommends a minimum spread rate of 50 pounds of cement per square yard (approximately 5 percent by dry weight), mixed to a depth of 12 inches. The following preliminary pavement sections with a cement treated subgrade are recommended for use at this project:

**MAIN ROADWAY
ALTERNATE PAVEMENT SECTION (CEMENT AMENDED SUBGRADE)**

Pavement Components	Thickness
Bituminous Concrete Surface Course (Type C; 9.5 mm Superpave)	1 ½ inches
Bituminous Concrete Base Course (Type B; 12.5 or 19 mm Superpave)	3 ½ inches
Graded Aggregate Base Course (Type B Crusher Run)	2 inches
Cement Treated Subgrade*	12 inches

*GTA recommends a spread rate of 50 pounds of cement per square yard (approximately 5 percent by weight), mixed to a depth of 12 inches. Higher cement content may be required depending upon field conditions and additional testing.

The actual amount of cement required will need to be determined based upon laboratory testing and the results of initial field treatment. Some of the more plastic clayey soils may require additional treatment with cement or lime. GTA will evaluate these soils after the cement has been applied, mixed, and recompacted. The construction of the modified soil subgrade should generally

follow PCA specifications, with some slight modifications particularly with respect to curing times. GTA will likely recommend allowing paving prior to seven days, depending upon observed stability after 24 to 48 hours. Conformance testing will need to be performed by GTA during construction to verify that the modified soils and the pavement construction meet the project specifications.

When pavement areas are established to approximate pavement subgrade, the pavement subgrade material should be observed by GTA to allow for additional recommendations based upon subgrade conditions observed at the time of construction. All pavement materials and construction should conform to the State of Delaware, Department of Transportation (DelDOT), STANDARD SPECIFICATIONS, and Sussex County Private Road Standard Details, latest editions, as applicable.

ADDITIONAL SERVICES

We recommended that GTA be retained to provide consultation, observation and testing services for the following items.

- Provide additional exploration, as appropriate, as development features are further defined.
- Review preliminary structural loads when estimated.
- Provide observation and testing services during fill placement to evaluate if the work is being performed in accordance with the project specifications and intent of this report.
- Observe the proof-rolling of pad and pavement subgrades prior to placing fill or base course to evaluate stability.
- Review foundation construction for compliance with the project drawings and the intent of this geotechnical report.
- Provide “special inspection” services during building construction for compliance with building code requirements.
- Soil-cement mix design for cement amended subgrade.

LIMITATIONS

This report, including all supporting boring logs, field data, field notes, laboratory test data, calculations, estimates and other documents prepared by GTA in connection with this project have been prepared for the exclusive use of McKee Capital Partners, LP pursuant to agreements between GTA and McKee Capital Partners, LP dated December 30, 2020, and in accordance with generally accepted engineering practice. All terms and conditions set forth in the Agreement and the General Provisions appended thereto are incorporated herein by reference. No warranty, express or implied, is made herein. Use and reproduction of this report by any other person without the expressed written permission of GTA and McKee Capital Partners, LP is unauthorized and such use is at the sole risk of the user.

The analysis and preliminary recommendations contained in this report are based on the data obtained from limited observation and testing of the encountered materials. Test borings indicate soil conditions only at specific locations and times and only at the depths penetrated. They do not necessarily reflect strata or variations that may exist between test boring locations. Consequently, the analysis and recommendations must be considered preliminary until the subsurface conditions can be verified by direct observation at the time of construction. If variations of subsurface conditions from those described in this report are noted during construction, recommendations in this report may need to be re-evaluated.

In the event that any changes in the nature, design, or location of the facilities are planned, the conclusions and recommendations contained in this report should not be considered valid unless the changes are reviewed and conclusions of this report are verified in writing. Geo-Technology Associates, Inc. is not responsible for any claims, damages, or liability associated with interpretation of subsurface data or reuse of the subsurface data or engineering analysis without the expressed written authorization of Geo-Technology Associates, Inc.

The scope of our services for this geotechnical exploration did not include any environmental assessment or investigation for the presence or absence of wetlands, or hazardous or toxic materials

in the soil, surface water, groundwater or air, on or below or around this site. Any statements in this report or on the logs regarding odors or unusual or suspicious items or conditions observed are strictly for the information of our Client. This report and the attached logs are instruments of service.

The subject matter of this report is limited to the facts and matters stated herein. Absence of a reference to any other conditions or subject matter shall not be construed by the reader to imply approval by the writer.

31210297

GEO-TECHNOLOGY ASSOCIATES, INC.

Important Information about This

Geotechnical-Engineering Report

Subsurface problems are a principal cause of construction delays, cost overruns, claims, and disputes.

While you cannot eliminate all such risks, you can manage them. The following information is provided to help.

The Geoprofessional Business Association (GBA) has prepared this advisory to help you – assumedly a client representative – interpret and apply this geotechnical-engineering report as effectively as possible. In that way, you can benefit from a lowered exposure to problems associated with subsurface conditions at project sites and development of them that, for decades, have been a principal cause of construction delays, cost overruns, claims, and disputes. If you have questions or want more information about any of the issues discussed herein, contact your GBA-member geotechnical engineer. Active engagement in GBA exposes geotechnical engineers to a wide array of risk-confrontation techniques that can be of genuine benefit for everyone involved with a construction project.

Understand the Geotechnical-Engineering Services Provided for this Report

Geotechnical-engineering services typically include the planning, collection, interpretation, and analysis of exploratory data from widely spaced borings and/or test pits. Field data are combined with results from laboratory tests of soil and rock samples obtained from field exploration (if applicable), observations made during site reconnaissance, and historical information to form one or more models of the expected subsurface conditions beneath the site. Local geology and alterations of the site surface and subsurface by previous and proposed construction are also important considerations. Geotechnical engineers apply their engineering training, experience, and judgment to adapt the requirements of the prospective project to the subsurface model(s). Estimates are made of the subsurface conditions that will likely be exposed during construction as well as the expected performance of foundations and other structures being planned and/or affected by construction activities.

The culmination of these geotechnical-engineering services is typically a geotechnical-engineering report providing the data obtained, a discussion of the subsurface model(s), the engineering and geologic engineering assessments and analyses made, and the recommendations developed to satisfy the given requirements of the project. These reports may be titled investigations, explorations, studies, assessments, or evaluations. Regardless of the title used, the geotechnical-engineering report is an engineering interpretation of the subsurface conditions within the context of the project and does not represent a close examination, systematic inquiry, or thorough investigation of all site and subsurface conditions.

Geotechnical-Engineering Services are Performed for Specific Purposes, Persons, and Projects, and At Specific Times

Geotechnical engineers structure their services to meet the specific needs, goals, and risk management preferences of their clients. A geotechnical-engineering study conducted for a given civil engineer

will not likely meet the needs of a civil-works constructor or even a different civil engineer. Because each geotechnical-engineering study is unique, each geotechnical-engineering report is unique, prepared *solely* for the client.

Likewise, geotechnical-engineering services are performed for a specific project and purpose. For example, it is unlikely that a geotechnical-engineering study for a refrigerated warehouse will be the same as one prepared for a parking garage; and a few borings drilled during a preliminary study to evaluate site feasibility will not be adequate to develop geotechnical design recommendations for the project.

Do not rely on this report if your geotechnical engineer prepared it:

- for a different client;
- for a different project or purpose;
- for a different site (that may or may not include all or a portion of the original site); or
- before important events occurred at the site or adjacent to it; e.g., man-made events like construction or environmental remediation, or natural events like floods, droughts, earthquakes, or groundwater fluctuations.

Note, too, the reliability of a geotechnical-engineering report can be affected by the passage of time, because of factors like changed subsurface conditions; new or modified codes, standards, or regulations; or new techniques or tools. *If you are the least bit uncertain* about the continued reliability of this report, contact your geotechnical engineer before applying the recommendations in it. A minor amount of additional testing or analysis after the passage of time – if any is required at all – could prevent major problems.

Read this Report in Full

Costly problems have occurred because those relying on a geotechnical-engineering report did not read the report in its entirety. Do not rely on an executive summary. Do not read selective elements only. *Read and refer to the report in full.*

You Need to Inform Your Geotechnical Engineer About Change

Your geotechnical engineer considered unique, project-specific factors when developing the scope of study behind this report and developing the confirmation-dependent recommendations the report conveys. Typical changes that could erode the reliability of this report include those that affect:

- the site's size or shape;
- the elevation, configuration, location, orientation, function or weight of the proposed structure and the desired performance criteria;
- the composition of the design team; or
- project ownership.

As a general rule, *always* inform your geotechnical engineer of project or site changes – even minor ones – and request an assessment of their impact. *The geotechnical engineer who prepared this report cannot accept*

responsibility or liability for problems that arise because the geotechnical engineer was not informed about developments the engineer otherwise would have considered.

Most of the “Findings” Related in This Report Are Professional Opinions

Before construction begins, geotechnical engineers explore a site’s subsurface using various sampling and testing procedures. *Geotechnical engineers can observe actual subsurface conditions only at those specific locations where sampling and testing is performed.* The data derived from that sampling and testing were reviewed by your geotechnical engineer, who then applied professional judgement to form opinions about subsurface conditions throughout the site. Actual sitewide-subsurface conditions may differ – maybe significantly – from those indicated in this report. Confront that risk by retaining your geotechnical engineer to serve on the design team through project completion to obtain informed guidance quickly, whenever needed.

This Report’s Recommendations Are Confirmation-Dependent

The recommendations included in this report – including any options or alternatives – are confirmation-dependent. In other words, they are not final, because the geotechnical engineer who developed them relied heavily on judgement and opinion to do so. Your geotechnical engineer can finalize the recommendations *only after observing actual subsurface conditions* exposed during construction. If through observation your geotechnical engineer confirms that the conditions assumed to exist actually do exist, the recommendations can be relied upon, assuming no other changes have occurred. *The geotechnical engineer who prepared this report cannot assume responsibility or liability for confirmation-dependent recommendations if you fail to retain that engineer to perform construction observation.*

This Report Could Be Misinterpreted

Other design professionals’ misinterpretation of geotechnical-engineering reports has resulted in costly problems. Confront that risk by having your geotechnical engineer serve as a continuing member of the design team, to:

- confer with other design-team members;
- help develop specifications;
- review pertinent elements of other design professionals’ plans and specifications; and
- be available whenever geotechnical-engineering guidance is needed.

You should also confront the risk of constructors misinterpreting this report. Do so by retaining your geotechnical engineer to participate in prebid and preconstruction conferences and to perform construction-phase observations.

Give Constructors a Complete Report and Guidance

Some owners and design professionals mistakenly believe they can shift unanticipated-subsurface-conditions liability to constructors by limiting the information they provide for bid preparation. To help prevent the costly, contentious problems this practice has caused, include the complete geotechnical-engineering report, along with any attachments or appendices, with your contract documents, *but be certain to note*

conspicuously that you’ve included the material for information purposes only. To avoid misunderstanding, you may also want to note that “informational purposes” means constructors have no right to rely on the interpretations, opinions, conclusions, or recommendations in the report. Be certain that constructors know they may learn about specific project requirements, including options selected from the report, *only* from the design drawings and specifications. Remind constructors that they may perform their own studies if they want to, and *be sure to allow enough time* to permit them to do so. Only then might you be in a position to give constructors the information available to you, while requiring them to at least share some of the financial responsibilities stemming from unanticipated conditions. Conducting prebid and preconstruction conferences can also be valuable in this respect.

Read Responsibility Provisions Closely

Some client representatives, design professionals, and constructors do not realize that geotechnical engineering is far less exact than other engineering disciplines. This happens in part because soil and rock on project sites are typically heterogeneous and not manufactured materials with well-defined engineering properties like steel and concrete. That lack of understanding has nurtured unrealistic expectations that have resulted in disappointments, delays, cost overruns, claims, and disputes. To confront that risk, geotechnical engineers commonly include explanatory provisions in their reports. Sometimes labeled “limitations,” many of these provisions indicate where geotechnical engineers’ responsibilities begin and end, to help others recognize their own responsibilities and risks. *Read these provisions closely.* Ask questions. Your geotechnical engineer should respond fully and frankly.

Geoenvironmental Concerns Are Not Covered

The personnel, equipment, and techniques used to perform an environmental study – e.g., a “phase-one” or “phase-two” environmental site assessment – differ significantly from those used to perform a geotechnical-engineering study. For that reason, a geotechnical-engineering report does not usually provide environmental findings, conclusions, or recommendations; e.g., about the likelihood of encountering underground storage tanks or regulated contaminants. *Unanticipated subsurface environmental problems have led to project failures.* If you have not obtained your own environmental information about the project site, ask your geotechnical consultant for a recommendation on how to find environmental risk-management guidance.

Obtain Professional Assistance to Deal with Moisture Infiltration and Mold

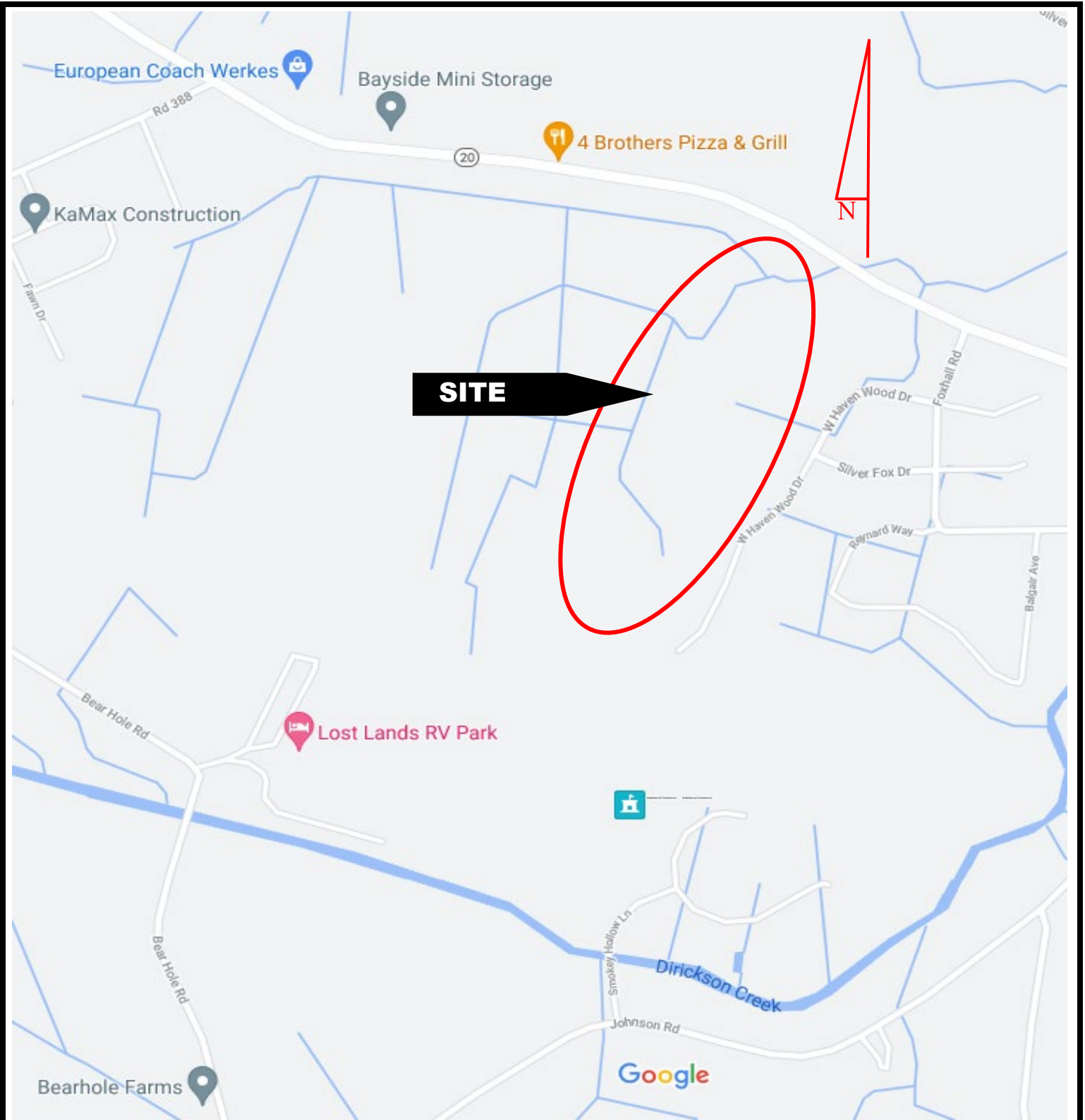
While your geotechnical engineer may have addressed groundwater, water infiltration, or similar issues in this report, the engineer’s services were not designed, conducted, or intended to prevent migration of moisture – including water vapor – from the soil through building slabs and walls and into the building interior, where it can cause mold growth and material-performance deficiencies. Accordingly, *proper implementation of the geotechnical engineer’s recommendations will not of itself be sufficient to prevent moisture infiltration.* **Confront the risk of moisture infiltration** by including building-envelope or mold specialists on the design team. **Geotechnical engineers are not building-envelope or mold specialists.**




Telephone: 301/565-2733

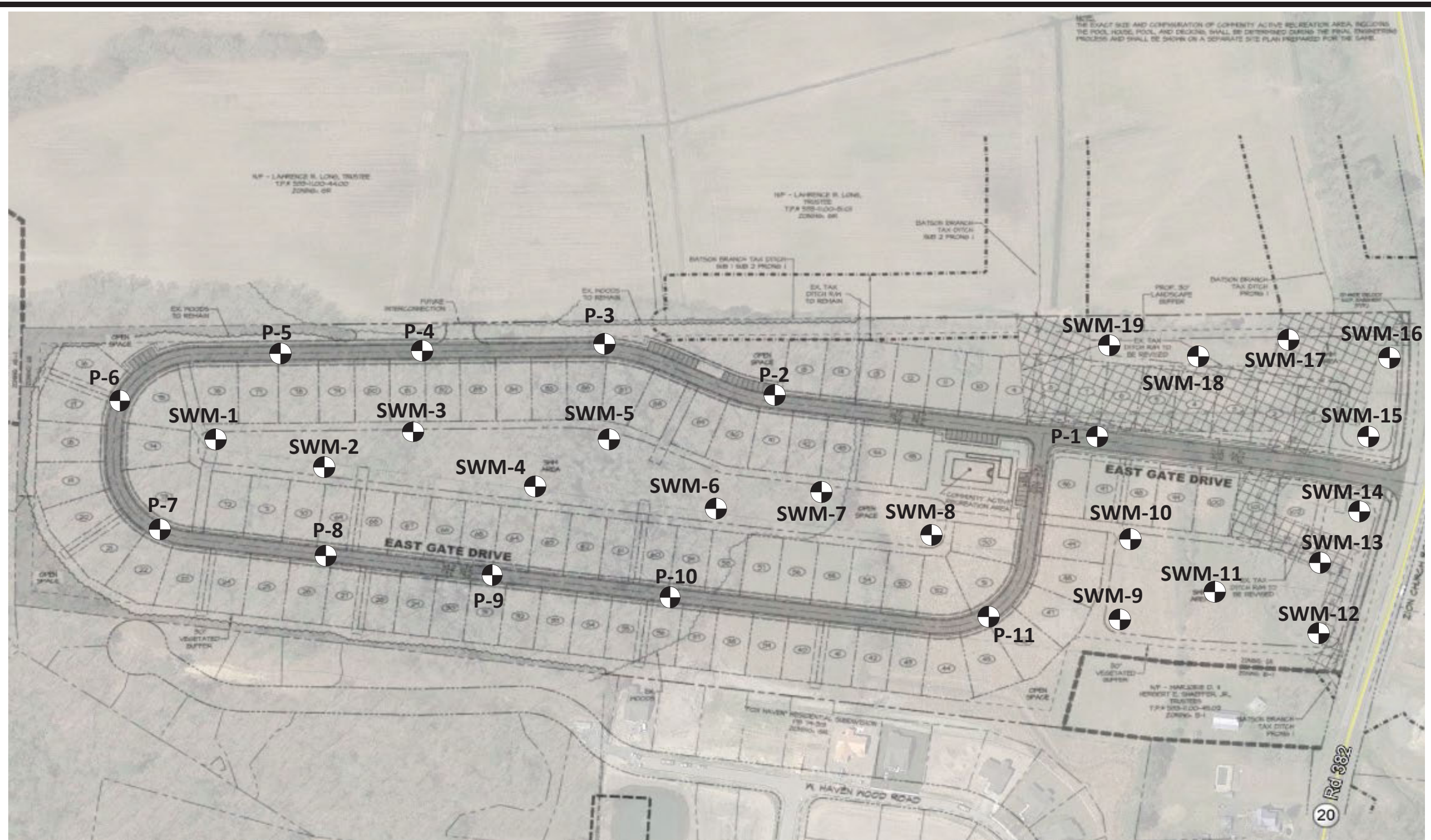
e-mail: info@geoprofessional.org www.geoprofessional.org

APPENDIX A
FIGURES



Site Location Plan taken from Google Maps

	GEO-TECHNOLOGY ASSOCIATES, INC. GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS 21133 Sterling Avenue, Suite 7 Georgetown, Delaware 19947 (302) 855-9761 Fax (302) 856-3388			Site Location Plan East Gate Sussex County, Delaware	
	SCALE NTS	DATE May 2021	DRAWN BY GTA	DESIGN BY Google Maps	REVIEW BY GRS



Exploration Location Plan taken from Google Earth and a plan titled *East Gate* drawn by Morris & Richie Associates, Inc. and dated December 07, 2020.

 - Boring Location



GEO-TECHNOLOGY ASSOCIATES, INC.
 GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS
 21133 Sterling Avenue, Suite 7
 Georgetown, Delaware 19947
 (302) 855-9761 Fax (302) 856-3388

Exploration Location Plan
East Gate
Sussex County, Delaware

SCALE 11x17

1" ~ 185'

DATE

May 2021

DRAWN BY

GTA

DESIGN BY

MRA

REVIEW BY

GRS

JOB NO.

31200297

Figure

2

APPENDIX B
EXPLORATION DATA

NOTES FOR EXPLORATION LOGS

KEY TO USCS TERMINOLOGY AND GRAPHIC SYMBOLS

MAJOR DIVISIONS (BASED UPON ASTM D 2488)			SYMBOLS		
			GRAPHIC	LETTER	
COARSE-GRAINED SOILS MORE THAN 50% OF MATERIAL IS LARGER THAN NO. 200 SIEVE SIZE	GRAVEL AND GRAVELLY SOILS MORE THAN 50% OF COARSE FRACTION RETAINED ON NO. 4 SIEVE	CLEAN GRAVELS (LESS THAN 15% PASSING THE NO. 200 SIEVE)		GW	
		GRAVELS WITH FINES (MORE THAN 15% PASSING THE NO. 200 SIEVE)		GP	
	SAND AND SANDY SOILS MORE THAN 50% OF COARSE FRACTION PASSING ON NO. 4 SIEVE	CLEAN SANDS (LESS THAN 15% PASSING THE NO. 200 SIEVE)		SW	
		SANDS WITH FINES (MORE THAN 15% PASSING THE NO. 200 SIEVE)		SP	
			SILTS AND LEAN CLAYS LIQUID LIMIT LESS THAN 50		SM
			SANDS WITH FINES (MORE THAN 15% PASSING THE NO. 200 SIEVE)		SC
SILTS AND LEAN CLAYS LIQUID LIMIT LESS THAN 50				ML	
FINE-GRAINED SOILS MORE THAN 50% OF MATERIAL IS SMALLER THAN NO. 200 SIEVE SIZE	SILT OR CLAY (<15% RETAINED ON THE NO. 200 SIEVE)			CL	
	SILT OR CLAY WITH SAND OR GRAVEL (15% TO 30% RETAINED ON THE NO. 200 SIEVE)			OL	
	SANDY OR GRAVELLY SILT OR CLAY (>30% RETAINED ON THE NO. 200 SIEVE)			MH	
			ELASTIC SILTS AND FAT CLAYS LIQUID LIMIT GREATER THAN 50		CH
			ELASTIC SILTS AND FAT CLAYS LIQUID LIMIT GREATER THAN 50		OH
HIGHLY ORGANIC SOILS				PT	

COARSE-GRAINED SOILS (GRAVEL AND SAND)

DESIGNATION	BLOWS PER FOOT (BPF) "N"
VERY LOOSE	0 - 4
LOOSE	5 - 10
MEDIUM DENSE	11 - 30
DENSE	31 - 50
VERY DENSE	>50

NOTE: "N" VALUE DETERMINED AS PER ASTM D 1586

FINE-GRAINED SOILS (SILT AND CLAY)

CONSISTENCY	BPF "N"
VERY SOFT	<2
SOFT	2 - 4
MEDIUM STIFF	5 - 8
STIFF	9 - 15
VERY STIFF	16 - 30
HARD	>30

NOTE: ADDITIONAL DESIGNATIONS TO ADVANCE SAMPLER INDICATED IN BLOW COUNT COLUMN:
 WOH = WEIGHT OF HAMMER
 WOR = WEIGHT OF ROD(S)

SAMPLE TYPE

DESIGNATION	SYMBOL
SOIL SAMPLE	S-
SHELBY TUBE	U-
ROCK CORE	R-

NOTE: DUAL SYMBOLS ARE USED TO INDICATE COARSE-GRAINED SOILS WHICH CONTAIN AN ESTIMATED 5 TO 15% FINES BASED ON VISUAL CLASSIFICATION OR BETWEEN 5 AND 12% FINES BASED ON LABORATORY TESTING; AND FINE-GRAINED SOILS WHEN THE PLOT OF LIQUID LIMIT & PLASTICITY INDEX VALUES FALLS IN THE PLASTICITY CHART'S CROSS-HATCHED AREA. FINE-GRAINED SOILS ARE CLASSIFIED AS ORGANIC (OL OR OH) WHEN ENOUGH ORGANIC PARTICLES ARE PRESENT TO INFLUENCE ITS PROPERTIES. LABORATORY TEST RESULTS ARE USED TO SUPPLEMENT SOIL CLASSIFICATION BY THE VISUAL-MANUAL PROCEDURES OF ASTM D 2488.

ADDITIONAL TERMINOLOGY AND GRAPHIC SYMBOLS

ADDITIONAL DESIGNATIONS	DESCRIPTION		GRAPHIC SYMBOLS
	TOPSOIL		
	MAN MADE FILL		
	GLACIAL TILL		
	COBBLES AND BOULDERS		
RESIDUAL SOIL DESIGNATIONS	DESCRIPTION	"N" VALUE	GRAPHIC SYMBOLS
	HIGHLY WEATHERED ROCK	50 TO 50/1"	
	PARTIALLY WEATHERED ROCK	MORE THAN 50 BLOWS FOR 1" OF PENETRATION OR LESS, AUGER PENETRABLE	

WATER DESIGNATION

DESCRIPTION	SYMBOL
ENCOUNTERED DURING DRILLING	
UPON COMPLETION OF DRILLING	
24 HOURS AFTER COMPLETION	

NOTE: WATER OBSERVATIONS WERE MADE AT THE TIME INDICATED. POROSITY OF SOIL STRATA, WEATHER CONDITIONS, SITE TOPOGRAPHY, ETC. MAY CAUSE WATER LEVEL CHANGES.

LOG OF BORING NO. P-1

PROJECT: **East Gate**
 PROJECT NO.: **31210297**
 PROJECT LOCATION: **Sussex County, Delaware**

WATER LEVEL (ft): ∇ 2.0 ∇ ∇ 0.5
 DATE: 4/22/21 4/28/21
 CAVED (ft): - -

DATE STARTED: **4/22/2021**
 DATE COMPLETED: **4/22/2021**
 DRILLING CONTRACTOR: **Manos Drilling Associates**
 DRILLER: **K. Manos**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Splitspoon**

WATER ENCOUNTERED DURING DRILLING (ft) ∇ **5.5**
 GROUND SURFACE ELEVATION: **11.4**
 DATUM: **Survey**
 EQUIPMENT: **CME 55**
 LOGGED BY: **WLG**
 CHECKED BY: **GRS**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION		REMARKS
									DESCRIPTION		
1	0.0	8	1-2-4-4	6	11.4	0	TS		Topsoil: 6 inches		∇
					10.9		ML		Gray, moist, medium stiff, Sandy SILT		
2	2.0	16	8-9-10-10	19	9.4	3	SM		Tan, wet, medium dense, Silty SAND		∇
					7.4					CL	
3	4.0	16	4-2-2-2	4							∇ At 6 - 8 feet, MC = 27.0%, qu = 0.5 TSF
4	6.0	12	2-2-2-2	4							
5	8.0	24	3-3-2-2	5							
					1.4				Bottom of hole 10 feet		
						12					
						15					
						18					

NOTES:



GEO-TECHNOLOGY ASSOCIATES, INC.

21133 Sterling Avenue, Suite 7
 Georgetown, DE 19947

LOG OF BORING NO. P-1


LOG OF BORING NO. P-2

PROJECT: **East Gate**
 PROJECT NO.: **31210297**
 PROJECT LOCATION: **Sussex County, Delaware**

WATER LEVEL (ft): ∇ 2.0 ∇ ∇ 0.2
 DATE: 4/23/21 4/28/21
 CAVED (ft): - -

DATE STARTED: **4/23/2021**
 DATE COMPLETED: **4/23/2021**
 DRILLING CONTRACTOR: **Manos Drilling Associates**
 DRILLER: **K. Manos**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Splitspoon**

WATER ENCOUNTERED DURING DRILLING (ft) ∇ **8.0**
 GROUND SURFACE ELEVATION: **13.9**
 DATUM: **Survey**
 EQUIPMENT: **CME 55**
 LOGGED BY: **WLG**
 CHECKED BY: **GRS**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION		REMARKS
					13.9	0			Topsoil: 4 inches		∇
1	0.0	12	1-1-2-2	3	13.6		TS SM		Tan-gray, moist to wet, very loose to medium dense, Silty SAND		∇
2	2.0	18	5-5-7-11	12		3					∇
3	4.0	18	6-10-6-6	16		6					
4	6.0	14	4-8-12-12	20		9					∇
5	8.0	14	4-3-2-2	5		9					∇
					3.9				Bottom of hole 10 feet		
						12					
						15					
						18					

NOTES:



GEO-TECHNOLOGY ASSOCIATES, INC.

21133 Sterling Avenue, Suite 7
 Georgetown, DE 19947

LOG OF BORING NO. P-2




LOG OF BORING NO. P-3

PROJECT: **East Gate**
 PROJECT NO.: **31210297**
 PROJECT LOCATION: **Sussex County, Delaware**

WATER LEVEL (ft): ∇ **3.0** ∇ **1.0**
 DATE: **4/23/21** **4/28/21**
 CAVED (ft): **-** **-**

DATE STARTED: **4/23/2021**
 DATE COMPLETED: **4/23/2021**
 DRILLING CONTRACTOR: **Manos Drilling Associates**
 DRILLER: **K. Manos**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Splitspoon**

WATER ENCOUNTERED DURING DRILLING (ft) ∇ **8.0**
 GROUND SURFACE ELEVATION: **14.9**
 DATUM: **Survey**
 EQUIPMENT: **CME 55**
 LOGGED BY: **WLG**
 CHECKED BY: **GRS**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION		REMARKS
1	0.0	4	1-1-1-4	2	14.9	0	TS		Topsoil: 4 inches		∇
					14.6		ML		Gray, moist, soft, SILT		
2	2.0	18	7-7-9-9	16	12.9	3	SM		Tan-gray, moist to wet, medium dense, Silty SAND		∇
3	4.0	16	4-10-10-10	20		6					
4	6.0	18	3-7-10-11	17							
5	8.0	18	5-4-4-4	8	6.9	9	CL		Dark gray, wet, medium stiff, Lean CLAY		∇
					4.9						
						12					
						15					
						18					

NOTES:



GEO-TECHNOLOGY ASSOCIATES, INC.

21133 Sterling Avenue, Suite 7
 Georgetown, DE 19947

LOG OF BORING NO. P-3




LOG OF BORING NO. P-4

PROJECT: **East Gate**
 PROJECT NO.: **31210297**
 PROJECT LOCATION: **Sussex County, Delaware**

WATER LEVEL (ft): ∇ 3.0 ∇ 1.5
 DATE: 4/23/21 4/28/21
 CAVED (ft): - -

DATE STARTED: **4/23/2021**
 DATE COMPLETED: **4/23/2021**
 DRILLING CONTRACTOR: **Manos Drilling Associates**
 DRILLER: **K. Manos**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Splitspoon**

WATER ENCOUNTERED DURING DRILLING (ft) ∇ **5.0**
 GROUND SURFACE ELEVATION: **14.8**
 DATUM: **Survey**
 EQUIPMENT: **CME 55**
 LOGGED BY: **WLG**
 CHECKED BY: **GRS**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION		REMARKS
					14.8	0	TS		Topsoil: 4 inches		
1	0.0	6	1-1-1-1	2	14.5	SM	Tan-orange, moist to wet, very loose to medium dense, Silty SAND				
2	2.0	24	3-4-5-6	9							
3	4.0	14	5-6-7-8	13							
4	6.0	18	4-8-8-8	16							
5	8.0	24	3-3-3-3	6	5.8	9	CL		Gray, wet, medium stiff, Lean CLAY		
					4.8			Bottom of hole 10 feet			
						12					
						15					
						18					

NOTES:



GEO-TECHNOLOGY ASSOCIATES, INC.

21133 Sterling Avenue, Suite 7
 Georgetown, DE 19947

LOG OF BORING NO. P-4





LOG OF BORING NO. P-5

PROJECT: **East Gate**
 PROJECT NO.: **31210297**
 PROJECT LOCATION: **Sussex County, Delaware**

WATER LEVEL (ft): ∇ 3.0 ∇ _____ ∇ 2.5
 DATE: 4/23/21 _____ 4/28/21
 CAVED (ft): - _____ -

DATE STARTED: **4/23/2021**
 DATE COMPLETED: **4/23/2021**
 DRILLING CONTRACTOR: **Manos Drilling Associates**
 DRILLER: **K. Manos**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Splitspoon**

WATER ENCOUNTERED DURING DRILLING (ft) ∇ **8.0**
 GROUND SURFACE ELEVATION: **13.5**
 DATUM: **Survey**
 EQUIPMENT: **CME 55**
 LOGGED BY: **WLG**
 CHECKED BY: **GRS**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION		REMARKS
									DESCRIPTION		
1	0.0	10	1-2-2-5	4	13.5	0	TS		Topsoil: 24 inches		
2	2.0	24	6-6-3-3	9	11.5	3	SM		Gray-tan, moist to wet, loose, Silty SAND	∇	At 2 - 4 feet, MC = 16.1%
3	4.0	12	3-4-5-5	9	9.5	6	ML		Gray-orange, wet, soft to stiff, SILT	∇	At 4 - 6 feet, MC = 26.0%
4	6.0	18	2-2-2-2	4	6						At 6 - 8 feet, MC = 18.6%
5	8.0	18	2-2-2-4	4	5.5	9	SM		Gray, wet, very loose, Silty SAND	∇	
					3.5						
						12					
						15					
						18					

NOTES:



GEO-TECHNOLOGY ASSOCIATES, INC.

21133 Sterling Avenue, Suite 7
 Georgetown, DE 19947

LOG OF BORING NO. P-5







LOG OF BORING NO. P-6

PROJECT: **East Gate**
 PROJECT NO.: **31210297**
 PROJECT LOCATION: **Sussex County, Delaware**

WATER LEVEL (ft): ∇ 3.0 ∇ ∇ 0.6
 DATE: 4/23/21 4/28/21
 CAVED (ft): - -

DATE STARTED: **4/23/2021**
 DATE COMPLETED: **4/23/2021**
 DRILLING CONTRACTOR: **Manos Drilling Associates**
 DRILLER: **K. Manos**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Splitspoon**

WATER ENCOUNTERED DURING DRILLING (ft) ∇ **4.0**
 GROUND SURFACE ELEVATION: **13.4**
 DATUM: **Survey**
 EQUIPMENT: **CME 55**
 LOGGED BY: **WLG**
 CHECKED BY: **GRS**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION		REMARKS
									DESCRIPTION		
1	0.0	12	1-1-3-5	4	13.4	0	TS		Topsoil: 8 inches		∇
					12.7		SM		Tan, moist to wet, very loose to loose, Silty SAND		
2	2.0	18	3-3-3-4	6		3					∇
3	4.0	16	2-2-3-3	5	9.4		ML		Gray-orange, wet, medium stiff, SILT		∇
4	6.0	18	2-3-3-3	6		6					
5	8.0	20	1-2-3-4	5	5.4		SM		Gray-black, wet, loose, Silty SAND		
					3.4				Bottom of hole 10 feet		
						12					
						15					
						18					

NOTES:



GEO-TECHNOLOGY ASSOCIATES, INC.

21133 Sterling Avenue, Suite 7
 Georgetown, DE 19947

LOG OF BORING NO. P-6


LOG OF BORING NO. P-8

PROJECT: **East Gate**
 PROJECT NO.: **31210297**
 PROJECT LOCATION: **Sussex County, Delaware**

WATER LEVEL (ft): ∇ 3.0 ∇ ∇ 2.0
 DATE: 4/26/21 4/28/21
 CAVED (ft): - -

DATE STARTED: **4/26/2021**
 DATE COMPLETED: **4/26/2021**
 DRILLING CONTRACTOR: **Manos Drilling Associates**
 DRILLER: **K. Manos**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Splitspoon**

WATER ENCOUNTERED DURING DRILLING (ft) ∇ **3.0**
 GROUND SURFACE ELEVATION: **15.8**
 DATUM:
 EQUIPMENT: **CME 55**
 LOGGED BY: **WLG**
 CHECKED BY: **GRS**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION		REMARKS
					15.8	0			Topsoil: 4 inches		
1	0.0	8	1-1-1-1	2	15.5		TS SM		Brown, moist to wet, very loose to medium dense, Silty SAND		∇ ∇
2	2.0	20	4-4-3-2	7		3					
3	4.0	18	2-4-5-6	9		6					
4	6.0	12	4-8-7-7	15		9					Clay Nodules present from 6 to 8 feet
5	8.0	24	4-4-3-2	7		12					
					5.8	15			Bottom of hole 10 feet		
						18					

NOTES:



GEO-TECHNOLOGY ASSOCIATES, INC.

21133 Sterling Avenue, Suite 7
 Georgetown, DE 19947

LOG OF BORING NO. P-8

LOG OF BORING NO. P-11

PROJECT: **East Gate**
 PROJECT NO.: **31210297**
 PROJECT LOCATION: **Sussex County, Delaware**

WATER LEVEL (ft): ∇ **4.0** ∇ _____ ∇ **3.5**
 DATE: **4/22/2021** _____ **4/28/21**
 CAVED (ft): - _____ -

DATE STARTED: **4/22/2021**
 DATE COMPLETED: **4/22/2021**
 DRILLING CONTRACTOR: **Manos Drilling Associates**
 DRILLER: **K. Manos**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Splitspoon**

WATER ENCOUNTERED DURING DRILLING (ft) ∇ **8.0**
 GROUND SURFACE ELEVATION: **13.9**
 DATUM: **Survey**
 EQUIPMENT: **CME 55**
 LOGGED BY: **WLG**
 CHECKED BY: **GRS**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION		REMARKS
1	0.0	10	2-2-1-1	3	13.9	0	TS		Topsoil: 6 inches		
					13.4		SM		Tan-orange, moist to wet, very loose to loose, Silty SAND		
2	2.0	18	5-4-3-3	7		3					
3	4.0	16	2-1-2-1	3	8.9						∇ ∇ ∇
4	6.0	18	5-4-3-3	7		6					
5	8.0	8	2-2-2-2	4		9		ML		Gray, wet, soft to medium stiff, SILT	∇
					3.9					Bottom of hole 10 feet	
						12					
						15					
						18					

NOTES:



GEO-TECHNOLOGY ASSOCIATES, INC.

21133 Sterling Avenue, Suite 7
 Georgetown, DE 19947

LOG OF BORING NO. P-11

LOG OF BORING NO. SWM-1

PROJECT: **East Gate**
 PROJECT NO.: **31210297**
 PROJECT LOCATION: **Sussex County, Delaware**

WATER LEVEL (ft): ∇ **3.0** ∇ **0.8**
 DATE: **4/26/21** **4/28/21**
 CAVED (ft): **-** **-**

DATE STARTED: **4/26/2021**
 DATE COMPLETED: **4/26/2021**
 DRILLING CONTRACTOR: **Manos Drilling Associates**
 DRILLER: **K. Manos**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Splitspoon**

WATER ENCOUNTERED DURING DRILLING (ft) ∇ **3.0**
 GROUND SURFACE ELEVATION: **13.9**
 DATUM: **Survey**
 EQUIPMENT: **CME 55**
 LOGGED BY: **WLG**
 CHECKED BY: **GRS**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION		REMARKS
									DESCRIPTION		
					13.9	0	TS		Topsoil: 10 inches		
1	0.0	18	1-1-1-1	2	13.1		SC		Gray, moist, very loose to loose, Clayey SAND USDA: Sandy Clay Loam		∇
2	2.0	16	3-4-5-6	9		3					∇
3	4.0	18	3-4-4-4	8	9.9		CL		Gray, moist to wet, medium stiff, Lean CLAY USDA: Clay Loam		
4	6.0	12	1-1-1-1	2	7.9	6	SM		Gray, wet, very loose to medium dense, Silty SAND USDA: Sandy Loam		At 6 - 8 feet, MC = 17.8%,
5	8.0	14	1-1-1-1	2		9					
6	10.0	24	2-2-3-3	5		12					
7	12.0	24	4-5-6-6	11							
					-0.1				Bottom of hole 14 feet		
						15					
						18					

NOTES: **Air Temp.: 64, 48 hr. Precip.: 0.9 in., Coords: 38028'29.52"N, 750 8'53.74"W**
ASTM 1586



GEO-TECHNOLOGY ASSOCIATES, INC.

21133 Sterling Avenue, Suite 7
 Georgetown, DE 19947

LOG OF BORING NO. SWM-1

LOG OF BORING NO. SWM-2

PROJECT: **East Gate**
 PROJECT NO.: **31210297**
 PROJECT LOCATION: **Sussex County, Delaware**

WATER LEVEL (ft): ∇ 3.0 ∇ 2.0
 DATE: 4/23/21 4/28/21
 CAVED (ft): - -

DATE STARTED: **4/23/2021**
 DATE COMPLETED: **4/23/2021**
 DRILLING CONTRACTOR: **Manos Drilling Associates**
 DRILLER: **K. Manos**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Splitspoon**

WATER ENCOUNTERED DURING DRILLING (ft) ∇ **8.0**
 GROUND SURFACE ELEVATION: **11.4**
 DATUM: **Survey**
 EQUIPMENT: **CME 55**
 LOGGED BY: **WLG**
 CHECKED BY: **GRS**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION		REMARKS
					11.4	0	TS		Topsoil: 6 inches		
1	0.0	14	2-1-1-1	2	10.9		SM		Gray-black, moist to wet, very loose to medium dense, Silty SAND USDA: Sandy Loam		∇
2	2.0	20	2-2-2-4	4		3					∇
3	4.0	18	5-7-11-9	18		6					
4	6.0	18	3-4-9-9	13		9					∇
5	8.0	14	5-5-4-3	9		12					
6	10.0	16	3-3-3-3	6	1.4		ML		Dark gray, wet, medium stiff to stiff, SILT USDA: Silt Loam		
7	12.0	24	3-6-9-9	15		15					
					-2.6	18			Bottom of hole 14 feet		

NOTES: **Air Temp.: 64, 48 hr. Precip.: 0.9 in., Coords: 38028'36.07"N, 750 8'51.10"W**
ASTM 1586



GEO-TECHNOLOGY ASSOCIATES, INC.

21133 Sterling Avenue, Suite 7
 Georgetown, DE 19947

LOG OF BORING NO. SWM-2

LOG OF BORING NO. SWM-3

PROJECT: **East Gate**
 PROJECT NO.: **31210297**
 PROJECT LOCATION: **Sussex County, Delaware**

WATER LEVEL (ft): ∇ 1.5 ∇ ∇ 0.5
 DATE: 4/26/21 4/28/21
 CAVED (ft): - -

DATE STARTED: **4/26/2021**
 DATE COMPLETED: **4/26/2021**
 DRILLING CONTRACTOR: **Manos Drilling Associates**
 DRILLER: **K. Manos**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Splitspoon**

WATER ENCOUNTERED DURING DRILLING (ft) ∇ **1.5**
 GROUND SURFACE ELEVATION: **13.6**
 DATUM: **Survey**
 EQUIPMENT: **CME 55**
 LOGGED BY: **WLG**
 CHECKED BY: **GRS**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION		REMARKS
									DESCRIPTION		
					13.6	0	TS		Topsoil: 8 inches		∇
1	0.0	18	2-2-2-3	4	12.9		SM		Gray-tan, moist to wet, very loose to medium dense, Silty SAND USDA: Sandy Loam		∇
2	2.0	16	6-6-8-8	14		3					
3	4.0	18	5-4-3-2	7							
4	6.0	18	1-2-6-6	8		6					
5	8.0	24	3-3-4-4	7	5.6	9	CL		Gray, wet, soft to medium stiff, Lean CLAY USDA: Clay Loam		
6	10.0	18	1-2-2-2	4							At 10 - 12 feet, MC = 26.2%
7	12.0	12	2-1-4-3	5	1.6	12	SM		Gray, wet, loose, Silty SAND USDA: Sandy Loam		
					-0.4				Bottom of hole 14 feet		
						15					
						18					

NOTES: Air Temp.: 64, 48 hr. Precip.: 0.9 in., Coords: 38028'32.90"N, 750 8'52.59"W
 ASTM 1586



GEO-TECHNOLOGY
 ASSOCIATES, INC.

21133 Sterling Avenue, Suite 7
 Georgetown, DE 19947

LOG OF BORING NO. SWM-3

LOG OF BORING NO. SWM-4

PROJECT: **East Gate**
 PROJECT NO.: **31210297**
 PROJECT LOCATION: **Sussex County, Delaware**

WATER LEVEL (ft): ∇ **2.0** ∇ **0.5**
 DATE: **4/26/2021** **4/28/21**
 CAVED (ft): **-** **-**

DATE STARTED: **4/26/2021**
 DATE COMPLETED: **4/26/2021**
 DRILLING CONTRACTOR: **Manos Drilling Associates**
 DRILLER: **K. Manos**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Splitspoon**

WATER ENCOUNTERED DURING DRILLING (ft) ∇ **2.0**
 GROUND SURFACE ELEVATION: **13.1**
 DATUM: **Survey**
 EQUIPMENT: **CME 55**
 LOGGED BY: **WLG**
 CHECKED BY: **GRS**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION		REMARKS
									DESCRIPTION		
1	0.0	18	1-3-3-3	6	13.1	0	TS		Topsoil: 10 inches		∇
					12.3	SM		Gray, moist, loose, Silty SAND USDA: Sandy Loam			
2	2.0	14	4-5-7-7	12	11.1	3	SP-SM		Gray, wet, medium dense, Poorly-graded SAND with Silt USDA: Loamy Sand		∇
					SM			Gray-brown, wet, medium dense, Silty SAND USDA: Sandy Loam			
3	4.0	16	4-9-9-7	18	9.1	6	SM		Gray-brown, wet, medium dense, Silty SAND USDA: Sandy Loam		
4	6.0	20	2-4-7-8	11	5.1	9	ML		Gray, wet, medium stiff to stiff, SILT USDA: Silt Loam		
6	10.0	16	2-2-3-3	5	1.1	12	SM		Gray, wet, loose, Silty SAND USDA: Sandy Loam		
7	12.0	16	2-2-3-3	5	-0.9	15			Bottom of hole 14 feet		
						18					

NOTES: **Air Temp.: 64, 48 hr. Precip.: 0.9 in., Coords: 38028'34.50"N, 750 8'50.45"W**
ASTM 1586



GEO-TECHNOLOGY ASSOCIATES, INC.

21133 Sterling Avenue, Suite 7
 Georgetown, DE 19947

LOG OF BORING NO. SWM-4

LOG OF BORING NO. SWM-5

PROJECT: **East Gate**
 PROJECT NO.: **31210297**
 PROJECT LOCATION: **Sussex County, Delaware**

WATER LEVEL (ft): ∇ **2.0** ∇ **0.4**
 DATE: **4/26/2021** **4/28/21**
 CAVED (ft): **-** **-**

DATE STARTED: **4/26/2021**
 DATE COMPLETED: **4/26/2021**
 DRILLING CONTRACTOR: **Manos Drilling Associates**
 DRILLER: **K. Manos**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Splitspoon**

WATER ENCOUNTERED DURING DRILLING (ft) ∇ **2.0**
 GROUND SURFACE ELEVATION: **13.6**
 DATUM: **Survey**
 EQUIPMENT: **CME 55**
 LOGGED BY: **WLG**
 CHECKED BY: **GRS**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION		REMARKS
									DESCRIPTION		
					13.6	0	TS		Topsoil: 12 inches		∇
1	0.0	16	1-2-3-4	5	12.6		SM		Gray-tan, moist to wet, very loose to medium dense, Silty SAND USDA: Sandy Loam		∇
2	2.0	20	3-5-6-6	11		3					
3	4.0	18	5-7-10-12	17							
4	6.0	24	3-5-6-8	11		6					
5	8.0	24	3-3-3-3	6		9					
6	10.0	24	1-2-2-2	4	2.6		CL		Gray, wet, soft to medium stiff, Lean CLAY USDA: Clay Loam		
7	12.0	16	2-4-3-3	7		12					
					-0.4				Bottom of hole 14 feet		
						15					
						18					

NOTES: **Air Temp.: 64, 48 hr. Precip.: 0.9 in., Coords: 38028'36.07"N, 750 8'51.10"W**
ASTM 1586



GEO-TECHNOLOGY ASSOCIATES, INC.

21133 Sterling Avenue, Suite 7
 Georgetown, DE 19947

LOG OF BORING NO. SWM-5

LOG OF BORING NO. SWM-6

PROJECT: **East Gate**
 PROJECT NO.: **31210297**
 PROJECT LOCATION: **Sussex County, Delaware**

WATER LEVEL (ft): ∇ 3.0 ∇ 0.0
 DATE: 4/23/21 4/28/21
 CAVED (ft): - -

DATE STARTED: **4/23/2021**
 DATE COMPLETED: **4/23/2021**
 DRILLING CONTRACTOR: **Manos Drilling Associates**
 DRILLER: **K. Manos**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Splitspoon**

WATER ENCOUNTERED DURING DRILLING (ft) ∇ **10.0**
 GROUND SURFACE ELEVATION: **12.5**
 DATUM: **Survey**
 EQUIPMENT: **CME 55**
 LOGGED BY: **WLG**
 CHECKED BY: **GRS**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION		REMARKS
									DESCRIPTION	REMARKS	
					12.5	0	TS		Topsoil: 6 inches		∇
1	0.0	12	1-2-7-7	9	12.0		SM		Brown-gray, moist to wet, loose to medium dense, Silty SAND USDA: Sandy Loam		
2	2.0	20	10-10-11-10	21		3					∇
3	4.0	14	5-5-2-2	7							
4	6.0	14	1-3-3-3	6	6.5	6	CL		Dark gray, wet, medium stiff, Lean CLAY USDA: Clay Loam		
5	8.0	20	2-2-2-1	4	4.5	9	SM		Gray, wet, very loose, Silty SAND USDA: Sandy Loam		
6	10.0	24	1-1-1-1	2	2.5	12	CL		Dark gray, wet, soft, Lean CLAY USDA: Clay Loam		∇ At 10 - 12 feet, MC = 40.3%, qu = 0.25 TSF
7	12.0	18	2-2-2-2	4							
					-1.5	15			Bottom of hole 14 feet		
						18					

NOTES: **Air Temp.: 64, 48 hr. Precip.: 0.9 in., Coords: 38028'37.30"N, 750 8'48.55"W**
ASTM 1586



GEO-TECHNOLOGY ASSOCIATES, INC.

21133 Sterling Avenue, Suite 7
 Georgetown, DE 19947

LOG OF BORING NO. SWM-6

LOG OF BORING NO. SWM-7

PROJECT: **East Gate**
 PROJECT NO.: **31210297**
 PROJECT LOCATION: **Sussex County, Delaware**

WATER LEVEL (ft): ∇ 2.0 ∇ ∇ 0.8
 DATE: 4/22/21 4/28/21
 CAVED (ft): - -

DATE STARTED: **4/22/2021**
 DATE COMPLETED: **4/22/2021**
 DRILLING CONTRACTOR: **Manos Drilling Associates**
 DRILLER: **K. Manos**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Splitspoon**

WATER ENCOUNTERED DURING DRILLING (ft) ∇ **6.0**
 GROUND SURFACE ELEVATION: **9.6**
 DATUM: **Survey**
 EQUIPMENT: **CME 55**
 LOGGED BY: **WLG**
 CHECKED BY: **GRS**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION		REMARKS
									DESCRIPTION		
					9.6	0	TS		Topsoil: 8 inches		
1	0.0	10	1-2-3-3	5	8.9		SM		Brown-tan, moist to wet, loose to medium dense, Silty SAND USDA: Sandy Loam		∇ ∇
2	2.0	18	4-4-5-6	9		3					
3	4.0	18	4-7-7-7	14		6					∇
4	6.0	20	5-9-9-5	18		9					
5	8.0	16	2-2-3-3	5		9					
6	10.0	18	1-2-2-2	4	-0.4		ML		Dark gray, wet, soft, SILT USDA: Silt Loam		
7	12.0	24	1-1-2-2	3	-2.4	12	SM		Dark gray, wet, very loose, Silty SAND USDA: Sandy Loam		
					-4.4				Bottom of hole 14 feet		
						15					
						18					

NOTES: **Air Temp.: 52, 48 hr. Precip.: 0.4 in., Coords: 38028'39.18"N, 750 8'48.46"W**
ASTM 1586



GEO-TECHNOLOGY ASSOCIATES, INC.

21133 Sterling Avenue, Suite 7
 Georgetown, DE 19947

LOG OF BORING NO. SWM-7

LOG OF BORING NO. SWM-8

PROJECT: **East Gate**
 PROJECT NO.: **31210297**
 PROJECT LOCATION: **Sussex County, Delaware**

WATER LEVEL (ft): ∇ 3.0 ∇ ∇ 2.0
 DATE: 4/22/21 4/28/21
 CAVED (ft): - -

DATE STARTED: **4/22/2021**
 DATE COMPLETED: **4/22/2021**
 DRILLING CONTRACTOR: **Manos Drilling Associates**
 DRILLER: **K. Manos**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Splitspoon**

WATER ENCOUNTERED DURING DRILLING (ft) ∇ **9.0**
 GROUND SURFACE ELEVATION: **11.3**
 DATUM: **Survey**
 EQUIPMENT: **CME 55**
 LOGGED BY: **WLG**
 CHECKED BY: **GRS**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION		REMARKS
									DESCRIPTION		
1	0.0	14	2-1-1-1	2	11.3	0	TS		Topsoil: 8 inches		
					10.6		SM		Tan, moist to wet, very loose to loose, Silty SAND USDA: Sandy Loam		
2	2.0	14	4-3-3-4	6		3					∇ ∇
3	4.0	16	5-4-3-3	7	7.3		ML		Gray-orange, wet, medium stiff, SILT USDA: Silt Loam		Mottling at 4 feet
4	6.0	18	3-3-4-4	7		6					
5	8.0	20	2-2-2-2	4	3.3		SM		Dark gray, wet, very loose to medium dense, Silty SAND USDA: Sandy Loam		∇
6	10.0	24	3-6-9-9	15		12					
7	12.0	24	2-5-6-2	11							
					-2.7				Bottom of hole 14 feet		
						15					
						18					

NOTES: **Air Temp.: 52, 48 hr. Precip.: 0.4 in., Coords: 38028'40.89"N, 750 8'46.68"W**
ASTM 1586



GEO-TECHNOLOGY ASSOCIATES, INC.

21133 Sterling Avenue, Suite 7
 Georgetown, DE 19947

LOG OF BORING NO. SWM-8

LOG OF BORING NO. SWM-9

PROJECT: **East Gate**
 PROJECT NO.: **31210297**
 PROJECT LOCATION: **Sussex County, Delaware**

WATER LEVEL (ft): ∇ 6.0 ∇ ∇ 2.0
 DATE: 4/22/21 4/28/21
 CAVED (ft): - -

DATE STARTED: **4/22/2021**
 DATE COMPLETED: **4/22/2021**
 DRILLING CONTRACTOR: **Manos Drilling Associates**
 DRILLER: **K. Manos**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Splitspoon**

WATER ENCOUNTERED DURING DRILLING (ft) ∇ **14.0**
 GROUND SURFACE ELEVATION: **14.1**
 DATUM: **Survey**
 EQUIPMENT: **CME 55**
 LOGGED BY: **WLG**
 CHECKED BY: **GRS**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION		REMARKS
									DESCRIPTION		
					14.1	0	TS		Topsoil: 8 inches		
1	0.0	16	2-2-1-1	3	13.4		SM		Tan, moist, very loose to medium dense, Silty SAND USDA: Sandy Loam		∇
2	2.0	12	2-1-1-1	2		3					
3	4.0	22	3-5-8-8	13							
4	6.0	18	2-3-4-8	7	8.1	6	CL		Gray, wet, medium stiff, Lean CLAY USDA: Clay Loam		∇
5	8.0	16	4-3-3-4	6	6.1	9	SM		Tan, wet, loose, Silty SAND USDA: Sandy Clay Loam		
6	10.0	14	2-5-8-12	13	4.1		CL		Dark gray, wet, stiff, Lean CLAY USDA: Clay Loam		
7	12.0	16	7-7-7-7	14	2.1	12	SM		Gray, very loose to medium dense, Silty SAND USDA: Sandy Loam		∇
8	14.0	20	WOH/12-1-2	1		15					
					-1.9				Bottom of hole 16 feet		
						18					

NOTES: **Air Temp.: 52, 48 hr. Precip.: 0.4 in., Coords: 38028'43.41"N, 750 8'43.34"W**
ASTM 1586



GEO-TECHNOLOGY ASSOCIATES, INC.

21133 Sterling Avenue, Suite 7
 Georgetown, DE 19947

LOG OF BORING NO. SWM-9






LOG OF BORING NO. SWM-10

PROJECT: **East Gate**
 PROJECT NO.: **31210297**
 PROJECT LOCATION: **Sussex County, Delaware**

WATER LEVEL (ft): ∇ 4.0 ∇ ∇ 2.0
 DATE: 4/22/21 4/28/21
 CAVED (ft): - -

DATE STARTED: **4/22/2021**
 DATE COMPLETED: **4/22/2021**
 DRILLING CONTRACTOR: **Manos Drilling Associates**
 DRILLER: **K. Manos**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Splitspoon**

WATER ENCOUNTERED DURING DRILLING (ft) ∇ **6.0**
 GROUND SURFACE ELEVATION: **13.9**
 DATUM: **Survey**
 EQUIPMENT: **CME 55**
 LOGGED BY: **WLG**
 CHECKED BY: **GRS**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION		REMARKS
									DESCRIPTION		
					13.9	0	TS		Topsoil: 8 inches		
1	0.0	8	1-1-1-1	2	13.2		SM		Brown-tan, moist to wet, very loose to loose, Silty SAND USDA: Sandy Loam		∇
2	2.0	18	2-1-1-2	2		3					∇
3	4.0	18	2-4-6-4	10	8.9		ML		Gray-tan, wet, medium stiff to stiff, SILT USDA: Silt Loam		Mottling at 5 feet ∇
4	6.0	16	2-4-4-5	8							
5	8.0	22	3-4-4-4	8		9					
6	10.0	24	2-2-8-8	10	3.9		SM		Gray, wet, loose, Silty SAND USDA: Sandy Loam		
7	12.0	24	4-5-6-6	11	1.9	12	ML		Gray, wet, stiff, SILT USDA: Silt Loam		
8	14.0	16	3-4-6-5	10		15					
					-2.1				Bottom of hole 16 feet		
						18					

NOTES: **Air Temp.: 52, 48 hr. Precip.: 0.4 in., Coords: 38028'44.15"N, 750 8'45.14"W**
ASTM 1586



GEO-TECHNOLOGY ASSOCIATES, INC.

21133 Sterling Avenue, Suite 7
 Georgetown, DE 19947

LOG OF BORING NO. SWM-10

LOG OF BORING NO. SWM-11

PROJECT: **East Gate**
 PROJECT NO.: **31210297**
 PROJECT LOCATION: **Sussex County, Delaware**

WATER LEVEL (ft): ∇ **12.0** ∇ **1.0**
 DATE: **4/22/21** **4/28/21**
 CAVED (ft): - - -

DATE STARTED: **4/22/2021**
 DATE COMPLETED: **4/22/2021**
 DRILLING CONTRACTOR: **Manos Drilling Associates**
 DRILLER: **K. Manos**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Splitspoon**

WATER ENCOUNTERED DURING DRILLING (ft) ∇ **14.0**
 GROUND SURFACE ELEVATION: **10.9**
 DATUM: **Survey**
 EQUIPMENT: **CME 55**
 LOGGED BY: **WLG**
 CHECKED BY: **GRS**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION		REMARKS
									DESCRIPTION		
					10.9	0	TS		Topsoil: 8 inches		
1	0.0	12	1-2-4-4	6	10.2		SC		Gray, moist, loose, Clayey SAND USDA: Sandy Clay Loam		∇
2	2.0	12	3-2-3-3	5	8.9	3	SM		Gray, moist, loose, Silty SAND USDA: Sandy Loam		
3	4.0	18	2-4-5-5	9	6.9		CL		Gray, moist, stiff, Lean CLAY USDA: Clay Loam		
					5.7		SP-SM		Gray, moist, loose, Poorly-graded SAND with Silt USDA: Loamy Sand		
4	6.0	24	2-2-3-3	5	4.9	6	CL		Gray-brown, moist to wet, soft to medium stiff, Lean CLAY USDA: Clay Loam		
5	8.0	22	2-3-2-4	5		9					
6	10.0	24	2-2-2-4	4		12					At 6 - 8 feet, MC = 16.1%
7	12.0	16	3-3-4-4	7		15					∇
8	14.0	16	3-3-4-4	7		15					∇
					-5.1				Bottom of hole 16 feet		
						18					

NOTES: Air Temp.: 52, 48 hr. Precip.: 0.4 in., Coords: 38028'45.17"N, 750 8'43.29"W
 ASTM 1586



GEO-TECHNOLOGY ASSOCIATES, INC.

21133 Sterling Avenue, Suite 7
 Georgetown, DE 19947

LOG OF BORING NO. SWM-11




LOG OF BORING NO. SWM-12

PROJECT: **East Gate**
 PROJECT NO.: **31210297**
 PROJECT LOCATION: **Sussex County, Delaware**

WATER LEVEL (ft): ∇ **4.2** ∇ **4.8**
 DATE: **4/21/21** **4/28/21**
 CAVED (ft): **-** **-**

DATE STARTED: **4/21/2021**
 DATE COMPLETED: **4/21/2021**
 DRILLING CONTRACTOR: **Manos Drilling Associates**
 DRILLER: **K. Manos**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Splitspoon**

WATER ENCOUNTERED DURING DRILLING (ft) ∇ **5.2**
 GROUND SURFACE ELEVATION: **12.4**
 DATUM: **Survey**
 EQUIPMENT: **CME 55**
 LOGGED BY: **WLG**
 CHECKED BY: **GRS**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION		REMARKS
									DESCRIPTION		
					12.4	0	TS		Topsoil: 4 inches		
1	0.0	16	2-2-2-2	4	12.1		SM		Tan, moist, very loose to loose, Silty SAND USDA: Sandy Loam		
2	2.0	10	2-3-3-2	6		3					
3	4.0	16	3-5-5-5	10	8.4		CL		Gray, moist to wet, stiff, Lean CLAY USDA: Clay Loam		∇ ∇ ∇
4	6.0	18	2-1-2-3	3	6.4	6	SM		Gray-tan, wet, very loose, Silty SAND USDA: Sandy Loam		
5	8.0	20	2-3-5-5	8	4.4	9	CL		Gray, wet, medium stiff, Lean CLAY USDA: Clay Loam		
6	10.0	18	2-3-3-2	6		12					
7	12.0	24	2-4-3-3	7	-0.6		SC		Gray, wet, loose, Clayey SAND USDA: Sandy Clay Loam		
8	14.0	14	2-2-3-3	5		15					
					-3.6				Bottom of hole 16 feet		
						18					

NOTES: Air Temp.: 74, 48 hr. Precip.: 0.7 in., Coords: 38028'46.73"N, 750 8'41.51"W
 ASTM 1586



GEO-TECHNOLOGY
 ASSOCIATES, INC.

21133 Sterling Avenue, Suite 7
 Georgetown, DE 19947

LOG OF BORING NO. SWM-12

LOG OF BORING NO. SWM-13

PROJECT: **East Gate**
 PROJECT NO.: **31210297**
 PROJECT LOCATION: **Sussex County, Delaware**

WATER LEVEL (ft): ∇ **5.3** ∇ **1.5**
 DATE: **4/20/21** **4/28/21**
 CAVED (ft): **-** **-**

DATE STARTED: **4/20/2021**
 DATE COMPLETED: **4/20/2021**
 DRILLING CONTRACTOR: **Manos Drilling Associates**
 DRILLER: **K. Manos**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Splitspoon**

WATER ENCOUNTERED DURING DRILLING (ft) ∇ **5.3**
 GROUND SURFACE ELEVATION: **13.6**
 DATUM: **Survey**
 EQUIPMENT: **CME 55**
 LOGGED BY: **WLG**
 CHECKED BY: **GRS**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION		REMARKS
									DESCRIPTION		
					13.6	0	TS		Topsoil: 9 inches		
1	0.0	14	2-2-2-2	4	12.8		SM		Gray, moist, very loose to loose, Silty SAND USDA: Sandy Loam		∇
2	2.0	16	3-4-2-3	6	10.6	3	CL		Gray, moist to wet, medium stiff, Lean CLAY USDA: Clay Loam		
3	4.0	18	2-3-5-5	8							∇
4	6.0	18	2-4-4-5	8	7.6	6	SM		Gray, wet, loose, Silty SAND USDA: Sandy Loam		
5	8.0	22	3-4-4-5	8	5.6	9	SP-SM		Gray, wet, loose, Poorly-graded SAND with Silt and Gravel USDA: Loamy Sand		
6	10.0	24	2-5-9-11	14	3.6		SP		Gray, wet, medium dense, Poorly-graded SAND with Gravel USDA: Sand		
7	12.0	24	3-8-11-14	19	1.6	12	SP-SM		Gray-orange, wet, loose to medium dense, Poorly-graded SAND with Silt USDA: Loamy Sand		
8	14.0	24		9		15					
					-2.4				Bottom of hole 16 feet		
						18					

NOTES: **Air Temp.: 74, 48 hr. Precip.: 0.7 in., Coords: 38028'47.44"N, 750 8'43.19"W**
ASTM 1586



GEO-TECHNOLOGY ASSOCIATES, INC.

21133 Sterling Avenue, Suite 7
 Georgetown, DE 19947

LOG OF BORING NO. SWM-13

LOG OF BORING NO. SWM-14

PROJECT: **East Gate**
 PROJECT NO.: **31210297**
 PROJECT LOCATION: **Sussex County, Delaware**

WATER LEVEL (ft): ∇ **9.0** ∇ **5.0**
 DATE: **4/20/21** **4/28/21**
 CAVED (ft): **-** **-**

DATE STARTED: **4/20/2021**
 DATE COMPLETED: **4/20/2021**
 DRILLING CONTRACTOR: **Manos Drilling Associates**
 DRILLER: **K. Manos**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Splitspoon**

WATER ENCOUNTERED DURING DRILLING (ft) ∇ **9.0**
 GROUND SURFACE ELEVATION: **14.0**
 DATUM: **Survey**
 EQUIPMENT: **CME 55**
 LOGGED BY: **WLG**
 CHECKED BY: **GRS**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION		REMARKS
									DESCRIPTION		
1	0.0	18	1-1-2-2	3	14.0	0	TS		Topsoil: 18 inches		
2	2.0	18	2-5-5-6	10	12.5	3	SM		Gray, moist, very loose to medium dense, Silty SAND USDA: Sandy Loam		
3	4.0	12	3-6-7-3	13							∇
4	6.0	20	2-3-3-4	6	8.0	6	SC		Gray, moist, loose, Clayey SAND USDA: Sandy Clay Loam		
5	8.0	18	2-2-5-5	7	6.0	9	SM		Gray, moist, loose, Silty SAND USDA: Sandy Loam		∇
					5.0		SP-SM		Gray, wet, loose, Poorly-graded SAND with Silt USDA: Loamy Sand		
6	10.0	10	3-2-2-3	4	4.0		CL		Gray, wet, soft, Lean CLAY USDA: Clay Loam		
7	12.0	24	3-7-7-10	14	2.0	12	SC		Gray, wet, medium dense, Clayey SAND USDA: Sandy Clay Loam		
					1.0		SP-SM		Gray, wet, medium dense, Poorly-graded SAND with Silt USDA: Loamy Sand		
8	14.0	20	3-7-11-13	18	0.0		CL		Gray, wet, very stiff, Lean CLAY USDA: Clay Loam		
					-1.0	15	SP-SM		Gray, wet, medium dense, Poorly-graded SAND with Silt USDA: Loamy Sand		
					-2.0				Bottom of hole 16 feet		
						18					

NOTES: Air Temp.: 74, 48 hr. Precip.: 0.7 in., Coords: 38028'48.16"N, 750 8'44.27"W
 ASTM 1586



GEO-TECHNOLOGY ASSOCIATES, INC.

21133 Sterling Avenue, Suite 7
 Georgetown, DE 19947

LOG OF BORING NO. SWM-14

LOG OF BORING NO. SWM-15

PROJECT: **East Gate**
 PROJECT NO.: **31210297**
 PROJECT LOCATION: **Sussex County, Delaware**

WATER LEVEL (ft): ∇ 8.5 ∇ 5.0
 DATE: 4/20/21 4/28/21
 CAVED (ft): - -

DATE STARTED: **4/20/2021**
 DATE COMPLETED: **4/20/2021**
 DRILLING CONTRACTOR: **Manos Drilling Associates**
 DRILLER: **K. Manos**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Splitspoon**

WATER ENCOUNTERED DURING DRILLING (ft) ∇ **8.5**
 GROUND SURFACE ELEVATION: **12.8**
 DATUM: **Survey**
 EQUIPMENT: **CME 55**
 LOGGED BY: **WLG**
 CHECKED BY: **GRS**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION		REMARKS
									DESCRIPTION		
					12.8	0	TS		Topsoil: 10 inches		
1	0.0	18	3-5-7-6	12	12.0		SM		Brown-gray, moist, loose to medium dense, Silty SAND USDA: Sandy Loam		
2	2.0	18	4-4-4-4	8		3					
3	4.0	16	3-4-3-3	7							∇
					6.8	6	ML		Gray, moist, medium stiff, SILT USDA: Silt Loam		
4	6.0	20	3-2-3-3	5							
					4.8	9	SM		Gray-brown, moist to wet, very loose to medium dense, Silty SAND USDA: Sandy Loam		∇
5	8.0	24	2-1-2-2	3							
6	10.0	24	2-3-3-5	6							
						12					
7	12.0	20	4-7-7-11	14							
					-1.2	15	SP-SM		Gray, wet, medium dense, Poorly-graded SAND with Silt USDA: Loamy Sand		
8	14.0	24	3-8-11-11	19							
					-3.2				Bottom of hole 16 feet		
						18					

NOTES: **Air Temp.: 74, 48 hr. Precip.: 0.7 in., Coords: 38028'48.70"N, 750 8'45.76"W**
ASTM 1586



GEO-TECHNOLOGY ASSOCIATES, INC.

21133 Sterling Avenue, Suite 7
 Georgetown, DE 19947

LOG OF BORING NO. SWM-15








LOG OF BORING NO. SWM-16

PROJECT: **East Gate**
 PROJECT NO.: **31210297**
 PROJECT LOCATION: **Sussex County, Delaware**

WATER LEVEL (ft): ∇ 2.5 ∇ 1.0
 DATE: 4/21/21 4/28/21
 CAVED (ft): - -

DATE STARTED: **4/21/2021**
 DATE COMPLETED: **4/21/2021**
 DRILLING CONTRACTOR: **Manos Drilling Associates**
 DRILLER: **K. Manos**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Splitspoon**

WATER ENCOUNTERED DURING DRILLING (ft) ∇ **2.5**
 GROUND SURFACE ELEVATION: **11.8**
 DATUM: **Survey**
 EQUIPMENT: **CME 55**
 LOGGED BY: **WLG**
 CHECKED BY: **GRS**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION		REMARKS
									DESCRIPTION		
					11.8	0	TS		Topsoil: 14 inches		
1	0.0	20	1-2-1-3	3	10.6		CL		Gray, moist to wet, medium stiff to stiff, Lean CLAY USDA: Clay Loam		∇
2	2.0	14	3-4-5-5	9		3					∇
3	4.0	20	5-5-5-5	10							
4	6.0	12	1-2-1-1	3		6					
5	8.0	10	1-2-4-3	6							
					2.5	9	SP-SM		Gray, wet, very loose to loose, Poorly-graded SAND with Silt USDA: Loamy Sand		
6	10.0	18	2-1-1-2	2	0.8		SC		Gray, wet, very loose, Clayey SAND USDA: Sandy Clay Loam		
7	12.0	24	2-4-5-5	9	-0.2	12	SP-SM		Gray, wet, loose, Poorly-graded SAND with Silt USDA: Loamy Sand		
					-1.9						
					-2.2		SC		Gray, wet, loose, Clayey SAND USDA: Sandy Clay Loam		
8	14.0	24	3-5-8-10	13		15	SM		Gray, wet, medium dense, Silty SAND USDA: Sandy Loam		
						-4.2			Bottom of hole 16 feet		
						18					

NOTES: Air Temp.: 74, 48 hr. Precip.: 0.7 in., Coords: 38028'49.51"N, 750 8'47.77"W
 ASTM 1586



GEO-TECHNOLOGY
 ASSOCIATES, INC.

21133 Sterling Avenue, Suite 7
 Georgetown, DE 19947

LOG OF BORING NO. SWM-16

LOG OF BORING NO. SWM-17

PROJECT: **East Gate**
 PROJECT NO.: **31210297**
 PROJECT LOCATION: **Sussex County, Delaware**

WATER LEVEL (ft): ∇ **4.0** ∇ **0.5**
 DATE: **4/21/21** **4/28/21**
 CAVED (ft): **-** **-**

DATE STARTED: **4/21/2021**
 DATE COMPLETED: **4/21/2021**
 DRILLING CONTRACTOR: **Manos Drilling Associates**
 DRILLER: **K. Manos**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Splitspoon**

WATER ENCOUNTERED DURING DRILLING (ft) ∇ **4.0**
 GROUND SURFACE ELEVATION: **11.5**
 DATUM: **Survey**
 EQUIPMENT: **CME 55**
 LOGGED BY: **WLG**
 CHECKED BY: **GRS**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION		REMARKS
									DESCRIPTION		
					11.5	0	TS		Topsoil: 10 inches		∇
1	0.0	14	2-2-3-3	5	10.7		SM		Gray, moist, loose, Silty SAND USDA: Sandy Loam		
2	2.0	18	5-4-5-4	9		3					
					7.5		CL		Gray, wet, soft, Lean CLAY USDA: Clay Loam		∇
3	4.0	14	1-1-2-1	3							
4	6.0	24	2-1-1-2	2	5.5	6	ML		Dark gray, wet, soft, SILT USDA: Silt Loam		
5	8.0	10	1-1-1-1	2		9					
					1.5		CL		Dark gray, wet, soft to medium stiff, Lean CLAY USDA: Clay Loam		
6	10.0	10	1-2-3-2	5		12					
7	12.0	14	2-2-2-3	4							
8	14.0	24	2-1-2-3	3		15					
					-4.5				Bottom of hole 16 feet		
						18					

NOTES: **Air Temp.: 74, 48 hr. Precip.: 0.7 in., Coords: 38028'47.92"N, 750 8'48.57"W**
ASTM 1586



GEO-TECHNOLOGY ASSOCIATES, INC.

21133 Sterling Avenue, Suite 7
 Georgetown, DE 19947

LOG OF BORING NO. SWM-17

LOG OF BORING NO. SWM-18

PROJECT: **East Gate**
 PROJECT NO.: **31210297**
 PROJECT LOCATION: **Sussex County, Delaware**

WATER LEVEL (ft): ∇ **4.0** ∇ **2.0**
 DATE: **4/21/21** **4/28/21**
 CAVED (ft): **-** **-**

DATE STARTED: **4/21/2021**
 DATE COMPLETED: **4/21/2021**
 DRILLING CONTRACTOR: **Manos Drilling Associates**
 DRILLER: **K. Manos**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Splitspoon**

WATER ENCOUNTERED DURING DRILLING (ft) ∇ **4.0**
 GROUND SURFACE ELEVATION: **12.2**
 DATUM: **Survey**
 EQUIPMENT: **CME 55**
 LOGGED BY: **WLG**
 CHECKED BY: **GRS**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION		REMARKS
									DESCRIPTION		
1	0.0	18	2-2-2-2	4	12.2	0	TS		Topsoil: 8 inches		
					11.5		CL		Gray-orange, moist, soft, Lean CLAY USDA: Clay Loam		
2	2.0	18	2-2-4-5	6	10.2	3	SM		Gray-tan, wet, very loose to loose, Silty SAND USDA: Sandy Loam		∇ ∇
3	4.0	22	3-3-4-4	7							
4	6.0	22	1-1-1-1	2							
5	8.0	18	1-1-1-1	2	4.2	9	SP-SM		Dark gray, wet, very loose, Poorly-graded SAND with Silt USDA: Loamy Sand		
7	10.0	18	1-1-2-3	3			SC		Gray, wet, very loose, Clayey SAND USDA: Sandy Clay Loam		
8	12.0	16	1-2-3-5	5	0.2	12	SP-SM		Gray, wet, loose, Poorly-graded SAND with Silt USDA: Loamy Sand		
9	14.0	24	2-2-3-3	5	-1.3		CL		Gray, wet, medium stiff, Lean CLAY USDA: Clay Loam		
					-1.8	15	SP-SM		Dark gray, wet, loose, Poorly-graded SAND with Silt USDA: Loamy Sand		
					-3.8				Bottom of hole 16 feet		
						18					

NOTES: **Air Temp.: 74, 48 hr. Precip.: 0.7 in., Coords: 38028'46.46"N, 750 8'48.81"W**
ASTM 1586



GEO-TECHNOLOGY ASSOCIATES, INC.

21133 Sterling Avenue, Suite 7
 Georgetown, DE 19947

LOG OF BORING NO. SWM-18

LOG OF BORING NO. SWM-19

PROJECT: **East Gate**
 PROJECT NO.: **31210297**
 PROJECT LOCATION: **Sussex County, Delaware**

WATER LEVEL (ft): ∇ 2.5 ∇ 1.5
 DATE: 4/21/21 4/28/21
 CAVED (ft): - -

DATE STARTED: **4/21/2021**
 DATE COMPLETED: **4/21/2021**
 DRILLING CONTRACTOR: **Manos Drilling Associates**
 DRILLER: **K. Manos**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Splitspoon**

WATER ENCOUNTERED DURING DRILLING (ft) ∇ **2.5**
 GROUND SURFACE ELEVATION: **11.8**
 DATUM: **Survey**
 EQUIPMENT: **CME 55**
 LOGGED BY: **WLG**
 CHECKED BY: **GRS**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION		REMARKS
									DESCRIPTION		
					11.8	0	TS		Topsoil: 8 inches		
1	0.0	12	1-1-3-4	4	11.1		SM		Gray-brown, moist to wet, very loose to loose, Silty SAND USDA: Sandy Loam		∇ ∇
2	2.0	18	2-2-3-2	5		3					
3	4.0	16	2-2-3-4	5							
4	6.0	22	1-1-1-1	2	5.8	6	SC		Dark gray, wet, very loose, Clayey SAND USDA: Sandy Clay Loam		
5	8.0	10	1-1-2-2	3	3.8	9	SM		Dark gray, wet, very loose, Silty SAND USDA: Sandy Loam		
6	10.0	24	1-1-1-2	2	0.8	12	CL		Gray, wet, soft to medium stiff, Lean CLAY USDA: Clay Loam		
7	12.0	24	2-3-4-5	7							
8	14.0	18	2-2-3-3	5		15					
					-4.2				Bottom of hole 16 feet		
						18					

NOTES: Air Temp.: 74, 48 hr. Precip.: 0.7 in., Coords: 38028'44.97"N, 750 8'49.72"W
 ASTM 1586



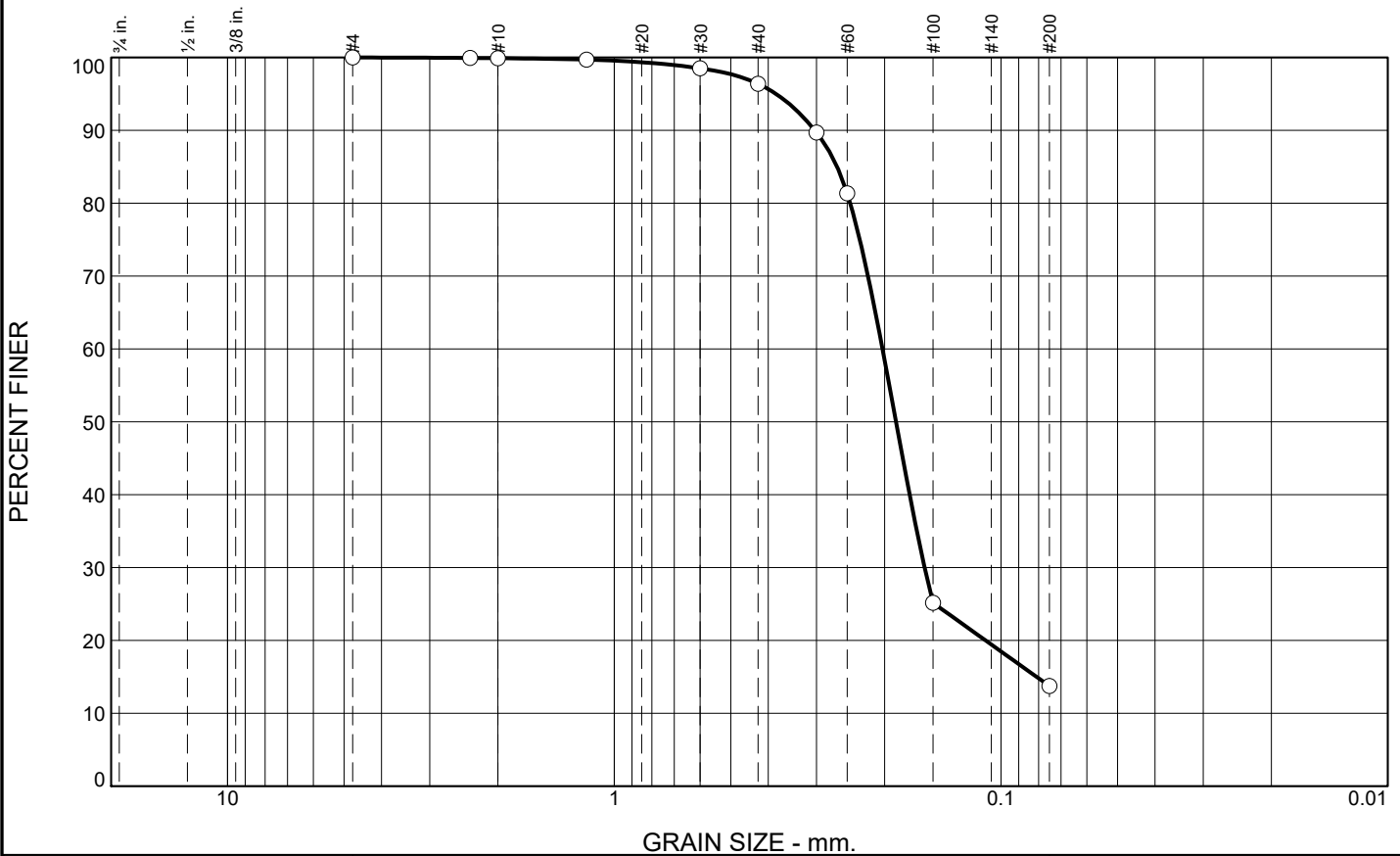
GEO-TECHNOLOGY
 ASSOCIATES, INC.

21133 Sterling Avenue, Suite 7
 Georgetown, DE 19947

LOG OF BORING NO. SWM-19

APPENDIX C
LABORATORY DATA

Particle Size Distribution Report



% Gravel		% Sand			% Fines
Coarse	Fine	Coarse	Medium	Fine	
0.0	0.0	0.1	3.5	82.7	13.7

SIEVE SIZE	PERCENT FINER	SPEC.* PERCENT	PASS? (X=NO)
# 4	100.0		
# 8	99.9		
# 10	99.9		
# 16	99.7		
# 30	98.5		
# 40	96.4		
# 50	89.7		
# 60	81.4		
# 100	25.2		
#200	13.7		

Soil Description

Tan-gray, Silty SAND

Atterberg Limits

PL= NP LL= NP PI= NP NM= 15.2

Coefficients

D₉₀= 0.3031 D₈₅= 0.2654 D₆₀= 0.2026
D₅₀= 0.1870 D₃₀= 0.1577 D₁₅= 0.0810
D₁₀= C_u= C_c=

Classification

USCS= SM AASHTO= A-2-4(0)

Remarks

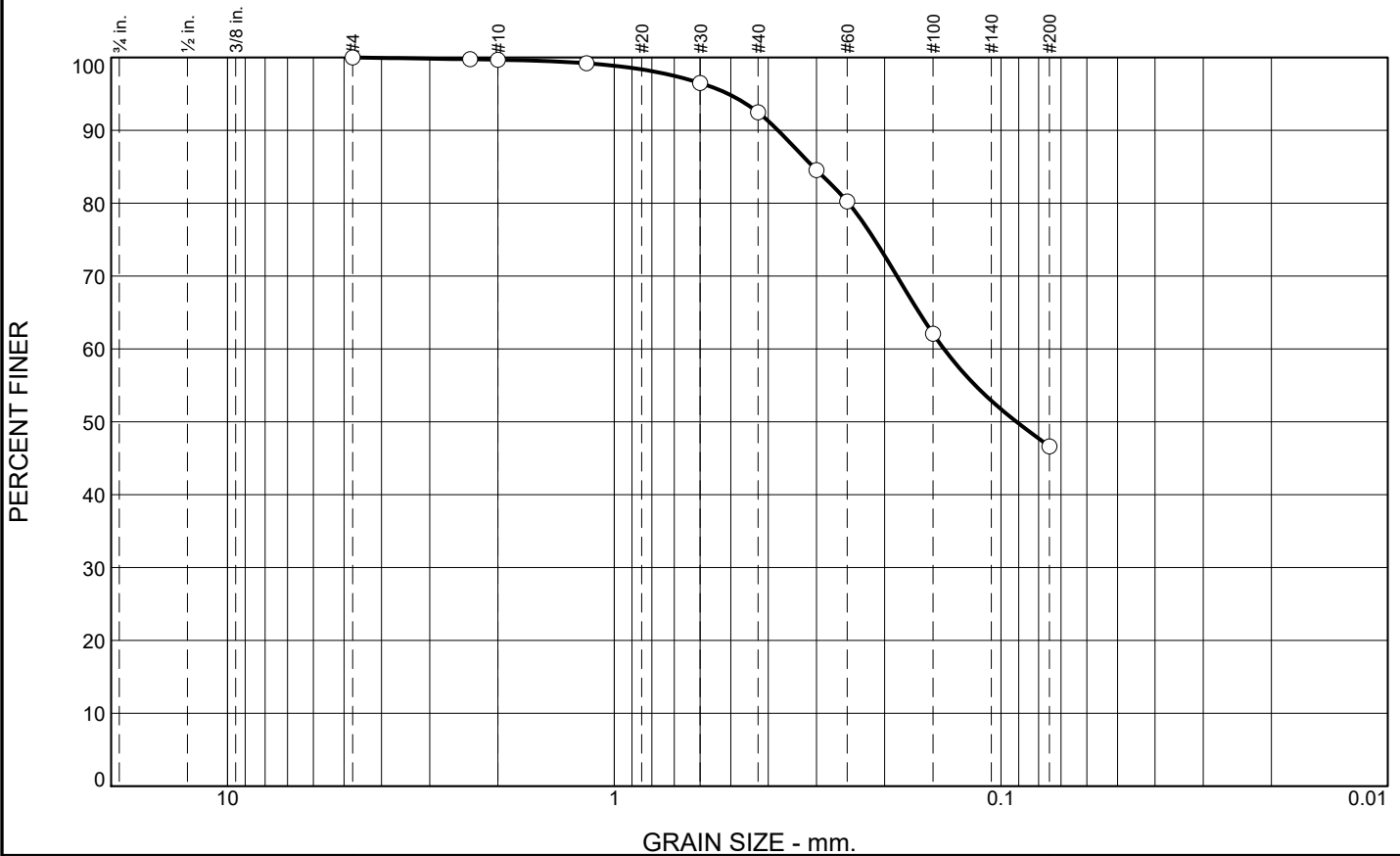
* (no specification provided)

Location: P-1 **Depth:** 1' - 4' **Date:** 4/23/2021
Sample Number: S-20210423-01

	GEO-TECHNOLOGY ASSOCIATES, INC. 21133 Sterling Avenue, Suite 7 Georgetown, DE 19947	Client: McKee Capital Partners, LP Project: East Gate Project No: 31210297	Figure
--	--	---	---------------

Tested By: JNLJ **Checked By:** GRS

Particle Size Distribution Report



% Gravel		% Sand			% Fines
Coarse	Fine	Coarse	Medium	Fine	
0.0	0.0	0.3	7.2	45.9	46.6

SIEVE SIZE	PERCENT FINER	SPEC.* PERCENT	PASS? (X=NO)
# 4	100.0		
# 8	99.8		
# 10	99.7		
# 16	99.2		
# 30	96.5		
# 40	92.5		
# 50	84.5		
# 60	80.2		
# 100	62.1		
#200	46.6		

Soil Description
Gray, Clayey SAND

Atterberg Limits
PL= 14 LL= 23 PI= 9 NM= 23.7


Coefficients
D₉₀= 0.3773 D₈₅= 0.3059 D₆₀= 0.1405
D₅₀= 0.0912 D₃₀= D₁₅=
D₁₀= C_u= C_c=

Classification
USCS= SC AASHTO= A-4(1)

Remarks

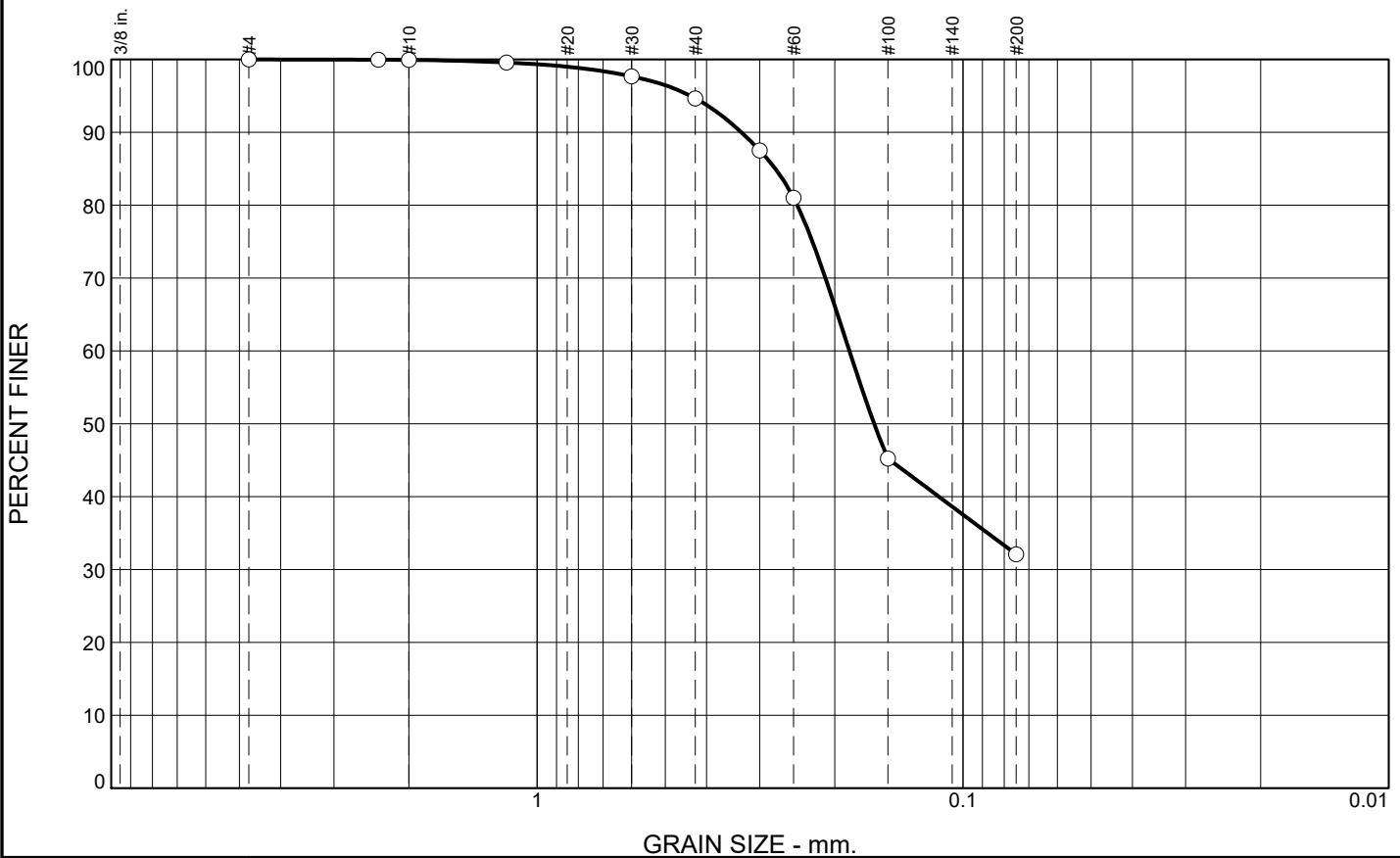
* (no specification provided)

Location: SWM-1 **Depth:** 1' - 4' **Date:** 4/23/2021
Sample Number: S-20210423-02

	GEO-TECHNOLOGY ASSOCIATES, INC. 21133 Sterling Avenue, Suite 7 Georgetown, DE 19947	Client: McKee Capital Partners, LP Project: East Gate Project No: 31210297	Figure
---	--	---	---------------

Tested By: JNLJ **Checked By:** GRS

Particle Size Distribution Report



% Gravel		% Sand			% Fines
Fine	Coarse	Medium	Fine		
0.0	0.1	5.2	62.6	32.1	

SIEVE SIZE	PERCENT FINER	SPEC.* PERCENT	PASS? (X=NO)
# 4	100.0		
# 8	100.0		
# 10	99.9		
# 16	99.6		
# 30	97.7		
# 40	94.7		
# 50	87.5		
# 60	81.0		
# 100	45.2		
#200	32.1		

Soil Description

Gray, Clayey SAND

Atterberg Limits

PL= 14 LL= 23 PI= 9 NM= 19.1

Coefficients

D₉₀= 0.3311 D₈₅= 0.2757 D₆₀= 0.1847
D₅₀= 0.1616 D₃₀= D₁₅=
D₁₀= C_u= C_c=

Classification


USCS= SC AASHTO= A-2-4(0)

Remarks

* (no specification provided)

Location: Composite: P-1 & SWM-1
Sample Number: S-20210423-03

Date: 4/23/2021

	<p>GEO-TECHNOLOGY ASSOCIATES, INC.</p> <p>21133 Sterling Avenue, Suite 7 Georgetown, DE 19947</p>	<p>Client: McKee Capital Partners, LP Project: East Gate</p> <p>Project No: 31210297</p>	<p>Figure</p>
---	---	--	----------------------

Tested By: WLG **Checked By:** GRS

MOISTURE-DENSITY RELATIONSHIP TEST REPORT

ASTM D 1557-12 Method A Modified

Project No.: 31210297

Date: 4/23/2021

Project: East Gate

Client: McKee Capital Partners, LP

Location: Composite: P-1 & SWM-1

Sample Number: S-20210423-03

Remarks:

MATERIAL DESCRIPTION

Description: Gray, Clayey SAND

Classifications -

USCS: SC

AASHTO: A-2-4(0)

Nat. Moist. = 19.1 %

Sp.G. = 2.65A

Liquid Limit = 23

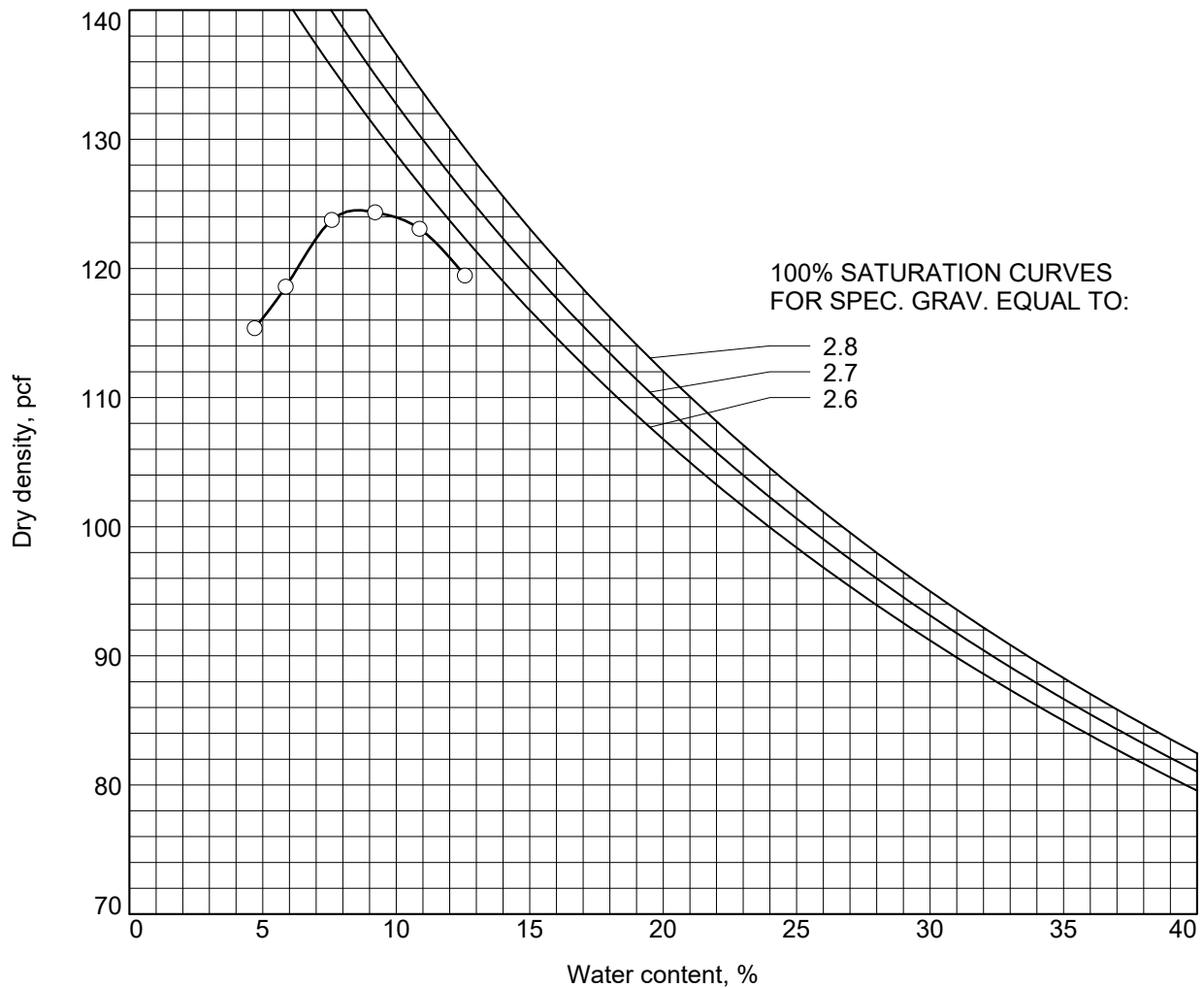
Plasticity Index = 9

% < No.200 = 32.1 %

TEST RESULTS

Maximum dry density = 124.5 pcf

Optimum moisture = 8.6 %



Figure

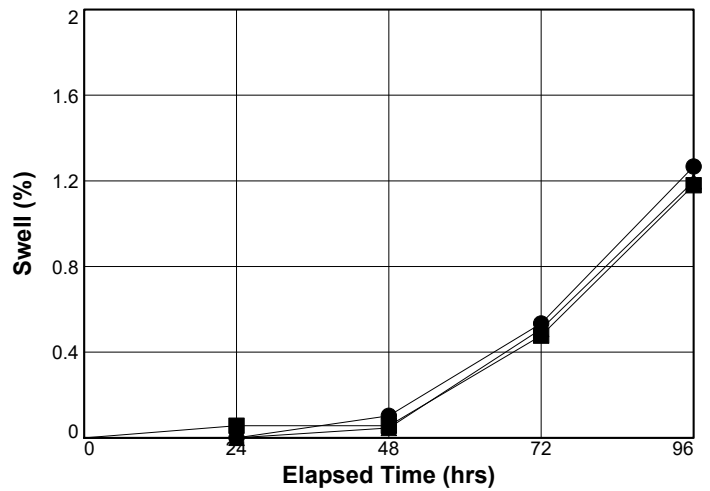
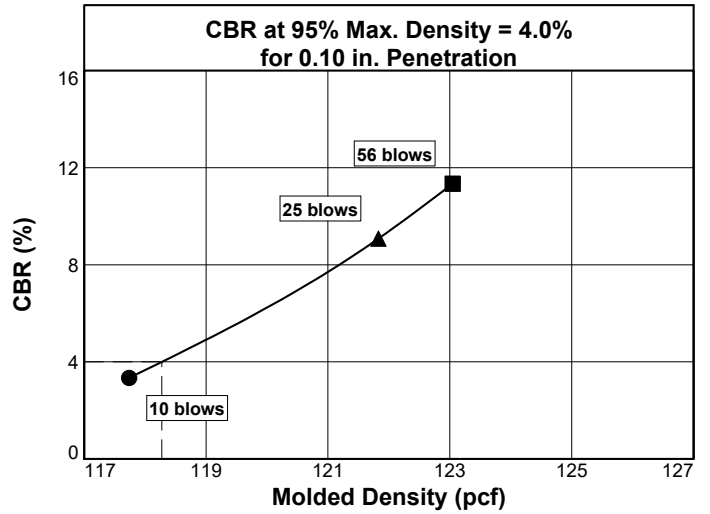
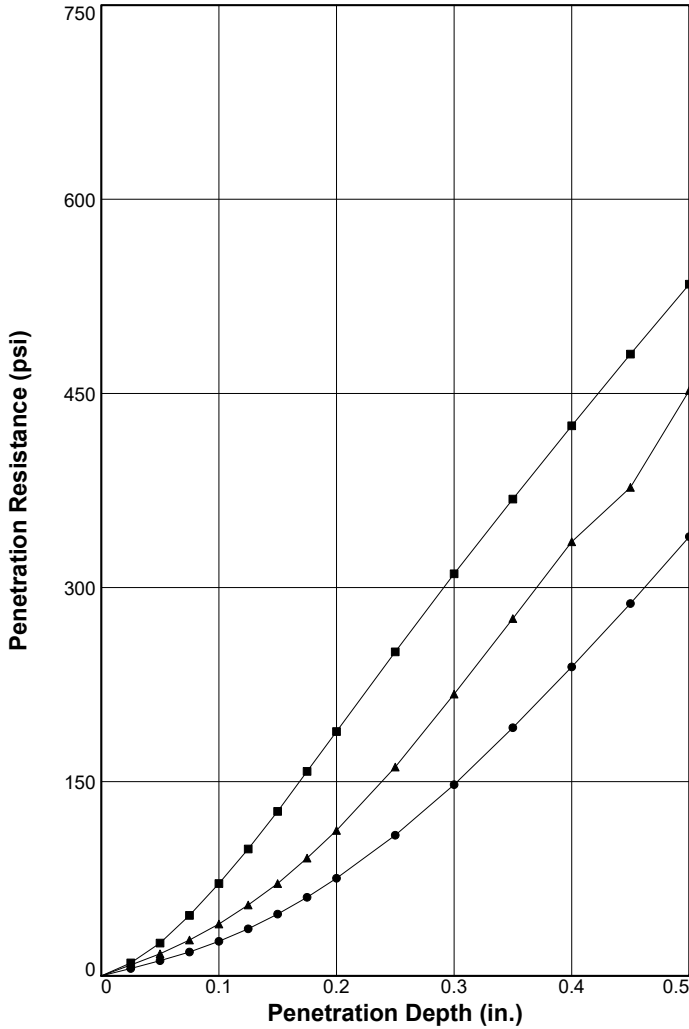
Geo-Technology Associates, Inc.

Tested By: JNLJ

Checked By: GRS

BEARING RATIO TEST REPORT

ASTM D1883-16



	Molded			Soaked			CBR (%)		Linearity Correction (in.)	Surcharge (lbs.)	Max. Swell (%)
	Density (pcf)	Percent of Max. Dens.	Moisture (%)	Density (pcf)	Percent of Max. Dens.	Moisture (%)	0.10 in.	0.20 in.			
1 ○	117.7	94.5	10.3	116.3	93.4	10.6	3.3	5.8	0.017	10	1.3
2 △	121.8	97.8	10.3	120.4	96.7	10.2	9.1	12.6	0.075	10	1.2
3 □	123.0	98.8	10.5	121.6	97.7	10.9	11.3	15.7	0.038	10	1.2
Material Description							USCS	Max. Dens. (pcf)	Optimum Moisture (%)	LL	PI
Gray, Clayey SAND											

Test Description/Remarks:

Project No: 31210297
Project: East Gate
Location: Composite: P-1 & SWM-1
Sample Number: S-20210423-03
Date: 4/23/2021



GEO-TECHNOLOGY ASSOCIATES, INC.
 21133 Sterling Avenue, Suite 7
 Georgetown, DE 19947

Appendix 6 –Wetlands Exhibits

**Approved Jurisdictional Determination, US Army Corps of Engineers, March 26,
2021**

Wetland Delineation Plan, GTA, December 10, 2020



REPLY TO
ATTENTION OF

Regulatory Branch

DEPARTMENT OF THE ARMY

PHILADELPHIA DISTRICT CORPS OF ENGINEERS
WANAMAKER BUILDING, 100 PENN SQUARE EAST
PHILADELPHIA, PENNSYLVANIA 19107-3390

26 March 2021

SUBJECT: Approved Jurisdictional Determination CENAP-OPR-2021-50-23
Project Name: Zion Church Road Property SX
Coordinates: Lat. 38.4769°N/Long.-75.1472°W

Ryan McGehee
Geo-Technology Associates, Incorporated
3445-A Box Hill Corporate Center Drive
Abingdon, Maryland 21009

Dear Mr. McGehee:

This approved jurisdictional determination (AJD) is provided in response to your request of on behalf of Schiff Land Development Company, LLC for a Corps of Engineers determination of federal jurisdiction as it relates to a site located at Tax Map Parcel 533-11.00-45.03, -45.05, -45.06, -45.07, and -45.08, Frankford, Sussex County, Delaware.

The findings of this AJD are documented in the enclosed AJD Form. The findings are also depicted on a site plan prepared by Geo-Technology Associates, Incorporated, dated December 10, 2020, revised March 22, 2021, and titled: Wetland Delineation JD Plan, Zion Church Road Property, Sussex County, Delaware, one sheet.

A Department of the Army permit is required for work or structures in “navigable waters of the United States” pursuant to Section 10 the Rivers and Harbors Act (RHA) of 1899 and the discharge of dredged or fill material into “waters of the United States” pursuant to Section 404 of the Clean Water Act (CWA). Any proposal to perform such activities within areas of federal jurisdiction will require the prior approval of this office.

Food Security Act statement: The delineation included herein has been conducted to identify the location and extent of the aquatic resource boundaries and/or the jurisdictional status of aquatic resources for purposes of the Clean Water Act for the site identified in this request. This delineation and/or jurisdictional determination may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should discuss the applicability of a certified wetland determination with the local USDA service center, prior to starting work.

This AJD is valid for a period of five (5) years. This AJD is issued in accordance with current federal regulations and is based upon the existing site conditions and information provided by you in your application. This office reserves the right to reevaluate and modify this AJD at any time should the existing site conditions or federal regulations change, or should the information provided by you prove to be false, incomplete, or inaccurate.

You may request an administrative appeal of this AJD if you do not accept this determination. Enclosed you will find a combined Notification of Appeal Process (NAP) and Request for Appeal (RFA) form. If you request to appeal this determination, you must submit a completed RFA form to the North Atlantic Division Office at the following address:

Mr. James W. Haggerty
Regulatory Program Manage (CENAD-PD-OR)
United States Army Corps of Engineers, North Atlantic Division
Fort Hamilton Military Community, Bldg. 301, General Lee Avenue
Brooklyn, NY 11252-6700
James.W.Haggerty@usace.army.mil

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by May 27, 2021.

It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this letter.

If you have any questions regarding this matter, please contact me at (302) 736-9764, or by email at john.g.brundage@usace.army.mil.

Sincerely,



John G. Brundage
Senior Staff Biologist
Regulatory Branch

COMMENTS: This letter supersedes an earlier jurisdictional determination made for this site by the Corps of Engineers on July 28, 2010 under action ID CENAP-OP-R-2009-46. The above referenced site was inspected by a Corps of Engineers representative on March 10, 2010.

Enclosures

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Dr. James W. Schiff		File Number: 2021-50	Date: 26 Mar 2021
Attached is:		See Section below	
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
	PERMIT DENIAL	C	
X	APPROVED JURISDICTIONAL DETERMINATION	D	
	PRELIMINARY JURISDICTIONAL DETERMINATION	E	

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/appeals.aspx> or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

Mr. John Brundage
U.S. Army Corps of Engineers, Philadelphia District
ATTN: CENAP-OP-R
1203 College Park Drive, Suite 103
Dover, DE 19904
Telephone: (302) 736-9764
john.g.brundage@usace.army.mil

If you only have questions regarding the appeal process you may also contact:

Mr. James W. Haggerty
Regulatory Program Manager (CENAD-PD-OR)
U.S. Army Corps of Engineers
Fort Hamilton Military Community
301 General Lee Avenue
Brooklyn, New York 11252-6700
james.w.haggerty@usace.army.mil

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.

Date:

Telephone number:



**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): 3/26/2021
 ORM Number: NAP-OPR-2021-50
 Associated JDs: N/A
 Review Area Location¹: State/Territory: Delaware City: Selbyville County/Parish/Borough: Sussex
 Center Coordinates of Review Area: Latitude 38.4769 N Longitude -75.1472 W

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.
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.

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**

Adjacent wetlands ((a)(4) waters):			
(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
N/A.	N/A.	N/A.	N/A.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
Wetland 1	0.58 acre(s)	(b)(1) Non-adjacent wetland.	Wetland 1 is an isolated wetland that does not meet the NWPR definition of an adjacent wetland
Wetland 2	0.11 acre(s)	(b)(1) Non-adjacent wetland.	Wetland 2 is an isolated wetland that does not meet the NWPR definition of an adjacent wetland
Wetland 3	4.72 acre(s)	(b)(1) Non-adjacent wetland.	Wetland 3 is an isolated wetland that does not meet the NWPR definition of an adjacent wetland
Ditch A	1,306 Linear feet	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1).	Ditch A is a ditch that does not meet the NWPR definition of a jurisdictional tributary
Ditch B	787 linear feet	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1).	Ditch B is a ditch that does not meet the NWPR definition of a jurisdictional tributary
Ditch C	160 Linear feet	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1).	Ditch C is a ditch that does not meet the NWPR definition of a jurisdictional tributary
Ditch D	249 linear feet	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1).	Ditch D is a ditch that does not meet the NWPR definition of a jurisdictional tributary

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 Plan for Zion Church Road Property, prepared by Geo-Technology Associates, Inc.; dated December 10, 2020](#)

This information is sufficient for purposes of this AJD.

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.



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

Rationale: [N/A or describe rationale for insufficiency \(including partial insufficiency\).](#)

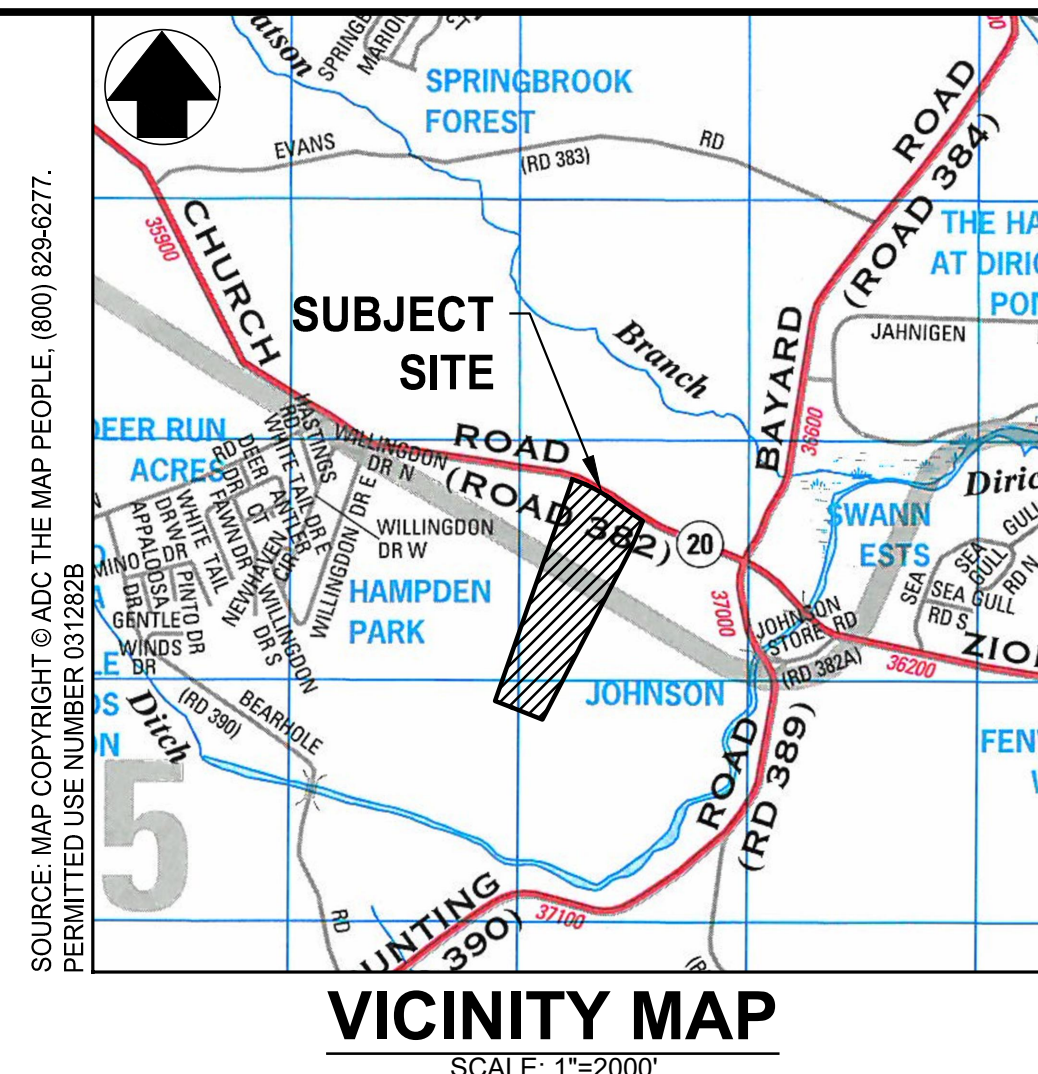
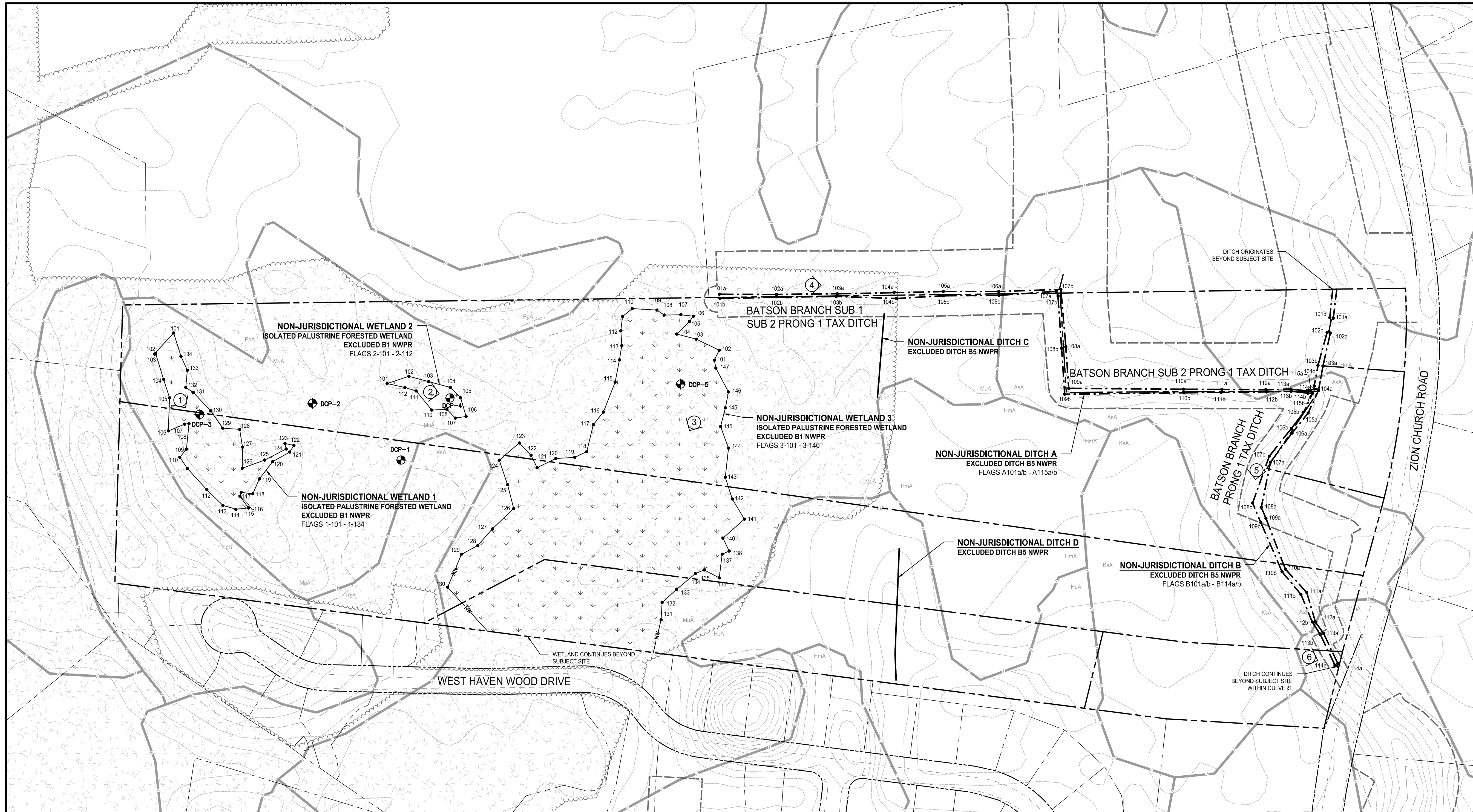
- Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\).](#)
- Photographs: [Aerial and Other: 2017 Aerial Imagery, provided by National Agricultural Imagery Program; Site Photos taken in October 2020](#)
- Corps site visit(s) conducted on: [10 March 2010](#)
- Previous Jurisdictional Determinations (AJDs or PJDs): [CENAP-OP-R-2009-46, 7/28/2010](#)
- Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)
- USDA NRCS Soil Survey: [USDA Natural Resource Conservation Service Web Soil Survey obtained at <http://websoilsurvey.nrcs.usda.gov>; dated October 29, 2020](#)
- USFWS NWI maps: [USFWS National Wetland Inventory wetland map obtained at <http://www.fws.gov/wetlands>; dated October 29, 2020](#)
- USGS topographic maps: [1" = 2000' ; Selbyville, DE; dated October 29, 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.
FEMA/FIRM maps	FEMA Firmette Map, No. 10005C0635K, obtained at <http://www.fema.gov>

B. Typical year assessment(s): [See GTA report](#)

C. Additional comments to support AJD: [N/A](#)



GENERAL INFORMATION

- PROJECT NAME: ZION CHURCH ROAD PROPERTY
- LOCATION: SOUTH OF ZION CHURCH ROAD IN THE FRANKFORD AREA OF SUSSEX COUNTY, DELAWARE.
- PLAN PREPARED FOR: SCHIFF LAND DEVELOPMENT COMPANY, LLC
16054 SOUTH DUPONT HIGHWAY
HARRINGTON, DELAWARE 19952
ATTN: DR. JAMES W. SCHIFF
- PLAN PREPARED BY: GEO-TECHNOLOGY ASSOCIATES, INC. (GTA)
3445-A BOX HILL CORPORATE CENTER DRIVE
ABINGDON, MARYLAND 21009
ATTN: MR. RYAN MCGEEHEE
- AREA OF REVIEW: APPROXIMATELY 38.26 ACRES
- THE SUBJECT SITE IS IDENTIFIED AS SUSSEX COUNTY TAX PARCELS 533-11.00-45.03, 533-11.00-45.05, 533-11.00-45.06, 533-11.00-45.07, AND 533-11.00-45.08.
- ACCORDING TO FEMA FIRM MAP NUMBER 10005C0635K, EFFECTIVE MARCH 16, 2015, THE SUBJECT SITE IS NOT LOCATED WITHIN A 100-YEAR FLOODPLAIN.
- ACCORDING TO THE DELAWARE TAX DITCH MAP PROVIDED BY THE DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, DELAWARE DRAINAGE PROGRAM (ACCESSED OCTOBER 13, 2020), PORTIONS OF AN APPARENT TAX DITCH IS LOCATED SOUTH OF ZION CHURCH ROAD. THIS TAX DITCH IS IDENTIFIED AS BATSON BRANCH PRONG 1, THIS TAX DITCH EXISTS THE SUBJECT SITE WITHIN A CULVERT IN THE NORTHEASTERN PORTION OF THE SUBJECT SITE. AN ADDITIONAL APPARENT TAX DITCH IS LOCATED IN THE WESTERN PORTION OF THE SUBJECT SITE AND IS IDENTIFIED AS BATSON BRANCH SUB 1 SUB 2 PRONG 1 CONTINUING NORTH TO PROVIDE CONFLUENCE TO APPARENT TAX DITCH BATSON BRANCH SUB 2 PRONG 1. BATSON BRANCH SUB 2 PRONG 1 ORIGINATES WEST OF THE SUBJECT SITE AND CONTINUES NORTH TO BATSON BRANCH PRONG 1, SOUTH OF ZION CHURCH ROAD.
- SOILS SHOWN ON THIS PLAN WERE ADAPTED FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE, NATURAL RESOURCES CONSERVATION SERVICE'S WEB SOIL SURVEY, ACCESSED ON SEPTEMBER 28, 2020. AVAILABLE ONLINE AT <HTTP://WWW.MD.NRCS.USDA.GOV/TECHNICAL/SOILS.HTML>.
- A WETLAND DELINEATION OF THE SUBJECT SITE WAS PERFORMED BY GTA IN OCTOBER, 2020. WETLAND FLAG LOCATIONS WITHIN THE SUBJECT SITE WERE SURVEY LOCATED BY MORRIS & RITCHIE ASSOCIATES, INC. (MRA) IN DECEMBER 2020.
- AS A RESULT OF THE REVIEW OF THE SITE, IT IS GTA'S PROFESSIONAL OPINION THAT THERE ARE NO JURISDICTIONAL "WATERS OF THE U.S." PRESENT WITHIN THE SUBJECT SITE.
- GTA'S CONCLUSIONS REGARDING THIS SITE HAVE BEEN BASED ON OBSERVATIONS OF EXISTING CONDITIONS, PROFESSIONAL EXPERIENCE, AND GENERALLY ACCEPTED PROFESSIONAL ENVIRONMENTAL PRACTICE UNDER SIMILAR CIRCUMSTANCES. SEASONAL VEGETATION CYCLES AND FLUCTUATIONS IN PRECIPITATION OR WEATHER CONDITIONS CAN RESULT IN DIFFERENCES IN THE PERCEPTION OF HYDROLOGIC CONDITIONS AND THE PRESENCE OF PREDOMINANTLY HYDROPHYTIC VEGETATION, WHICH CAN ALTER GTA'S EVALUATION OF WETLANDS/WATERWAYS.
- IT IS IMPORTANT TO NOTE THAT THIS EVALUATION IS GTA'S PROFESSIONAL OPINION, ONLY. DECISIONS REGARDING THE OFFICIAL JURISDICTIONAL STATUS OF WETLANDS/WATERWAYS ARE MADE BY FEDERAL, STATE, AND/OR LOCAL REGULATORY AGENCIES.
- THIS PLAN WAS PREPARED BY GTA FOR THE SOLE AND EXCLUSIVE USE OF SCHIFF LAND DEVELOPMENT COMPANY, LLC. ANY REPRODUCTION OF THIS PLAN BY ANY OTHER PERSON WITHOUT THE EXPRESSED WRITTEN PERMISSION OF GTA AND SCHIFF LAND DEVELOPMENT COMPANY, LLC IS UNAUTHORIZED, AND SUCH USE IS AT SOLE RISK OF THE USER.

LEGEND

- SUBJECT SITE
- EXISTING PROPERTY BOUNDARY
- EXISTING 1' CONTOUR
- EXISTING 5' CONTOUR
- APPROXIMATE TREELINE
- EXISTING EDGE OF PAVEMENT
- EXISTING RIGHT OF WAY
- APPROXIMATE SOIL BOUNDARY
- EXISTING TAX DITCH RIGHT OF WAY
- EX. NONTIDAL WETLAND (WITH NUMBERED FLAG LOCATIONS)
- EX. INTERMITTENT STREAM
- WETLAND DELINEATION DATA COLLECTION POINT (DCP)
- NUMBERED PHOTOGRAPH LOCATION
- EX. CENTERLINE OF NON-JURISDICTIONAL DITCH

SOILS CHART

SYMBOL ¹	NAME/DESCRIPTION ¹	HYDRIC SOIL ²	HYDRIC COMPONENT ²	PERCENTAGE OF MAPPING UNIT ²	POSITION IN LANDSCAPE ²
AsA	ASKECKSY LOAMY SAND, 0 TO 2 PERCENT SLOPES	YES	ASKECKSY, UNDRAINED	45	FLATS
			ASKECKSY, DRAINED	30	FLATS
			HURLOCK, UNDRAINED	10	FLATS
			MULLICA, UNDRAINED	5	FLATS
HmA	HAMMONTON LOAMY SAND, 0 TO 2 PERCENT SLOPES	YES	HURLOCK, DRAINED	5	FLATS
			HURLOCK, UNDRAINED	5	FLATS
HuA	HURLOCK LOAMY SAND, 0 TO 2 PERCENT SLOPES	YES	HURLOCK, UNDRAINED	5	FLATS
			BERRYLAND, DRAINED	5	FLATS
KsA	KLEJ LOAMY SAND, 0 TO 2 PERCENT SLOPES	YES	HURLOCK, DRAINED	5	FLATS
			MULLICA, DRAINED	50	FLATS
MmA	MULLICA MUCKY SANDY LOAM, 0 TO 2 PERCENT SLOPES	YES	MULLICA, UNDRAINED	30	FLATS
			BERRYLAND	10	FLATS
			HURLOCK	10	FLATS
			MULLICA, DRAINED	26	FLATS
MuA	MULLICA-BERRYLAND COMPLEX, 0 TO 2 PERCENT SLOPES	YES	BERRYLAND, DRAINED	24	FLATS
			MULLICA, UNDRAINED	16	FLATS
			BERRYLAND, UNDRAINED	14	FLATS
			ASKECKSY, DRAINED	5	FLATS
PpA	PEPPERBOX LOAMY SAND, 0 TO 2 PERCENT SLOPES	NO	-	-	-
PpB	PEPPERBOX LOAMY SAND, 2 TO 5 PERCENT SLOPES	NO	-	-	-

1. UNITED STATES DEPARTMENT OF AGRICULTURE, NATURAL RESOURCE CONSERVATION SERVICE, SUSSEX COUNTY, MARYLAND, SOIL SURVEY DATA VERSION 13, DATED SEPTEMBER 13, 2019.
2. HYDRIC SOILS INFORMATION AVAILABLE FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE, NATURAL RESOURCE CONSERVATION SERVICE SOIL DATA ACCESS HYDRIC SOILS LIST, ACCESSED SEPTEMBER 24, 2020.

AREA OF WETLANDS / DITCHES WITHIN THE SUBJECT PROPERTY:

WETLAND	APPROXIMATE AREA
WETLAND 1 (ISOLATED)	25,409 SF (0.58 AC)
WETLAND 2 (ISOLATED)	4,716 SF (0.11 AC)
WETLAND 3 (ISOLATED)	205,411 SF (4.72 AC)
TOTAL WETLAND AREA	235,536 SF (5.41 AC)

DITCHES	APPROXIMATE AREA	APPROXIMATE LENGTH
DITCH A (NON-JURISDICTIONAL)	9,253 SF (0.21 AC)	1,306 LINEAR FEET
DITCH B (NON-JURISDICTIONAL)	6,790 SF (0.16 AC)	787 LINEAR FEET
TOTAL DITCHES	16,043 SF (0.37 AC)	2,093 LINEAR FEET



GTA
GEO-TECHNOLOGY ASSOCIATES, INC.
GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS
3445-A BOX HILL CORPORATE CENTER DRIVE
ABINGDON, MARYLAND 21009
410-515-9446
FAX: 410-515-4895
WWW.GTAENG.COM
© 2019 GEO-TECHNOLOGY ASSOCIATES, INC.

WETLAND DELINEATION PLAN ZION CHURCH ROAD PROPERTY

SUSSEX COUNTY, DELAWARE

DATE	REVISIONS	JOB NO:
3/22/2021	PER USAGE COMMENTS	31201262
		SCALE: 1"=100'
		DATE: DECEMBER 10, 2020
		DRAWN BY: RJM
		DESIGN BY:
		REVIEW BY: MAJ/JAS
		SHEET: 1 OF 1

U:\mcd\gta\gta\Shared\Project Files\2020\31201262 - Zion Church Road Property\WETLAND\Plan\31201262_WDP.dwg

Appendix 7 – Traffic Analysis

Service Level Evaluation, DelDOT, December 23, 2020



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

December 23, 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 **Schiff Land Development Company, LLC (c/o Mr. T.J. Schiff)** conditional use application, which we received on November 23, 2020. This application is for an approximately 36.71-acre assemblage of parcels (Tax Parcels: 533-11.00-45.05, 45.06, 45.07, and 45.08). The subject land is located on the south side of Zion Church Road (Sussex Road 382), approximately 2,550 feet east of Deer Run Road (Sussex Road 388). The subject land is currently zoned GR (General Residential), and the applicant is seeking a conditional use approval with a residential planned community overlay to build a 102-unit single-family detached housing development to be known as Twin Lakes.

Per the 2019 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along the segment of Zion Church Road where the subject land is located, which is from Roxana Road (Sussex Road 52) to Bayard Road (Sussex Road 384) / Bunting Road (Sussex Road 382A), are 5,487 and 7,062 vehicles per day, respectively.

Based on our review, we estimate that the proposed land use will generate more than 50 vehicle trips per a weekly peak hour and 500 vehicle trips per day, and would be considered to have a Minor impact to the local area roadways. In this instance, the Department considers a Minor impact to be when a proposed land use would generate more than either 50 vehicle trips per a weekly peak hour and / or 500 vehicle trips per day but fewer than 200 vehicle trips per a weekly peak hour and 2,000 vehicle trips per day. Because of this impact, we recommend that the applicant be required to perform a Traffic Impact Study (TIS) for the subject application. However, our Development Coordination Manual provides that where a TIS is required only because the volume warrants are met, and the projected trip generation will be fewer than 200 vehicle trips per a weekly peak hour and fewer than 2,000 vehicle trips per day, DelDOT may permit the developer to pay an Area-Wide Study Fee of \$10 per daily trip in lieu of doing a TIS. For this application, if the County were agreeable, we would permit the developer to pay an Area-Wide Study Fee.



Mr. Jamie Whitehouse

Page 2 of 2

December 23, 2020

According to the Institute of Transportation Engineers (ITE) Trip Generation Manual, a development of 102 single-family detached houses would generate 1,059 vehicle trips per day, 77 vehicle trips during the morning peak hour, and 104 vehicle trips during the afternoon peak hour. As stated above, because this development would generate fewer than 2,000 vehicle trips per day and fewer than 200 vehicle trips during a weekly peak hour, the applicant has the option to pay the Area-Wide Study Fee in lieu of doing a TIS. The Area-Wide Study Fee for the proposed development would be \$10,590.00. Payment of the Area-Wide Study Fee does not preclude a developer from having to make or participate in off-site improvements, including a traffic operational analysis (TOA) if one is found to be necessary during the plan review process.

A review of TIS completed in the last three years found that a TIS was completed for the Twin Cedars residential development. That TIS included the intersections of Zion Church Road and Deer Run Road, and Zion Church Road and Bayard Road / Bunting Road. We are providing a copy of that TIS review letter; please find it enclosed with this letter.

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.
County Coordinator
Development Coordination

TWB:cjm

Enclosure

cc: Schiff Land Development Company, LLC (c/o Mr. T.J. Schiff), 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
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



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

JENNIFER COHAN
SECRETARY

July 13, 2020

Mr. Joe Caloggero
The Traffic Group, Inc.
9900 Franklin Square Drive
Suite H
Baltimore, MD 21236

Dear Mr. Caloggero:

The enclosed Traffic Impact Study (TIS) review letter for the proposed **Twin Cedars** (Protocol Tax Parcel 533-11.00-42.00) 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) 760-2167.

Sincerely,

Troy Brestel
Project Engineer

TEB:km

Enclosures

cc with enclosures: Ms. Constance C. Holland, Office of State Planning Coordination
Mr. Jamie Whitehouse, Sussex County Planning and Zoning
Mr. Andrew Parker, McCormick Taylor, Inc.
Mr. Kevin Hickman, Johnson, Mirmiran & Thompson, Inc.
DelDOT Distribution

DelDOT Distribution

Brad Eaby, Deputy Attorney General

J. Marc Coté, Director, Planning

Shanté Hastings, Director, Transportation Solutions (DOTS)

Mark Luszcz, Deputy Director, DOTS

Michael Simmons, Assistant Director, Project Development South, DOTS

Todd Sammons, Assistant Director, Development Coordination

T. William Brockenbrough, Jr., County Coordinator, Development Coordination

Peter Haag, Chief Traffic Engineer, Traffic, DOTS

Chris Sylvester, Traffic Studies Manager, Traffic, DOTS

Alistair Probert, South District Engineer, South District

Gemez Norwood, South District Public Works Supervisor, South District

Jared Kaufmann, Service Development Planner, Delaware Transit Corporation

Tremica Cherry, Service Development Planner, Delaware Transit Corporation

Susanne Laws, Sussex Review Coordinator, Development Coordination

Anthony Aglio, Planning Supervisor, Statewide & Regional Planning

James Argo, Sussex Plan Reviewer, South District

Mark Galipo, Traffic Engineer, Traffic, DOTS

Claudy Joinville, Project Engineer, Development Coordination



July 10, 2020

Mr. Troy E. Brestel
Project Engineer
DelDOT Division of Planning
P.O. Box 778
Dover, DE 19903

RE: Agreement No. 1946F
Traffic Impact Study Services
Task No. 1A Subtask 01A – Twin Cedars

Dear Mr. Brestel:

McCormick Taylor has completed its review of the Traffic Impact Study (TIS) for the Twin Cedars residential development prepared by The Traffic Group, Inc. dated March 9, 2020. The Traffic Group prepared the report in a manner generally consistent with DelDOT's Development Coordination Manual.

The TIS evaluates the impacts of the proposed Twin Cedars residential development, proposed to be located along Delaware Route 20 (Zion Church Road / Sussex Road 382) between Deer Run Road (Sussex Road 388) and Bayard Road (Sussex Road 384) / Johnson Road (Sussex Road 382A) in Sussex County, Delaware. The proposed development would consist of 44 single-family detached houses, 44 townhouses, and 168 apartments. One full-access driveway is proposed on Delaware Route 20. Construction is expected to be complete by 2026.

The subject land is located on an approximately 64.22-acre parcel. The land is currently split zoned as C-1 (General Commercial) and GR (General Residential), and the developer is seeking a residential planned community (RPC) overlay for the GR portion in Sussex County.

Currently, there is one active DelDOT project within the study area. The project involves planned improvements at the intersection of Delaware Route 20 and Bayard Road/Johnson Road. In late 2018 and early 2019, DelDOT's Traffic Studies Section conducted a traffic study and solicited public input to evaluate possible safety improvements at this unsignalized two-way stop-controlled intersection. Through this process, DelDOT determined that a traffic signal is recommended for this intersection. This recommendation and the associated documentation has been sent to DelDOT's Traffic Design Section to start programming the design work. The construction date is to be determined.

Based on our review, 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:

<i>Intersection</i>	<i>Existing Traffic Control</i>	<i>Situations for which deficiencies occur</i>
Delaware 20 and Bayard Road / Johnson Road	Unsignalized	2019 Existing summer Saturday (Case 1); 2026 without Twin Cedars summer Saturday (Case 2); 2026 with Twin Cedars summer Saturday (Case 3)

Delaware Route 20 and Bayard Road / Johnson Road

This unsignalized intersection experiences LOS deficiencies in the Saturday midday peak hour for 2019 existing conditions, 2026 conditions without Twin Cedars, and 2026 conditions with Twin Cedars. DelDOT has evaluated various improvement options for this intersection and determined that a traffic signal is recommended; to this end, the developer should make an equitable share contribution toward the installation of a traffic signal, as described below in Item No. 2.

Should the County choose to approve the proposed development, the following items should be incorporated into the site design and reflected on the record plan by note or illustration. All applicable agreements (i.e. letter agreements for off-site improvements and traffic signal agreements) should be executed prior to entrance plan approval for the proposed development.

1. The developer should construct the full-movement site access on Delaware Route 20. The proposed configuration is shown in the table below. This proposed site driveway should be constructed directly across from the existing Bayside Mini Storage driveway.

Approach	Existing Configuration	Proposed Configuration
Eastbound Delaware Route 20	One shared left-turn/through lane	One left-turn lane, one through lane, and one right-turn lane
Westbound Delaware Route 20	One shared through/right-turn lane	One left-turn lane and one shared through/right-turn lane
Northbound Site Access	Approach does not exist	One shared left-turn/through lane and one right-turn lane
Southbound Bayside Mini Storage driveway	One shared left/right-turn lane	One shared left/through/right-turn lane

Initial recommended minimum turn-lane lengths (excluding tapers) of the separate turn lanes are listed below. The developer should coordinate with DelDOT’s Development Coordination Section to determine final turn-lane lengths during the site plan review.

Approach	Left-Turn Lane	Right-Turn Lane
Eastbound Delaware Route 20	50 feet *	290 feet **
Westbound Delaware Route 20	210 feet **	N/A
Northbound Site Access	N/A	50 feet ***
Southbound Bayside Mini Storage driveway	N/A	N/A

- * Turn lane is not warranted per DelDOT’s *Auxiliary Lane Worksheet*, but is recommended for safety to shadow the required westbound left-turn lane.
- ** Initial turn-lane length based on DelDOT’s *Auxiliary Lane Worksheet*.
- *** Initial turn-lane length based on storage length per queuing analysis, with 50-foot minimum

2. The developer should coordinate with DelDOT regarding an equitable share contribution toward a DelDOT project to install a traffic signal at the intersection of Delaware Route 20 and Bayard Road / Johnson Road. The amount of the contribution should be determined through coordination with DelDOT’s Development Coordination Section. At least one other developer is required to contribute to this improvement as well.
3. The following bicycle and pedestrian improvements should be included:
 - a. Adjacent to the proposed right-turn lane on eastbound Delaware Route 20 at the proposed site entrance, a minimum of a five-foot bicycle lane should be dedicated and striped with appropriate markings for bicyclists through the turn lane in order to facilitate safe and unimpeded bicycle travel
 - b. Appropriate bicycle symbols, directional arrows, pavement markings, and signing should be included along bicycle facilities and turn lanes within the project limits.
 - c. Utility covers should be made flush with the pavement.
 - d. If clubhouses or other community facilities are constructed as shown on the site plan, bicycle parking should be provided near building entrances. Where building architecture provides for an awning, other overhang, or indoor parking, the bicycle parking should be covered.
 - e. A minimum 15-foot wide permanent easement from the edge of the right-of-way should be dedicated to DelDOT within the site frontage along Delaware Route 20.

- f. Within the easement along the Delaware Route 20 site frontage, a minimum of a ten-foot wide shared-use path that meets current AASHTO and ADA standards should be constructed. The shared-use path should meet AASHTO and ADA standards and should have a minimum of a five-foot buffer from the roadway. At the property boundaries, the shared-use path should connect to the adjacent property or to the shoulder in accordance with DelDOT's *Shared-Use Path and/or Sidewalk Termination Reference Guide* dated August 1, 2018. The developer should coordinate with DelDOT's Development Coordination Section to determine the details of the shared-use path connections at the property boundaries.
- g. ADA compliant curb ramps and crosswalks should be provided at all pedestrian crossings, including all site entrances. Type 3 curb ramps are discouraged.
- h. Internal sidewalks for pedestrian safety and to promote walking as a viable transportation alternative should be constructed within the development. These sidewalks should each be a minimum of five-feet wide (with a minimum of a five-foot buffer from the roadway) and should meet current AASHTO and ADA standards. Internal sidewalks in the development should connect to the proposed shared-use path along Delaware Route 20.
- i. Where internal sidewalks are located alongside of parking spaces, a buffer should be added to prevent vehicular overhang onto the sidewalk.

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 http://deldot.gov/Publications/manuals/de_mutcd/index.shtml.

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 site plan review process.

Additional details on our review of this TIS are attached. Please contact me at (610) 640-3500 or through e-mail at ajparker@mccormicktaylor.com if you have any questions concerning this review.

Sincerely,

McCormick Taylor, Inc.

A handwritten signature in black ink, appearing to read "Andrew J. Parker".

Andrew J. Parker, PE, PTOE
Project Manager

Enclosure

General Information

Report date: March 9, 2020

Prepared by: The Traffic Group, Inc.

Prepared for: Bay Developers, LLC

Tax parcel: 533-11.00-42.00

Generally consistent with DelDOT's Development Coordination Manual: Yes

Project Description and Background

Description: The proposed Twin Cedars development consists of 44 single-family detached houses, 44 townhouses, and 168 apartments.

Location: The site is located along Delaware Route 20 (Zion Church Road / Sussex Road 382) between Deer Run Road (Sussex Road 388) and Bayard Road (Sussex Road 384) / Johnson Road (Sussex Road 382A) in unincorporated Sussex County. A site location map is included on page 6.

Amount of land to be developed: approximately 64.22 acre parcel

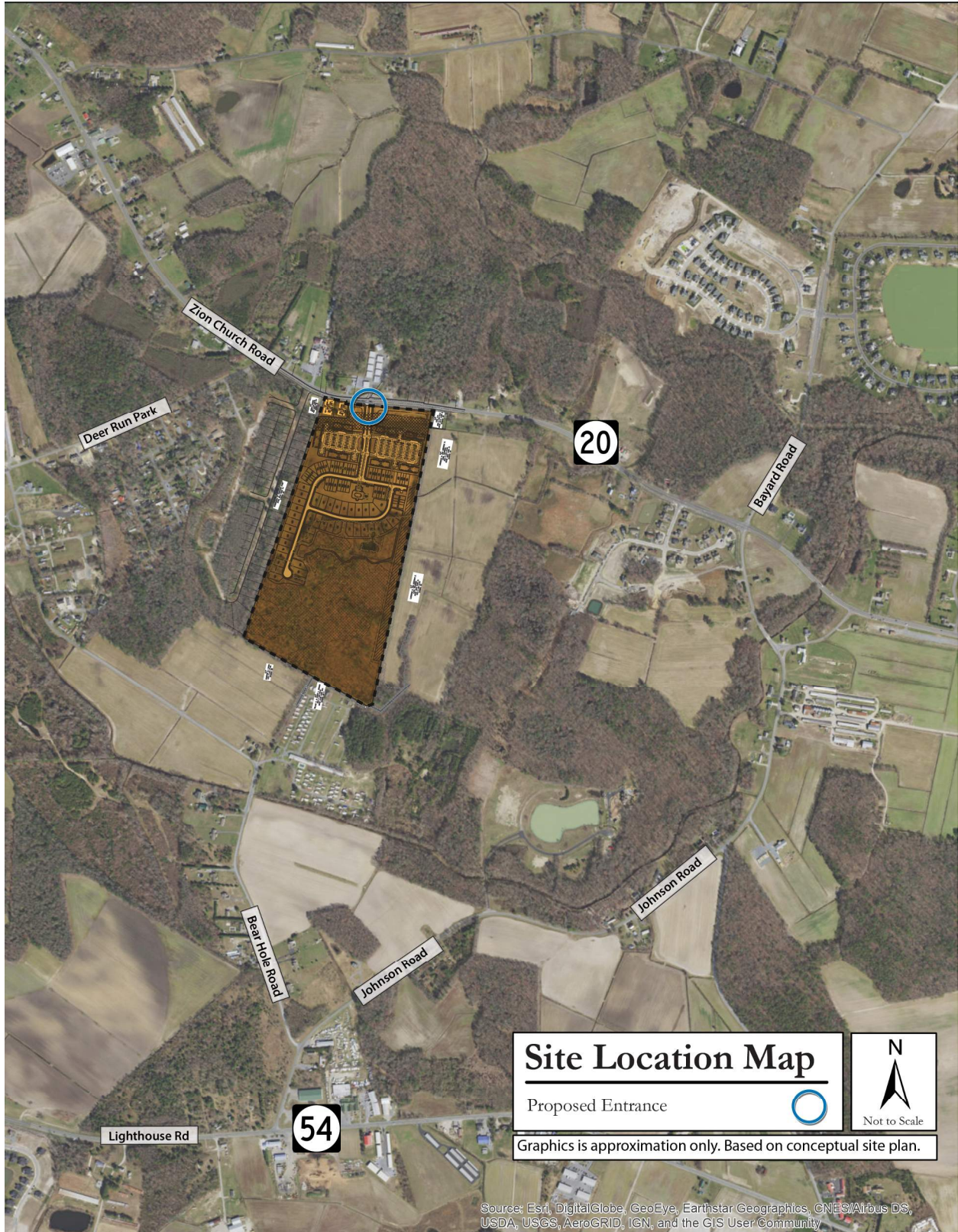
Land use approval(s) needed: Subdivision approval. The land is currently split zoned as C-1 (General Commercial) and GR (General Residential), and the developer is seeking a residential planned community (RPC) overlay for the GR portion in Sussex County.

Proposed completion year: 2026

Proposed access locations: One full-access driveway is proposed on Delaware Route 20.

Daily Traffic Volumes (per DelDOT Traffic Summary 2019):

- 2019 Average Annual Daily Traffic on Delaware Route 20: 6,635 vehicles/day



2015 Delaware Strategies for State Policies and Spending

Location with respect to the Strategies for State Policies and Spending Map of Delaware:

The proposed Twin Cedars residential development is located within Investment Level 3.

Investment Level 3

Investment Level 3 reflects areas where growth is anticipated by local, county, and state plans in the longer-term future. 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, but where development is not necessary to accommodate expected short-term population growth. The second category includes lands that are adjacent to fast-growing Investment Level 1 and 2 areas but are often impacted by environmentally sensitive features, agricultural-preservation issues, or other infrastructure issues. In these instances, development and growth may be appropriate in the near term, but the resources on the site and in the surrounding area should be carefully considered and accommodated by state Agencies and local governments with land-use authority.

Generally, Investment Level 3 areas should not be developed until surrounding Investment Level 1 and 2 areas are substantially built out. From a housing perspective, Investment Level 3 areas are characterized by low density and rural homes. New housing developments in the short term would, in most cases, represent leap-frog development, which is undesirable. Higher density housing in Investment Level 3 areas is more appropriate once Level 2 areas are built out and utilities are available.

Proposed Development's Compatibility with Strategies for State Policies and Spending:

The proposed Twin Cedars residential development includes 44 single-family detached houses, 44 townhouses, and 168 apartments located within an Investment Level 3 area. Investment Level 3 reflects areas where growth is anticipated by the county in the long-term. Given that the location is in a Growth Area as defined by Sussex County and that the anticipated opening date for this development is three years out, the proposed development generally appears to comply with the guidelines of Investment Level 3 areas as described in the 2015 "Strategies for State Policies and Spending."

Comprehensive Plan

Sussex County Comprehensive Plan:

(Source: Sussex County Comprehensive Plan, March 2019)

The Sussex County Comprehensive Plan Future Land Use Map indicates that the proposed development parcel is within a Coastal Area (categorized as a Growth Area).

Growth Areas, including the Coastal Area, are designed to accommodate concentrated levels of development. Sussex County has designated the areas around Rehoboth Bay, Indian River Bay, and Little Assawoman Bay (the inland bays) as Coastal Areas. Coastal Areas generally encompass areas on the south-eastern side of Sussex County within what was previously referred to as the Environmentally Sensitive Developing Areas of prior Comprehensive Plans. The updated name more accurately reflects the function of this land use classification. While the Coastal Area is a

Growth Area, additional considerations should be taken into account in this Area that may not apply in other Growth Areas.

The Coastal Area designation is intended to recognize two characteristics. First, this region is among the most desirable locations in Sussex County for new housing, as is reflected in new construction data and real estate prices. Second, this region contains ecologically important and sensitive characteristics as well as other coastal lands which help to absorb floodwaters and provide extensive habitat for native flora and fauna. This area also has significant impact upon water quality within the adjacent bays and inlets as well as upon natural the region's various habitats. And, these factors are themselves part of the reason that this Area is so desirable-making the protection of them important to both the environment and the economy.

The County has significant initiatives to extend public sewer service to replace inadequate on-site systems. Careful control of stormwater runoff is also an important concern in keeping sediment and other pollutants out of the Inland Bays.

The challenge in this region is to safeguard genuine natural areas and mitigate roadway congestion without stifling the tourism and real estate markets which: a) provide many jobs; b) create business for local entrepreneurs; and c) help keep local tax rates low.

The following guidelines should apply to future growth in Coastal Areas:

Permitted Uses – 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.

Densities – Sussex County's base density of 2 units per acre is appropriate throughout this classification; however, medium and higher density (4-12 units per acre) can be appropriate in certain locations. Medium and higher density could be supported in areas: where there is central water and sewer; near sufficient commercial uses and employment centers; where it is in keeping with the character of the area; where it is along a main road or at/or near a major intersection; where there is adequate Level of Service; or where other considerations exist that are relevant to the requested project and density. A clustering option permitting smaller lots and additional flexibility in dimensional standards is encouraged on tracts of a certain minimum size, provided significant permanent common open space is preserved and the development is connected to central water and sewer service. The preservation of natural resources or open space is strongly encouraged in this land use classification. The County should revisit environmental protection in the Coastal Areas.

Specific regulations governing cluster developments are designated by zoning district. There currently is an option where density can be increased with optional density bonuses for certain

zoning districts. Those optional bonuses may involve payment of fees that fund permanent land preservation elsewhere in the County, or other options. RPC's are encouraged to allow for a mix of housing types and to preserve open space and natural areas/resources. Cluster development that allows for smaller lots and flexibility in dimensional standards is encouraged if the developer uses a cluster option that results in permanent preservation of a substantial percentage of the tract and/or natural areas/resources. Master planning should be encouraged especially for large-scale developments on large parcels or groups of parcels, higher density and mixed-use developments to provide flexibility in site design.

All applicants for developments of a minimum size (as specified in zoning) should continue to be required to provide information that analyzes the development's potential environmental impacts, including effects on stormwater runoff, nitrogen and phosphorous loading, wetlands, woodlands, wastewater treatment, water systems, and other matters that affect the ecological sensitivity of the inland bays.

Infrastructure – Central water and sewer facilities are strongly encouraged. If central utilities are not possible, permitted densities should be limited to two units per acre provided a septic permit can be approved.

Proposed Development's Compatibility with Comprehensive Plan: The proposed Twin Cedars residential development includes 44 single-family detached houses, 44 townhouses, and 168 apartments on a 64.22-acre parcel (a gross density of just under 4 units per acre). The land is currently split zoned as C-1 (General Commercial) and GR (General Residential), and the developer is seeking a residential planned community (RPC) overlay for the GR portion in Sussex County. The Sussex County Comprehensive Plan Future Land Use Map indicates that the proposed development parcel is within the Coastal Area (categorized as a Growth Area). The proposed development appears to comply with the characteristics and *Permitted Uses* for the Coastal Area. However, due to the some small lot sizes and overall density greater than 2 units per acre, along with the potential RPC overlay, this development raises questions regarding consistency with Sussex County regulations; therefore additional discussion may be required.

Relevant Projects in the DelDOT Capital Transportation Program

Currently, there is one active DelDOT project within the study area. The project involves planned improvements at the intersection of Delaware Route 20 and Bayard Road/Johnson Road. In late 2018 and early 2019, DelDOT's Traffic Studies Section conducted a traffic study and solicited public input to evaluate possible safety improvements at this unsignalized two-way stop-controlled intersection. Through this process, DelDOT determined that a traffic signal is recommended for this intersection. This recommendation and the associated documentation has been sent to DelDOT's Traffic Design Section to start programming the design work. The construction date is to be determined.

Trip Generation

Trip generation for the proposed development was computed using comparable land uses and equations contained in Trip Generation, Tenth Edition, published by the Institute of Transportation Engineers (ITE). The following land use was utilized to estimate the amount of new traffic generated for this development:

- 44 Single-Family Detached Homes (ITE Land Use Code 210)
- 44 Multi-Family Housing Units, Low-Rise (ITE Land Use Code 220)
- 168 Multi-Family Housing Units, Mid-Rise (ITE Land Use Code 221)

Table 1
TWIN CEDARS PEAK HOUR TRIP GENERATION

Land Use	Weekday AM Peak Hour			Weekday PM Peak Hour			Saturday Peak Hour		
	In	Out	Total	In	Out	Total	In	Out	Total
44 Single-Family Detached	9	27	36	29	17	46	30	25	55
44 Multi-Family Housing, Low-Rise	5	17	22	18	10	28	8	6	14
168 Multi-Family Housing, Mid-Rise	15	42	57	45	28	73	38	39	77
TOTAL TRIPS	29	86	115	92	55	147	76	70	146

Overview of TIS

Intersections examined:

- 1) Delaware Route 20 & Site Access
- 2) Delaware Route 20 & Deer Run Road
- 3) Delaware Route 20 & Bayard Road / Johnson Road

Conditions examined:

- 1) 2019 existing (Case 1)
- 2) 2026 without Twin Cedars (Case 2)
- 3) 2026 with Twin Cedars (Case 3)

Peak hours evaluated: Weekday morning and evening and Saturday mid-day peak hours

Committed developments considered:

- 1) Orr Property (a.k.a. Miller Creek) (135 single-family detached houses)
- 2) Estuary (284 single-family detached houses)
- 3) Fox Haven I (76 single-family detached houses; 4 unbuilt)
- 4) Fox Haven II (99 single-family detached houses)

Intersection Descriptions

1) Delaware Route 20 & Site Access

Type of Control: proposed one-way stop (T-intersection)

Eastbound Approach: (Delaware Route 20) existing one through lane; proposed one through lane and one right-turn lane

Westbound Approach: (Delaware Route 20) existing one through lane; proposed one left-turn lane and one through lane

Northbound Approach: (Site Access) proposed one shared left-turn/right-turn lane, stop control

2) Delaware Route 20 & Deer Run Road

Type of Control: unsignalized

Eastbound Approach: (Delaware Route 20) one shared through/right-turn lane

Westbound Approach: (Delaware Route 20) one left-turn/through lane

Northbound Approach: (Deer Run Road) one shared left-turn/right-turn lane, stop control

3) Delaware Route 20 & Bayard Road / Johnson Road

Type of Control: existing two-way stop; DelDOT traffic study proposes a traffic signal

Eastbound Approach: (Delaware Route 20) one left-turn lane, one through lane, one bicycle lane, and one right-turn lane

Westbound Approach: (Delaware Route 20) one shared left-turn/through/right-turn lane

Northbound Approach: (Johnson Road) one shared left-turn/through/right-turn lane, stop control

Southbound Approach: (Bayard Road) one shared left-turn/through/right-turn lane, stop control

Safety Evaluation

Crash Data: Per current DelDOT policy, review of crash data was not conducted at this time.

Sight Distance: The proposed site access on Delaware Route 20 is located between two horizontal curves, so sight distance is limited looking in either direction (especially to the left) from the proposed northbound driveway approach. As always adequacy of available sight distance should be confirmed during the site plan review process for all proposed movements at the site accesses.

Transit, Pedestrian, and Bicycle Facilities

Existing transit service: Based on the current DART Bus Stop Map, the Delaware Transit Corporation (DTC) does not currently operate any fixed-route transit bus service in the area of the proposed Twin Cedars residential development.

Planned transit service: The TIS provided documentation of correspondence with a DTC representative who stated that no transit amenities are needed at this time. DTC has no plans to provide transit service to the area in the near future.

Existing bicycle and pedestrian facilities: The following study area roadways are identified as “Bicycling Routes” on the *Sussex County Bicycle Map* published by DelDOT:

- Delaware Route 20:
 - Regional Bicycle Route with bikeway
 - Over 5,000 vehicles daily
- Bayard Road: Connector bicycle route without bikeway
- Johnson Road: Connector bicycle route without bikeway

There are no existing sidewalks or exclusive pedestrian facilities in the immediate area of the proposed site entrance on Delaware Route 20. There are however new pedestrian facilities and bike lanes at the Delaware Route 20 & Bayard / Johnson Road intersection in the eastbound direction.

Planned bicycle and pedestrian facilities: The TIS provided documentation of correspondence with a representative from DelDOT’s Local Systems Planning Section who was contacted to determine requested accommodations for bicycles and pedestrians. It is requested that a 10-foot-wide Multi-Use Pathway would be needed across the frontage.

Previous Comments

In a review letter dated February 5, 2020, DelDOT indicated that the revised Preliminary TIS was acceptable as submitted.

It appears that all substantive comments from DelDOT’s TIS Scoping Memorandum, Traffic Count Review, Preliminary TIS Review, and other correspondence were addressed in the Final TIS submission.

General HCS Analysis Comments

(see table footnotes on the following pages for specific comments)

- 1) Both The Traffic Group, Inc. and McCormick Taylor utilized Highway Capacity Software (HCS) version 7.8 to complete the traffic analyses.
- 2) As per HCM methodologies, The Traffic Group and McCormick Taylor applied percent heavy vehicles (HV) by lane at all-way stop control intersections. In general, existing HV were applied to future conditions as well. For new intersections, 3% was assumed as per the DelDOT Development Coordination Manual section 2.2.8.11.6.H.
- 3) For existing conditions, the TIS and McCormick Taylor determined overall intersection peak hour factors (PHF) for each intersection based on the turning movement counts. Future PHFs were determined as per the DelDOT Development Coordination Manual section 2.2.8.11.6.F.

Table 2
Peak Hour Levels of Service (LOS)
Based on Twin Cedars Traffic Impact Study – March 2020
Prepared by The Traffic Group, Inc.

Unsignalized Intersection ¹ One-Way Stop (T-Intersection)	LOS per TIS			LOS per McCormick Taylor		
	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
Delaware Route 20 & Site Access						
2026 with Twin Cedars (Case 3)						
Westbound DE 20 – Left	A (7.9)	A (8.3)	A (8.6)	A (7.9)	A (8.3)	A (8.6)
Northbound Site Access	B (12.9)	B (14.1)	C (19.8)	B (12.9)	B (14.1)	C (19.8)

¹ For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.

Table 3
Peak Hour Levels of Service (LOS)
Based on Twin Cedars Traffic Impact Study – March 2020
Prepared by The Traffic Group, Inc.

Unsignalized Intersection ² One-Way Stop (T-Intersection)	LOS per TIS			LOS per McCormick Taylor		
	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
Delaware Route 20 & Deer Run Road						
2019 Existing (Case 1)						
Westbound DE 20 – Left	A (7.8)	A (7.9)	A (8.2)	A (7.8)	A (7.9)	A (8.2)
Northbound Deer Run Road	B (10.8)	B (10.8)	B (12.5)	B (10.8)	B (10.8)	B (12.5)
2026 without Twin Cedars (Case 2)						
Westbound DE 20 – Left	A (7.9)	A (8.0)	A (8.3)	A (7.9)	A (8.0)	A (8.3)
Northbound Deer Run Road	B (11.3)	B (11.2)	B (13.0)	B (11.3)	B (11.2)	B (13.0)
2026 with Twin Cedars (Case 3)						
Westbound DE 20 – Left	A (7.9)	A (8.1)	A (8.4)	A (7.9)	A (8.1)	A (8.4)
Northbound Deer Run Road	B (11.6)	B (11.6)	B (13.4)	B (11.6)	B (11.6)	B (13.4)

² For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.

Table 4
Peak Hour Levels of Service (LOS)
Based on Twin Cedars Traffic Impact Study – March 2020
Prepared by The Traffic Group, Inc.

Unsignalized Intersection ³ Two-Way Stop	LOS per TIS			LOS per McCormick Taylor		
	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
Delaware Route 20 & Bayard Road / Johnson Road						
2019 Existing (Case 1)						
Eastbound DE 20 – Left	A (7.8)	A (8.0)	A (8.6)	A (7.8)	A (8.0)	A (8.6)
Westbound DE 20 – Left	A (7.7)	A (7.8)	A (8.1)	A (7.7)	A (7.8)	A (8.1)
Northbound Johnson Road	B (14.9)	C (16.6)	D (30.3)	B (14.9)	C (16.7)	D (30.6)
Southbound Bayard Road	C (17.1)	C (18.3)	F (70.9)	C (17.6)	C (18.9)	F (82.6)
2026 without Twin Cedars (Case 2)						
Eastbound DE 20 – Left	A (7.9)	A (8.1)	A (8.8)	A (7.9)	A (8.1)	A (8.8)
Westbound DE 20 – Left	A (7.7)	A (7.8)	A (8.2)	A (7.7)	A (7.8)	A (8.2)
Northbound Johnson Road	C (16.4)	C (19.8)	E (47.2)	C (16.5)	C (19.9)	E (49.1)
Southbound Bayard Road	C (21.2)	C (24.1)	F (206.3)	C (22.1)	D (25.4)	F (238.9)
2026 with Twin Cedars (Case 3)						
Eastbound DE 20 – Left	A (8.0)	A (8.2)	A (8.9)	A (8.0)	A (8.2)	A (8.9)
Westbound DE 20 – Left	A (7.8)	A (7.9)	A (8.2)	A (7.8)	A (7.9)	A (8.2)
Northbound Johnson Road	C (18.6)	C (23.5)	F (76.2)	C (18.6)	C (23.6)	F (86.1)
Southbound Bayard Road	D (25.5)	D (29.1)	F (310.7)	D (27.5)	D (31.1)	F (354.3)

³ For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



Date: January 27, 2022

Office of State Planning Coordination
122 Martin Luther King Jr. Blvd. South
Dover, DE 19901

Attention: Mr. David L. Edgell, Director

Subject: East Gate (formerly Twin Lakes)
PLUS Review 2020-11-08

Dear Mr. Edgell,

We are in receipt of your comment letter dated December 18, 2020 with regard to Concept Plan associated with the proposed East Gate (formerly known as Twin Lakes) residential subdivision to be located in Sussex County and respond as follows:

Strategies for State Policies and Spending

Comment 1: This project is located in Investment Levels 3 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 may have priorities for the near future. Level 3 areas may mean that there may be environmental concerns on or near the parcel and we would encourage you to design the site with respect for the environmental features which are present.

This project was reviewed in September 2020 and at that time the proposal was also for 102 units, however the units were clustered on the front portion of the lot to avoid the forest and wetlands on the site. This resulted in approximately 28 acres of open space. The current proposal is seeking to use the entire site for development leaving approximately 15 acres of open space but removing much of the forested area and wetlands.

It is our understanding that the change to the site plan is due to the April 21, 2020 federal clarification on the Navigable Waters Protection Rule for the Definition of Waters of the United States ("WOTUS" Rule). With the new site plan, approximately 8 acres of forested non-tidal wetlands is anticipated to be filled by this development proposal, with no wetland permitting or wetland mitigation required, resulting in significant adverse effects for drainage, water quality, and plant and animal species.

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.

As noted above, this parcel is within a Level 3 Investment area. State Strategies in Level 3 areas call for the protection of environmental features in and around the site. Therefore, the State objects to the current site plan for this parcel and asks that the County to

18 Boulden Circle, Suite 36, New Castle, DE 19720 (302) 326-2200 Fax: (302) 326-2399 www.mragta.com

Abingdon, MD ♦ Baltimore, MD ♦ Laurel, MD ♦ Towson, MD ♦ Georgetown, DE ♦ New Castle, DE ♦ Leesburg, VA ♦ Raleigh, NC
(410) 515-9000 (410) 935-5050 (410) 792-9792 (410) 821-1690 (302) 855-5734 (302) 326-2200 (703) 994-4047 (984) 200-2103

PLUS

Re: East Gate - 2019-12-07

January 27, 2022

Page 2 of 18

consider requiring the developer to protect this valuable resource by reverting to the September 2020 site plan. The September 2020 site plan is a true cluster subdivision that will allow the owner the same number of units while protecting Delaware's natural resources and protect future residents of this area from the drainage and flooding impacts that can result from filling wetland areas.

Response: Comment acknowledged. The project site area has direct access to public water and sanitary sewer; the site is located within the Coastal Area growth zone as designated by the Sussex County Comprehensive Plan. Site design, including preservation and protection of existing natural resources, will be performed in accordance with requirements of the Sussex County Code in effect at the time of the Preliminary Plan application.

Code Requirements/Agency Permitting Requirements

Department of Transportation - Contact Bill Brockenbrough 760-2109

Comment 2: The site access on Zion Church Road (Delaware Route 20) must be designed in accordance with DelDOT's Development Coordination Manual, which is available at <https://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes>

Response: Comment acknowledged; the site access will be designed in accordance with the Development Coordination Manual (DCM).

Comment 3: 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://deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017

Response: Comment acknowledged; a Pre-Submittal Meeting with the DelDOT Subdivision Section will be scheduled prior to submittal of plans for review.

Comment 4: Section 1.6 of the Manual addresses the location of development entrances. The site access must be located in accordance with that section and specifically in accordance with Figure 1.5.1 which is referenced therein.

Response: Comment acknowledged; project site entrance will be located in accordance with requirements of the DCM.

Comment 5: Section P.5 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.

Response: Comment acknowledged; review fees are anticipated to be provided in accordance with current DelDOT policy.

Comment 6: 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 1,274 vehicle trip ends per day. Using the 10th edition of the Institute of Transportation Engineers' Trip Generation Manual, DelDOT calculates this number to be 1,059 and estimates the weekday morning and evening peak hour trip ends at 77 and 104, respectively.

Section 2.2.2.2 of the Development Coordination Manual provides that for developments

PLUS

Re: East Gate - 2019-12-07

January 27, 2022

Page 3 of 18

generating less than 2000 vehicle trip ends per day and less than 200 vehicle trip ends per hour in any hour of the day, DelDOT may accept an Area Wide Study (AWS) Fee in lieu of the TIS if the local government does not require a TIS. The AWS Fee is calculated as \$10 per daily trip or, in this case, \$10,590. AWS Fees are used to fund traffic studies, not to build improvements.

DelDOT anticipates requiring the developer to improve Zion Church Road, within the limits of their frontage, to meet DelDOT's Major Collector Road standards, which include 72-foot lanes and 8-foot shoulders. Presently, DelDOT has begun work on an area study, tentatively named the Southeast Sussex Circulator Study, from which it anticipates identifying transportation improvements needed near this development. Depending on the timing of that study and this development, DelDOT may require participation in some of those improvements. DelDOT will definitely require the developer to enter a signal agreement for the intersection of Zion Church Road, Bayard Road (Sussex Road 384) and Bunting Road (Sussex Road 389). The developer may contact Ms. Jennifer Cinelli, a planner in DelDOT's Statewide and Regional Planning Section for more information on the Southeast Sussex Circulator Study as needed. Ms. Cinelli may be reached at (302) 7 60-2549 or Jennifer.Cinelli@delaware.gov.

Response: Comment acknowledged; as noted in the Service Level Evaluation performed by the Department as part of the Sussex County Preliminary Plan process, a TIS study was recently completed in the area for the Twin Cedars residential project. The developer for the East Gate project anticipates participating in the AWS alternative and make proportional contributions to the projects under design as part of the Southeast Sussex Circulator Study.

Comment 7: As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DelDOT require dedication of right-of-way along the site's frontage on Zion Church Road. By this regulation, this dedication is to provide a minimum of 40 feet of right-of-way from the physical centerline along both roads. 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."

Response: Comment addressed; as shown on the Preliminary Plan, right-of-way dedication for Zion Church Road has been provided along the project frontage to current DelDOT standards. Dedication of this right-of-way will be noted no final Record Plans utilizing DelDOT standard language requirements.

Comment 8: 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 Zion Church 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."

Response: Comment addressed; the requested easement area has been shown on the plan. The Record Plan will include the requested easement note in accordance with DelDOT requirements.

Comment 9: 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.

PLUS

Re: East Gate - 2019-12-07

January 27, 2022

Page 4 of 18

- Depiction of all existing entrances within 450 feet of the entrances on Zion Church Road.
- Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.

Response: Comment acknowledged; Record Plans will be prepared in and submitted for DelDOT review in accordance with current DelDOT requirements.

Comment 10: 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. DelDOT anticipates requiring the developer to build an SUP along their frontage on Zion Church Road.

Response: Comment addressed; the easement area for a Shared Use Path has been shown on the Preliminary Plan as noted above. The requirement to install the Shared Use Path will be discussed with the Subdivision Engineer to determine confirm DelDOT's preference as part of the pre-submittal process.

Comment 11: In accordance with Section 3.8 of the Manual, storm water facilities, excluding filter strips and bio swales, shall be located a minimum of 20 feet from the ultimate State right-of-way along Zion Church Road.

Response: Comment addressed; all SWM areas will be more a minimum of 20' beyond the area of DelDOT Right-of-Way dedication.

Comment 12: 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 <https://deldot.gov/Business/subdivisions/index.shtml>.

Response: Comment acknowledged; site entrance will be designed in accordance with current DelDOT requirements. Supporting design calculations will be provided as part of the plan review package. Design deviation requests will be submitted for DelDOT consideration in accordance with current DelDOT policy.

Comment 13: 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>.

Response: Comment acknowledged; site distance triangles will be shown in accordance with current DelDOT requirements. Supporting design calculations will be provided as part of the plan review package.

Comment 14: 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.

Response: Comment acknowledged; plans will be developed and submitted for DelDOT review in accordance with current DelDOT requirements.

Department of Natural Resources and Control - Contact Beth Krumrine 735-3480

Concerns Identified Within the Development Footprint

Wetlands

Comment 15: This project was previously reviewed through PLUS in September 2020. According to the September application, approximately 8.6 acres of wetlands existed on the site. Development was limited to the northern portion of the site, avoiding development on forested wetlands to the south. 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 now proposes to expand housing into the forested wetland areas. Consequently, approximately 8 acres of forested non-tidal wetlands is anticipated to be filled by this development proposal, with no wetland permitting or wetland mitigation required, resulting in significant adverse effects for drainage, water quality, and plant and animal species.

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.

- Revert to September 2020 plan. 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.

Response: Recommendations to revert to previous site configuration are noted. Per DNREC comment, the site design was revised in response to a change at the federal level that affected the interpretation of federally protected wetlands. As a result, the areas in question are no longer regulated at the federal, state, or local level. The site design will comply with current Federal, State, and County laws

Comment related to need for wetlands delineation has been addressed. A wetlands delineation was performed by Geo-Technology Associates, Inc. (GTA) and a jurisdictional determination was issued by the U.S. Army Corps of Engineers. Permitting of any disturbance to the regulated wetlands and/or subaqueous lands will be processed through the Army Corp and DNREC, as applicable.

Comment 16: For a list of consultants and engineers please visit the DNREC Wetlands and Subaqueous Lands Section link:
<http://www.dnrec.delaware.gov/wr/Documents/WSLS/Consultant%20List.pdf>

Response: Comment addressed; as noted above, wetland delineation has been performed by GTA.

Comment 17: 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/>

Response: Information acknowledged.

Tax Ditches

Comment 18: The proposed project lies within the Batson Branch Tax Ditch Tax Ditch. Tax ditch Rights-of- Way exist in areas of proposed development on the site. These Rights-of-Way restrict certain activities within a set distance from the tax ditch, which varies by location.

Contact the DNREC Drainage Program to acquire approval for the revisions of the proposed changes to existing on-site tax ditches and associated Rights-of-Way prior to the project application meeting.

Response: Comment acknowledged; coordination will be made with the DNREC Drainage Program and the tax ditch managers for the Batson Branch Tax Ditch.

Comment 19: Permanent obstructions, such as stormwater management areas, buildings, sheds, and streets are not allowed within the tax ditch Rights-of-Way. Wetland permits may be required before clearing, cleaning, dredging ditches.

Response: Comment acknowledged; coordination will be made with the DNREC Drainage Program and the tax ditch managers for requirements related to the Tax Ditch right-of-way. Permits for modifications to the tax ditch will be pursued through the U.S. Army Corps of Engineers and/or DNREC Subaqueous Lands, as applicable.

Comment 20: Contact: DNREC Drainage Program at (302) 855-1930. Website: <http://www.dnrec.delaware.gov/swc/Drainage/Pages/TaxDitches.aspx>

Response: Information acknowledged.

Vegetated Buffer Zones

Comment 21: Vegetated buffer zones placed adjacent to waterways and wetlands help to 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.

Response: Comment addressed; buffer areas have been provided in accordance with the Sussex County Code in effect at the time of the Preliminary Plan application.

Stormwater Management

Comment 22: This project/site has met the minimum threshold of 5000 square feet of land disturbing activity under the Delaware Sediment and Stormwater Program.

A Sediment and Stormwater Plan must be developed and approved prior to any land disturbing activity taking place on the site. This plan approval agency will vary, depending on the location of the project, or whether it is operated by a state agency or school district. The appropriate agency for this project is the Sussex Conservation District.

Response: Comment acknowledged; Sediment and Stormwater Management approval will be obtained for the proposed project through the Sussex Conservation District (SCD).

Comment 23: 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

PLUS

Re: East Gate - 2019-12-07

January 27, 2022

Page 7 of 18

submitted electronically (<https://apps.dnrec.state.de.us/eNOI/default.aspx>) to the DNREC Division of Watershed Stewardship, along with the \$195 fee.

Response: Comment acknowledged; NOI will be submitted to DNREC as part of the E&S approval through SCD.

Comment 24: 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.

Response: Comment acknowledged; a Stormwater Assessment Study will be submitted to SCD as part of the pre-application process for Sediment and Stormwater design.

Comment 25: Appropriate 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.Stormwaterer@delaware.gov
Website: <http://www.dnrec.delaware.gov/swc/Pages/SedimentStormwater.aspx>

Response: Information acknowledged.

Water Quality (Pollution Control Strategies)

Comment 26: 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.

This site lies within the Inland Bays Watershed. Consult with the appropriate plan review agency to determine if stricter stormwater management standards may apply for development projects in this area.

Response: Comment acknowledged; stormwater management, including water quality, will be provided in accordance with the requirements of the Delaware Sediment and Stormwater Regulations. Requirements for TMDL reductions will be discussed as part of the pre-submittal process.

Comment 27: Contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219
Website: <https://www.sussexconservation.org/>

Response: Information acknowledged.

Hydric Soils

Comment 28: Hydric Soil Group C or D soils have been identified on the site (specifically poorly drained A/D). 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.

Response: Comment acknowledged; due to the underlying soils conditions, and the likelihood of shallow groundwater conditions throughout the site, it is anticipated that Extended Detention Wet Pond facilities will be utilized for stormwater management on the project site. Geotechnical evaluations will be performed on the site to provide guidance on the appropriate stormwater approach to utilize.

PLUS

Re: East Gate - 2019-12-07

January 27, 2022

Page 8 of 18

Comment 29: 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>

Response: Information acknowledged.

Nutrient Management Plan

Comment 30: This project proposes open space exceeding 15.9 Acres, which includes the stormwater management pond.

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.

Response: Comment acknowledged; requirements for nutrient management plan will be incorporated into the Landscape Plan prepared for the site.

Comment 31: Contact: Delaware Department of Agriculture's Nutrient Management Program at (302) 698-4558. Website: <https://agriculture.delaware.gov/nutrient-management/>

Response: Information acknowledged.

Wastewater Permitting - Large Systems

Comment 32: Sussex County (permittee) holds existing permits with the DNREC Groundwater Discharges Section's Large Systems Branch.

It is the responsibility of the permittee to notify the Large Systems Branch if the capacity of the rate of wastewater disposal is to be updated.

Response: Comment acknowledged; wastewater approval will be coordinated through Sussex County Engineering and DNREC Groundwater Discharges Section.

Comment 33: Contact: DNREC Large Systems Branch at (302) 739-9948
Website: <https://dnrec.alpha.delaware.gov/water/groundwater/>

Response: Information acknowledged.

State Historic Preservation Office - Contact Carlton Hall 736-7400

Comment 34: Prehistoric archaeological potential is low. Majority of soils are poorly drained, not prime farmland. Although the creek that flows nearby/through the parcel is shown on Beers 1868, it's hard to tell the original path vs artificial rerouting since the historic aerials show early changes having been made.

Response: Comment acknowledged.

Comment 35: Historic archaeological potential is low. Historic aerials and topos don't show anything on the parcel, and Beers shows empty land.

Response: Comment acknowledged.

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:

PLUS

Re: East Gate - 2019-12-07

January 27, 2022

Page 9 of 18

Fire Protection Water Requirements:

Comment 36: 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.

Response: Comment acknowledged; water distribution system will be coordinated with Artesian Water to designed to provide required fire flows in accordance with the Delaware State Fire Prevention Regulations (DFSFR). Hydrant spacing design will achieve maximum 800' spacing as noted in accordance with the current DFSFR.

Comment 37: Where a water distribution system is proposed for townhouse type dwelling sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants

Response: Comment acknowledged; no townhouse type dwelling units are proposed by the current project.

Fire Protection Features:

Comment 38: For townhouse buildings, provide a section I detail and the UL design number of the 2-hour fire rated separation wall on the Site plan

Response: Comment acknowledged; no townhouse type dwelling units are proposed by the current project.

Accessibility:

Comment 39: 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. The road island at the entrance from the main thoroughfare must be constructed so fire department apparatus may negotiate it. If a "center island" is placed at an entrance into the subdivision, it shall be arranged in such a manner that it will not adversely affect quick and unimpeded travel of fire apparatus into the subdivision. Where traffic circles (round-about) are located in the subdivision, they too are to be arranged in such a manner that they will not adversely affect quick and unimpeded travel of fire apparatus throughout the subdivision. Additionally, where trees are to be situated adjacent to travel roads in the subdivision, some forethought should be exercised regarding how future growth of the trees may affect fire department travel throughout the subdivision

Response: Comment acknowledged; site entrance and all internal roadways will be designed in accordance with the requirements of DelDOT and Sussex County, as applicable. No traffic circles are anticipated to be utilized for this project. All street trees will be placed outside of the road right-of-way and are not anticipated to interfere with vehicular traffic within the roadway areas.

Comment 40: 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.

Response: Comment acknowledged; all structures will be located such that they are within 100' of the road area for fire apparatus accessibility.

Comment 41: 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

PLUS

Re: East Gate - 2019-12-07

January 27, 2022

Page 10 of 18

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.

Response: Comment acknowledged; no dead end streets in excess of 300' are proposed by this project.

Comment 42: The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.

Response: Comment acknowledged; no speed bumps are anticipated to be utilized within this project.

Comment 43: 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.

Response: Comment acknowledged; no gates are anticipated to be utilized to limit access to the subdivision.

Gas Piping and System Information:

Comment 44: Provide type of fuel proposed, and show locations of bulk containers on plan.

Response: Comment acknowledged; no bulk fuel storage is proposed on site by the current project.

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

Response: Comment acknowledged; plans will be prepared and submitted to the SFMO in accordance with the current Delaware Fire Regulations.

Sussex County Engineering Department - Contact Chris Calio 855-1299

Comment 45: Unified Sanitary Sewer District, Johnson's Corner area and connection to the sewer system is mandatory. 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

Response: Comment acknowledged; evaluation of the sanitary sewer system was made by Sussex County Utility Planning as part of a previous application for the subject parcels. It is our understanding that financial contributions for improvements to the existing sanitary sewer infrastructure were previously made by the property owner. We will work with the Utility Planning and Sussex County Engineering to finalize any sewer agreements. All proposed public sewer system will be designed in accordance with the requirements of Sussex County and approved through the Sussex County Engineering.

Comment 46: The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.

Response: Comment acknowledged; public sanitary sewer system will be constructed by the developer in accordance with the requirements of Sussex County.

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 - Bill Brockenbrough 760-2109

Recommendation 1: From the discussion at the PLUS meeting, DeIDOT understands that the County is encouraging the developer to provide a stub street to the property line in the area of Lots 76 through 83 to allow for an interconnection to the lands to the Long property (Tax Parcel No. 533-11.00-44.00). DeIDOT supports such interconnections as being consistent with Section 3.5 of the Manual.

Response: Comment addressed; an interconnection to the Long property, located to the northwest of the East Gate site, has been provided as shown on the Preliminary Plan.

Recommendation 2: 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 Zion Church Road.

Response: Comment acknowledged; no substations or wastewater facilities are anticipated to be constructed by the Developer as part of the proposed East Gate project.

Recommendation 3: The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.

Response: Comment acknowledged; plans will be submitted to DelDOT with revisions to address TAC and PLUS comments as noted above.

PLUS

Re: East Gate - 2019-12-07

January 27, 2022

Page 12 of 18

Recommendation 4: 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/>.

Response: Comment acknowledged; plans to be submitted to DelDOT will reference latest General Notes for Record Plans, Entrance Plans, and Maintenance of Traffic Plans.

Department of Natural Resources and Environmental Control – Beth Krumrine 735-3480

Concerns Identified Within the Development Footprint

Wetlands

Recommendation 5: 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.

Response: Recommendation acknowledged; all proposed site improvements will be designed and constructed in accordance with local, county, state, and federal requirements. On-site stormwater management will be designed in accordance to mitigate discharge of runoff from the site in accordance with the Delaware Sediment and Stormwater Regulations.

Recommendation 6: Schedule a meeting through the DNREC Joint Permit Processing (JPP), which are held on the 3'd 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

Response: Recommendation addressed; a jurisdictional determination was issued by the U.S. Army Corps of Engineers on March 26, 2021.

Recommendation 7: Recommendations for wetland buffers are prescribed under the heading, Vegetated Buffer Zones.

Response: Recommendation acknowledged; buffers will be provided to all regulated wetland areas in accordance with the requirements of Sussex County in effect at the time of application submittal

Tax Ditches

Recommendation 8: All measures should be taken to ensure the project does not create off-site, downstream, or upstream drainage or flooding issues due to increased stormwater or changes in drainage patterns.

Response: Recommendation acknowledged; modifications to the existing tax ditches will be done in accordance with the requirements of DNREC Drainage Section and the Tax Ditch Managers for the Batson Branch Tax Ditch. On-site stormwater management will be provided in accordance with the DSSR to mitigate the impacts of stormwater runoff generated by the developed site.

PLUS

Re: East Gate - 2019-12-07

January 27, 2022

Page 13 of 18

Recommendation 9: Any area designated as a drainage/utility easement should be open space and not owned by the individual landowners.

Response: Recommendation acknowledged; locations of drainage and utility easements will be provided in accordance with the requirements of the utility owners and Sussex County

Recommendation 10: 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.

Response: Recommendation acknowledged; the purpose of the easement is to restrict the construction of obstructions for access and maintenance of the utility for which the easement is provided. Preparation of the Landscape Plan will account for the location of existing and proposed utilities, and access to stormwater management facilities.

Recommendation 11: Contact: DNREC Drainage Program at (302) 855-1930.

Website: <http://www.dnrec.delaware.gov/swc/Drainage/Pages/TaxDitches.aspx>

Response: Information noted.

Forest Removal (Mature Forest)

Recommendation 12: 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. The September submittal of the preliminary site design (2020-09-04) proposed to avoid these areas, leaving contiguous tracts of forests intact. However, the newest preliminary plan submitted (2020-11-08) proposes the removal of 17.4 of 19.8 acres of mature forest.

Response: Recommendation acknowledged; any on-site clearing will be designed and performed in accordance with the requirements of Sussex County.

Recommendation 13: Removing forested areas for development 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. Particularly, mature forests, as observed on this site, possess the potential for rare, threatened, or endangered species that rely on this habitat type.

Response: Recommendation acknowledged; any on-site clearing will be designed and performed in accordance with the requirements of Sussex County.

State-listed Threatened and Endangered Species

The Cypress-swamp sedge (*Carex jorii*) is a plant listed as a State of Delaware rare, threatened, or endangered species, which has been documented within the project area. It is listed under State Rank 52, State Status (unlisted), and Global Rank G4G5. Please visit the following website for definitions on the specified State Rank, State Status, and Global Ranking:

<http://www.dnrec.delaware.gov/fw/dwap/Pages/CGCNTTest.aspx>

PLUS

Re: East Gate - 2019-12-07

January 27, 2022

Page 14 of 18

Recommendation 14: To minimize negative impacts to these species, we recommend that wetlands, natural habitats of the Cypress-swamp sedge (*Carex jorii*), be conserved to the maximum extent practicable.

Response: Recommendation acknowledged; any disturbance to jurisdictional wetlands will be performed in accordance with permit requirements as issued by the U.S. Army Corps of Engineers and/or DNREC, as applicable.

Recommendation 15: Habitat type of wetlands indicates the likely presence of turtles and salamanders. For threatened or endangered turtles and salamanders located in proposed developments containing forest habitat and wetlands, design the development to exclude traditional street curb and gutter systems. Instead, utilize vegetated swales or other road curbing (such as Cape Cod curbing) that allows small animals to climb out of the roadbed. This is preferred over steep, vertical curbing.

Response: Recommendation addressed; DelDOT Type 2 curbing (rolled styled) is proposed for use on all internal subdivision streets

Recommendation 16: Recommendations for buffers pertaining to rare and endangered species are prescribed under heading, Vegetated Buffer Zones.

Response: Recommendation acknowledged; buffers will be provided to all regulated wetland areas in accordance with the requirements of Sussex County in effect at the time of application submittal

Recommendation 17: Contact: DNREC Division of Fish & Wildlife at (302)735-3600.

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/>

Response: Information noted

Vegetated Buffer Zones

Recommendation 18: Incorporate a 100-foot vegetated buffer zone from the edge of all waterways and wetlands (including tax ditches) to protect water quality and to protect a potential State of Delaware rare and endangered species, the Cypress-swamp sedge (*Carex jorii*), having a natural habitat of swamps and wetlands.

Response: Recommendation acknowledged; buffers will be provided to all regulated wetland areas in accordance with the requirements of Sussex County in effect at the time of application submittal

Recommendation 19: 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.

Response: Recommendation acknowledged; disturbance to proposed buffers will be minimized to the maximum extent practicable.

Recommendation 20: 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.

Response: Recommendation acknowledged; required buffer areas will be located within open space areas of the community, in accordance with the requirements Sussex County in effect at the time of application submittal

Recommendation 21: 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 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.

Response: Recommendation acknowledged; buffer areas will be planted in accordance with the requirements of Sussex County. Maintenance requirements of these buffer areas will be noted on the Landscape Plan to be prepared as part of the project approval with Sussex County Planning & Zoning.

Recommendation 22: Contact: DNREC Wildlife Species Conservation & Research Program at (302) 735-3600
Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/>

Response: Information noted

Stormwater Management

Recommendation 23: Where site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage onsite stormwater infiltration and reduce overall runoff including pollutant runoff.

Response: Recommendation acknowledged; due to shallow groundwater conditions on the project site, opportunities for infiltration based stormwater management practices are limited. Site stormwater management will be designed in accordance with the DSSR and approved by SCD.

Recommendation 24: For improved stormwater management, preserve existing trees, wetlands, and passive open space.

Response: Recommendation acknowledged; site stormwater management will be designed in accordance with the DSSR and approved by SCD.

Nutrient Management Plan

Recommendation 25: Calculation of open space should not include stormwater management areas

Response: Recommendation acknowledged; open space calculations will be determined in accordance with the requirements of the Sussex County Zoning Code. .

Mosquitoes

The project lies within a zone that will be impacted by mosquitoes due to its location near large expanses of wetlands.

Recommendation 26: 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.

Response: Comment acknowledged; proposed on-site stormwater management facilities will utilize deep pool areas that we believe will allow for the establishment of mosquito

PLUS

Re: East Gate - 2019-12-07

January 27, 2022

Page 16 of 18

predators within the SWM facilities. Information related to supplemental mosquito control measures will be shared with the developer for consideration.

Recommendation 27: Contact: DNREC Division of Fish and Wildlife at (302) 739-9917
Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/mosquito-control/>

Response: Information acknowledged.

Recommendations for Sustainable Practices

Recommendation 28: 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.

Response: Recommendation acknowledged; information will be shared with the developer and builder for their consideration.

Recommendation 29: Consider the use of solar panels for the club house. Renewable energy infrastructure such as solar or geothermal will 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/eef.

Response: Recommendation acknowledged; information will be shared with the developer and builder for their consideration.

Recommendation 30: Incorporate non-motorized connectivity and install bicycle racks where feasible will help to facilitate non-vehicular travel modes.

Response: Recommendation to be addressed; a shared use path may be installed along the project frontage to provide for non-motorized connectivity to the surrounding areas. It is anticipated that a bike rack facility will be installed at the clubhouse for the use of the community residents

Recommendation 31: 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.

Response: Recommendation acknowledged; information will be shared with the developer and builder for their consideration.

Recommendation 32: The applicant should consider the use of recycled materials, such as reclaimed asphalt pavement, to reduce landfill waste, heat island effects on paved surfaces, and pavement costs.

Response: Recommendation acknowledged; information will be shared with the developer and builder for their consideration.

Recommendation 33: Include space for recycling dumpsters within the preliminary site design stage. These can be placed adjacent to trash dumpsters.

Response: Recommendation acknowledged; no dumpsters are proposed to be installed in support of the community development.

Concerns Identified Outside the Development Footprint

Current or Previous Contamination

Based on DNREC records, a remediation project, called Hitchens Pit, is located along the southern border of the project area. This project is closed and poses no risk.

Response: Information acknowledged.

Recommendation 34: For additional questions, contact the Division of Waste and Hazardous Substances Remediation Section at (302) 395-2600.

Website : <https://dnrec.alpha.delaware.gov/waste-hazardous/>

Response: Information acknowledged.

Recommendation 35: Additional information may also be found online by searching Delaware's Environmental Navigator at <http://www.nav.dnrec.delaware.gov/den3/>

Response: Information acknowledged.

Delaware State Fire Marshall's - Contact Duane Fox 259-7037

Recommendation 36: 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>

Response: Recommendation acknowledged; information related to sprinkler installation will be shared with the homebuilders for their consideration.

Recommendation 37: 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.

Response: Recommendation acknowledged; we anticipate holding a pre-submittal meeting with the Fire Protection Specialist in advance of application submittal.

Delaware Transit Corporation (DTC) - Contact Jared Kauffman 576-6062

Recommendation 38: A shared Use Pathway is needed along the frontage.

Response: Recommendation acknowledged; a shared use path will be constructed along the Zion Church Road frontage in accordance with DelDOT requirements.

Delaware Emergency Management Agency - Contact Philip Cane 659-2325

Recommendation 39: Depending on the location along Zion Church road, the construction could fall within the 7 ft. coastal inundation zone, caution is advised depending on location.

Response: Comment acknowledged; while portions of the tax ditch appear to be around elevation 7, the upland area (outside the limits of the existing tax ditch) appear to be at elevations or higher.

Sussex County Housing: Brandv Nauman 855-7779

Recommendation 40: 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.

Response: Information acknowledged; the East Gate project is anticipated to be developed as a market-rate single-family development.

Recommendation 41: 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.sussexcountypde.gov/affordable-and-fairhousing-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.

Response: Information acknowledged; details related to the County's resources will be provided to the developer and builder for their consideration.

Recommendation 42: 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.

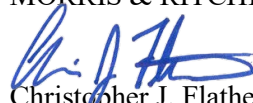
Response: Information acknowledged details related to the County's incentive programs will be provided to the developer and builder for their consideration.

Recommendation 43: 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.

Response: Comment acknowledged; site will be developed in accordance with the requirements of the Sussex County Subdivision and Zoning Codes.

A Preliminary Plan application has been submitted to Sussex County Department of Planning and Zoning review and approval. If you should require additional information regarding this PLUS application, please contact me to discuss at 302-326-2200.

Very Truly Yours,
MORRIS & RITCHIE ASSOCIATES, INC.


Christopher J. Flathers, P.E.
Senior Project Manager

cc: J. Whitehouse, Sussex County
K. McLaughlin, McKee Builders, LLC
J. Fuqua, Esq.
P. Tolliver, MRA
File

RECEIVED

FEB 02 2022

SUSSEX COUNTY
PLANNING & ZONING

January 27, 2022

Mr. Jamie Whitehouse, AICP MRTPI
Sussex County Planning & Zoning Dept.
2 The Circle, PO Box 417
Georgetown, DE 19947

RE: 2021-19 East Gate

Dear Mr. Whitehouse:

Please read the following comments into the public record regarding the above referenced application at the appropriate times.

We request the County to require the developer of these parcels to inform the buyers of their properties that there exists an RV Park at their rear border, and that during its off-season, there is hunting and firearms target practice occurring in areas of this same location.

Thank you,



William D. Simpson
37421 Bearhole Road
Selbyville, DE 19975
302-242-8912



Karen L. Simpson
302-363-2189

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



Sussex County

DELAWARE
sussexcountyde.gov

PLEASE NOTE

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



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

PLANNING & ZONING COMMISSION

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



Sussex County

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

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: February 10th, 2022

Application: CU 2288 Broom Solar Partners, LLC

Applicant: EDF Renewables Distributed Solution, Inc.
251 Little Falls Drive
Wilmington, DE 19808

Owner: Wilgus Family Revocable Trust
34108 Wilgus Cemetery Road
Frankford, DE 19945

Site Location: Lying on the north side of Frankford School Road (S.C.R. 92)
approximately 0.55 miles west of Pyle Center Road (S.C.R. 382)

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

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

Comprehensive Land
Use Plan Reference: Coastal Area

Councilmanic
District: Mr. Rieley

School District: Indian River School District

Fire District: Roxanna Fire Department

Sewer: N/A

Water: N/A

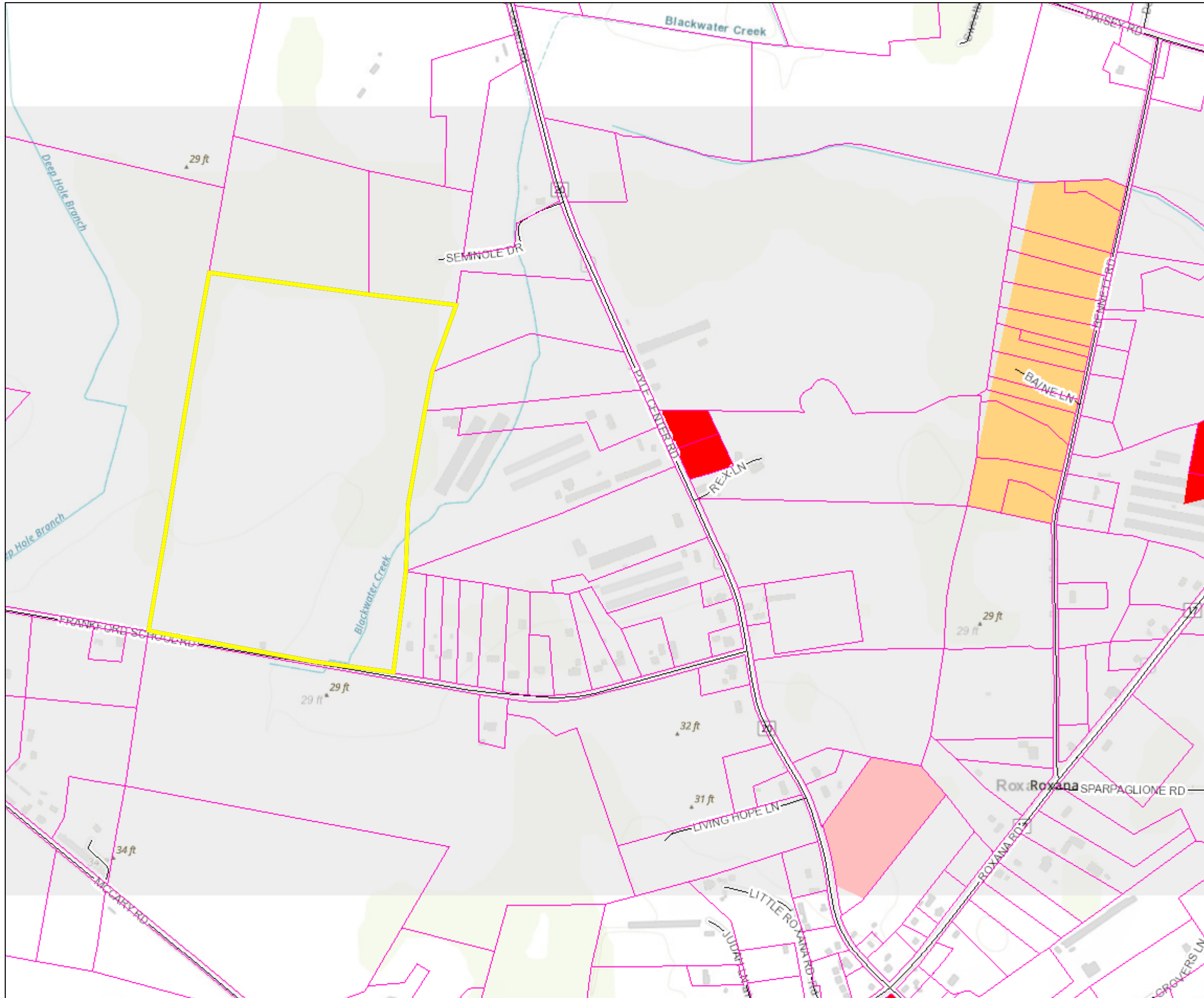
Site Area: 72.00 acres +/-

Tax Map ID.: 533-5.00-47.00





Sussex County



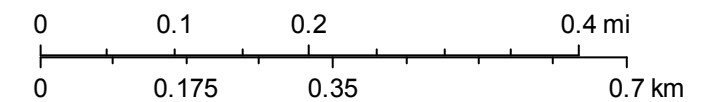
PIN:	533-5.00-47.00
Owner Name	WILGUS ROBERT E JR TTEE
Book	4459
Mailing Address	34108 WILGUS CEMETERY
City	FRANKFORD
State	DE
Description	N SIDE RD ROXANA TO
Description 2	FRANKFORD 72 ACRES
Description 3	FX
Land Code	

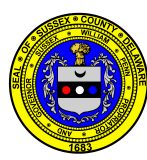
- polygonLayer**

 - Override 1
- polygonLayer**

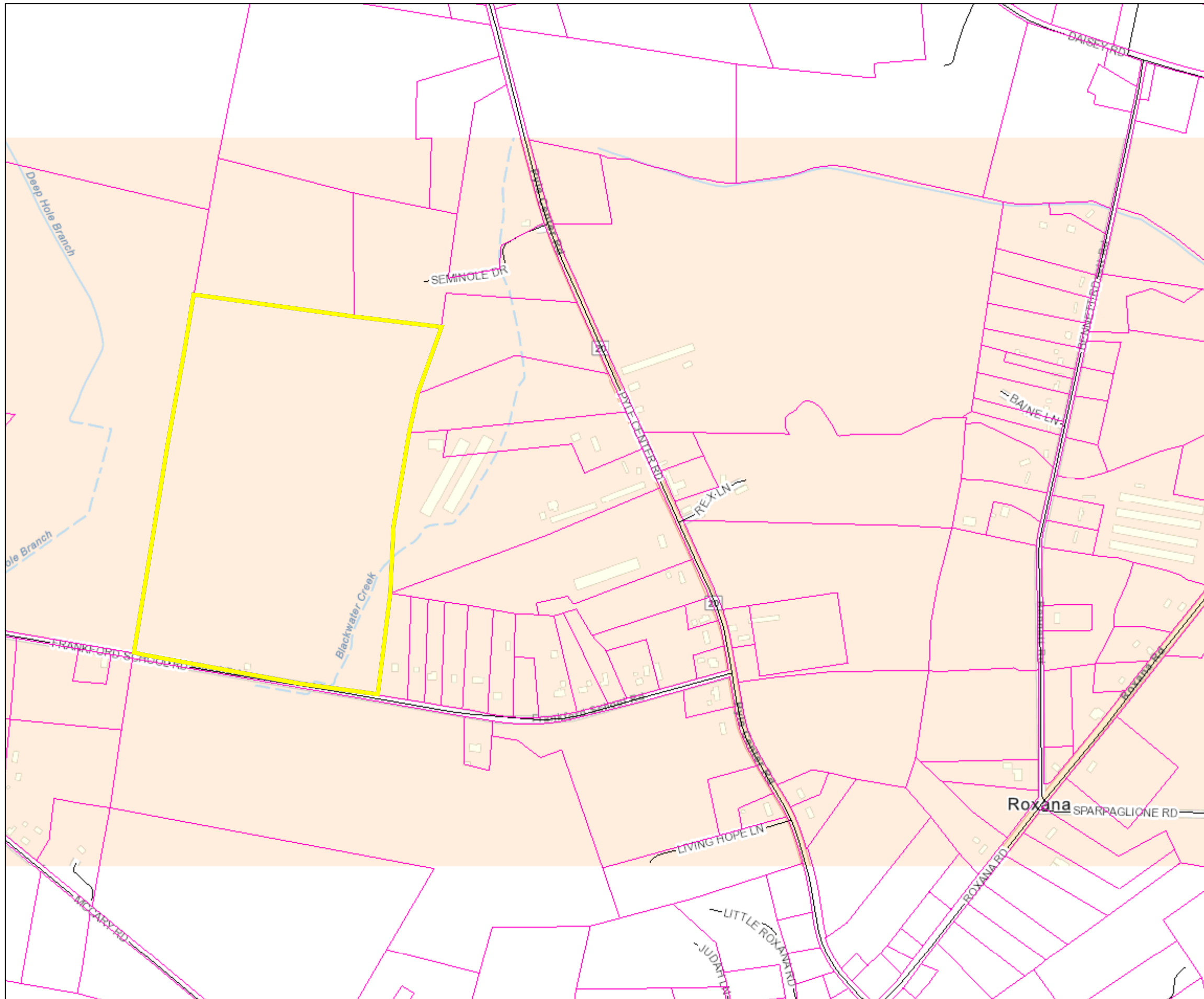
 - Override 1
 - Tax Parcels
 - Streets

1:9,028





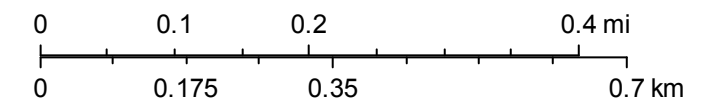
Sussex County



PIN:	533-5.00-47.00
Owner Name	WILGUS ROBERT E JR TTEE
Book	4459
Mailing Address	34108 WILGUS CEMETERY
City	FRANKFORD
State	DE
Description	N SIDE RD ROXANA TO
Description 2	FRANKFORD 72 ACRES
Description 3	FX
Land Code	

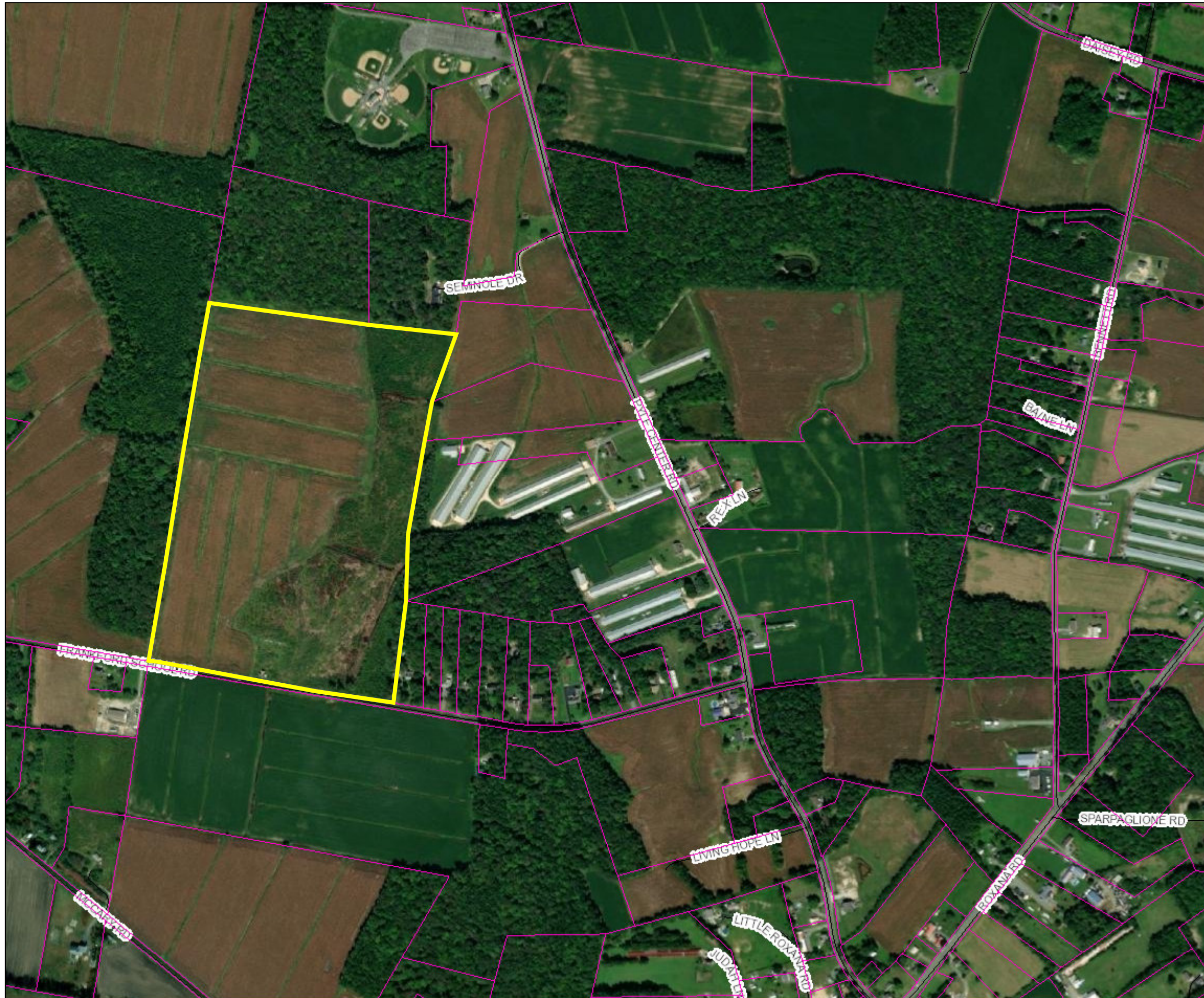
- Override 1
- Override 1
- Tax Parcels
- Streets
- County Boundaries
- Flood Zones 2018**
 - 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
 - A
 - AE
 - AO
 - OPEN WATER
 - VE

1:9,028





Sussex County



PIN:	533-5.00-47.00
Owner Name	WILGUS ROBERT E JR TTEE
Book	4459
Mailing Address	34108 WILGUS CEMETERY
City	FRANKFORD
State	DE
Description	N SIDE RD ROXANA TO
Description 2	FRANKFORD 72 ACRES
Description 3	FX
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

⋯ Tax Parcels

— Streets

⋯ County Boundaries

Flood Zones 2018

⋯ 0.2 PCT ANNUAL CHANCE FLOOD HAZARD

⋯ A

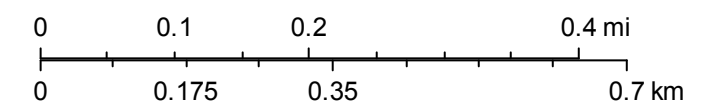
⋯ AE

⋯ AO

⋯ OPEN WATER

⋯ VE

1:9,028



JAMIE WHITEHOUSE, AICP, MRTPI
DIRECTOR OF PLANNING & ZONING
(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: Elliott Young, Planner I
CC: Vince Robertson, Assistant County Attorney, and applicant
Date: February 3rd, 2021
RE: Staff Analysis for CU 2288 Broom Solar Partners

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2288 Broom Solar Partners to be reviewed during the February 10th, 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 533-5.00-47.00 to allow for a Conditional Use of land in an Agricultural Residential (AR-1) Zoning District for a solar farm. The parcel is located on the north side of Frankford School Road. (S.C.R. 92) in Roxana, Delaware. The size of the property is approximately 72.00 acres +/-.

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework for 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 property has the land use designation of Coastal Area.

The surrounding parcels to the north, east, and west are all designated on the Future Land Use Map as "Coastal Area". The Coastal Area land use designation recognizes that a range of housing types should be permitted in Coastal Area, including single-family homes, townhouses, and multifamily 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. It also recognizes a careful mixture of homes with light commercial, office and institutional uses can be appropriate to provide convenient services and to allow people to work close to home.

The property is zoned AR-1 (Agricultural Residential Zoning District). The adjoining and surrounding properties located to the north, east, and west are all zoned AR-1 (Agricultural Residential Zoning District).

Since 2000, there have been two (2) Conditional Use approvals within a .25-mile radius of the application site. The Conditional Use applications were CU 1468 approved by County Council on 12/10/2002 and CU 2256 approved by County Council on 8/31/2021.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use to allow for a solar farm, could be considered as being consistent with the land use, area zoning and surrounding uses.



34548

BK: 4459 PG: 108

34459

BK: 4459 PG: 12

Tax Map and Parcel #: 5-33-5.00-47.00

PREPARED BY:
Tomasetti Law, LLC
1100 Coastal Highway, Unit 3
Fenwick Island, DE 19944
File No. 515-265/KR

Consideration: .00

County	83.25
State	83.25
Town	Total 166.50

Received: Teresa C Oct 19, 2015

RETURN TO:
ROBERT E. WILGUS, JR., TRUSTEE
ELAINE S. WILGUS, TRUSTEE
34108 Wilgus Cemetery Road
Frankford, DE 19945

RECEIVED
Oct 19, 2015
ASSESSMENT DIVISION
OF SUSSEX COUNTY

NO TITLE SEARCH OR SURVEY REQUESTED OR PERFORMED

THIS DEED, made this 9th day of October, 2015,

- BETWEEN -

ROBERT E. WILGUS, JR., AN UNDIVIDED ONE-HALF INTEREST, of 34108 Wilgus Cemetery Road, Frankford, DE 19945, and **HARRY F. WILGUS, II, TRUSTEE UNDER REVOCABLE TRUST AGREEMENT OF HARRY F. WILGUS, II DATED 8/9/94** and **CONNIE L. WILGUS, TRUSTEE UNDER REVOCABLE TRUST AGREEMENT OF CONNIE L. WILGUS DATED 8/9/94, AS TO AN UNDIVIDED ONE-HALF INTEREST**, of 35866 Wild Gander Lane, parties of the first part,

- AND -

ROBERT E. WILGUS, JR., TRUSTEE UNDER REVOCABLE TRUST AGREEMENT OF ROBERT E. WILGUS, JR. DATED 7/15/94, AS TO AN UNDIVIDED ONE-HALF INTEREST and **ELAINE S. WILGUS, TRUSTEE UNDER REVOCABLE TRUST AGREEMENT OF ELAINE S. WILGUS DATED 7/15/94, AS TO AN UNDIVIDED ONE-HALF INTEREST**, of 34108 Wilgus Cemetery Road, Frankford, DE 19945, parties of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00), lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the parties of the second part,

MS
KS

FD W PF

BK: 4459 PG: 109

BK: 4459 PG: 15

and their heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware, as **TENANTS IN COMMON**:

ALL that certain piece and parcel of land lying and being situated in Baltimore Hundred, Sussex County and State of Delaware being bounded and described as follows, to wit: Lying on the North side of the county road leading from Roxana to Frankford, and being more fully described by two deeds previously given, the first deed being deed given by William T. Brasure and Sophia, his wife, to Ezekiel W. Derrickson on January 7, 1885, which reads:

BEGINNING at a corner of lands of Elijah Lynch; thence running with said line to a corner of lands of Mrs. McCabe; thence with said line to a corner of lands of Elijah Lynch near the winding blades, adjoining lands of Elijah Lynch, Stephen Lynch, and the lands of John L. Bennett, said to contain sixty-two (62) acres of land, be the same more or less;

This deed also covering another piece of land being described by a deed given by N.S. Lynch and wife to E.W. Derrickson on January 1, 1887, which reads as follows: Lying on the North side of the new County Road leading from Roxana to Frankford, and being a piece of the same land which Clement Evans in his life laid off from the tract of land now occupied and owned by Elizabeth W. Derrickson, and the West corner of this land beginning at the place called Winding Blades, and said to contain ten (10) Acres when laid off or surveyed, be the same more or less, both pieces taken together and conveyed by this deed said to contain **Seventy-two (72) acres**, be the same more or less.

BEING the same lands conveyed unto Robert E. Wilgus, Jr. and Harry F. Wilgus, brothers, by Deed of Evelyn E. Turner Coffin dated the 24th day of May 1965, and of record in the office of the Recorder of Deeds, in and for Sussex County, at Georgetown, in **Deed Book 588, Page 613**. Harry F. Wilgus subsequently conveyed his one half interest in said property to Harry F. Wilgus, II, Trustee under Revocable Trust Agreement of Harry F. Wilgus dated 8/9/1994 as to an undivided one-half interest, and Connie L. Wilgus, Trustee under revocable Trust Agreement of Connie L. Wilgus dated 8-9-94 as to an undivided one-half interest by Deed dated August 9, 1994 and of record in the office of the Recorder of Deeds in and for Sussex County, at Georgetown in **Deed Book 1999 Page 7**.

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.

RECEIVED
Oct 19, 2015
ASSESSMENT DIVISION
OF SUSSEX COUNTY

Consideration:		5,550.00

County		27.25
State		23.25
Tax	Total	50.50
Received: Teresa C		Oct 19, 2015

BK: 4459 PG: 110

BK: 4459 PG: 110

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the presence of:

Recorder of Deeds
Scott Dailey
Oct 19, 2015 03:22P
Sussex County
Doc. Surcharge Paid

[Handwritten signature]

Robert E. Wilgus Jr. (SEAL)
ROBERT E. WILGUS, JR.

HARRY F. WILGUS, II, REVOCABLE TRUST AGREEMENT DATED 8/9/94

AS TO ALL
[Handwritten mark]

Harry F. Wilgus, II (SEAL)
Harry F. Wilgus, II, Trustee

CONNIE L. WILGUS, REVOCABLE TRUST AGREEMENT DATED 8/9/94

Connie L. Wilgus (SEAL)
CONNIE L. WILGUS, TRUSTEE

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on October 9, 2015, personally came before me, the subscriber, ROBERT E. WILGUS, JR., HARRY F. WILGUS, II, TRUSTEE UNDER REVOCABLE TRUST AGREEMENT OF HARRY F. WILGUS, II DATED 8/9/94 and CONNIE L. WILGUS, TRUSTEE UNDER REVOCABLE TRUST AGREEMENT OF CONNIE L. WILGUS DATED 8/9/94, parties of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

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

Raymond E. Tomasetti
Notary Public



My Commission Expires: none-lifetime

Recorder of Deeds
Scott Dailey
Oct 19, 2015 11:43A
Sussex County
Doc. Surcharge Paid

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

RECEIVED

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **1/14/2022**

APPLICATION: **CU 2288 Broom Solar Partners, LLC**

APPLICANT: **EDF Renewables Distributed Solution, Inc**

FILE NO: **ROX-1.01**

TAX MAP &
PARCEL(S): **533-5.00-47.00**

LOCATION: **Lying on the north side of Frankford School Road (SCR 92),
approximately 0.55 miles west of Pyle Center Road (SCR 382)**

NO. OF UNITS: **Solar Farm**

GROSS
ACREAGE: **72.00**

JAN 19 2022

SUSSEX COUNTY
PLANNING & ZONING

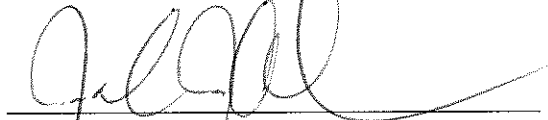
SYSTEM DESIGN ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: 2

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 4**
- (3). Is wastewater capacity available for the project? **N/A** If not, what capacity is available? **N/A**.
- (4). Is a Construction Agreement required? **No** If yes, contact Utility Engineering at (302) 855-7717.
- (5). Are there any System Connection Charge (SCC) credits for the project? **N/A** If yes, how many? **N/A**. Is it likely that additional SCCs will be required? **N/A** If yes, the current System Connection Charge Rate is **Unified \$6,600.00** per EDU. Please contact **N/A** at **302-855-7719** for additional information on charges.

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **N/A**
- Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **N/A**
- (8). Comments: **The proposed Conditional Use is not in an area where the Sussex County Engineering Department has a schedule to provide sanitary sewer service.**
- (9). Is a Sewer System Concept Evaluation required? **Not at this time**
- (10). Is a Use of Existing Infrastructure Agreement Required? **Not at this time**
- (11). **All residential roads must meet or exceed Sussex County minimum design standards.**

UTILITY PLANNING & DESIGN REVIEW APPROVAL:



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

Xc: Hans M. Medlarz, P.E.
Lisa Walls
No Permit Tech Assigned



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

JENNIFER COHAN
SECRETARY

September 9, 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 **Broom Solar Partners, LLC** conditional use application, which we received on August 11, 2020. This application is for a 72.00-acre parcel (Tax Parcel: 533-5.00-47.00). The subject land is located on the north side of Frankford School Road (Sussex Road 92), approximately 2,150 feet west of the intersection of Pyle Center Road (Sussex Road 382) and Frankford School Road. The subject land is currently zoned as AR-1 (Agricultural Residential) and the applicant is seeking a conditional use approval to develop a 3MW AC solar photovoltaic project.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Frankford School Road where the subject land is located, which is from Shockley Town Road (Sussex Road 375) to Pyle Center Road, is 414 vehicles per day.

Based on our review, we estimate that the above land use will generate fewer than 50 vehicle trips in any hour and fewer than 500 vehicle trips per day. These numbers of trips are DeIDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. Because the proposed land use would not meet these warrants, we consider the development's traffic impact to be negligible 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. DeIDOT's description of this application as negligible with regard to warranting a TIS does not mean that it is negligible 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 DeIDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.



Mr. Jamie Whitehouse
Page 2 of 2
September 9, 2020

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,

Troy Brestel for

T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Broom Solar Partners, LLC, Applicant
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



1099 Wall St. West
Suite 250B
Lyndhurst, NJ 07071

T 201.933.5541
TRCcompanies.com

May 28, 2021

Nick Torrance, Planner
Sussex County Planning & Zoning Department
2 The Circle
PO Box 417
Georgetown, DE 19947

Dear Mr. Torrance,

On behalf of Broom Solar Partners, LLC (Broom), TRC Environmental Corp. (TRC) is pleased to present the enclosed application for a Conditional Use Permit for the installation of a solar generating facility. Broom proposes to construct and operate a 3.0 MWac photovoltaic generating facility on an approximately 72-acre property on Frankford School Road in Frankford, Sussex County, DE.

The application package includes the following materials:

- Signed Application form
- Site plans
- Mailing List Application
- DelDOT Level
- Project Narrative providing supplemental information
- Deed (included as Appendix B to Project Narrative)
- \$500 application fee (To be sent under separate cover)

If you have any questions regarding the application, please feel free to contact me at ckayser@trccompanies.com or (610) 952-2828.

Sincerely,

A handwritten signature in blue ink that reads "Chad Kayser".

Chad Kayser, Senior Project Manager
TRC

Enc. CUP Application Package

File #: U2286
202108325

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

adjacent to 32419 Frankford School Road, Delaware 19945

Type of Conditional Use Requested:

Installation of approximately ~~3.9~~ 3.0 MW AC solar photovoltaic electric generation facility

Tax Map #: 533-5.00-47.00 **Size of Parcel(s):** 72.00ac

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

Land Use Classification: Agricultural Residential

Water Provider: None **Sewer Provider:** None

Applicant Information

Applicant Name: Broom Solar Partners, LLC (EDF Renewables Distributed Solutions, Inc.)

Applicant Address: c/o Jeff Machiran 251 Little Falls Drive

City: Wilmington **State:** DE **Zip Code:** 19808

Phone #: (443) 220-5001 **E-mail:** jeff.machiran@edf-re.com

Owner Information

Owner Name: Wilgus Family Revocable Trust, Robert E. Wilgus, Jr., and Elaine S. Wilgus,

Owner Address: 34108 Wilgus Cemetery Road

City: Frankford **State:** DE **Zip Code:** 19945

Phone #: (302) 436-5937 **E-mail:** _____

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Chad Kayser, Senior Project Manager, TRC Companies

Agent/Attorney/Engineer Address: 1615 S. Coventry Lane

City: West Chester **State:** PA **Zip Code:** 19382

Phone #: (610) 952-2828 **E-mail:** ckayser@trccompanies.com



Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

Completed Application

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

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

Provide Fee \$500.00

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

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

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

Signature of Applicant/Agent/Attorney

Date: 05-27-2021

Signature of Owner

Robert E. Wilgus Jr. Trustee
Elaine S. Wilgus, Trustee

Date: 05-26-2021

For office use only:

Date Submitted: NT

Fee: \$500.00 Check #: 1217459

Staff accepting application: _____

Application & Case #: CU 2286 202108325

Location of property: _____

Subdivision: _____

Date of PC Hearing: _____ Recommendation of PC Commission: _____

Date of CC Hearing: _____ Decision of CC: _____

Mailing List Application Form

For Applications Requiring a Public Hearing in Sussex County

Please fill out this form and return it with your application. As a part of your application, a Public Hearing is required. The property owners within 200' of the site of the application will be notified. Staff will notify the property owners.

Application Information:

Site Address: adjacent to 32419 Frankford School Road, Delaware 19945

Parcel #: 533-5.00-47.00

Site Address: _____

Parcel #: _____

Applicant Name: Broom Solar Partners, LLC

Owner Name: Wilgus Family Revocable Trust, Robert E. Wilgus

Type of Application:

- Conditional Use:
- Change of Zone:
- Subdivision:
- Board of Adjustment:

Date Submitted: 5/28/21

For office use only:

Date of Public Hearing: _____

File #: _____

Date list created: _____ List created by: _____

Date letters mailed: _____ Letters sent by: _____

Sussex County

DELAWARE
PLANNING & ZONING DEPARTMENT

sussexcountysde.gov

302-855-7878 T

302-854-5079 F

JAMIE WHITEHOUSE, AICP, MRTPI
DIRECTOR



SETBACK INFORMATION REQUEST

Date of Request 5/25/2021 Zoning District AR-1

Customer Name Chad Kayser

Customer Contact CKayser@trccompanies.com

Tax Parcel ID 533-5.00-47.00 Lot/Unit Number _____

Parcel Address Franford School Road

Front Yard Setback 40'

Side Yard Setback 15'

Rear Yard Setback 20'

Corner Front Yard Setback N/A

Maximum Height 42'

The Customer was provided general zoning setbacks, as a specific parcel was not identified. Therefore, the setbacks provided may not be for a specific parcel. The setbacks could be different based on the specific nature of the property.

Additional Notes:

Tax Ditch on Property

Name of Staff Member Nick Torrance

Checked By _____

PLANNING & ZONING
Jamie Whitehouse, AICP, MRTPI
Director

(302) 855-7878 T
(302) 854-5079 F



Sussex County
DELAWARE
sussexcountyde.gov

Sussex County Zoning Verification

This form is to provide the current zoning for the following parcel of land located within Sussex County. This form does not grant approval for any current or future use of the property.

Tax Parcel Number: 533-5.00-47.00

Location: adjacent to 32419 Frankford School Road, Delaware 19945

Current Zoning: AR-1

Owner: (from assessment records):

Wilgus Family Revocable Trust, Robert E. Wilgus, Jr., and

Owner Mailing Address (from assessment records):

34108 Wilgus Cemetery Road

Frankford DE 19945

The zoning for this property has been confirmed from the Official Sussex County Zoning Map by:


Nick Torrance

Sussex County Planning & Zoning Staff Member

5/25/2021

Date



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

Last Updated 3-12-20



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

JENNIFER COHAN
SECRETARY

September 9, 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 **Broom Solar Partners, LLC** conditional use application, which we received on August 11, 2020. This application is for a 72.00-acre parcel (Tax Parcel: 533-5.00-47.00). The subject land is located on the north side of Frankford School Road (Sussex Road 92), approximately 2,150 feet west of the intersection of Pyle Center Road (Sussex Road 382) and Frankford School Road. The subject land is currently zoned as AR-1 (Agricultural Residential) and the applicant is seeking a conditional use approval to develop a 3MW AC solar photovoltaic project.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Frankford School Road where the subject land is located, which is from Shockley Town Road (Sussex Road 375) to Pyle Center Road, is 414 vehicles per day.

Based on our review, we estimate that the above land use will generate fewer than 50 vehicle trips in any hour and fewer than 500 vehicle trips per day. These numbers of trips are DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. Because the proposed land use would not meet these warrants, we consider the development's traffic impact to be negligible 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 negligible with regard to warranting a TIS does not mean that it is negligible in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.

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



Mr. Jamie Whitehouse
Page 2 of 2
September 9, 2020

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,

Troy Bustel for

T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Broom Solar Partners, LLC, Applicant
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



Conditional Use Plan Supplemental Information

May 2021

Broom Solar Partners

Adjacent 32419 Frankford School Road
Frankford, DE 19945

Prepared For:

Broom Solar Partners, LLC
EDF Renewables Distributed Solutions
6940 Columbia Gateway Drive, Suite
400 Columbia, MD 21046

Prepared By:

TRC Environmental Corp.
1615 S. Coventry Lane
West Chester, PA 19382



TABLE OF CONTENTS

1.0 INTRODUCTION..... 1

1.1 About the Applicant 1

1.2 Benefits of Solar Power Generation..... 1

2.0 PROJECT DESCRIPTION 2

2.1 Solar Array 2

2.2 Access Road 2

2.3 Equipment Skids and Interconnection line..... 2

2.4 Fence Line 2

2.5 Wetland Impacts 2

2.6 Tree Clearing 3

2.7 Traffic 3

2.8 Zoning 3

2.9 Decommissioning 3

3.0 SITE DESCRIPTION 3

3.1 General Description 3

3.2 Aquatic Resources 4

3.2.1 Hydrology 4

3.2.2 Mapped Wetlands 4

3.2.3 Delineated Wetlands and Watercourses 4

3.3 Hydric Soils 8

3.3.1 Floodplains..... 8

3.4 Endangered Resources 8

3.4.1 Federally Listed Threatened and Endangered Species..... 8

3.4.2 State-Listed Threatened and Endangered Species..... 8

3.4.3 Migratory Birds and Eagles..... 9

3.5 Sensitive Habitat Assessment 10

3.6 Airports..... 10

3.7 Farmland Classification..... 10

3.8 Cultural Resources..... 11

3.8.1 Archeological, Historical, and Cultural 11

TABLES

Table 1: Delineated Waterbodies 7
Table 2: Hydric Soils 8
Table 3: Potential Bird Species within the Study Area 9
Table 4: Farmland Classification within the Study Area 10

APPENDICES

Appendix A Figures

- Figure 1 – Site Location Map - USGS
- Figure 2 – Site Location Map – Aerial Imagery
- Figure 3 – Mapped Wetlands and Flood Plains
- Figure 4 – Delineated Wetlands and Watercourses
- Figure 5 – Soils Map

Appendix B Property Deed

Appendix C Environmental Review Documents

- USFWS IPaC Resource List
- DE Division of Fish and Wildlife Environmental Review Response Letter
- DE SHPO CHRIS Mapping



1.0 Introduction

Broom Solar Partners, LLC (Broom), a subsidiary of EDF Renewables Distributed Solutions, Inc., propose to construct and operate an approximately 3.0 Megawatt alternating current (MWac) solar generating facility (the Project) on a property adjacent to 32419 Frankford School Road (Tax/Parcel ID: 533-5.00-47.00) in Frankford, Sussex County, Delaware (Project site).

This document presents additional information for the Sussex County Planning & Zoning Commission to consider as it deliberates issuing a Conditional Use Permit for the Project under Section 115-22 of Zoning Ordinance for Sussex County (zoning ordinance).

Section 2.0 describes the proposed solar generating facility and Section 3.0 describes the existing site conditions.

1.1 About the Applicant

EDF Renewables is a leading developer and constructor of solar, battery energy storage, and electric vehicle charging solutions in North America. Our company has over 30 years of experience in the development of distributed solar projects for utility companies, electric cooperatives, and large energy users throughout the US. EDF Renewables has developed or constructed over 950 MW of distributed generation projects ranging in size from a 0.6 MW rooftop project constructed at ESPN's headquarters in Connecticut to a 29 MW Delta Solar Project developed and constructed for the Lansing Board of Water & Light in Michigan.

Broom Solar is being developed in partnership with Delaware Electric Cooperative (DEC) and Old Dominion Electric Cooperative (ODEC). It is one of a dozen distributed solar energy projects under development across ODEC's service territory in Delaware, Maryland, and Virginia designed to provide clean, renewable energy utilized locally by member-owned electric cooperatives. The Broom Solar facility has been specifically sized to supplement the energy consumption of homes and businesses in Sussex County that are serviced by the DEC distribution network. Siting power generation in communities where electricity is consumed, reduces the need for costly transmission system upgrades throughout the region.

1.2 Benefits of Solar Power Generation

Solar generating facilities such as the Project provide the following benefits to the community:

- Generates clean, renewable electricity without using water, creating emissions or producing waste products;
- Places little to no demand on County infrastructure and services including roads, water, sewer, fire, emergency medical services or schools;
- Diversifies the region's electricity generation mix, which reduces the reliance on natural gas and other fuels that are subject to high price volatility;
- Reduces the need for long-term transmission system upgrades by siting power generation in communities where electricity is consumed;
- Creates jobs during construction of the project with indirect economic benefits in the form of local contracting opportunities, equipment sales and rentals, material purchases, and spending on hotels, restaurants and other local goods and services;

- Low visual profile and quiet operations preserve the rural, open-space character of the area; and
- Land may be returned to previous agricultural use at end of the project's life.

2.0 Project Description

Broom proposes to construct an approximately 3.0 MWac solar generating facility at the Project site as described in Section 3.0. The following sections provide a brief overview of the major components and potential impacts of the Project.

2.1 Solar Array

The primary component of the solar generating facility is the array of solar panels. Approximately 9,324 photovoltaic panels attached to tracking mounts will be arranged in lines as shown in the site plans accompanying the CUP application.

To the extent practicable, electrical connections within the array will be underground.

2.2 Access Road

A gravel access road, approximately 1,907 feet in length will allow access to the site. The access road connects to Frankford School Road as shown in the site plans. It should be noted that DeIDot completed a Service Level Evaluation and issued a response stating that a Traffic Impact Study (TIS) would not be required.

2.3 Equipment Skids and Interconnection line

The electrical equipment necessary to transform the DC produced by the solar panels into AC and to step up the voltage for interconnection to the local grid will be installed on skids at the end of the access drive.

The interconnection line from the electrical equipment to the interconnection point runs roughly parallel underground along the access road. Once the medium voltage line reaches the access road entrance it will then be connected via over-head electric to the approximate point of interconnection on the north side of Frankford School Road depicted on the site plans.

2.4 Fence Line

A perimeter fence line, approximately 4,136 feet long will surround the Project site to limit unauthorized access. The Project will use fixed knot agricultural fencing. A single gate will allow access to the Project site. The gate will be locked by a KnoxBox, or similar system, so that emergency responders will have access to the Project site. Approximately 24.7 acres will be enclosed by the perimeter fence.

2.5 Wetland Impacts

The Project has been designed so that no project components will be installed within a wetland.

2.6 Tree Clearing

The project scope calls for no tree clearing to occur onsite. This will help support visual buffering outside of the fence line.

2.7 Traffic

During operations, the Project will be monitored remotely so there will be no daily vehicle trips to the Project site by staff. The operator anticipates no more than 1-2 vehicle trips monthly for regular maintenance activities.

2.8 Zoning

The Project has been designed to comply with all zoning setbacks for the AR-1 zoning district.

2.9 Decommissioning

The expected life of the Project is approximately 25 to 35 years. In general, within 12 months of the end of the Project's operational life, the applicant will remove all solar panels, cabling, electrical equipment, fencing, and any other associated equipment, facilities and structures to a depth of at least 36 inches. The majority of the equipment will be composed of recyclable materials including steel, aluminum, copper, and glass. These materials will be recycled to the extent possible to minimize waste streams. Select roads, driveways, fences and other property improvements including landscaping may remain for future use by the landowner. The lease agreement with the landowner ensures the removal of the power generating equipment at the end of the Project life. If an entity purchases the Project or the parcel, an agreement will be signed with county officials that ensures proper decommissioning and removal of the equipment.

3.0 Site Description

3.1 General Description

The Project site comprises a single, 72.0-acre parcel adjacent to Frankford School Road (Tax/Parcel ID 533-5.00-47.00) in Frankford, Sussex County, Delaware (**see Appendix A, Figure 1**). The parcel is currently owned by Wilgus Family Revocable Trust, Robert E. Wilgus, Jr. Trustee (**see Appendix B**) and consists primarily of open land in active agricultural use and forested land.

The Project site is in the Agricultural Residential (AR-1) zoning district. Surrounding land uses include agricultural and low-density residential areas.



Photo 1: Central Portion of Project Site Facing NE



Photo 2: Southern Portion of Project site Facing SW

3.2 Aquatic Resources

3.2.1 Hydrology

The Project is located within Delaware's defined Mid Atlantic Coastal watershed (DNR 8-digit scale watershed 02040303), the Indian River Bay Watershed (DNR 10-digit scale watershed 0204030302), and the Whites Creek sub-watershed (DNR 12-digit watershed 020403030206) and Vines-Pepper Creek sub-watershed (DNR 12-digit watershed 020403030203).

The Project Site is located within the USGS-defined Chincoteague sub-basin (Hydrologic Unit Code [HUC] 02040303). More specifically, the Project Site is located in the White Creek-Indian River Bay sub-watershed (HUC 020403030205) and the Vines Creek-Indian River sub-watershed (HUC: 020403030204) of the Indian River Bay watershed (HUC 0204030302).

3.2.2 Mapped Wetlands

USFWS NWI maps illustrate wetland habitats and vegetation communities using interpretation of aerial photography. The data on these maps provide general boundaries of potential wetlands and require ground surveys to accurately define the boundaries of wetlands present, if any, and determine their proper classification.

Review of the NWI mapping during the preliminary desktop analysis indicated four (4) NWI wetlands and two (2) riverine habitats located within the Project Site. Both riverine habitats are identified as Riverine, Lower Perennial, Unconsolidated Bottom, Permanently Flooded, Excavated (R2UBHx). These riverine habitats coincide with the NHD canals/ditches. Two (2) wetlands are located along the eastern boundary of the Project Site, one (1) is located in the southern portion of the Project Site, and one (1) very small portion of the fourth wetland identified is located in the northwestern corner of the Project Site. All of these wetlands are classified as Palustrine Forested Broad-leaved Deciduous Wetlands (PFO1) with various water regimes and specific modifiers (see Appendix A, Figure 3).

3.2.3 Delineated Wetlands and Watercourses

Wetland scientists from TRC completed a wetland and watercourse delineation of the Project site on April 28, 2021. Zero (0) wetlands, one (1) perennial stream, and fourteen (14) agricultural

ditches were delineated during the field survey. The locations of the delineated wetlands and watercourses are depicted on **Figure 4 in Appendix A**.

These site features are further described below.

Watercourse S-WH-1

Watercourse S-WH-1 is a perennial stream with low flow that is approximately 9 feet wide with bank heights approximately 5-feet high. Top of bank width is approximately 11 feet wide. S-WH-1 water flow ranges from 6 inches to 12 inches deep and flows north. The substrate is sand, silt/clay, and organic with wetland vegetation such as reed canary grass (*Phalaris arundinacea*), pokeweed (*Phytolacca americana*), and barnyard grass (*Echinochloa crus-galli*). Watercourse S-WH-1 has very steep (>20°) bank slopes with high bank erosion potential. S-WH-1 is most likely USACE and DNREC jurisdictional. Water quality for S-WH-1 is slightly turbid. The adjacent community type is disturbed agriculture. Watercourse S-WH-1 corresponds to NWI-mapped riverine habitat, R2UBHx. S-WH-1 (Blackwater Creek) originates south of the Study Area (SA) from a culvert under Frankford School Road. Blackwater creek flows north through the eastern region of the SA, where it continues off-site and eventually flows into the Indian River Bay.

Agricultural Ditches #1-14

Agricultural ditches #1 through #14 are all manmade ditches designed to drain water into and away from the surrounding agricultural farming plots. Agricultural ditch #1 surrounds the boundary of the majority of the SA to the north, south, west and half of the eastern boundary, where it connects to S-WH-1, at the southern region of the Project Site adjacent to Frankford School Road. Agricultural ditch #1 is approximately 4,080-feet in length. Agricultural ditch #1 has standing water and is approximately 8 to 10-feet wide and is approximately 4-feet deep. Vegetation includes reed canary grass, *Phragmites australis*, and cattails. An agricultural ditch off-site flows into ag ditch #1. Agricultural ditch #2 is located in the center of the SA and runs west to east bisecting agricultural ditches #3-6. Agricultural ditch #2 is approximately 1,392-feet in length. Agricultural ditch #2 is approximately 6-feet wide and 5-feet deep, with same vegetation as agricultural ditch #1. Agricultural ditch #3 is located in the southwestern portion of the SA and runs south to north where it bisects agricultural ditch #2. Agricultural ditch #3 is approximately 701-feet in length, is approximately 8-feet wide and 3-feet deep with stumps and debris. Agricultural ditch #4 is located adjacent to agricultural ditch #3 and agricultural ditch #5 in the south-central area of the SA, where it bisects Agricultural ditch #2 to the north. Agricultural ditch #4 is approximately 1,218-feet in length. Agricultural ditch #5 is located adjacent to agricultural ditch #4 and #6 and bisects Agricultural ditch #2. Agricultural ditch #5 is approximately 1,203-feet in length and is approximately 20-feet wide at its southern end. Agricultural ditch #5 bisects agricultural ditch #2, to the north. Agricultural ditch #6 is located adjacent to agricultural ditch #5 and bisects Agricultural ditch #2. Agricultural ditch #6 is approximately 1,192-feet in length and approximately 7-feet wide and 3-feet deep. Vegetation includes reed canary grass. Agricultural ditch #7 is located in the far eastern region of the SA and is a newly excavated ditch. Agricultural ditch #7 is approximately 325-feet in length, 3-feet wide and 3-feet deep and currently does not connect to agricultural ditch #8 at the time of the delineation. Agricultural ditch #8 is located in the north central region of the SA, running east to west where it connects to Agricultural ditch #1 on the western SA boundary. Agricultural ditch #8 is approximately 1,024-feet in length, 6-feet wide and 4-feet deep. Agricultural ditch #8 lies to the north of and parallels agricultural ditch #2. Agricultural ditch #9 is located in the northern region of the SA, where it connects to agricultural ditch #1 on the western boundary and runs in a west to east direction. Agricultural ditch #9 is approximately 965-feet in length and is approximately 6-feet wide and 4-feet deep. Agricultural ditch #10 is

located on the far eastern region of the SA, adjacent to agricultural ditch #9. Agricultural ditch #10 is approximately 397-feet in length and has standing water with frogs observed. Agricultural ditch #11 is located in the far eastern region of the SA, adjacent to Agricultural ditch #10 and runs north to south. It is a newly excavated agricultural ditch that was observed being excavated, during the delineation. Agricultural ditch #11 is approximately 256-feet in length. Agricultural ditch #12 is located in the northern region of the SA and runs east to west through active soybean crops. Agricultural ditch #12 is approximately 405-feet in length and is approximately 3-feet wide and 1.5-feet deep. It connects to agricultural ditch #1 on the western boundary of the SA. Agricultural ditch #13 is located in the central region of the SA, along the eastern most boundary and runs east to west where it connects with Blackwater Creek (S-WH-1). Agricultural ditch #13 is approximately 436-feet in length. Agricultural ditch #14 is located in the southeast region of the SA, where it connects to both agricultural ditch #13 to the north, ending north of Frankford School Road. Agricultural ditch #14 is approximately 494-feet in length, flows north to south and was actively being excavated during the delineation.



Photo 3: Example of Ag Ditch. Ag Ditch #5 Facing North

Table 1: Delineated Waterbodies

Watercourse ID	Watercourse Classification	Linear feet within Project Site	Watershed (8-HUC)	Top of Bank Width (ft.)	Potential Jurisdictional Statutes	Latitude	Longitude	Sussex County Buffer
S-WH-1 (Blackwater Creek)	Perennial	983	02040303	11	USACE/DNREC	38.50389	-75.180583	50-ft.
Ag Ditch #1	-	3,996	02040303	-	USACE/DNREC	38.506429	-75.184999	0-ft.
Ag Ditch #2	-	1,392	02040303	-	USACE/DNREC	38.505374	-75.182807	0-ft.
Ag Ditch #3	-	701	02040303	-	USACE/DNREC	38.504706	-75.184709	0-ft.
Ag Ditch #4	-	1,218	02040303	-	USACE/DNREC	38.503915	-75.18434	0-ft.
Ag Ditch #5	-	1,203	02040303	-	USACE/DNREC	38.503842	-75.183702	0-ft.
Ag Ditch #6	-	1,192	02040303	-	USACE/DNREC	38.503742	-75.183063	0-ft.
Ag Ditch #7	-	325	02040303	-	USACE/DNREC	38.505736	-75.180795	0-ft.
Ag Ditch #8	-	1,024	02040303	-	USACE/DNREC	38.506144	-75.183245	0-ft.
Ag Ditch #9	-	965	02040303	-	USACE/DNREC	38.506871	-75.183204	0-ft.
Ag Ditch #10	-	391	02040303	-	USACE/DNREC	38.506519	-75.180671	0-ft.
Ag Ditch #11	-	629	02040303	-	USACE/DNREC	38.506164	-75.180013	0-ft.
Ag Ditch #12	-	405	02040303	-	USACE/DNREC	38.507568	-75.18406	0-ft.
Ag Ditch #13	-	436	02040303	-	USACE/DNREC	38.503943	-75.181638	0-ft.
Ag Ditch #14	-	498	02040303	-	USACE/DNREC	38.503347	-75.182078	0-ft.
Ag Ditch #3	-	2,733	02080109	10	USACE/DNREC	38.793932°	-75.602641°	0-ft.
Total Linear Feet within Project Site		15,358						

3.3 Hydric Soils

Based on a review of the USDA NRCS Web Soil Survey, 100 percent of the soils have at least one hydric soil component (**Appendix A, Figure 5**).

Table 2: Hydric Soils

Map Symbol	Map Unit Name	Percent in Project Area
HmA	Hammonton loam sand, 0 to 2 percent slopes	6.0
HuA	Hurlock loamy sand, 0 to 2 percent slopes	50.6
MuA	Mullica-Berryland complex, 0 to 2 percent slopes	43.4

3.3.1 Floodplains

Based on a review of FEMA's National Flood Hazard Layer (NFHL) the entirety of the Study Area is located in Flood Insurance Rate Map (FIRM) Community Panel 10005C0495K (effective 03/16/2015) and is outside of the 100/500-year floodplain. The Project Site is located within an Area of Minimal Flood Hazard, Zone X (**Appendix A, Figure 3**).

3.4 Endangered Resources

3.4.1 Federally Listed Threatened and Endangered Species

The USFWS did not list any threatened and endangered species within the Study Area.

3.4.2 State-Listed Threatened and Endangered Species

TRC sent a request for consultation with regard to threatened and endangered species within the Study Area on March 25, 2020 via email to the DE Division of Fish and Wildlife and received a response to the request on April 20, 2020 (**Appendix C**). The DE Division of Fish and Wildlife indicated that there are currently no records of state-rare or federally listed plants, animals or natural communities within the Study Area. Therefore, the Study Area does not lie within a State Natural Heritage Site or a Delaware National Estuarine Research Reserve. Additionally, the DE Division of Fish and Wildlife has indicated that there are presently no concerns regarding fisheries within the Study Area. It should be noted that the DE Division of Fish and Wildlife is assuming no waterways will be impacted based on the limited description of the Project undertaken provided during consultation. Therefore, additional consultation may be required should impacts to waterways be deemed necessary for Project construction or operation. If the proposed Project is delayed for more than one year past the date of the review response letter, the DE Division of Fish and Wildlife should be contacted again to receive current and updated information for the Study Area.

3.4.3 Migratory Birds and Eagles

According to the USFWS IPaC website, the bald eagle (*Haliaeetus leucocephalus*) was identified to potentially occur in the Study Area, as well as seven (7) bird species of conservation concern (Appendix C).

Potential habitat for eagles was examined during field investigations as well as agency consultation in order to maintain compliance with the Migratory Bird Treaty Act and Bald and Golden Eagle Protection Act. The Study Area contains primarily herbaceous and agricultural habitat and is therefore not likely to support the species. Additionally, bald eagles typically breed and winter in forested areas adjacent to large bodies of open water (Cornell University, 2020). While the Study Area is located adjacent to deciduous forest, it is not located in the vicinity of a large body of open water, with Indian River Bay located over 4-miles north of the Study Area. The USFWS identified breeding time frame for bald eagles is October 15 to August 31.

Based on the review of aerial imagery of the Study Area as well as field reconnaissance, the Study Area contains primarily herbaceous and agricultural habitat. Suitable habitat for the black-billed cuckoo, clapper rail, Kentucky warbler, prairie warbler, red-headed woodpecker, and wood thrush are not abundant within the Study Area but are prevalent in the habitats surrounding the Study Area.

Table 2 provide further detail regarding each species identified by the USFWS IPaC website, including the USFWS identified breeding time frame, preferred habitat, and the bird's potential range within the Study Area as identified by The Cornell Lab of Ornithology All About Birds Bird Guide.

Table 3: Potential Bird Species within the Study Area

Bird Species	Breeding Time Frame	Preferred Habitat	Potential Range within Study Area
Bald Eagle (<i>Haliaeetus leucocephalus</i>)	Breed October 15 to August 31	Forested areas adjacent to large bodies of water	Nonbreeding; Year-round
Black-billed Cuckoo (<i>Coccyzus erythrophthalmus</i>)	Breeds May 15 to October 10	Forested areas with primarily deciduous trees and shrubs.	Migration
Clapper Rail (<i>Rallus crepitans</i>)	Breeds April 10 to October 31	Salt marshes with extensive vegetation.	Year-round
Kentucky Warbler (<i>Oporornis formosus</i>)	Breeds April 20 to August 20	Forested areas with primarily deciduous trees.	Breeding
Prairie Warbler (<i>Dendroica discolor</i>)	Breeds May 1 to July 31	Scrub shrub fields and forests.	Breeding
Prothonotary Warbler (<i>Protonotaria citrea</i>)	Breeds April 1 to July 31	Swampy woodlands.	Breeding
Red-headed Woodpecker (<i>Melanerpes erythrocephalus</i>)	Breeds May 10 to September 10	Open woodlands with deciduous trees.	Breeding and wintering
Wood Thrush (<i>Hylocichla mustelina</i>)	Breeds May 10 to August 31	Forested areas with primarily deciduous trees.	Breeding

Based on the review of aerial imagery of the Study Area as well as field reconnaissance, the Study Area contains primarily herbaceous and agricultural habitat. Shrubby habitat appears to abut the western boundary of the Study Area and the Indian River Bay is approximately 4-miles north of the Study Area. Therefore, suitable habitat for the bald eagle, black-billed cuckoo, Kentucky warbler, prairie warbler, red-headed woodpecker, and wood thrush occurs within the Study Areas.

3.5 Sensitive Habitat Assessment

No sensitive habitat was identified within the designated Study Area based on the desktop analysis. The USFWS IPaC has not identified any wildlife refuge land or fish hatcheries within the Study Area and there are no natural lands within the Study Area based on the Delaware Environmental Navigator. Additionally, there were no local ordinances identified with regards to tree clearing in Sussex County, DE.

3.6 Airports

A review of online resources shows no airports within the immediate vicinity of the Study Area. Two small privately owned airports, including the West Private Airport located approximately one-mile to the northeast and the Warrington Field Airport located 2.6-miles to the southeast of the Study Area boundary. This small airport was identified on Google Earth Transportation Layers and publicly available data on AirNav.com. A review on online aerial imagery does not show any hard-paved surfaces, large buildings or other structures normally associated with a developed airfield. The airfield in question is in an open agricultural field and due to size and location will not require a glint/glare analysis.

3.7 Farmland Classification

Areas of prime farmland, farmland of statewide importance, and not prime farmland were also identified based on the USDA NCRS web soil survey. Within the Study Area, approximately 43.4 percent of soils are classified as prime farmland if drained, 6.0 percent of soils are classified as prime farmland, and 50.6 percent of soils are classified as farmland of statewide importance (**Appendix A, Figure 3**). Based on the Delaware Department of Agriculture interactive mapper, there are not Agricultural Preservation Districts or Agricultural Conservations Easements identified within the Study Area.

Table 4: Farmland Classification within the Study Area

Map Symbol	Map Unit Name	Farmland Classification	Percent in Study Area
HmA	Hammonton loam sand, 0 to 2 percent slopes	All areas are prime farmland	6.0
HuA	Hurlock loamy sand, 0 to 2 percent slopes	Farmland of statewide importance	50.6
MuA	Mullica-Berryland complex, 0 to 2 percent slopes	Prime farmland if drained	43.4

3.8 Cultural Resources

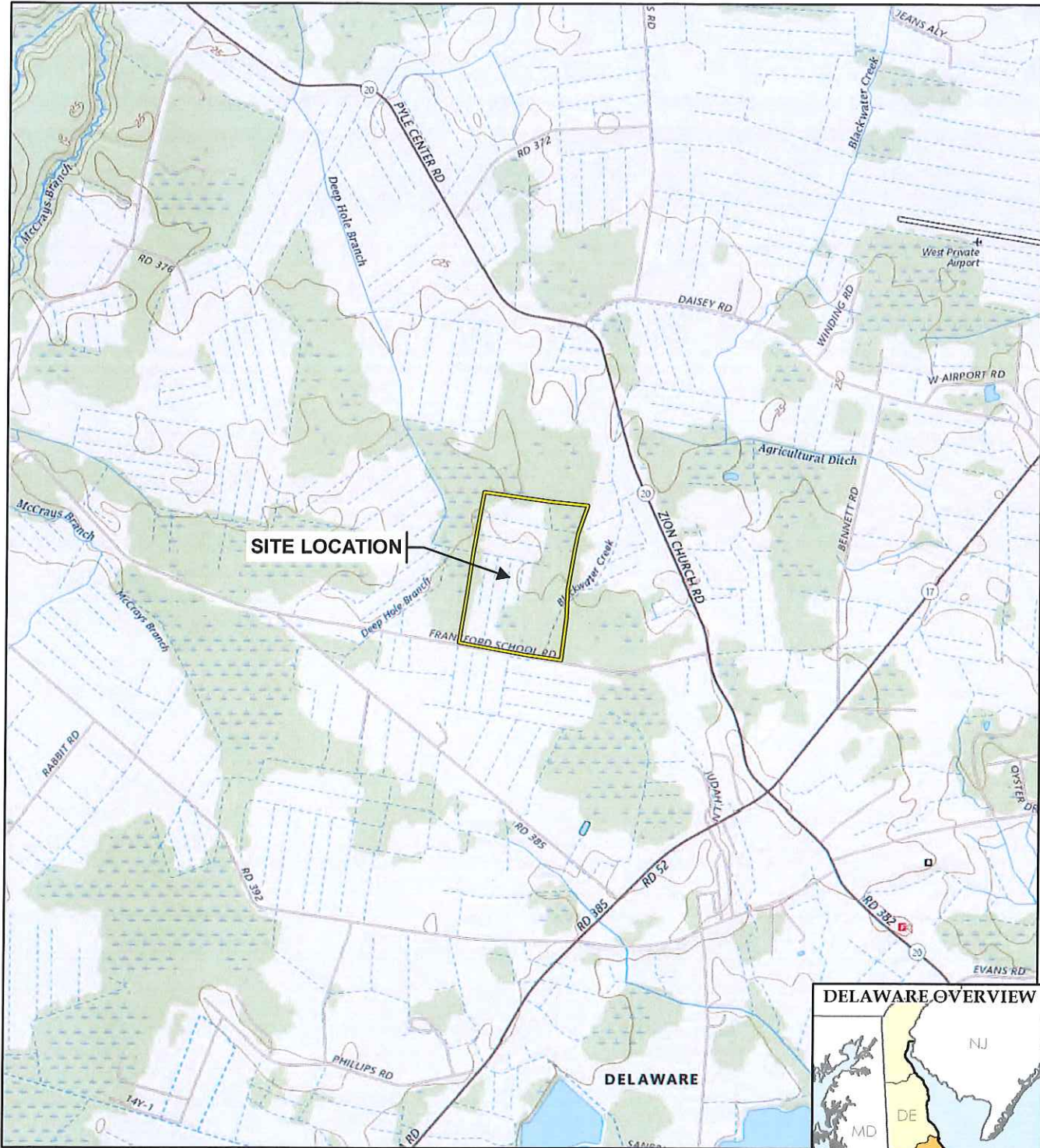
3.8.1 Archeological, Historical, and Cultural

Research utilizing the DE SHPO web-based CHRIS helped identify cultural resources within a one-mile radius of the Study Area. No archaeological sites have been previously recorded within the Study Area or within a one-mile radius of the Study Area. No archaeological surveys have been conducted within a one-mile radius of the Study Area (**Appendix C**).

One previously identified architectural resource is located within the Study Area. The resource is located along Frankford School Road at the southern border of the Study Area and is depicted on historic maps dating to at least 1918 (**Appendix C**). According to a field visit that structure is no longer onsite. At least 30 architectural resources are located within a one-mile radius of the Study Area, primarily clustered around the Town of Roxana (**Appendix C**).

Appendix A: Figures

- Figure 1 – Site Location Map - USGS
- Figure 2 – Site Location Map – Aerial Imagery
- Figure 3 – Mapped Wetlands and Flood Plains
- Figure 4 – Delineated Wetlands and Watercourses
- Figure 5 – Soils Map



BASE MAP FROM USGS 7.5 MINUTE TOPOGRAPHIC QUADRANGLE SERIES.



610 Willowbrook Ln
Suite 618
West Chester, PA 19382
Phone: 610.834.0490

TRC - GIS

PROJECT:
**EDF RENEWABLES DISTRIBUTED SOLUTIONS
BROOM SOLAR PARTNERS, LLC
32455 FRANKFORD SCHOOL ROAD, FRANKFORD, DE 19945**

TITLE:
SITE LOCATION MAP

DRAWN BY:	D. SWEENEY
CHECKED BY:	A. HESSLER
APPROVED BY:	C. KAYSER
DATE:	MARCH 2020
PROJ. NO.:	376627.1000
FILE:	Broom_Fig_1_Loc_8x11P.mxd

FIGURE 1

Plot Date: 3/24/2020, 13:43:06 PM by DSWEENEY - LAYOUT: ANSIB(11"x17")
 Path: S:\1-PROJECTS\EDF_Renewables\Broom\Broom_Fig_2_Site_Plan_8x11P.mxd
 Coordinate System: NAD 1983 2011 StatePlane Delaware FIPS 0700 FT US (Foot US)
 Map Rotation: 0

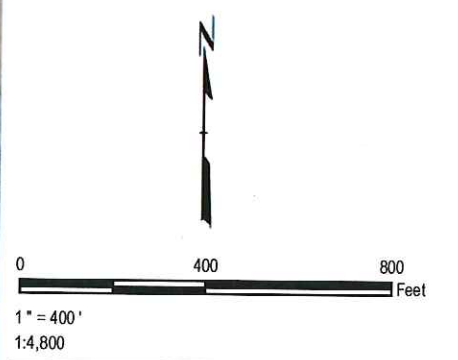



LEGEND

 STUDY AREA

NOTES

1. BASE MAP IMAGERY FROM ESRI WORLD IMAGERY SERVICE MARCH 2017



PROJECT:		EDF RENEWABLES DISTRIBUTED SOLUTIONS BROOM SOLAR PARTNERS, LLC 32455 FRANKFORD SCHOOL ROAD, FRANKFORD, DE 19945	
TITLE: AERIAL SITE LOCATION MAP			
DRAWN BY:	D.SWEENEY	PROJ. NO.:	376627.1000
CHECKED BY:	K. TREINEN	FIGURE 2	
APPROVED BY:	C. KAYSER		
DATE:	MARCH 2020		
		610 Willowbrook Ln Suite 618 West Chester, PA 19382 Phone: 610.834.0490	
FILE NO.:	Broom_Fig_2_Site_Plan_8x11P.mxd		

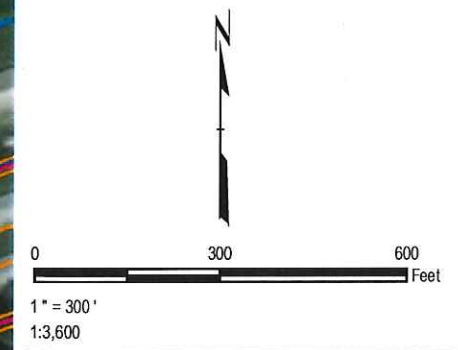


LEGEND

- STUDY AREA
- NHD STREAM/RIVERS
- NHD CANAL/DITCH
- NWI WETLANDS
- 100-YEAR FLOOD ZONE
- DELAWARE TAX DITCH SEGMENTS
- DELAWARE TAX DITCH MAXIMUM ROW

NOTES

1. BASE MAP IMAGERY FROM ESRI WORLD IMAGERY SERVICE SEPTEMBER 2019
2. NATIONAL WETLANDS INVENTORY (NWI) FROM USFWS
3. NATIONAL HYDROGRAPHY DATASET (NHD) FROM USDA. GOV.



PROJECT:		EDF RENEWABLES DISTRIBUTED SOLUTIONS BROOM (OMAR) SOLAR PROJECT 32455 FRANKFORD SCHOOL ROAD, FRANKFORD, DE 19945	
TITLE:		WETLANDS, WATERWAYS, & FLOODPLAINS MAP	
DRAWN BY:	D.SWEENEY	PROJ. NO.:	376627.1000
CHECKED BY:	S. GREENBERG	FIGURE 3	
APPROVED BY:	C. KAYSER		
DATE:	MAY 2021		
		610 Willowbrook Ln Suite 618 West Chester, PA 19382 Phone: 610.834.0490	
FILE NO.:	Broom_Fig_3_Mapped_H2O_8x11P.mxd		

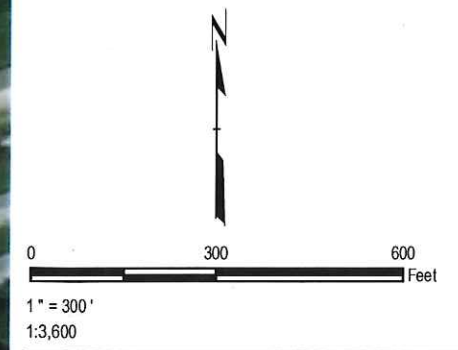


LEGEND

- STUDY AREA
- CULVERT
- ~ PERENNIAL STREAM
- ~ AGRICULTURAL DITCH
- 50FT STREAM BUFFER

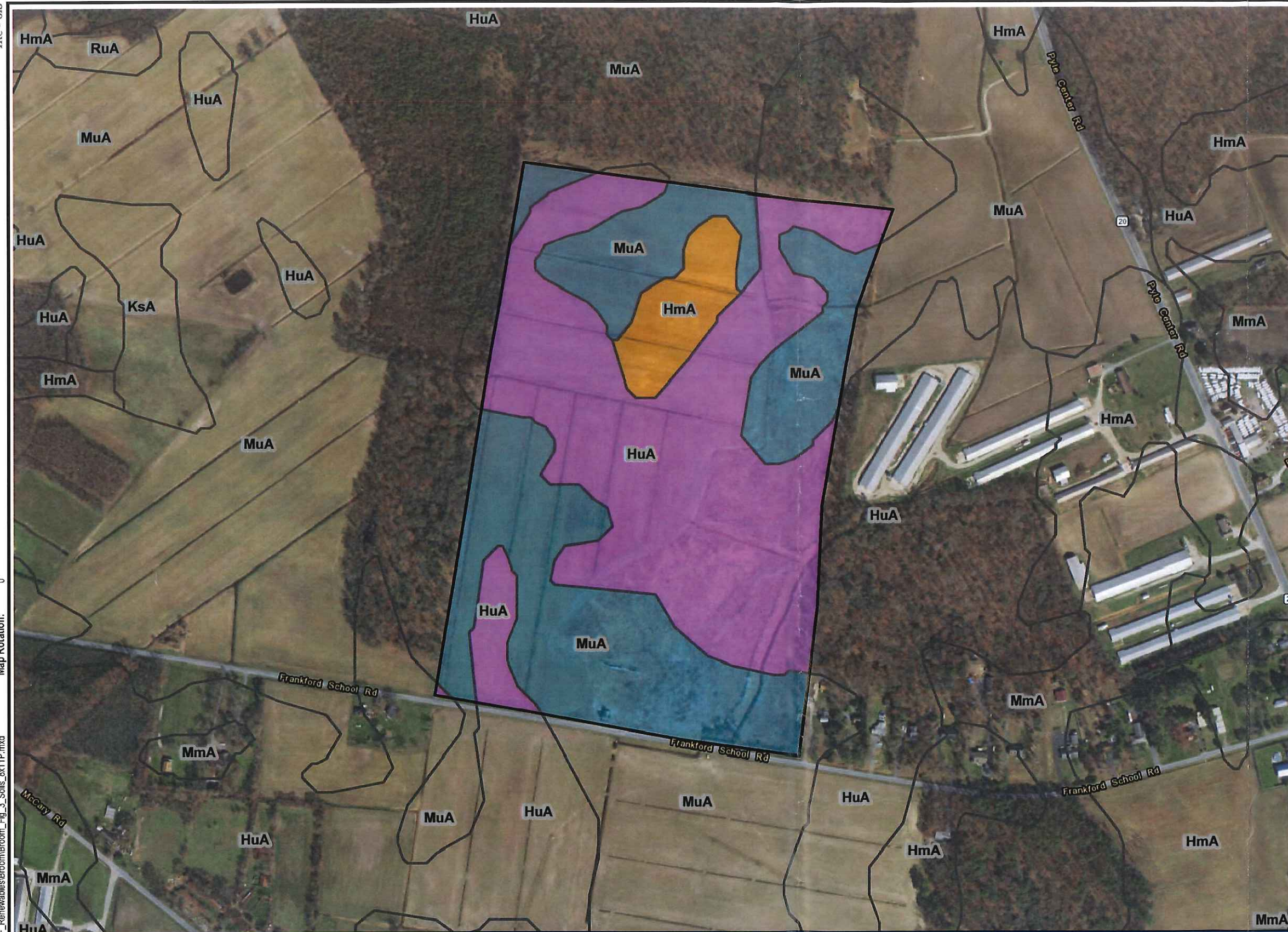
NOTES

1. BASE MAP IMAGERY FROM ESRI WORLD IMAGERY SERVICE SEPTEMBER 2019
2. RESOURCE DELINEATIONS CONDUCTED APRIL 2021



PROJECT:		EDF RENEWABLES DISTRIBUTED SOLUTIONS BROOM (OMAR) SOLAR PROJECT 32455 FRANKFORD SCHOOL ROAD, FRANKFORD, DE 19945	
TITLE:		DELINEATED WETLANDS AND STREAMS	
DRAWN BY:	D.SWEENEY	PROJ. NO.:	376627.1000
CHECKED BY:	W. HILLEGAS	FIGURE 4	
APPROVED BY:	C. KAYSER		
DATE:	MAY 2021		
		610 Willowbrook Ln Suite 618 West Chester, PA 19382 Phone: 610.834.0490	
FILE NO.:		Broom_Fig_4 Delineation_8x11P.mxd	

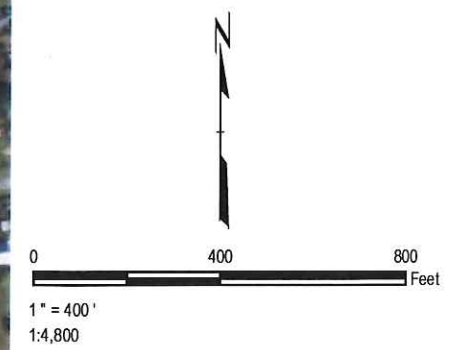
TRC - GIS
 Coordinate System: NAD 1983 2011 StatePlane Delaware FIPS 0700 FT US (Foot US)
 Map Rotation: 0
 Plot Date: 3/24/2020, 13:44:26 PM by DSWEENEY - LAYOUT: ANSIB(11'X17')
 Path: S:\1-PROJECTS\EDF_Renewables\Broom\Broom_Fig_3_Soils_8x11P.mxd



LEGEND

- STUDY
- HMA - HAMMONTON LOAMY SAND, 0 TO 2 PERCENT SLOPES
- HUA - HURLOCK LOAMY SAND, 0 TO 2 PERCENT SLOPES
- MUA - MULLICA-BERRYLAND COMPLEX, 0 TO 2 PERCENT SLOPES

- NOTES**
1. BASE MAP IMAGERY FROM ESRI WORLD IMAGERY SERVICE MARCH 2017
 2. SOILS DATA ACQUIRED FROM USDA/NRCS SSURGO SOILS DATABASE.



Map Unit Symbol	Map Unit Name	Drainage Class	Hydric Rating %	% Of Study Area	Farmland Classification
HmA	Hammonton loamy sand, 0 to 2 percent slopes	Moderately well drained	5	6.03	All areas are prime farmland
HuA	Hurlock loamy sand, 0 to 2 percent slopes	Poorly drained	80	50.44	Farmland of statewide importance
MuA	Mullica-Berryland complex, 0 to 2 percent slopes	Very poorly drained	85	43.29	Prime farmland if drained

PROJECT: EDF RENEWABLES DISTRIBUTED SOLUTIONS
 BROOM SOLAR PARTNERS, LLC
 32455 FRANKFORD SCHOOL ROAD, FRANKFORD, DE 19945

TITLE: NRCS SOILS MAP

DRAWN BY: D.SWEENEY PROJ. NO.: 376627.1000
 CHECKED BY: A. HESSLER
 APPROVED BY: C. KAYSER
 DATE: MARCH 2020

FIGURE 5

TRC 610 Willowbrook Ln
 Suite 618
 West Chester, PA 19382
 Phone: 610.834.0490

FILE NO.: Broom_Fig_3_Soils_8x11P.mxd

Appendix B: Property Deed

34548

BK: 4459 PG: 108

34459

BK: ~~4459~~ PG: ~~12~~

Tax Map and Parcel #: 5-33-5.00-47.00

PREPARED BY:
Tomasetti Law, LLC
1100 Coastal Highway, Unit 3
Fenwick Island, DE 19944
File No. 515-265/KR

Consideration: .00

County	83.25
State	83.25
Town	Total 166.50
Received: Teresa C Oct 19, 2015	

RETURN TO:
ROBERT E. WILGUS, JR., TRUSTEE
ELAINE S. WILGUS, TRUSTEE
34108 Wilgus Cemetery Road
Frankford, DE 19945

RECEIVED
Oct 19, 2015
ASSESSMENT DIVISION
OF SUSSEX COUNTY

NO TITLE SEARCH OR SURVEY REQUESTED OR PERFORMED

THIS DEED, made this 9th day of October, 2015,

- BETWEEN -

ROBERT E. WILGUS, JR., AN UNDIVIDED ONE-HALF INTEREST, of 34108 Wilgus Cemetery Road, Frankford, DE 19945, and **HARRY F. WILGUS, II, TRUSTEE UNDER REVOCABLE TRUST AGREEMENT OF HARRY F. WILGUS, II DATED 8/9/94** and **CONNIE L. WILGUS, TRUSTEE UNDER REVOCABLE TRUST AGREEMENT OF CONNIE L. WILGUS DATED 8/9/94, AS TO AN UNDIVIDED ONE-HALF INTEREST**, of 35866 Wild Gander Lane, parties of the first part,

- AND -

ROBERT E. WILGUS, JR., TRUSTEE UNDER REVOCABLE TRUST AGREEMENT OF ROBERT E. WILGUS, JR. DATED 7/15/94, AS TO AN UNDIVIDED ONE-HALF INTEREST and **ELAINE S. WILGUS, TRUSTEE UNDER REVOCABLE TRUST AGREEMENT OF ELAINE S. WILGUS DATED 7/15/94, AS TO AN UNDIVIDED ONE-HALF INTEREST**, of 34108 Wilgus Cemetery Road, Frankford, DE 19945, parties of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of **Ten and 00/100 Dollars (\$10.00)**, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the parties of the second part,

MS
KR

FD
w PF

BK: 4459 PG: 109

BK: ~~4459~~ PG: ~~13~~

and their heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware, as **TENANTS IN COMMON**:

ALL that certain piece and parcel of land lying and being situated in Baltimore Hundred, Sussex County and State of Delaware being bounded and described as follows, to wit: Lying on the North side of the county road leading from Roxana to Frankford, and being more fully described by two deeds previously given, the first deed being deed given by William T. Brasure and Sophia, his wife, to Ezekiel W. Derrickson on January 7, 1885, which reads:

BEGINNING at a corner of lands of Elijah Lynch; thence running with said line to a corner of lands of Mrs. McCabe; thence with said line to a corner of lands of Elijah Lynch near the winding blades, adjoining lands of Elijah Lynch, Stephen Lynch, and the lands of John L. Bennett, said to contain sixty-two (62) acres of land, be the same more or less;

This deed also covering another piece of land being described by a deed given by N.S. Lynch and wife to E.W. Derrickson on January 1, 1887, which reads as follows: **Lying** on the North side of the new County Road leading from Roxana to Frankford, and being a piece of the same land which Clement Evans in his life laid off from the tract of land now occupied and owned by Elizabeth W. Derrickson, and the West corner of this land beginning at the place called Winding Blades, and said to contain ten (10) Acres when laid off or surveyed, be the same more or less, both pieces taken together and conveyed by this deed said to contain **Seventy-two (72) acres**, be the same more or less.

BEING the same lands conveyed unto Robert E. Wilgus, Jr. and Harry F. Wilgus, brothers, by Deed of Evelyn E. Tuner Coffin dated the 24th day of May 1965, and of record in the office of the Recorder of Deeds, in and for Sussex County, at Georgetown, in **Deed Book 588, Page 613**. Harry F. Wilgus subsequently conveyed his one half interest in said property to Harry F. Wilgus, II, Trustee under Revocable Trust Agreement of Harry F. Wilgus dated 8/9/1994 as to an undivided one-half interest, and Connie L. Wilgus, Trustee under revocable Trust Agreement of Connie L. Wilgus dated 8-9-94 as to an undivided one-half interest by Deed dated August 9, 1994 and of record in the office of the Recorder of Deeds in and for Sussex County, at Georgetown in **Deed Book 1999 Page 7**.

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.

RECEIVED
Oct 19, 2015
ASSESSMENT DIVISION
OF SUSSEX COUNTY

Consideration:	5,550.00

County	22.25
State	23.25
Town	104.50
Total	149.00
Received: Teresa C	Oct 19, 2015

BK: 4459 PG: 110

BK: ~~4459~~ PG: ~~110~~

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the presence of:

Recorder of Deeds
Scott Dailey
Oct 19, 2015 03:22P
Sussex County
Doc. Surcharge Paid

[Handwritten signature]

Robert E. Wilgus Jr (SEAL)
ROBERT E. WILGUS, JR.

HARRY F. WILGUS, II, REVOCABLE TRUST AGREEMENT DATED 8/9/94

AS TO ALL
[Handwritten signature]

Harry F. Wilgus, II Trustee (SEAL)
Harry F. Wilgus, II, Trustee

CONNIE L. WILGUS, REVOCABLE TRUST AGREEMENT DATED 8/9/94

Connie L. Wilgus (SEAL)
CONNIE L. WILGUS, TRUSTEE *Trustee*

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on October 9, 2015, personally came before me, the subscriber, ROBERT E. WILGUS, JR., HARRY F. WILGUS, II, TRUSTEE UNDER REVOCABLE TRUST AGREEMENT OF HARRY F. WILGUS, II DATED 8/9/94 and CONNIE L. WILGUS, TRUSTEE UNDER REVOCABLE TRUST AGREEMENT OF CONNIE L. WILGUS DATED 8/9/94, parties of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

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

Raymond E. Tomasetti
Notary Public



My Commission Expires: none-life time

Recorder of Deeds
Scott Dailey
Oct 19, 2015 11:43A
Sussex County
Doc. Surcharge Paid

[Handwritten initials]

Appendix C: Environmental Review Documents

USFWS IPaC Resource List

DE Division of Fish and Wildlife Environmental Review Response Letter

DE SHPO CHRIS Mapping

IPaC Information for Planning and Consultation U.S. Fish & Wildlife Service

IPaC resource list

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

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

Location

Sussex County, Delaware



Local office

Chesapeake Bay Ecological Services Field Office

☎ (410) 573-4599

📅 (410) 266-9127

177 Admiral Cochrane Drive
Annapolis, MD 21401-7307

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

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

NOT FOR CONSULTATION

Endangered species

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

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

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

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

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

Listed species

¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

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

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

THERE ARE NO ENDANGERED SPECIES EXPECTED TO OCCUR AT THIS LOCATION.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act

¹ and the Bald and Golden Eagle Protection Act².

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

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

Additional information can be found using the following links:

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

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

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

NAME

BREEDING SEASON (IF A BREEDING SEASON IS INDICATED FOR A BIRD ON YOUR LIST, THE BIRD MAY BREED IN YOUR PROJECT AREA SOMETIME WITHIN THE TIMEFRAME SPECIFIED, WHICH IS A VERY LIBERAL ESTIMATE OF THE DATES INSIDE WHICH THE BIRD BREEDS ACROSS ITS ENTIRE RANGE. "BREEDS ELSEWHERE")

INDICATES THAT THE BIRD DOES
NOT LIKELY BREED IN YOUR
PROJECT AREA.)

<p>Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626</p>	Breeds Oct 15 to Aug 31
<p>Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9399</p>	Breeds May 15 to Oct 10
<p>Clapper Rail <i>Rallus crepitans</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p>	Breeds Apr 10 to Oct 31
<p>Kentucky Warbler <i>Oporornis formosus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds Apr 20 to Aug 20
<p>Prairie Warbler <i>Dendroica discolor</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds May 1 to Jul 31
<p>Prothonotary Warbler <i>Protonotaria citrea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds Apr 1 to Jul 31
<p>Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds May 10 to Sep 10
<p>Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds May 10 to Aug 31

Probability of Presence Summary

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

Probability of Presence (■)

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

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

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

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

Breeding Season (■)

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

Survey Effort (|)

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

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

No Data (—)

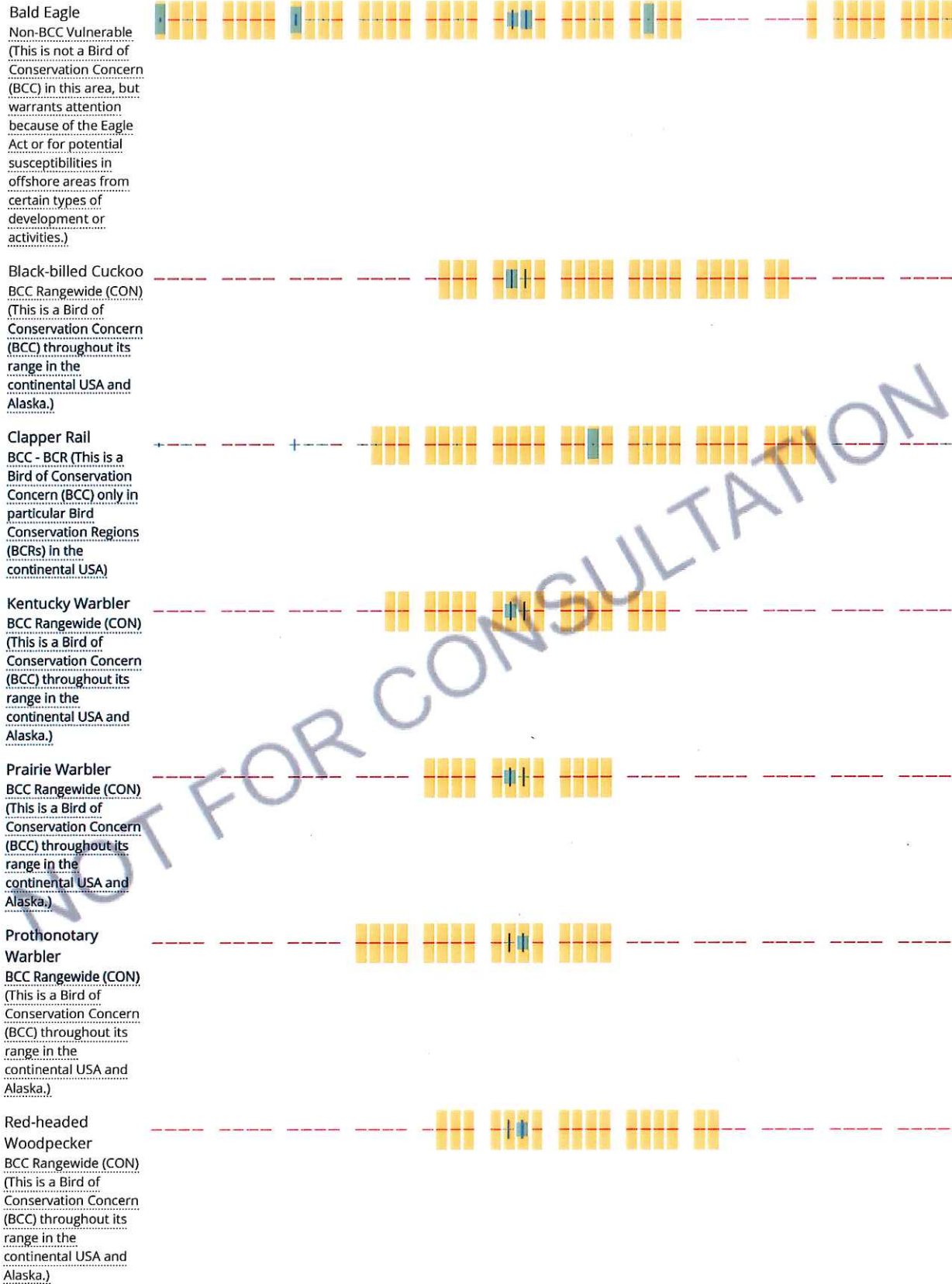
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

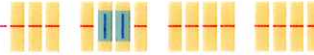
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

■ probability of presence
 ■ breeding season
 | survey effort
 — no data

SPECIES JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC



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



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

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

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

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

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

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

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

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

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

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

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

What are the levels of concern for migratory birds?

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

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

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

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review.

Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

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

What if I have eagles on my list?

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

Proper Interpretation and Use of Your Migratory Bird Report

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

Facilities

National Wildlife Refuge lands

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 AT THIS LOCATION.

Fish hatcheries

THERE ARE NO FISH HATCHERIES AT THIS LOCATION.

Wetlands in the National Wetlands Inventory

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

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

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.

This location overlaps the following wetlands:

FRESHWATER FORESTED/SHRUB WETLAND

[Palustrine](#)

RIVERINE

[Riverine](#)

A full description for each wetland code can be found at the [National Wetlands Inventory website](#)

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

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

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

Data exclusions

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

Data precautions

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



STATE OF DELAWARE
**DEPARTMENT OF NATURAL RESOURCES AND
ENVIRONMENTAL CONTROL**

RICHARDSON & ROBBINS BUILDING
89 KINGS HIGHWAY
DOVER, DELAWARE 19901

OFFICE OF THE
SECRETARY

PHONE
(302) 739-9000

20 April 2020

Alyssa Hessler
TRC Companies, Inc.
1090 Union Road, Suite 280
West Seneca, NY 14224

Re: TRC 2020 Broom Solar Project; Tax Parcel # 533-5.00-47.00

Dear Ms. Hessler,

Thank you for contacting the Species Conservation and Research Program (SCRP) about information on rare, threatened and endangered species, unique natural communities, and other significant natural resources as they relate to the above referenced project.

State Natural Heritage Site

A review of our database indicates that there are currently no records of state-rare or federally listed plants, animals or natural communities at this project site. As a result, at present, this project does not lie within a State Natural Heritage Site, nor does it lie within a Delaware National Estuarine Research Reserve which are two criteria used to identify "Designated Critical Resource Waters" in the Army Corps of Engineers (ACOE) Nationwide Permit General Condition No. 22. A copy of this letter shall be included in any permit application or pre-construction notification submitted to the Army Corps of Engineers for activities on this property.

We are continually updating our records on Delaware's rare, threatened and endangered species, unique natural communities and other significant natural resources. If the start of the project is delayed more than a year past the date of this letter, please contact us again for the latest information.

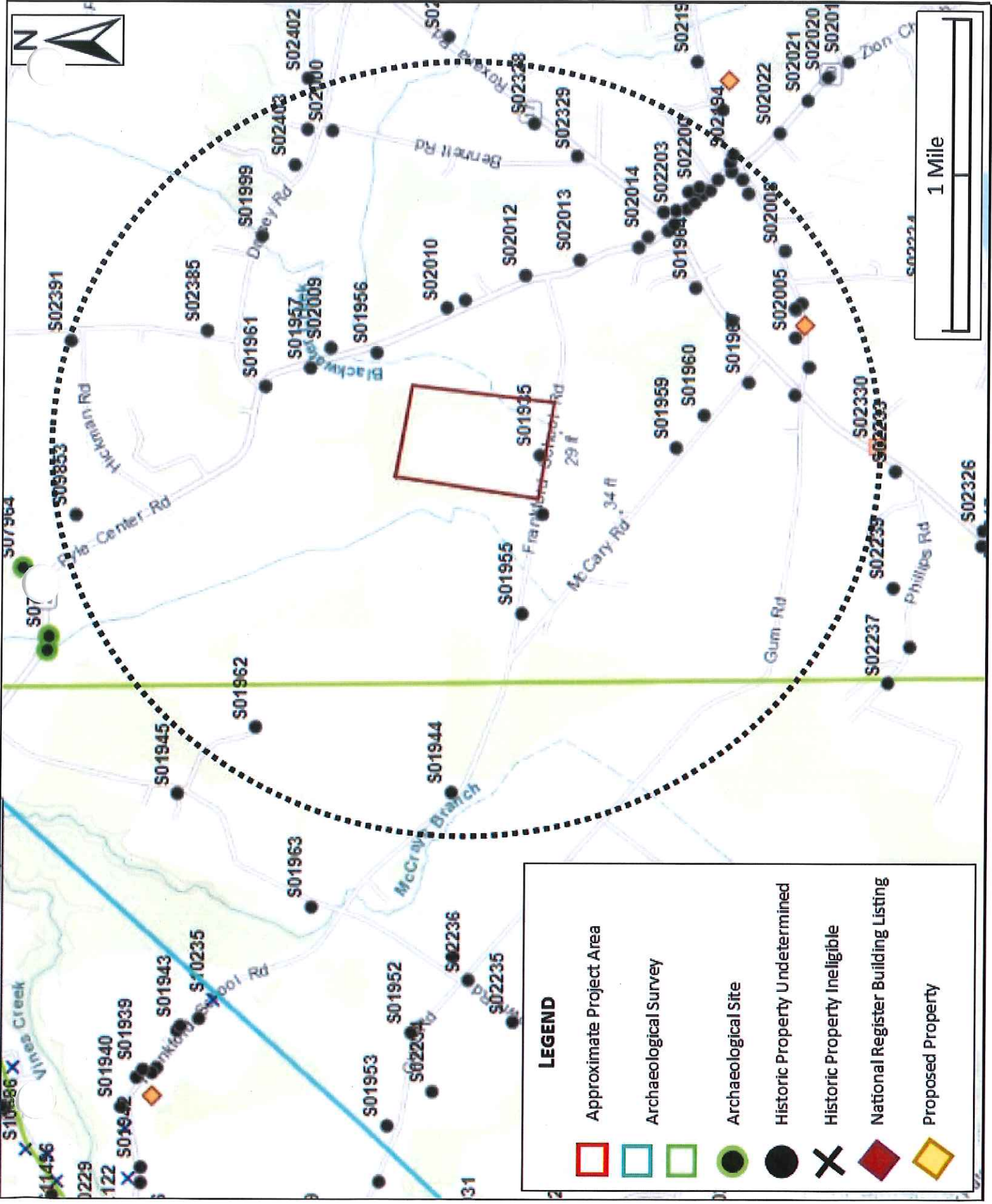
Please feel free to contact me with any questions or if you require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Galvez". The signature is fluid and cursive, with a large, sweeping underline that loops back under the name.

Brian Galvez
Environmental Review Coordinator
Phone: (302) 735-8665
6180 Hay Point Landing Road
Smyrna, DE 19977

(See invoice on next page)



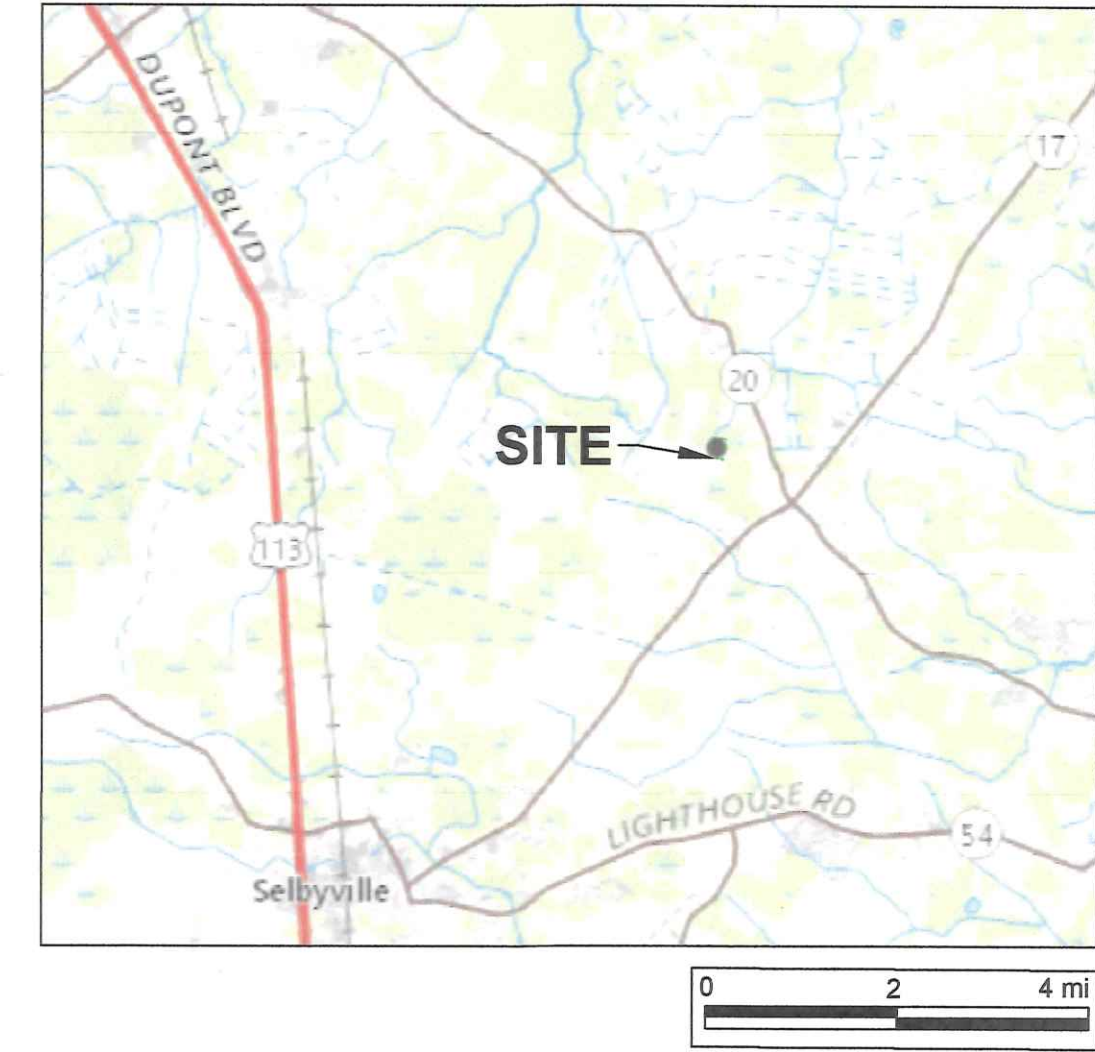
LEGEND

- Approximate Project Area
- Archaeological Survey
- Archaeological Site
- Historic Property Undetermined
- Historic Property Ineligible
- National Register Building Listing
- Proposed Property

1 Mile



SITE LOCATION



LEGEND

SYMBOL	DESCRIPTION
	EXISTING PROPERTY LINE
	APPROXIMATE EXISTING ABUTTER PROPERTY LINE
	TAX DITCH RIGHT-OF-WAY LIMIT
	YARD SETBACK LINE
	EXISTING MAJOR CONTOUR (FEET)
	EXISTING MINOR CONTOUR (FEET)

NOTES

1. THE PROJECT HORIZONTAL COORDINATES SYSTEM IS BASED ON NAD83 DELAWARE STATE PLANE (US SURVEY FEET). ELEVATIONS ARE BASED ON NAVD83 (US SURVEY FEET).
2. ADJOINING PROPERTY OWNER INFORMATION SHOWN ARE FROM SUSSEX COUNTY GIS PORTAL ([HTTPS://MAPS.SUSSEXCOUNTYDELA.GOV/ZAPPLICATIONSMAP.HTML](https://maps.sussexcountydela.gov/zapplicationsmap.html))
3. SITE IS NOT LOCATED IN A 100-YEAR OR 500-YEAR FLOOD PLAIN (REFERENCE FLOOD INSURANCE RATE MAP).
4. EXISTING UTILITIES ARE APPROXIMATE AND SHOULD BE VERIFIED BY CONTRACTOR. DIG SAFELY DELAWARE (811) SHALL BE NOTIFIED A MINIMUM OF 72-HOURS PRIOR TO COMMENCING ANY EXCAVATION.
5. THIS IS A PRELIMINARY DESIGN PLAN PROVIDED FOR PERMITTING ONLY. FINAL DESIGN SHALL BE MODIFIED TO SUPPORT CONSTRUCTION, MATCH FINAL ELECTRICAL INTERCONNECTION STUDIES, EQUIPMENT PURCHASED, AND POSSIBLE PERMIT CONSTRAINTS REVEALED DURING PROJECTS REVIEW.
6. THE VICINITY MAP IMAGE IS FROM THE UNITED STATES GEOLOGICAL SURVEY 7.5 MINUTE FRANKFORD AND SELBYVILLE TOPOGRAPHIC QUADRANGLES
7. THE 1-FOOT TOPOGRAPHY AND PROPERTY BOUNDARY SHOWN ON THESE DRAWINGS WERE PROVIDED TO TRC BY GREENMAN-PEDERSEN, INC. ON JANUARY 19, 2022.

ADJOINING PROPERTY OWNER INFORMATION TABLE		
NUMBER	PROPERTY OWNER	TAX ID #
1	DAVIDSON GORDON C TTEE	533-5.00-46.00
2	PYLE EDWARD W CENTER	533-5.00-58.00
3	LYNCH ADAM	533-5.00-57.00
4	LYNCH MARY GRACE	533-5.00-56.02
5	LYNCH MICHAEL W	533-5.00-56.01
6	OWENS FRANCES	533-5.00-55.01
7	ENNIS N MICHAEL LISA E EVANS	533-5.00-55.00
8	ESHAM MICHAEL	533-5.00-48.00
9	KEISER CARVEL	533-5.00-49.03
10	PARKER FAMILY LIMITED PARTNERSHIP	533-5.00-85.00
11	MEIKLEJOHN JERRY TTEE REV TR	533-5.00-86.00
12	BUNDICK SIDNEY R	533-5.00-86.02

ISSUED FOR CONDITIONAL USE
PERMIT REVIEW 01/27/2022
NOT FOR CONSTRUCTION

SCALE: 1" = 150'
SHEET SIZE: 24" BY 36"
(DRAWING MAY BE PRINTED AT REDUCED SIZE)

1430 Broadway
10th Floor
New York, NY 10018
Phone: 212.221.7822



TRC Project No.: 376627.0000.0000



Revisions:

No.	Date:
1	01/27/2022

Drawn by:
EK, CV

Design by:
CG

Checked by:
SM

EDF RENEWABLES DISTRIBUTED SOLUTIONS
BROOM SOLAR PROJECT
ADJACENT TO 32419 FRANKFORD SCHOOL ROAD
FRANKFORD, DELAWARE 19945

Contract No:
376627

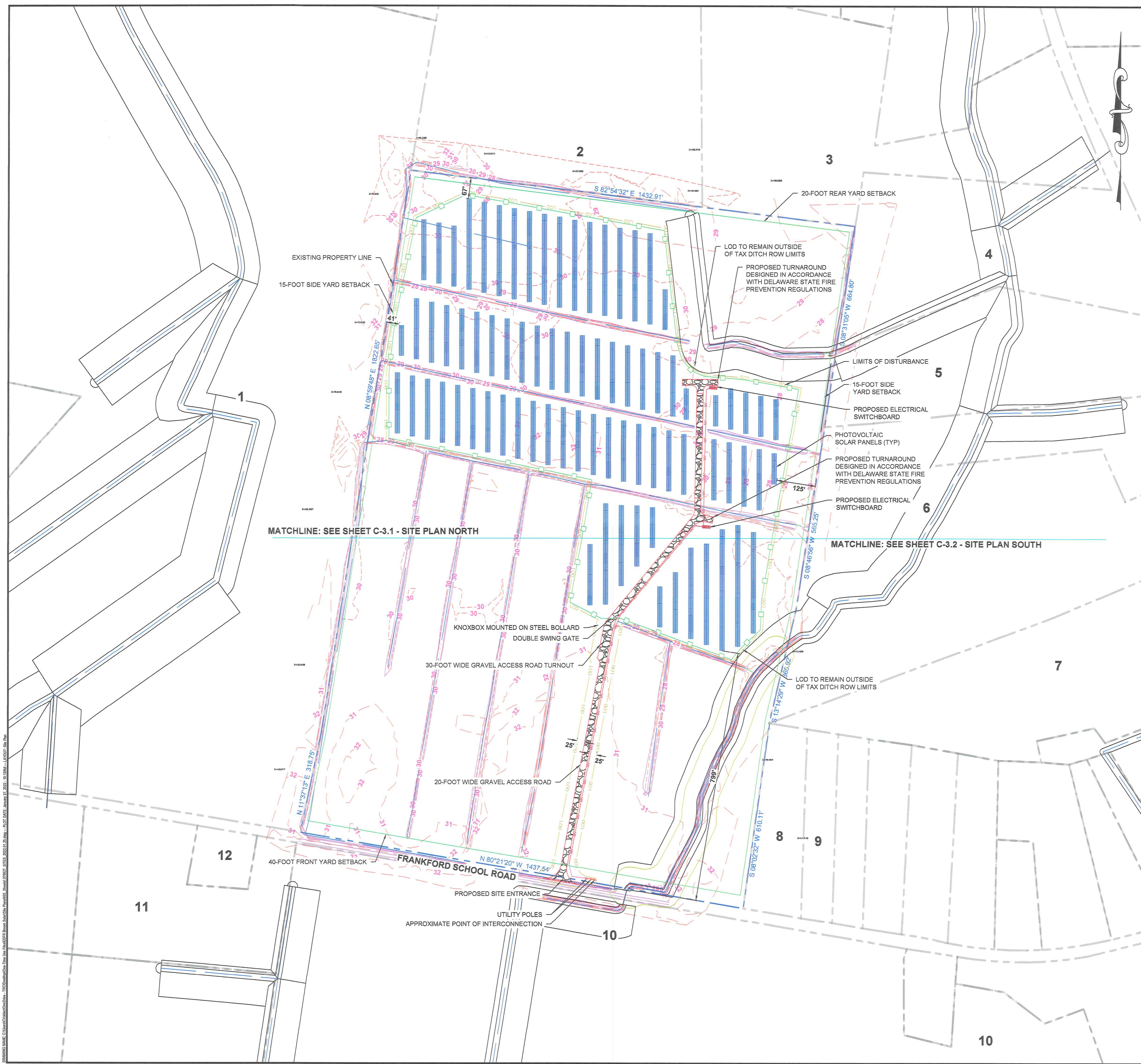
Scale:
AS NOTED

Date:
MAY 2021

Sheet:
EXISTING CONDITIONS

Drawing No:

C-2.0



PROJECT SUMMARY		
ARRAY TYPE	SAT	
ARRAY ORIENTATION (°)	180	
PV MODULE MANUFACTURER	CANADIAN SOLAR	
PV MODULE MODEL	CS3W-445-MB-AG	CS3W-400-PB-AG
PV MODULE WATTAGE (W)	445	400
PV MODULE QUANTITY	6966	2322
PV MODULES PER STRING	27	
PV MODULES PER TRACKER / TABLE	54 / 72	
TRACKER / TABLE QUANTITY	168 / 12	
TRACKER PITCH / TABLE ROW SPACING (FT)	48.27	
	INVERTER 1	INVERTER 2
INVERTER MANUFACTURER	CHINT POWER SYSTEMS	
INVERTER MODEL	SCH125KTL-DOJUS-600	
INVERTER RATING (KWAC)	125	
INVERTER QUANTITY	24	
TOTAL PV MODULE CAPACITY (KWDC)	4028.67	
TOTAL INVERTER CAPACITY (KWAC)	3,000	
AREA WITHIN FENCE (ACRES)	25.97	
LENGTH OF FENCE (FT)	4,866.7	
LENGTH OF ACCESS DRIVE (FT)	1,714	

LEGEND	
SYMBOL	DESCRIPTION
	EXISTING PROPERTY LINE
	APPROXIMATE EXISTING ADJUTER PROPERTY LINE
	PROPOSED PROJECT FENCE
	PROPOSED GRAVEL ACCESS DRIVEWAY
	PROPOSED MEDIUM VOLTAGE CIRCUIT
	PROPOSED OVERHEAD LINE
	PROPOSED OVERHEAD POLES
	EXISTING MAJOR CONTOUR (FEET)
	EXISTING MINOR CONTOUR (FEET)
	TAX DITCH RIGHT-OF-WAY LIMIT
	LIMITS OF DISTURBANCE

- NOTES**
- AREAS OUTSIDE PROPOSED FENCE TO REMAIN AS OPEN SPACE
 - ADJOINING PROPERTY OWNER INFORMATION SHOWN ARE FROM SUSSEX COUNTY GIS PORTAL ([HTTPS://MAPS.SUSSEXCOUNTYNODE.GOV/PZAPPLICATIONSMAP.HTML](https://maps.sussexcountynode.gov/PZAPPLICATIONSMAP.HTML))
 - SITE IS NOT LOCATED IN A 100-YEAR OR 500-YEAR FLOOD PLAIN
 - EXISTING UTILITIES ARE APPROXIMATE AND SHOULD BE VERIFIED BY CONTRACTOR. DIG SAFELY DELAWARE (811) SHALL BE NOTIFIED A MINIMUM OF 72-HOURS PRIOR TO COMMENCING ANY EXCAVATION.
 - THIS IS A PRELIMINARY DESIGN PLAN PROVIDED FOR PERMITTING ONLY. FINAL DESIGN SHALL BE MODIFIED TO SUPPORT CONSTRUCTION. MATCH FINAL ELECTRICAL INTERCONNECTION STUDIES, EQUIPMENT PURCHASED, AND POSSIBLE PERMIT CONSTRAINTS REVEALED DURING PROJECT'S REVIEW.
 - NO SOURCE OF WATER IS AVAILABLE AT THE SITE OR IMMEDIATE AREA TO SUPPORT FIRE FIGHTING.
 - NO BUILDINGS ARE EXISTING OR PROPOSED.
 - THE 1-FOOT TOPOGRAPHY AND PROPERTY BOUNDARY SHOWN ON THESE DRAWINGS WERE PROVIDED TO TRC BY GREENMAN-PEDERSEN, INC. ON JANUARY 19, 2022.

ZONING CONFORMANCE TABLE		
Zoning Code Description	Zoning Code Requirement	Proposed Project
Zoning Designation	Agricultural Residential -1	Agricultural Residential - 1
Minimum Lot Area	10,000 square feet	3,043.621 square feet
Minimum Lot Width	150 feet	1,353 feet
Minimum Lot Depth	100 feet	2127 feet
Maximum Building Height	42 feet	Not Applicable (Equipment height not more than 12 feet)
Front Yard Depth	40 feet	799 feet
Side Yard Depth	10 feet	41 feet
Rear Yard Depth	10 feet	67 feet

ISSUED FOR CONDITIONAL USE
 PERMIT REVIEW 01/27/2022
 NOT FOR CONSTRUCTION

SCALE: 1" = 150'
 SHEET SIZE: 24" BY 36"
 (DRAWING MAY BE PRINTED AT REDUCED SIZE)

1430 Broadway
 10th Floor
 New York, NY 10018
 Phone: 212.251.7822

TRC

edf renewables

SEVEN DAY WEEKLY LICENSE
 No. 8200
 PROFESSIONAL ENGINEER

Revisions:
 No. Date
 1 01/27/2022

Drawn by:
 EK, CV

Design by:
 CG

Checked by:
 SM

**EDF RENEWABLES DISTRIBUTED SOLUTIONS
 BROOM SOLAR PROJECT
 ADJACENT TO 32419 FRANKFORD SCHOOL ROAD
 FRANKFORD, DELAWARE 19945**

Contract No:
 376627

Scale:
 AS NOTED

Date:
 MAY 2021

Sheet:
 SITE PLAN

Drawing No:
 C-3.0

TRC Project No: 376627.0000.0000



PROJECT SUMMARY		
ARRAY TYPE	SAT	
ARRAY ORIENTATION (°)	180	
	PV MODULE 1	PV MODULE 2
PV MODULE MANUFACTURER	CANADIAN SOLAR	
PV MODULE MODEL	CS3W-445-MB-AG	CS3W-400-PB-AG
PV MODULE WATTAGE (W)	445	400
PV MODULE QUANTITY	6966	2322
PV MODULES PER STRING	27	
PV MODULES PER TRACKER / TABLE	54 / 72	
TRACKER / TABLE QUANTITY	168 / 12	
TRACKER PITCH / TABLE ROW SPACING (FT)	48.27	
	INVERTER 1	INVERTER 2
INVERTER MANUFACTURER	CHINT POWER SYSTEMS	
INVERTER MODEL	SCH125KTL-DO/US-600	
INVERTER RATING (KWAC)	125	
INVERTER QUANTITY	24	
TOTAL PV MODULE CAPACITY (KWDC)	4028.67	
TOTAL INVERTER CAPACITY (KWAC)	3,000	
AREA WITHIN FENCE (ACRES)	25.97	
LENGTH OF FENCE (FT)	4,866.7	
LENGTH OF ACCESS DRIVE (FT)	1,714	

LEGEND	
SYMBOL	DESCRIPTION
---	EXISTING PROPERTY LINE
- - - -	APPROXIMATE EXISTING ABUTTER PROPERTY LINE
---	PROPOSED PROJECT FENCE
---	PROPOSED GRAVEL ACCESS DRIVEWAY
MV	PROPOSED MEDIUM VOLTAGE CIRCUIT
OE	PROPOSED OVERHEAD LINE
⊙	PROPOSED OVERHEAD POLES
- - - - 65	EXISTING MAJOR CONTOUR (FEET)
- - - - 54	EXISTING MINOR CONTOUR (FEET)
---	TAX DITCH RIGHT-OF-WAY LIMIT
---	LIMITS OF DISTURBANCE

ZONING CONFORMANCE TABLE		
Zoning Code Description	Zoning Code Requirement	Proposed Project
Zoning Designation	Agricultural Residential -1	Agricultural Residential -1
Minimum Lot Area	10,000 square feet	3,043,621 square feet
Minimum Lot Width	150 feet	1,383 feet
Minimum Lot Depth	100 feet	2127 feet
Maximum Building Height	42 feet	Not Applicable (Equipment height not more than 12 feet)
Front Yard Depth	40 feet	799 feet
Side Yard Depth	10 feet	41 feet
Rear Yard Depth	10 feet	67 feet

- NOTES**
- AREAS OUTSIDE PROPOSED FENCE TO REMAIN AS OPEN SPACE.
 - ADJOINING PROPERTY OWNER INFORMATION SHOWN ARE FROM SUSSEX COUNTY GIS PORTAL. (<https://maps.sussexcountycolorado.gov/applications/map.html>)
 - SITE IS NOT LOCATED IN A 100-YEAR OR 500-YEAR FLOOD PLAIN
 - EXISTING UTILITIES ARE APPROXIMATE AND SHOULD BE VERIFIED BY CONTRACTOR. DIG SAFELY DELAWARE (811) SHALL BE NOTIFIED A MINIMUM OF 72-HOURS PRIOR TO COMMENCING ANY EXCAVATION.
 - THIS IS A PRELIMINARY DESIGN PLAN PROVIDED FOR PERMITTING ONLY. FINAL DESIGN SHALL BE MODIFIED TO SUPPORT CONSTRUCTION, MATCH FINAL ELECTRICAL INTERCONNECTION STUDIES, EQUIPMENT PURCHASED, AND POSSIBLE PERMIT CONSTRAINTS REVEALED DURING PROJECTS REVIEW.
 - NO SOURCE OF WATER IS AVAILABLE AT THE SITE OR IMMEDIATE AREA TO SUPPORT FIRE FIGHTING.
 - NO BUILDINGS ARE EXISTING OR PROPOSED.
 - THE 1-FOOT TOPOGRAPHY AND PROPERTY BOUNDARY SHOWN ON THESE DRAWINGS WERE PROVIDED TO TRC BY GREENMAN-PEDERSEN, INC. ON JANUARY 19, 2022.

1430 Broadway
10th Floor
New York, NY 10018
Phone: 212.221.7822

TRC Project No.: 376627.0000.0000

Revisions:

No.	Date
1	01/27/2022

Drawn by:

EK, CV

Design by:

CG

Checked by:

SM

EDF RENEWABLES DISTRIBUTED SOLUTIONS

BROOM SOLAR PROJECT

ADJACENT TO 32419 FRANKFORD SCHOOL ROAD

FRANKFORD, DELAWARE 19945

Contract No:

376627

Scale:

AS NOTED

Date:

MAY 2021

Sheet:

SITE PLAN NORTH

Drawing No:

C-3.1

ISSUED FOR CONDITIONAL USE
PERMIT REVIEW 01/27/2022
NOT FOR CONSTRUCTION

SCALE: 1" = 80'
SHEET SIZE: 24" BY 36"
(DRAWING MAY BE PRINTED AT REDUCED SIZE)

DRAWING NAME: C:\Users\jchambers\OneDrive\Documents\376627\376627_012722_SitePlan.dwg PLOT DATE: January 27, 2022 10:44AM LAYOUT: 38a The North

MATCHLINE: SEE SHEET C-3.2

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



Sussex County

DELAWARE
sussexcountyde.gov

PLEASE NOTE

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



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

PLANNING & ZONING COMMISSION

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



Sussex County

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

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: February 10th, 2022

Application: CU 2284 Eastern Shore Natural Gas

Applicant: Eastern Shore Natural Gas (Attn: Mark Parker)
500 Energy Lane Suite 200
Dover, DE 19901

Owner: Eastern Shore Natural Gas (Attn: Mark Parker)
500 Energy Lane Suite 200
Dover, DE 19901

Site Location: 17035 Black Cherry Drive, Bridgeville. The property being a landlocked parcel accessed off Emma Jane Lane, approximately 0.33 mile south of E. Newton Road (S.C.R. 584).

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

Proposed Use: Expansion of C/U 889 (Ordinance No. 536) for Public Utilities or Public Services Uses

Comprehensive Land Use Plan Reference: Industrial

Councilmanic District: Mr. Vincent

School District: Woodbridge School District

Fire District: Bridgeville Fire Department

Sewer: N/A

Water: N/A

Site Area: 27.98 acres +/-

Tax Map ID.: 131-10.00-99.00





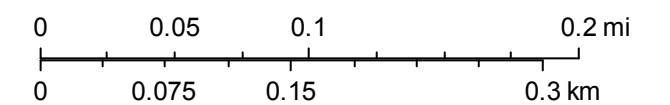
Sussex County



PIN:	131-10.00-99.00
Owner Name	EASTERN SHORE NATURAL GAS CO
Book	1798
Mailing Address	PO BOX 1769
City	DOVER
State	DE
Description	E/PENN CENTRAL
Description 2	250'N/RT 583
Description 3	N/A
Land Code	

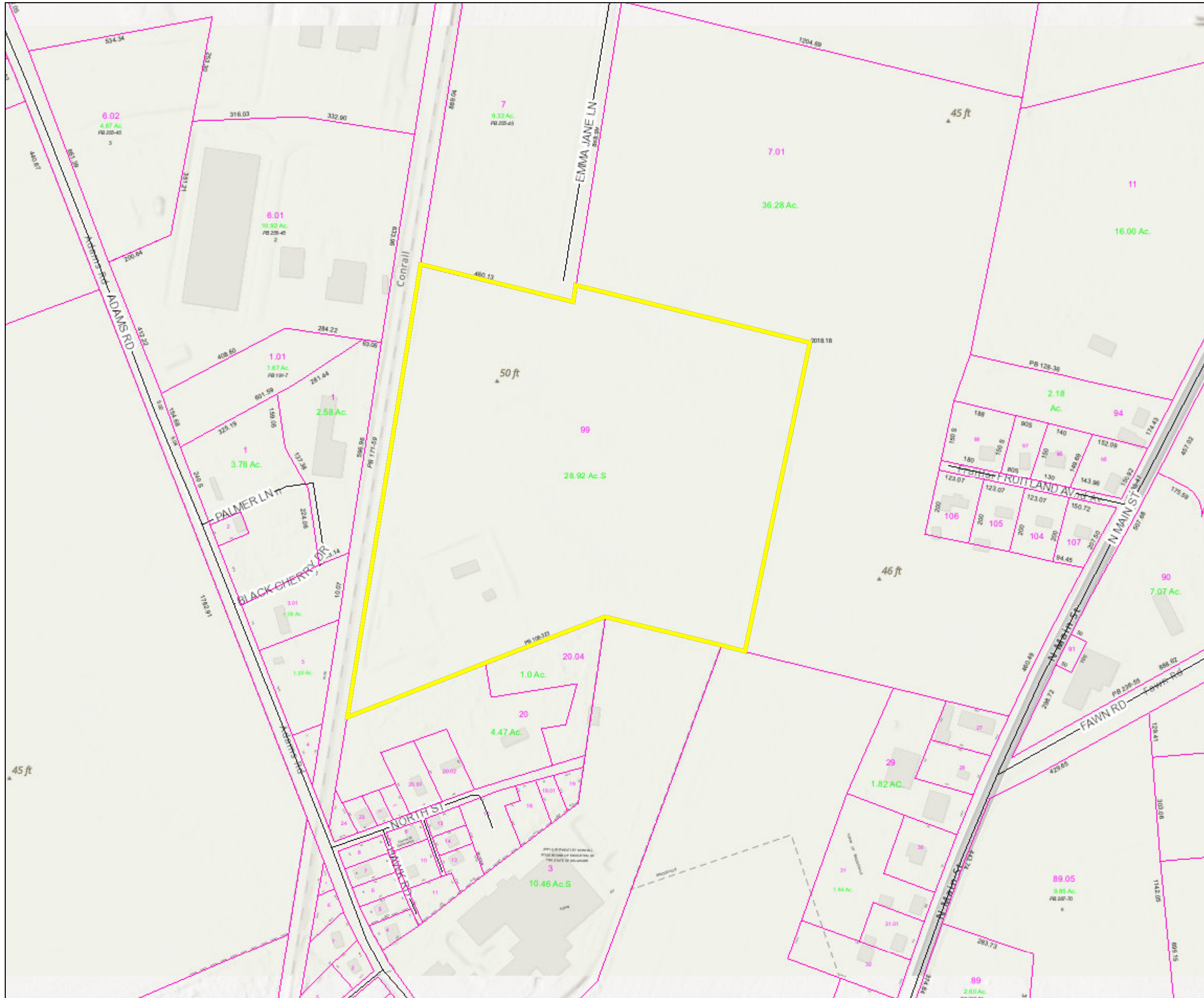
- polygonLayer**
- Override 1
- polygonLayer**
- Override 1
- Tax Parcels
- Streets
- County Boundaries
- DOE School Districts

1:4,514





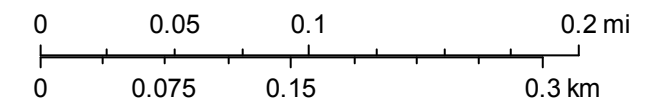
Sussex County



PIN:	131-10.00-99.00	
Owner Name	EASTERN	SHORE
	NATURAL GAS CO	
Book	1798	
Mailing Address	PO BOX 1769	
City	DOVER	
State	DE	
Description	E/PENN CENTRAL	
Description 2	250'N/RT 583	
Description 3	N/A	
Land Code		

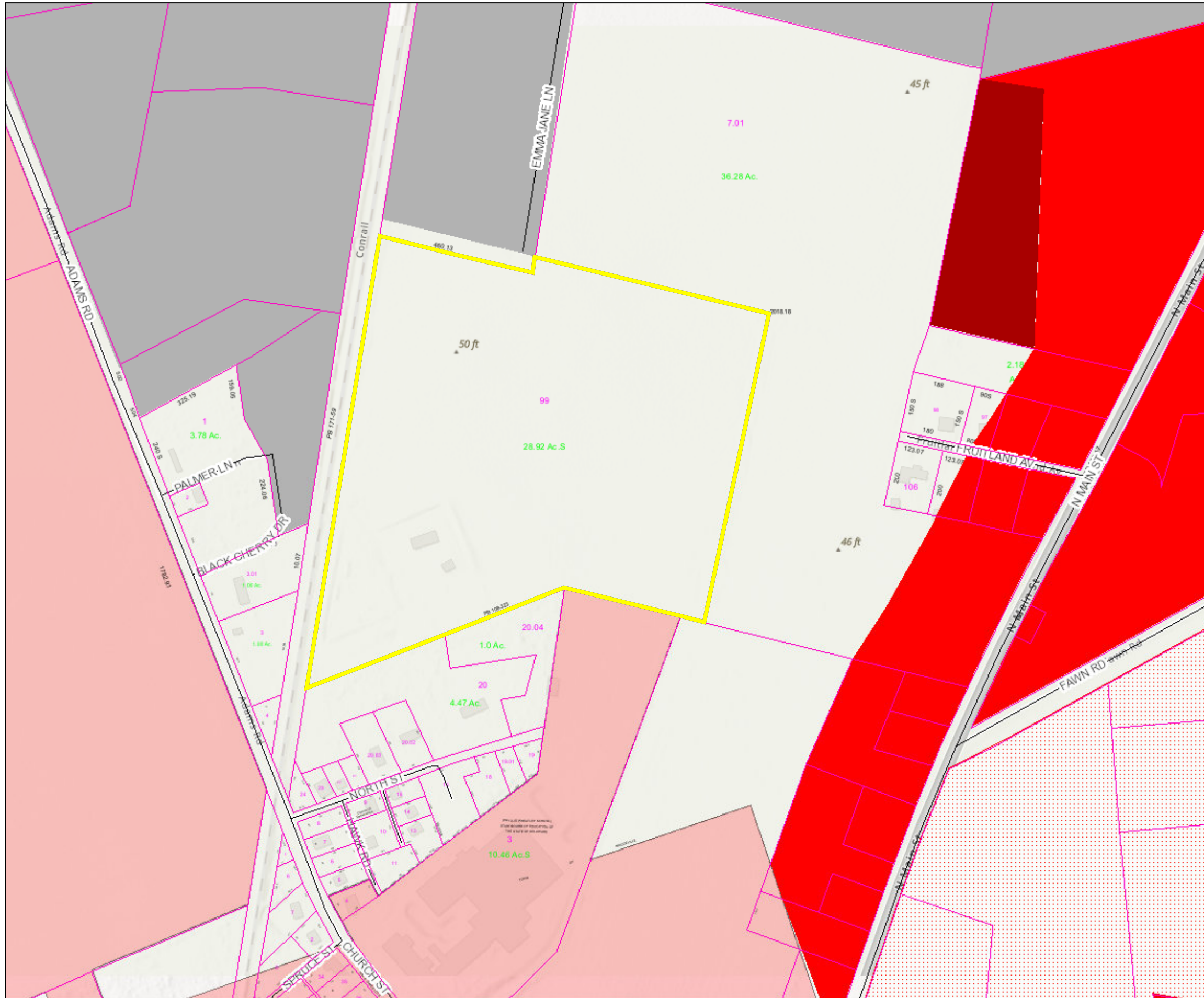
- polygonLayer**
Override 1
- polygonLayer**
Override 1
- Tax Parcels
- Streets
- County Boundaries
- DOE School Districts

1:4,514





Sussex County



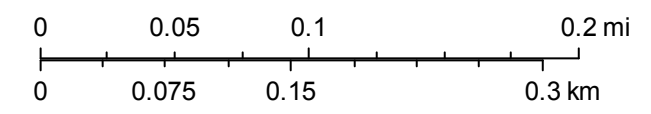
PIN:	131-10.00-99.00
Owner Name	EASTERN SHORE NATURAL GAS CO
Book	1798
Mailing Address	PO BOX 1769
City	DOVER
State	DE
Description	E/PENN CENTRAL
Description 2	250'N/RT 583
Description 3	N/A
Land Code	

- polygonLayer**

 - Override 1
- polygonLayer**

 - Override 1
- Tax Parcels
- Streets

1:4,514

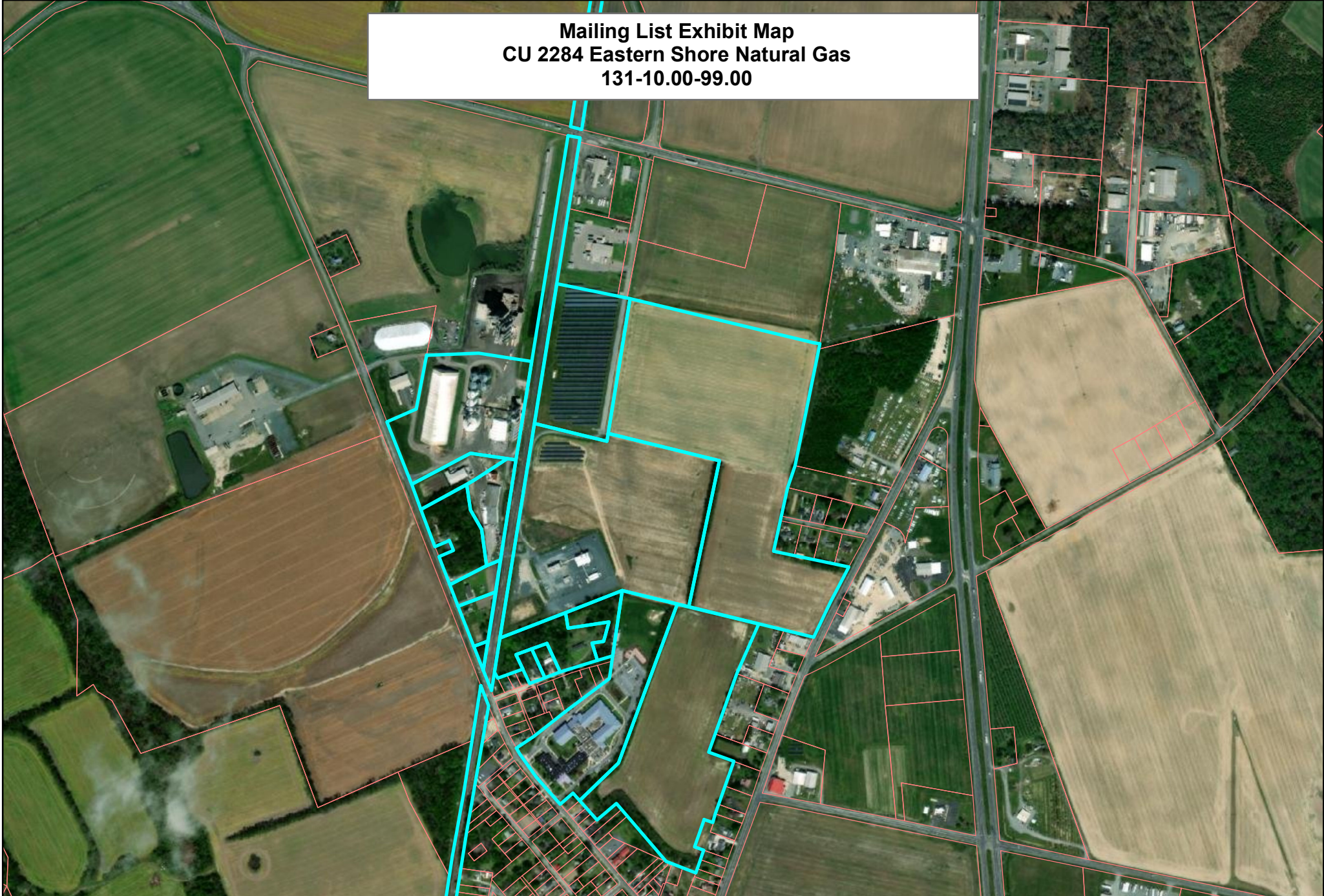


FULLNAME	Second_Owner_Name	MAILINGADD	CITY	STATE	ZIPCODE
ALCANTARA - HERNADEZ LAURENTINO		PO BOX 143	BRIDGEVILLE	DE	19933
ANDERSON AMELIA C		8595 NORTH ST	BRIDGEVILLE	DE	19933
EASTERN SHORE NATURAL GAS CO		PO BOX 1769	DOVER	DE	19903
GARCIA ANTONIO E GOMEZ		20070 DONOVANS RD	GEORGETOWN	DE	19947
HELENA CHEMICAL CO		225 SHILLING BLVD STE 300	COLLIERVILLE	TN	38017
JOHNSON GLADYS		8491 PALMER LN	BRIDGEVILLE	DE	19933
MURRAY BETTY L		8509 PALMER LN	BRIDGEVILLE	DE	19933
NEAL HOWARD THURMAN & CORETTA	D NEAL	16599 ADAMS RD	BRIDGEVILLE	DE	19933
NEAL TERRY		16611 ADAMS RD	BRIDGEVILLE	DE	19933
PENNSYLVANIA LINES LLC		PO BOX 5651	BISMARCK	ND	58506
PERDUE AGRIBUSINESS LLC	PROPERTY DEPARTMENT	PO BOX 1537	SALISBURY	MD	21804
PERDUE FOODS LLC	PROPERTY DEPARTMENT	PO BOX 4837	SALISBURY	MD	21804
POLLY'S FARM LLC BRIDGE BRANCH INC		PO BOX 367	BRIDGEVILLE	DE	19933
SMACK MICHAEL E		8603 NORTH ST	BRIDGEVILLE	DE	19933
STATE BOARD OF EDUCATION	OF STATE OF DELAWARE	16359 SUSSEX HWY	BRIDGEVILLE	DE	19933
TREW R2 LLC		PO BOX 397	BRIDGEVILLE	DE	19933



Sussex County

Mailing List Exhibit Map
CU 2284 Eastern Shore Natural Gas
131-10.00-99.00



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: Ms. Lauren DeVore, Planner III
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant
Date: February 3, 2022
RE: Staff Analysis for CU 2284 Eastern Shore Natural Gas Company

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2284 Eastern Shore Natural Gas Company to be reviewed during the February 10, 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: 131-10.00-99.00 for an expansion of Conditional Use No. 889 (Ordinance No. 536) for public utilities or public services uses to be located at 17019, 17025, 17035 and 17041 Black Cherry Drive in Bridgeville, Delaware. The property is a landlocked parcel accessed off Emma Jane Lane, approximately 0.33 mile south of E. Newton Road (S.C.R. 584). The parcel consists of 29.98 acres +/-.

It should be noted that the previous Conditional Use (Conditional Use No. 889) was filed on behalf of the Chesapeake Utilities Corporation for a public utility pumping (compressor) and regulator station to be located on a 7.99 acre +/- parcel of land. The Conditional Use was approved by the Sussex County Council on Tuesday, September 27, 1988, and the change was adopted through Ordinance No. 536.

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 "Industrial Area." The parcels to the north, east and west also have a Future Land Use Map designation of "Industrial Area." The parcels to the south contain the Future Land Use Map designation of "Developing Area" and "Municipalities." The parcels shown within the "Municipalities" designation are located within the incorporated town limits of the Town of Bridgeville.

As outlined within the 2018 Sussex County Comprehensive Plan, Industrial Areas are lands devoted to concentrations of larger industrial uses including heavier industry, light industry, warehousing, and flex space. Appropriate development in these areas could take the form of conventional industrial parks or planned business parks with a unified design that incorporate a combination of light industry and other business uses. Large, more intensive stand-alone industrial uses should also be directed to these areas (Sussex County Comprehensive Plan, 4-17).

The subject property is zoned Agricultural Residential (AR-1). All surrounding properties to the north, south, west and a portion of the properties eastern of the subject site are also zoned



Agricultural Residential (AR-1). Several parcels adjacent to and located on the eastern side of the subject site as zoned General Commercial (C-1), along N. Main Street, which serves as a major thoroughfare from Route 13 (Sussex Highway) into the Town of Bridgeville.

There are approximately five (5) parcels on the eastern side of the property on the opposite side of N. Main Street which are zoned Business Research (B-3).

Since 1970, there have been three (3) Conditional Use applications within less than a 0.25-mile radius of the application site. The first application was Conditional Use No. 1955 for the State of Delaware (DelDOT) to allow for a DelDOT Maintenance Yard to be permitted within an Agricultural Residential (AR-1) Zoning District. This application was approved by the Sussex County Council on Tuesday, February 19, 2013, and this change was adopted through Ordinance No. 2294. The second application was Conditional Use No. 1762 T.S. Smith & Sons Farm, Inc. to allow for a retail farmers market and petting zoo in the Agricultural Residential (AR-1) Zoning District. This application was approved by the Sussex County Council on Tuesday, January 27, 2009, and this change was adopted through Ordinance No. 2027. The third application was Conditional Use No. 889 Chesapeake Utilities Corporation for purposes of allowing a public utility pumping (compressor) and regulator station consisting of 7.99 acres in an Agricultural Residential (AR-1) Zoning District. This application was approved by the Sussex County Council on Tuesday, September 27, 1988, and adopted through Ordinance No. 536.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional use to allow for the expansion of Conditional Use No. 889 (Ordinance No. 536) for public utilities or public services uses in this location, subject to considerations of scale and impact, could be considered as being consistent with the land use, area zoning and surrounding uses.

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

17035 Black Cherry Drive, Bridgeville, DE 19933

Type of Conditional Use Requested:

This parcel is currently zoned AR-1; the Applicant requests an expansion of the Conditional Use approved on Sept. 8, 1988 (CU 889) for use of the entire parcel for "Public utilities or public services uses."

Tax Map #: 131-10.00-99.00 **Size of Parcel(s):** 27.98 acres

Current Zoning: AR-1 **Proposed Zoning:** AR-1 **Size of Building:** N/A

Land Use Classification: Agricultural will become Commercial/Industrial

Water Provider: Not Applicable **Sewer Provider:** Not Applicable

Applicant Information

Applicant Name: Eastern Shore Natural Gas, Attention Mark C. Parker, P.E

Applicant Address: 500 Energy Lane, Suite 200

City: Dover State: DE Zip Code: 19901

Phone #: (302) 213-7270 E-mail: mcparker@esng.com

Owner Information

Owner Name: Same as Applicant Information

Owner Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ E-mail: _____

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: AECOM, Gregory Hufnagel (Agent)

Agent/Attorney/Engineer Address: 625 West Ridge Pike

City: Conshohocken State: PA Zip Code: 19428

Phone #: (610) 234-0449 E-mail: Gregory.Hufnagel@aecom.com



Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

Completed Application

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

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

Provide Fee \$500.00 *Will be paid via credit card*

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) *Not 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 my behalf shall attend all public hearing before the Planning and Zoning Commission and the Sussex County Council and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future needs, the health, safety, morals, convenience, order, prosperity, and general welfare of the inhabitants of Sussex County, Delaware.

Signature of Applicant/Agent/Attorney

Hufnagel, Gregory

Digitally signed by Hufnagel, Gregory
DN: cn=Hufnagel, Gregory, ou=USCSK1,
email=Gregory.Hufnagel@saco.com
Date: 2021.05.12 14:48:26 -04'00'

Date: 5/12/21

Signature of Owner

Mark C. Parker

Digitally signed by Mark C. Parker
Date: 2021.04.19 11:56:04 -04'00'

Date: 4/19/21

For office use only:

Date Submitted: 5/18/21

Staff accepting application: NT

Location of property: _____

Fee: \$500.00 Check #: card
Application & Case #: CJ2234 / 202107632

Subdivision: _____

Date of PC Hearing: _____

Date of CC Hearing: _____

Recommendation of PC Commission: _____

Decision of CC: _____



May 13, 2021

Jamie Whitehouse, Director
Sussex County Planning & Zoning Office
2 The Circle
Georgetown, DE 19947

Subject: Eastern Shore Natural Gas Company
Bridgeville Interconnect Project
Conditional Use Application
Tax Parcel: 131-10.00-99.00

Dear Mr. Whitehouse:

Eastern Shore Natural Gas Company (Eastern Shore), which has safely and reliably served the natural gas transportation needs of the region since 1959, is submitting the enclosed Conditional Use Application, including supporting documentation, to the Sussex County Planning and Zoning Office. Eastern Shore is proposing to construct, install, own, operate, and maintain the Bridgeville Interconnect Project (Project) in Sussex County, Delaware.

The Project will be constructed on land with existing natural gas infrastructure owned by Eastern Shore and will consist of new aboveground facilities, interconnecting pipeline supply laterals, and a tie-in delivery tap to connect to Eastern Shore's existing pipeline facilities. The proposed Project will serve as a receipt point where non-traditional gas supply, such as renewable natural gas, compressed natural gas, or liquefied natural gas will be metered, regulated, and heated before entering the existing Eastern Shore natural gas pipeline system. A small pre-fabricated building will be established to house a remote terminal unit. Equipment foundations, supports or spread footings will be constructed of poured reinforced concrete.

The Project, including temporary workspace, will be located within an approximately 28-acre parcel (Tax Parcel Number 131-10.00-99.00) that is zoned Agricultural/Residential 1 (AR-1). Approximately eight (8) acres of this parcel is currently developed and contains the Bridgeville Compressor Station (BRCS), above-ground piping facilities, a solar panel field, access driveways and a stormwater management facility. On August 13, 2015, the Sussex County Planning Commission approved the ability to expand Conditional Use (CU 889) which was originally approved on September 8, 1988 to allow for development of the BRCS. Final Site Plan approval for that Project occurred on August 27, 2015 for that expansion. **The enclosed Application is for the remainder of the parcel to be covered by a Conditional Use to allow for "public utilities or public service uses."** As identified on the attached Site Plan, the Conditional use covers two

areas. Area No. 2 is on the northwestern side of the parcel, totals 8.48 acres, and contains an existing solar field and a portion of the fencing for the proposed Project. Conditional Use Area No. 3 is on the eastern side of the parcel, totals 11.51 acres, and contains the majority of the proposed Project components. Area No. 1 contains the existing BRCS. The proposed Bridgeville Interconnect Project extends in each of the three Conditional Use areas.

As summarized herein and as shown on the attached Site Plan, approval of the Conditional Use request for the proposed development will not have a substantial impact on the physical, economic, or social environment of the area. Eastern Shore has selected this location to develop the Project as it minimizes the potential for negative environmental or community impacts. Minimal aboveground facilities are proposed, and these will be smaller scale compared to the BRCS that is already part of the landscape.

The proposed Project will conform to the AR-1 Lot and Building standards. No wetlands, waterbodies, or other sensitive resources are located on this Parcel. The Parcel is not located within a floodplain. No forest areas or trees will be removed for the proposed Project. No water or sewer connections are existing or proposed.

No residences or occupied buildings are located within 50 feet of the parcel boundary. The nearest occupied building is approximately 150 feet from the parcel boundary along Emma Jane Lane, 330 feet from the proposed pig Receiver Facility, and 500 feet from the proposed Facility. Short-term increases of dust, noise, and the presence of construction equipment may cause indirect impacts to nearby residents and commercial occupied buildings during construction. Mitigation measures will be implemented to minimize impacts.

During operation, the primary impact to residences and occupied buildings will be increased traffic from the delivery trucks. Increased truck traffic to residences and occupied buildings is anticipated to be minimal as the proposed truck routes will avoid residential occupied roadways and route the trucks along roadways primarily used by commercial enterprises (Emma Jane Lane) as well as major state routes (SR-404) used by similar sized trucks.. Traffic assessments have occurred and did not result in the need for public roadway improvements. Traffic assessment information has been provided to the Delaware Department of Transportation (DelDOT).

Eastern Shore evaluated the potential contribution the facility will have to background noise. The results of the acoustical assessment indicate that the combined noise level attributable to operation of the Facility and the existing BRCS is expected to be lower than a day-night average sound level of 55 dBA at the nearby noise sensitive areas without the installation of noise mitigation measures.

Therefore, the character of the parcel and its surroundings will not significantly change if the Conditional Use is granted. Eastern Shore appreciates the zoning board's consideration in this matter.

Eastern Shore understands that the fee of \$500 for the Conditional Use application may be paid via credit card. Please contact Valerie Double at 412-808-1810 (or Valerie.Double@acom.com) for payment of this fee.

If you have any questions, please do not hesitate to contact me at 302-213-7270 (or mcparker@esng.com) or my Agent, Gregory Hufnagel at 610-234-0449 (or Gregory.Hufnagel@acom.com)

Sincerely,



Mark C. Parker, P.E.
Engineering Manager

Attachments:

- 1) Planning and Zoning Commission Application Form, including attachments
 - a. Mailing List Application Form
 - b. Project Contact List
- 2) Deeds
- 3) Eight (8) Copies of Site Plan

ORDINANCE NO. 536

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A PUBLIC UTILITY PUMPING (COMPRESSOR) AND REGULATOR STATION TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NORTHWEST FORK HUNDRED, SUSSEX COUNTY, CONTAINING 7.99 ACRES, MORE OR LESS

WHEREAS, on the 7th day of July, 1988 a conditional use application, denominated C/U #889, was filed on behalf of Chesapeake Utilities Corp.; and

WHEREAS, on the 8th day of September, 1988 a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that C/U #889 be approved ; and

WHEREAS, on the 27th day of September, 1988 a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County,

NOW, THEREFORE,

THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Ordinance No. 97, Article 3, Section 3, be amended by adding the designation of C/U #889 as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

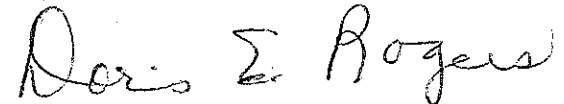
ALL that certain tract, piece or parcel of land, lying and being situate in Northwest Fork Hundred, Sussex County, Delaware and lying east of railroad right of way, ½ mile south of Route 584 and 300 feet north of Route 583 and being more particularly described as follows:

BEGINNING at an iron pipe on the easterly right of way of railroad, ½ mile south of Route 584; thence north 75° 17' 45"

east 726.00 feet along an old 12' right of way road to a concrete monument, a corner for these subject lands and lands now or formerly of George W. Willin; thence south 12° 17' 45" west 531.00 feet along said Willin lands to a concrete marker; thence south 77° 18' 13" west 774.50 feet continuing along said Willin lands and along an old fence line to a large cedar post on the easterly right of way of railroad; thence north 18° 15' 00" east 531.45 feet along the easterly right of way of railroad to the point and place of beginning and containing 7.99 acres, more or less.

This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 536 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 27TH DAY OF SEPTEMBER, 1988.



Doris E. Rogers
CLERK OF THE COUNTY COUNCIL

The findings of facts and the recommendations of the Planning and Zoning Commission are hereby incorporated into the record and the findings of facts of the Council. By adopting this Ordinance, it has been found that the change of zone is appropriate legislative action based upon the following findings of facts:

1. The proposed land use promotes health, safety, and morale of the present and future inhabitants of Sussex County in that a public utility pumping and regulator station is needed to boost pressure of a natural gas line. The station shall be placed a safe distance away from all other improvements, although no hazard is expected to the community.
2. The proposed land use promotes the convenience, order, prosperity, and welfare of the present and future inhabitants of Sussex County in that no adverse impact is anticipated on neighboring property values.
3. Congestion of roads or streets shall not be affected by the change of zone.
4. Protection and security from fire is provided by the Bridgeville Volunteer Fire Department, approximately one half mile.

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

TO: **Jamie Whitehouse**
REVIEWER: **Chris Calio**
DATE: **1/13/2022**
APPLICATION: **CU 2284 Eastern Shore Natural Gas**
APPLICANT: **Eastern Shore Natural Gas**
FILE NO: **WSP: 4.06**

RECEIVED
JAN 19 2022
SUSSEX COUNTY
PLANNING & ZONING

TAX MAP &
PARCEL(S): **131-10.00-99.00**

LOCATION: **17035 Black Cherry Drive, Bridgeville. The property being a landlocked parcel has access from Emma Jane Lane, approximately 0.33 mile south of E. Newton Road (SCR 584).**

NO. OF UNITS: **Expansion of CU 889 for Public Utilities or Public Services Uses.**

GROSS
ACREAGE: **27.98**

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

SEWER:

- (1). Is the project in a County operated and maintained sanitary sewer and/or water district?
Yes No
 - a. If yes, see question (2).
 - b. If no, see question (7).
- (2). Which County Tier Area is project in? **Tier 2**
- (3). Is wastewater capacity available for the project? **Yes** If not, what capacity is available? **N/A.**
- (4). Is a Construction Agreement required? **Yes** If yes, contact Utility Engineering at (302) 855-7717.
- (5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **N/A.** Is it likely that additional SCCs will be required? **Yes**

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

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **Yes**
- Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **Yes**
- (8). Comments: **The proposed Conditional Use is in a Tier 2 Area for sanitary sewer service.**
- (9). Is a Sewer System Concept Evaluation required? **Yes, Contact Utility Planning at 302-855-7370 to apply**
- (10). Is a Use of Existing Infrastructure Agreement Required? **Yes**
- (11). **All residential roads must meet or exceed Sussex County minimum design standards.**

UTILITY PLANNING & DESIGN REVIEW APPROVAL:



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

Xc: Hans M. Medlarz, P.E.
Lisa Walls
Nicole Messeck

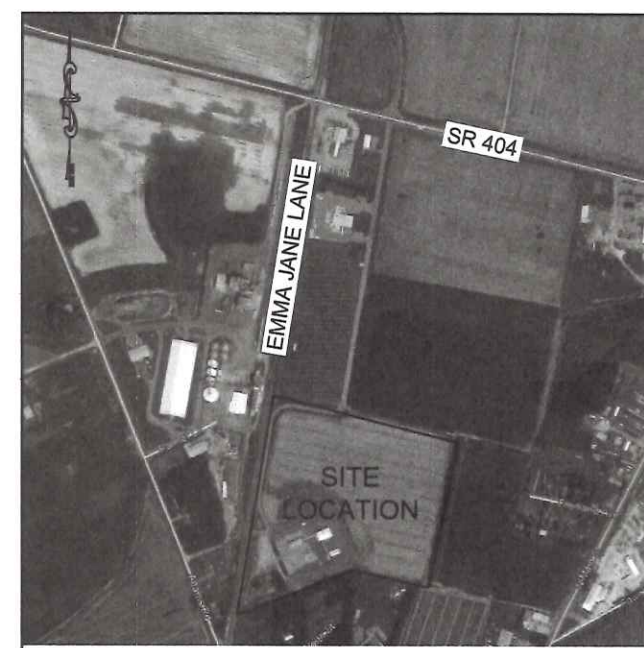
Policy for Extending District Boundaries

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

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

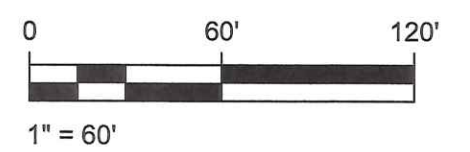
4. The Sussex County Engineering Department shall present, for Sussex County Council's consideration, posting of notices for the proposed extension of the district boundaries.
5. The Sussex County Council approves posting notices for the proposed extension of the boundaries. (If approval to post the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

LOCATION MAP



Google Earth Not To Scale

SCALE



Mark C. Parker
 MARK C. PARKER, P.E.
 ENGINEERING MANAGER
 EASTERN SHORE NATURAL GAS/OWNER

Andrew C. Putnam
 ANDREW C. PUTNAM P.L.S.
 DELAWARE LIC. NO. 696

ISSUE/REVISION

NO.	DATE	DESCRIPTION

KEY PLAN

NO.	DATE	DESCRIPTION

PROJECT NUMBER
 60645227

SHEET TITLE

PROPERTY SITE PLAN

SHEET NUMBER

VO-1

SURVEY NOTES

- THIS PLAN IS A SITE PLAN SHOWING EXISTING AND PROPOSED FEATURES TO PROVIDE INFORMATION FOR CONDITIONAL USE APPROVAL.
- THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF A TITLE REPORT AND THERE MAY BE EASEMENTS OR CONDITIONS AFFECTING TITLE THAT ARE NOT SHOWN ON THIS PLAN BUT WOULD BE SHOWN WITH INFORMATION FROM A VALID TITLE REPORT.
- EXISTING CONDITIONS SHOWN ON THIS ARE FROM FIELD SURVEY IN MARCH 2021. THE UTILITIES SHOWN ON THIS PLAN ARE TAKEN FROM A FIELD SURVEY BY AECOM IN JUNE OF 2020 AND THE UTILITY FEATURES SHOWN ARE ON THE SURFACE AND WHAT WAS VISIBLE FROM THE SURFACE ONLY. AS SUCH AECOM CANNOT GUARANTEE THE LOCATION AND DEPTH OF UNDERGROUND UTILITIES OR STRUCTURES. A DELAWARE ONE CALL MUST BE DONE PRIOR TO ANY EXCAVATION OR SITE WORK.
- DUE TO THE SITE CONDITIONS AND USE OF THE SUBJECT PREMISES SOME FEATURES MAY NOT BE LOCATED OR SHOWN HEREON.
- THE FIELD SURVEY IS BASED ON THE DELAWARE STATE PLANE COORDINATE SYSTEM, NAD83, ELEVATIONS SHOWN ON THIS PLAN ARE BASED ON NAVD88.
- THE ORIGINAL OF THIS DRAWING IS THE PROPERTY OF AECOM. UNAUTHORIZED ALTERATIONS, OR ADDITIONS, TO THIS PLAN BEARING THE LICENSED PROFESSIONAL'S SEAL IS ILLEGAL.
- NO WETLANDS WERE DELINEATED ON THIS PROPERTY.
- THIS PLAN IS ONLY VALID WHEN THE PROFESSIONAL'S SIGNATURE AND SEAL IS SHOWN.

GENERAL NOTES

- THE PURPOSE OF THIS PLAN IS TO PRESENT EXISTING CONDITIONS AND PROPOSED IMPROVEMENT TO TAX PARCEL NUMBER 131-10.00-99.00 IN CONFORMANCE WITH THE SUSSEX COUNTY CONDITIONAL USE REQUEST FOR ZONE AGRICULTURAL/RESIDENTIAL 1 (AR-1) TO ALLOW FOR PUBLIC UTILITIES OR PUBLIC SERVICES USE. THIS PROPERTY WILL BE USED FOR UTILITIES WITH ONLY OCCASIONAL EMPLOYEE VISITATION.
- THIS PROJECT IS NOT LOCATED WITHIN THE 100 YEAR FEMA FLOOD PLAIN, AS SHOWN ON FEMA FIRM MAP PANEL #100050015K REVISED MARCH 16, 2015. A FLOOD STUDY AND/OR FLOODPLAIN DELINEATION IS NOT REQUIRED.
- NO DEBRIS SHALL BE BURIED ONSITE.
- STORMWATER MANAGEMENT, DRAINAGE AND SEDIMENT AND EROSION CONTROL SHALL BE IN COMPLIANCE WITH THE DELAWARE SEDIMENT & STORMWATER REGULATIONS, THE SUSSEX COUNTY CODE AND POND CODE 378.
- THIS PLAN DOES NOT INTEND TO CREATE ANY PUBLIC RIGHTS-OF-WAY.
- THIS PLAN DOES NOT INTEND TO MODIFY THE EXISTING WATER SUPPLY.
- THIS PLAN DOES NOT INTEND TO MODIFY THE EXISTING SEWER.
- THIS PROJECT DOES NOT PROPOSE ANY DISTURBANCE WITHIN JURISDICTIONAL WETLANDS OR WATERWAYS. ON NOVEMBER 18, 2020, AECOM CONDUCTED A WETLAND AND WATERCOURSE DELINEATION OF THE SITE, NO WETLANDS OR WATERBODIES WERE IDENTIFIED DURING THE SURVEY.
- ON AUGUST 13, 2015 SUSSEX COUNTY PLANNING COMMISSION APPROVED THE ABILITY TO EXPAND CONDITIONAL USE (CU, 888) FROM THE AREA ORIGINALLY APPROVED ON SEPTEMBER 8, 1988.
- ALL FIRE LANES, FIRE HYDRANTS AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS.

ZONING

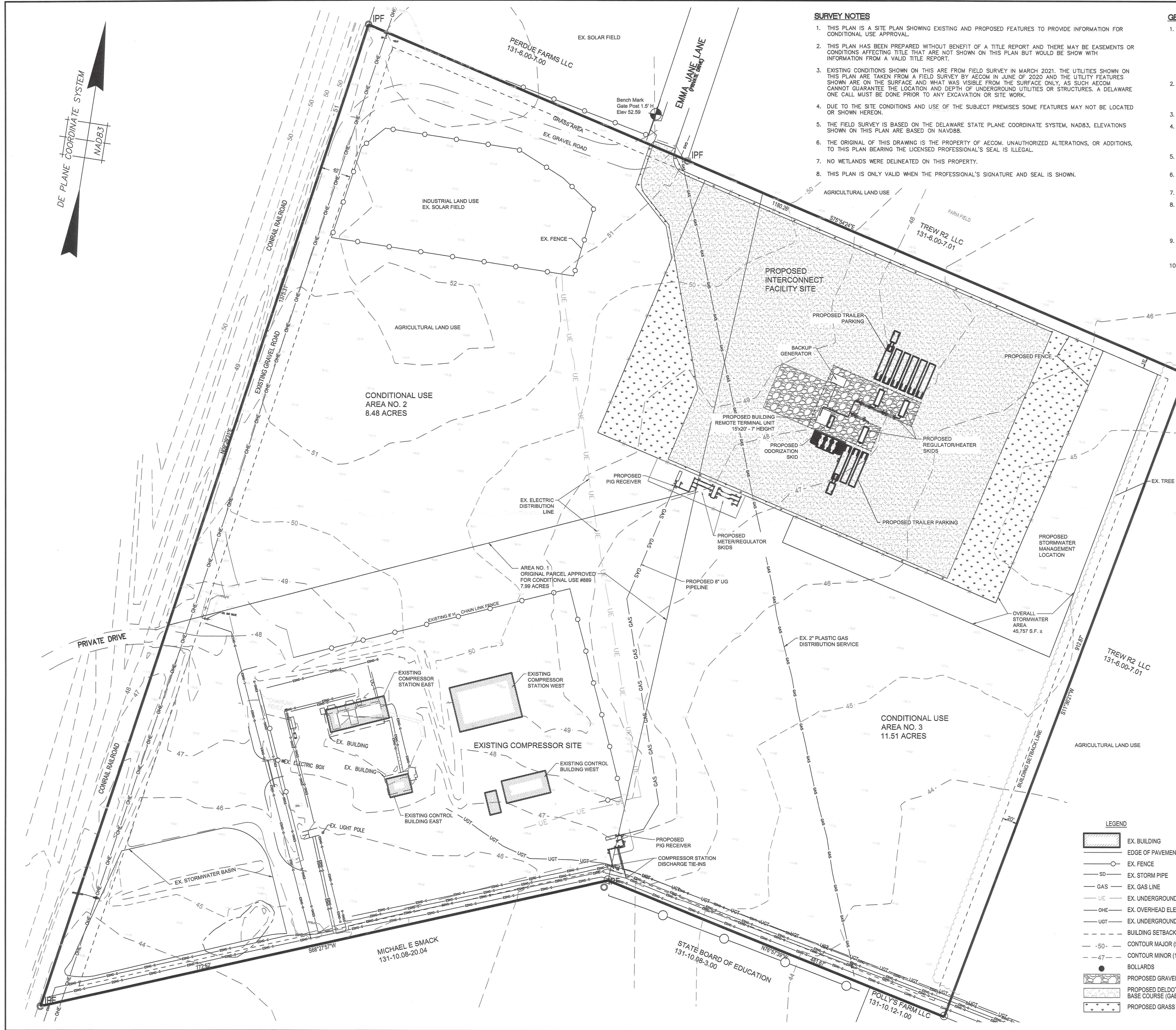
- PROPERTY ZONED AR-1 (AGRICULTURAL/RESIDENTIAL)
 BULK REQUIREMENTS
 1. MIN. LOT AREA = 20,000 S.F.
 2. MAX. BLDG HT. = 42'
 3. MIN. LOT WIDTH = 100'
 4. MIN. LOT DEPTH = 100'
 5. MIN. FRONT YARD = 40'
 6. MIN. SIDE YARD = 15'
 7. MIN. REAR YARD = 20'

SITE DATA

- SITE ADDRESS: 17035 BLACK CHERRY DRIVE BRIDGEVILLE DE 19933
- OWNER: EASTERN SHORE NATURAL GAS 500 ENERGY LANE, SUITE 200 DOVER DE 19901 P: (302) 213-7270 F: (302) 450-1616
- TAX PARCEL: 131-10.00-99.00
- PARCEL AREA: 27,983 ACRES
 EXISTING NO. 1: 7.99 ACRES
 PROPOSED NO. 2: 8.48 ACRES
 PROPOSED NO. 3: 11.51 ACRES
- DATE OF SURVEY: MARCH 2021
- NO WETLANDS ON SITE
- SITE NOT WITHIN 100 YEAR FLOODPLAIN
- WATER: NONE PROPOSED
- SEWER: NONE PROPOSED
- PROJECT BENCHMARK: GATE POST 1.5' H
 BM: N:275437.27 E:603403.51 ELEV:52.59
- TOTAL AREA TO BE DISTURBED: 11.11 ACRES
- CONDITIONAL USE AREA REQUESTED: 19.99 ACRES
- EXISTING BUILDING AREA: 9,784 S.F.
- EXISTING LOADING SPACES: 1
- PROPOSED LOADING SPACES: 9
- EXISTING PARKING SPACES: 0
- PROPOSED PARKING SPACES: 36 S.F.
- PROPOSED BUILDING AREA: 36 S.F.
- PROPOSED BUILDING HEIGHT: 7'

LEGEND

	EX. BUILDING		PROPERTY LINE
	EDGE OF PAVEMENT		SITE BENCHMARK
	EX. FENCE		CATCH BASIN (RECTANGLE)
	EX. STORM PIPE		SANITARY MANHOLE
	EX. GAS LINE		ELECTRIC BOX
	EX. UNDERGROUND ELECTRIC		SIGN (SINGLE POST)
	EX. OVERHEAD ELECTRIC		LIGHT POLE
	EX. UNDERGROUND TELECOMMUNICATION		SPOT ELEVATION
	BUILDING SETBACK LINE		PROPOSED FENCE
	CONTOUR MAJOR (5' INTERVAL)		EX. TREELINE
	CONTOUR MINOR (1' INTERVAL)		
	BOLLARDS		
	PROPOSED GRAVEL AREA		
	PROPOSED DELDOT GRADED AGGREGATE BASE COURSE (GABC)		
	PROPOSED GRASS AREA		



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



Sussex County

DELAWARE
sussexcountyde.gov

PLEASE NOTE

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



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

PLANNING & ZONING COMMISSION

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



Sussex County

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

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: February 10th, 2022

Application: CU 2285 (Tourist Home)

Applicant: Ashley DiMichele
26182 Cave Neck Road
Milton, DE 19968

Owner: Ashley & Patrick DiMichele
26182 Cave Neck Road
Milton, DE 19968

Site Location: South side of Cave Neck Road at 26182 Cave Neck Road, Milton

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

Proposed Use: Tourist Home

Comprehensive Land
Use Plan Reference: Developing Area, portion being Town Center

Councilmanic
District: Mr. Schaeffer

School District: Cape Henlopen School District

Fire District: Milton Fire Department

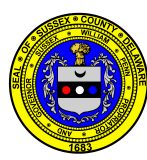
Sewer: On-site septic system

Water: Private on-site well

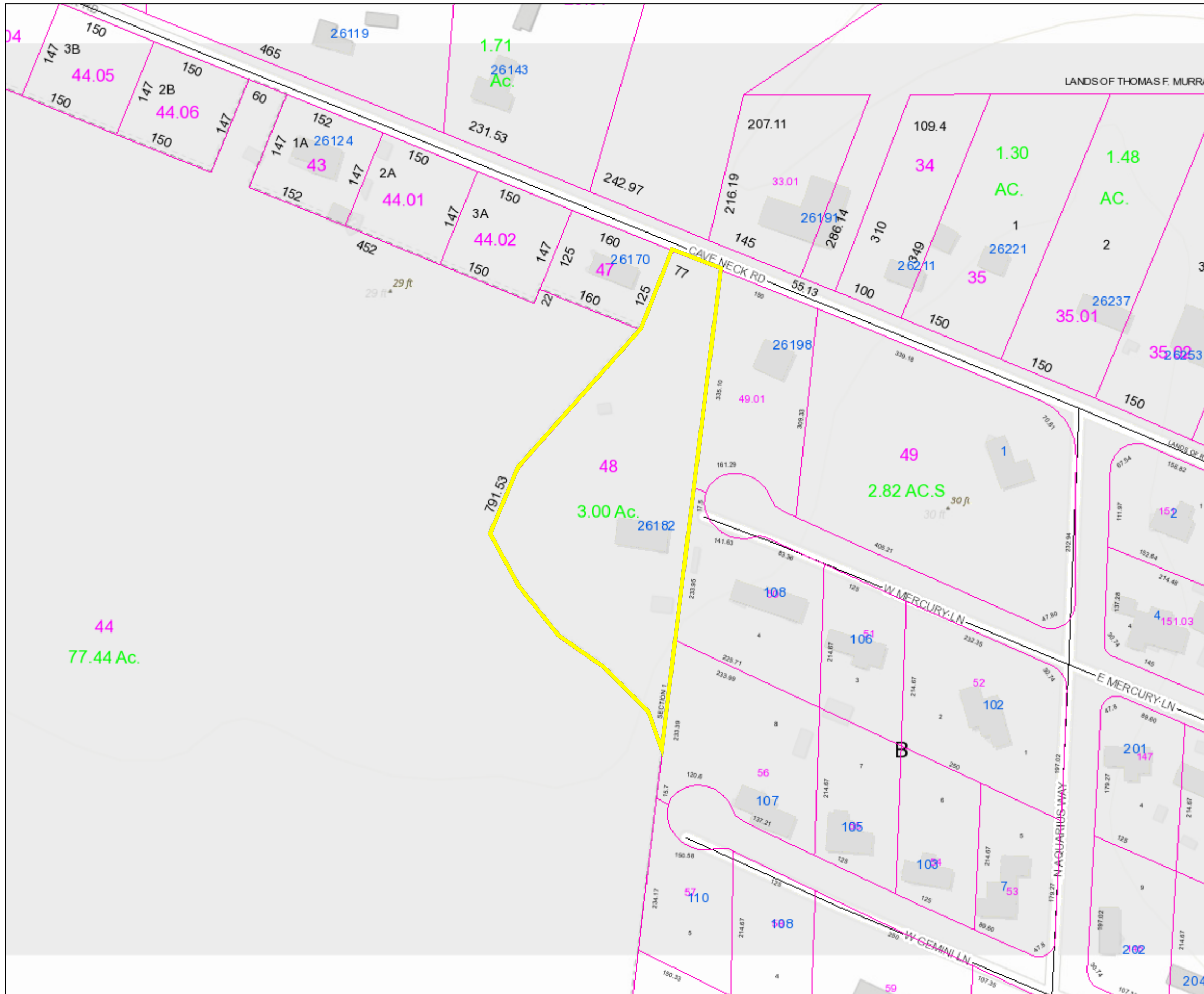
Site Area: 2.831 acres +/-

Tax Map ID.: 235-21.00-48.00





Sussex County



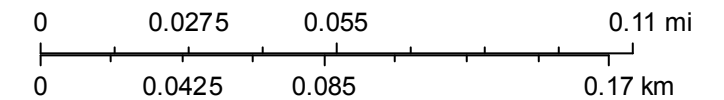
PIN:	235-21.00-48.00
Owner Name	MARKHAM-DIMICHELE ASHLEY E
Book	4389
Mailing Address	26182 CAVE NECK ROAD
City	MILTON
State	DE
Description	S/RT 88 FR
Description 2	OVERBROOK TO MILTON
Description 3	N/A
Land Code	

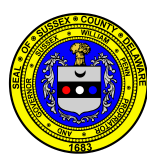
- polygonLayer**

 - Override 1
- polygonLayer**

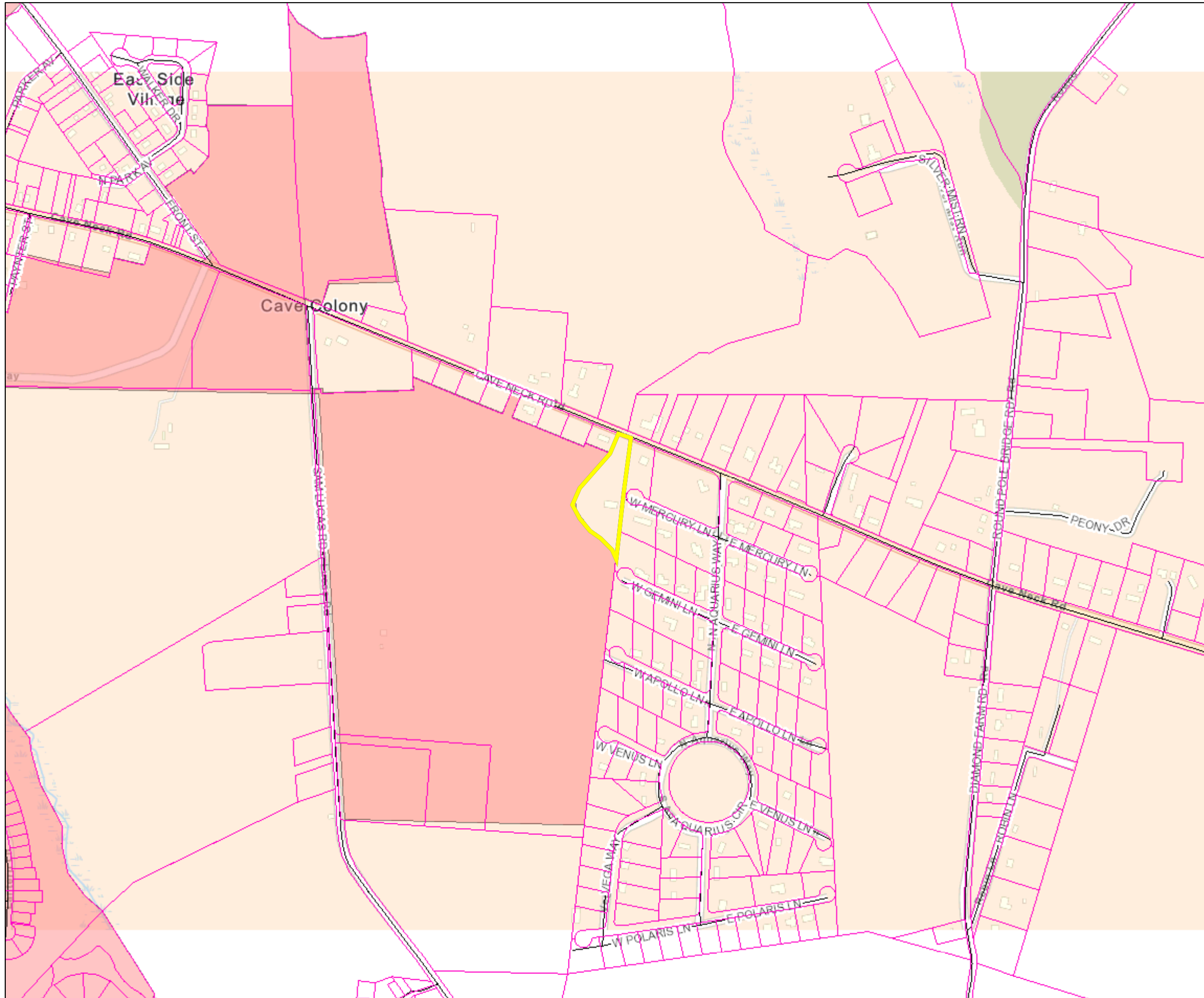
 - Override 1
- ⋯ Tax Parcels
- 911 Address
- Streets

1:2,257





Sussex County



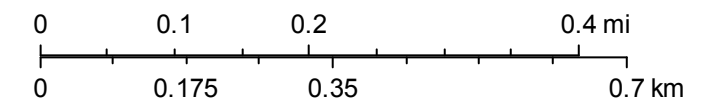
PIN:	235-21.00-48.00
Owner Name	MARKHAM-DIMICHELE ASHLEY E
Book	4389
Mailing Address	26182 CAVE NECK ROAD
City	MILTON
State	DE
Description	S/RT 88 FR
Description 2	OVERBROOK TO MILTON
Description 3	
Land Code	

- polygonLayer**

 - Override 1
- polygonLayer**

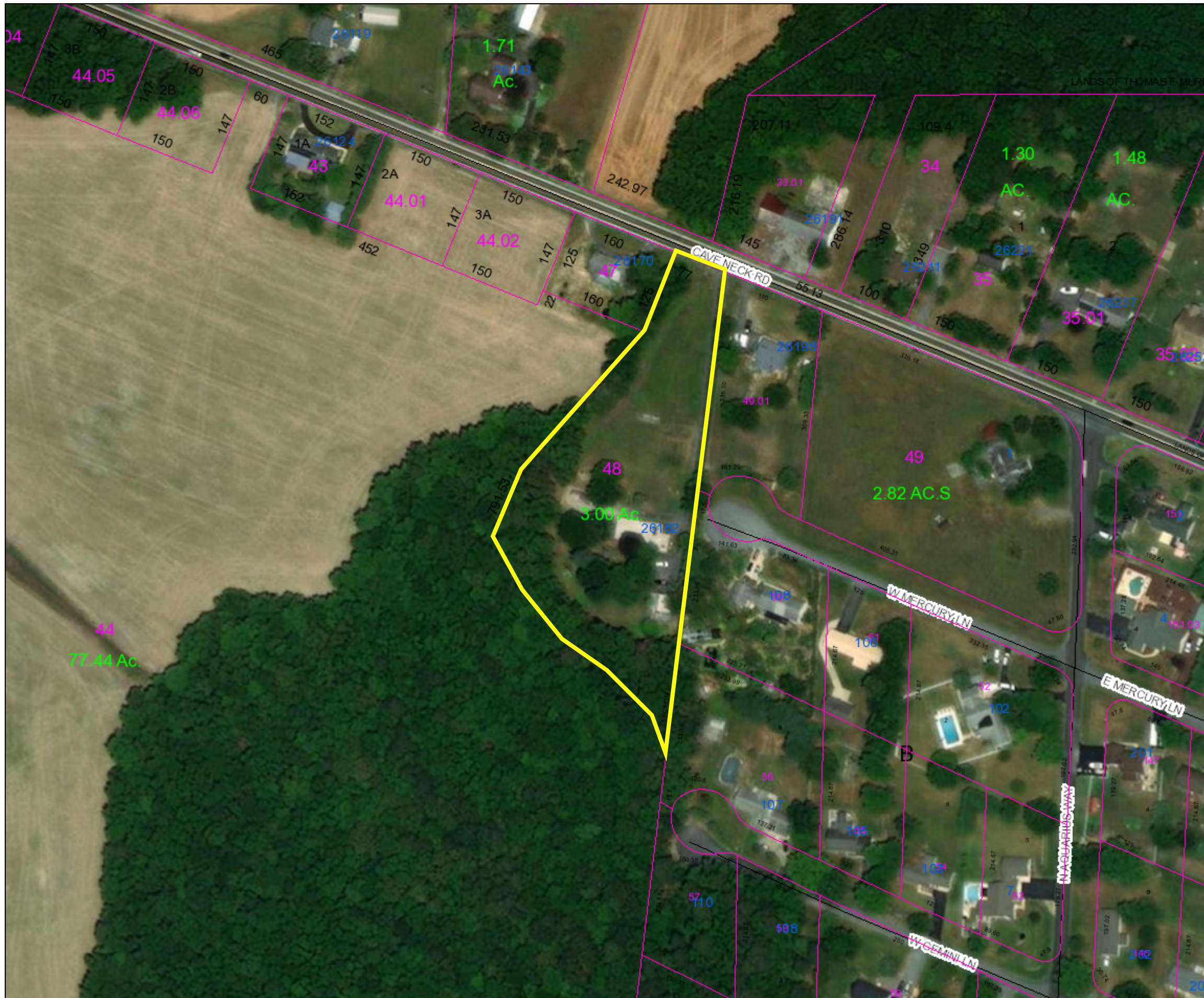
 - Override 1
- Tax Parcels
- Streets
- County Boundaries
- Municipal Boundaries

1:9,028





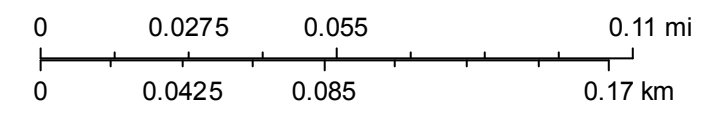
Sussex County



PIN:	235-21.00-48.00
Owner Name	MARKHAM-DIMICHELE ASHLEY E
Book	4389
Mailing Address	26182 CAVE NECK ROAD
City	MILTON
State	DE
Description	S/RT 88 FR
Description 2	OVERBROOK TO MILTON
Description 3	N/A
Land Code	

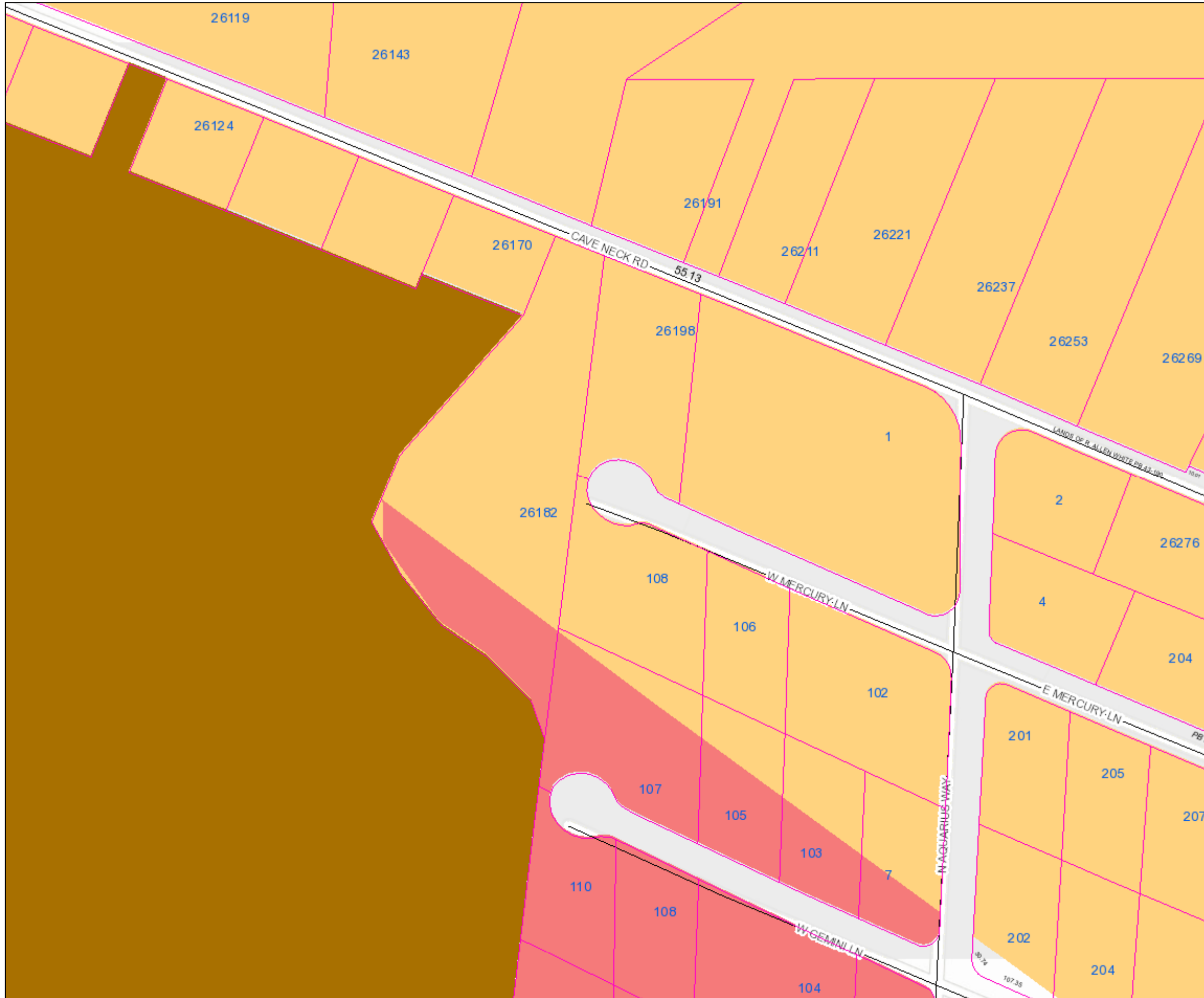
- polygonLayer**
Override 1
- polygonLayer**
Override 1
- Tax Parcels**
- 911 Address**
- Streets**

1:2,257





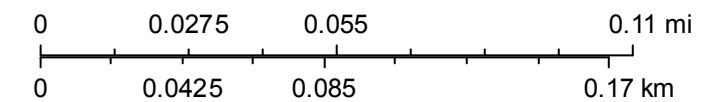
Sussex County



PIN:	235-25.00-52.01	
Owner Name	ANDERSON	DEBRA KAY WILLEY
Book	4080	
Mailing Address	17247 HARBESON RD	
City	MILTON	
State	DE	
Description	NE/RT 5	
Description 2	580' NW/RD 255	
Description 3	PARCEL A	
Land Code		

- Tax Parcels
- 911 Address
- Streets

1:2,257



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: Chase Phillips, Planner II
CC: Vince Robertson, Assistant County Attorney and Applicant
Date: February 3rd, 2022
RE: Staff Analysis for CU 2285 (Ashley DiMichele)

This memo provides background and an analysis for the Planning Commission to consider as a part of Conditional Use No. 2285 to be reviewed during the February 3rd, 2022, Planning Commission Meeting. This analysis should be a part of the record, and it is subject to the comments presented during the public hearing.

The request is for a Conditional Use of land for a tourist home to be located on Tax Parcel: 235-21.00-48.00. The parcel is on the southwest side of Cave Neck Road (S.C.R. 88), approximately 0.43 of a mile west of Diamond Farm Road (S.C.R. 257). The property is 2.831 acres +/-.

Comprehensive Plan Analysis

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) includes a Future Land Use Map that helps determine how land uses should change over time. The Future Land Use Map in the plan indicates that the subject property is split between the “Developing Area” and “Town Center” designations. A map is attached that shows the extent of this split designation.

Developing Areas are emerging growth areas that demonstrate characteristics of developmental pressures. A range of housing types, including single family, townhomes, and multi-family units, could be desirable in the Developing Area. Development in this designation could be best suited in areas with good road access. Appropriate mixed-use developments should be considered as well. This classification supports the base residential density of two (2) units to the acre, and medium densities (4 – 12 units) may be appropriate in select locations.

The Town Center designation includes areas of county jurisdiction that surround municipalities. The Town Center designation acknowledges that commercial uses should serve the daily needs of residents, workers, and visitors. Smaller scale and lower impact uses may be appropriate, but larger uses such as industrial uses are proposed to be directed to Industrial Areas. Medium to high density residential development is encouraged. This ranges from 4 to 12 units per acre. Development within Town Centers are strongly encouraged to be served by central water and sewer facilities. As mentioned above, a map is published in the packet that shows the extent of the two Future Land Use Map is attached in the published packet.

Zoning

The subject property is within the Agricultural Residential (AR-1) Zoning District. All properties to the north, south, east, and west are also within the AR-1 Zoning District. The AR-1 Zoning District is established to provide opportunity for a full range of agricultural uses and to protect agricultural lands and the county’s most valuable natural resources. This district is also intended to



protect watersheds, waterways, forests, and scenic values as it accommodates lower density single family housing that is often classified as single family. The AR-1 Zoning District seeks to prevent untimely scattering of more urban uses which are encouraged to be in places planned for the provision of public services and utilities.

There have been no other approved Conditional Use within a one-mile radius within the past 20 years.

Based on the analysis provided, a Conditional Use for a tourist home could be considered as consistent with the surrounding land uses and zoning regulations given plans of scale and impact.

File #: CU 2285
202107892

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

26182 Cave Neck Road, Milton DE 19968

Type of Conditional Use Requested:

Tourist Home

Tax Map #: 235-21.00-48.00

Size of Parcel(s): 3 acres

Current Zoning: AR1

Proposed Zoning: _____

Size of Building: _____

Land Use Classification: Developing Area - Residential

Water Provider: Well

Sewer Provider: Septic

Applicant Information

Applicant Name: Ashley DiMichele

Applicant Address: 26182 Cave Neck Road

City: Milton

State: DE

Zip Code: 19968

Phone #: (302) 753-6859

E-mail: ashleydimichele@gmail.com

Owner Information

Owner Name: Patrick & Ashley DiMichele

Owner Address: 26182 Cave Neck Road

City: Milton

State: DE

Zip Code: 19968

Phone #: (302) 753-6859

E-mail: ashleydimichele@gmail.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: N/A

Agent/Attorney/Engineer Address: _____

City: _____

State: _____

Zip Code: _____

Phone #: _____

E-mail: _____



Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

Completed Application

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

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

Provide Fee \$500.00

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

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

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

Signature of Applicant/Agent/Attorney

Ashley D. Nichols

Date: 05/21/2021

Signature of Owner

Ashley D. Nichols

Date: 05/21/2021

For office use only:

Date Submitted: 05/24/2021

Fee: \$500.00 Check #: _____

Staff accepting application: chase P

Application & Case #: _____

Location of property: 24182 cave neck rd.

Milton, DE 19968

Subdivision: _____

Date of PC Hearing: _____

Recommendation of PC Commission: _____

Date of CC Hearing: _____

Decision of CC: _____

12940

BK: 4389 PG: 245

TAX MAP AND PARCEL #:
2-35-21.00-48.00
PREPARED BY & RETURN TO:
Bonnie M. Benson, P.A.
33718B Wescoats Road
Lewes, DE 19958
File No. 14-1780/JS

THIS DEED, made this 18 day of April, 2015,

- BETWEEN -

JONATHAN PATRICK RAMBEAU AND LEE ANNE RAMBEAU, TRUSTEES OF THE RAMBEAU FAMILY TRUST, A REVOCABLE TRUST DATED NOVEMBER 25, 2008, of 8675 Farthington Way, Orlando, FL 32827, parties of the first part,

- AND -

ASHLEY E. MARKHAM-DIMICHELE and PATRICK D. DIMICHELE, of 26182 Cave Neck Road, Milton, DE 19968, parties of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of **Two Hundred Twenty-Four Thousand and 00/100 Dollars (\$224,000.00)**, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the parties of the second part, as Tenants by the Entirety, 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 parcel of land situate in the Broadkill Hundred, Sussex County, Delaware being on the southerly side of Cave Neck Road, also known as County Road 88, 60 foot wide right-of-way and being more particularly described as follows:

COMMENCING at the intersection of the centerline of Sam Lucas Road, also known as Martin Swamp Road, with the southerly right-of-way of Cave Neck Road, also known as County Road 88, a 60 foot wide right-of-way, thence along the southerly right-of-way of said Cave Neck

AMB

JS

BK: 4389 PG: 246

Road, also known as County Road 88, the following course and distance; Southeasterly, 1950 feet, plus or minus to the point of beginning.

BEGINNING at an iron pipe found on the southerly right-of-way of Cave Neck Road, also known as County Road 88, a 60 foot wide right-of-way, said point being the northeasterly corner of lands now or formerly belonging to Norman R. Lester and Ilene J. Lester and filed for record at the Sussex County Recorder of Deeds Office in Deed Book Volume 3137 page 235. Thence, along the southerly right-of-way of said Cave Neck Road, also known as County Road 88, the following course and distance; South $68^{\circ} 03' 57''$ East 83.98 feet to a point being South $08^{\circ} 32' 31''$ West 6.31 feet from an iron pipe found. Thence, leaving said lands and binding on the lands now or formerly belonging to Georganna L. Ziegler and filed for record in the Sussex County Recorder of Deeds in Deed Book Volume 2606, page 29, the following course and distance; South $08^{\circ} 32' 31''$ West 329.12 feet to an iron pipe found. Thence, leaving said lands and binding on the lands now or formerly belonging to Timothy D. Stuchlik and filed for record in the Sussex County Recorder of Deeds in Deed Book Volume 1784, page 337, and on a portion of the lands now or formerly belonging to Priscilla Lane and filed for record in the Sussex County Recorder of Deeds in Deed Book Volume 2249, page 312, the following course and distance; South $08^{\circ} 21' 15''$ West 368.95 feet to a disturbed rebar and cap found in the centerline of a ditch. Thence, leaving said lands and binding on a portion of the lands now or formerly belonging to Key Ventures, LLC and filed for record in the Sussex County Recorder of Deeds in Deed Book Volume 3583 page 179 and Plot Book 120 page 168, the following seven (7) courses and distances; 1) North $19^{\circ} 41' 44''$ West 60.09 feet to a point; thence 2) North $45^{\circ} 19' 05''$ West 94.04 feet to a point; thence 3) North $55^{\circ} 35' 46''$ West 78.90 feet to a point; thence 4) North $38^{\circ} 57' 27''$ West 92.42 feet to a point; thence 5) North $29^{\circ} 26' 01''$ West 89.34 feet to a point; thence 6) North $22^{\circ} 50' 26''$ East 105.91 feet to a point; thence 7) North $45^{\circ} 18' 54''$ East 271.14 feet to a rebar and cap found. Thence, leaving said lands and binding on the lands of aforesaid Lester, the following course and distance; North $21^{\circ} 03' 57''$ East 125.00 feet to the point of beginning. Containing 2.831 acres of land, more or less, as surveyed by Donald G. Grower, PLS, Inc., in January 2015 as Job No. 1066-2014.

BEING the same lands conveyed to Jonathan Patrick Rambeau and Lee Anne Rambeau, Trustees of The Rambeau Family Trust, a Revocable Trust dated November 25, 2008, by deed from Jonathon P. Rambeau dated January 23, 2009 and recorded February 18, 2009 in the Office of the Recorder of Deeds in and for Sussex County, Delaware in Deed Book 3656, Page 26.

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.

BK: 4389 PG: 247

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the presence of:

Sudesh Singh

Jonathan Patrick Rambeau (SEAL)
Jonathan Patrick Rambeau, Trustee

Sans Sudesh Singh

Lee Anne Rambeau (SEAL)
Lee Anne Rambeau, Trustee

STATE OF Florida, COUNTY OF Orange to-wit

BE IT REMEMBERED, that on April 18, 2015, personally came before me, the subscriber, Jonathan Patrick Rambeau and Lee Anne Rambeau, Trustees of The Rambeau Family Trust, a Revocable Trust dated November 25, 2008, parties of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

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

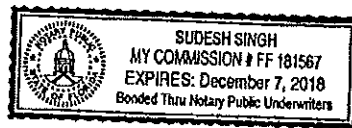
Recorder of Deeds
Scott Dailey
Apr 29, 2015 02:39P
Sussex County
Doc. Surcharge Paid

Sudesh Singh
Notary Public

My Commission Expires: Dec 7, 2018

RECEIVED

APR 29 2015
ASSESSMENT DIVISION
OF SUSSEX COUNTY



Consideration: 224,000.00

County	3,360.00
State	3,360.00
Town Total	6,720.00
Received: Madilyn R	Apr 29, 2015



STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
800 BAY ROAD
P.O. BOX 77B
DOVER, DELAWARE 19903

NICOLE MAJESKI
SECRETARY

April 20, 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 **Ashley DiMichele** proposed land use application, which we received on April 14, 2021. This application is for an approximately 3.00-acre parcel (Tax Parcels: 235-21.00-48.00). The subject land is located on the south side of Cave Neck Road (Sussex Road 88) about 600 ft west of the intersection with N. Aquarius Way. The subject land is currently zoned AR-1 (Agriculture Residential) and the applicant seeks a conditional use approval for a tourist home.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along Cave Neck Road from Hudson Road (Sussex Road 258) to Paynter Street is 4,406 vehicles per day.

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

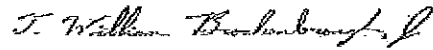
If the County approves this application, the applicant should be reminded that DelDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.



Mr. Jamie Whitehouse
Page 2 of 2
April 20, 2021

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

Sincerely,

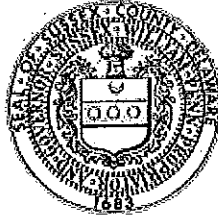


T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:aff

cc: Ashley DiMichele, Applicant
Russell Warrington, Sussex County Planning & Zoning
Constance C. Holland, 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 Furrato, 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 DeDOT prior to the applicant being able to submit an application to the Planning and Zoning Office.

Date: 04/14/21

Site Information:

Site Address/Location: 26182 Cave Neck Road, Milton DE 19968

Tax Parcel Number: 235-21.00-48.00

Current Zoning: AR-1

Proposed Zoning: None

Land Use Classification: Existing Development Area + Tourist Home

Proposed Use(s):

Tourist Home

Square footage of any proposed buildings or number of units: 210 ft / 1 unit

Applicant Information:

Applicant's Name: Ashley DiMichele

Applicant's Address: 26182 Cave Neck Road

City: Milton State: DE Zip Code: 19968

Applicant's Phone Number: 302.753.6859

Applicant's e-mail address: ashleydimichele@gmail.com



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

TO: **Jamie Whitehouse**
REVIEWER: **Chris Calio**
DATE: **1/14/2022**
APPLICATION: **CU 2285 (Tourist Home)**
APPLICANT: **Ashley Di Michele**
FILE NO: **NCPA-5.03**

RECEIVED

JAN 19 2022

SUSSEX COUNTY
PLANNING & ZONING

TAX MAP &
PARCEL(S): **235-21.00-48.00**

LOCATION: **Lying on the south side of Cave Neck Road at 26182 Cave Neck Road, Milton**

NO. OF UNITS: **Tourist Home**

GROSS
ACREAGE: **2.831**

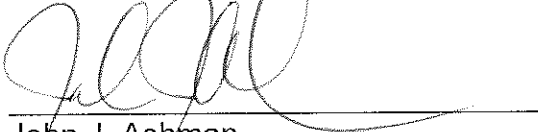
SYSTEM DESIGN ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: **2**

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? **Municipal Growth & annexation Area**
- (3). Is wastewater capacity available for the project? **N/A** If not, what capacity is available? **N/A**.
- (4). Is a Construction Agreement required? **No** If yes, contact Utility Engineering at (302) 855-7717.
- (5). Are there any System Connection Charge (SCC) credits for the project? **N/A** If yes, how many? **N/A**. Is it likely that additional SCCs will be required? **N/A** If yes, the current System Connection Charge Rate is **Unified \$6,600.00** per EDU. Please contact **N/A** at **302-855-7719** for additional information on charges.

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **N/A**
- Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **N/A**
- (8). Comments: **The proposed Conditional Use is within the boundaries of the Town of Milton's Growth and Annexation Area. Contact the Town of Milton concerning the availability of sanitary sewer and water service.**
- (9). Is a Sewer System Concept Evaluation required? **Not at this time**
- (10). Is a Use of Existing Infrastructure Agreement Required? **Not at this time**
- (11). **All residential roads must meet or exceed Sussex County minimum design standards.**

UTILITY PLANNING & DESIGN REVIEW APPROVAL:



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

Xc: Hans M. Medlarz, P.E.
Lisa Walls
No Permit Tech Assigned

TAX PARCEL:
235-21.00-48.00

ADDRESS:
26182 CAVE NECK RD
MILTON, DE 19968

AREA:
2.831 ACRES

DEED REFERENCE:
DEED BOOK 3656 PAGE 26

CURRENT OWNER:
JONATHAN P. RAMBEAU, TRUSTEE
LEE ANNE RAMBEAU, TRUSTEE

SURVEY CLASS:
THIS SURVEY MEETS OR EXCEEDS THE
REQUIREMENTS FOR A RURAL SURVEY.

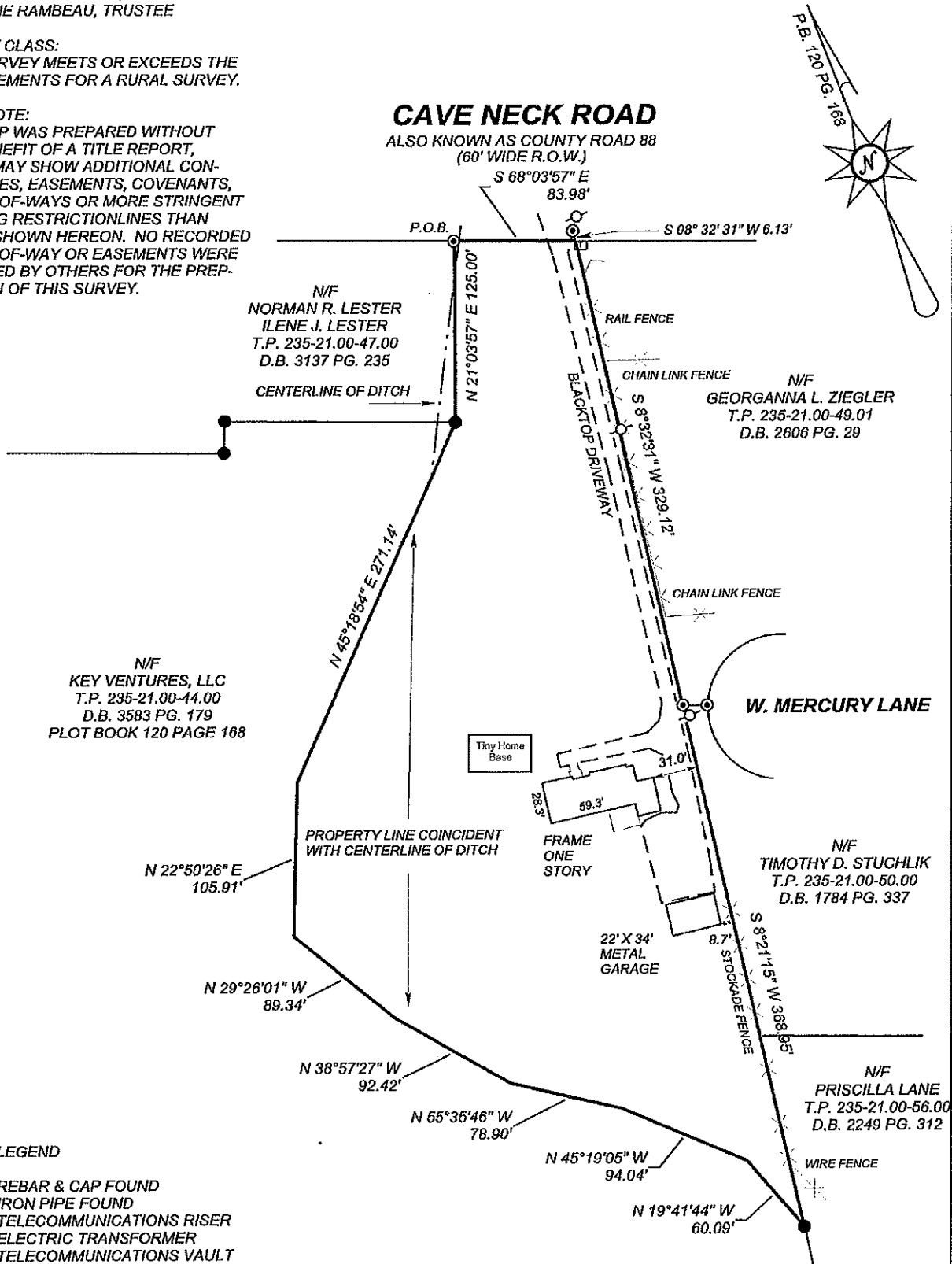
TITLE NOTE:
THIS MAP WAS PREPARED WITHOUT
THE BENEFIT OF A TITLE REPORT,
WHICH MAY SHOW ADDITIONAL
CONVEYANCES, EASEMENTS, COVENANTS,
RIGHTS-OF-WAYS OR MORE STRINGENT
BUILDING RESTRICTIONS THAN
THOSE SHOWN HEREON. NO RECORDED
RIGHTS-OF-WAY OR EASEMENTS WERE
PROVIDED BY OTHERS FOR THE PREP-
ARATION OF THIS SURVEY.

... FROM THE P.O.B. TO THE P.O.B., PASSING THE
INTERSECTION OF THE CENTERLINE OF LUCAS ROAD,
A.K.A. MARTIN SWAMP ROAD, C.R. 256 (60' WIDE R.O.W.)
(60' R.O.W.), THENCE ALONG THE SOUTHERLY R.O.W. OF CAVE NECK ROAD, C.R. 88
(60' R.O.W.), THENCE ALONG THE SOUTHERLY R.O.W. OF CAVE
NECK ROAD THE FOLLOWING COURSE AND DISTANCE:

1. SOUTHEASTERLY 1950', +/- TO THE POINT OF BEGINNING.

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF,
THAT THE SURVEY SHOWN HEREON IS CORRECT. THAT IT IS A SURVEY
OF ALL THE LANDS CONVEYED BY JONATHAN P. RAMBEAU TO JONATHAN
PATRICK RAMBEAU AND LEE ANNE RAMBEAU, TRUSTEES BY DEED RECORDED
FEBRUARY 18, 2009 AMONG THE LANDRECORDS OF SUSSEX COUNTY,
DELAWARE IN DEED BOOK 3656 PAGE 26.



LEGEND

- REBAR & CAP FOUND
- ⊙ IRON PIPE FOUND
- ⊠ TELECOMMUNICATIONS RISER
- ELECTRIC TRANSFORMER
- ⊞ TELECOMMUNICATIONS VAULT

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



Sussex County

DELAWARE
sussexcountyde.gov

PLEASE NOTE

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



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

PLANNING & ZONING COMMISSION

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



Sussex County

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

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: February 10th, 2022

Application: CU 2305 Barnhill Preserve of Delaware, LLC

Applicant: Barnhill Preserve of Delaware, LLC
34215 Peppers Corner Road
Frankford, DE 19945

Owner: Joshua E. Mueller
34215 Peppers Corner Road
Frankford, DE 19945

Site Location: Lying on the north east side of Peppers Corner Road (S.C.R.365)
approximately 350-feet southeast of Beaver Dam Road (S.C.R. 368)

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

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

Comprehensive Land
Use Plan Reference: Coastal Area

Councilmanic
District: Mr. Rieley

School District: Indian River School District

Fire District: Millville Fire Department

Sewer: On-site septic

Water: On-site well

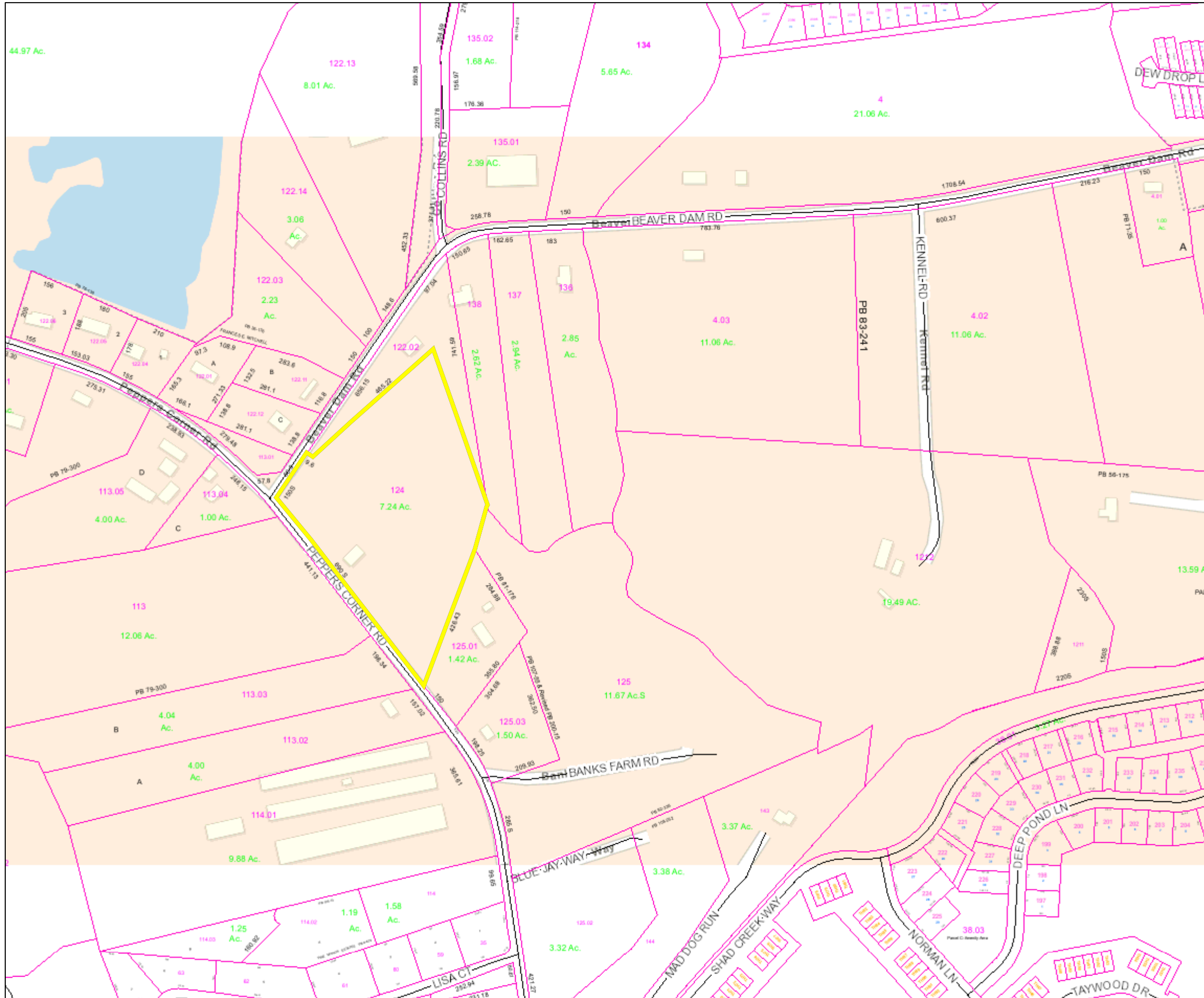
Site Area: 7.24 acres +/-

Tax Map ID.: 134-15.00-124.00





Sussex County



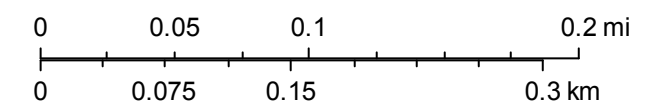
PIN:	134-15.00-124.00
Owner Name	MUELLER JOSHUA E
Book	5051
Mailing Address	32415 PEPPERS CORNER
City	FRANKFORD
State	DE
Description	N/CO RD BAYARD
Description 2	TO ABIES
Description 3	N/A
Land Code	

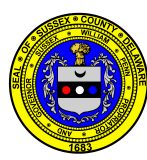
- polygonLayer**

 - Override 1
- polygonLayer**

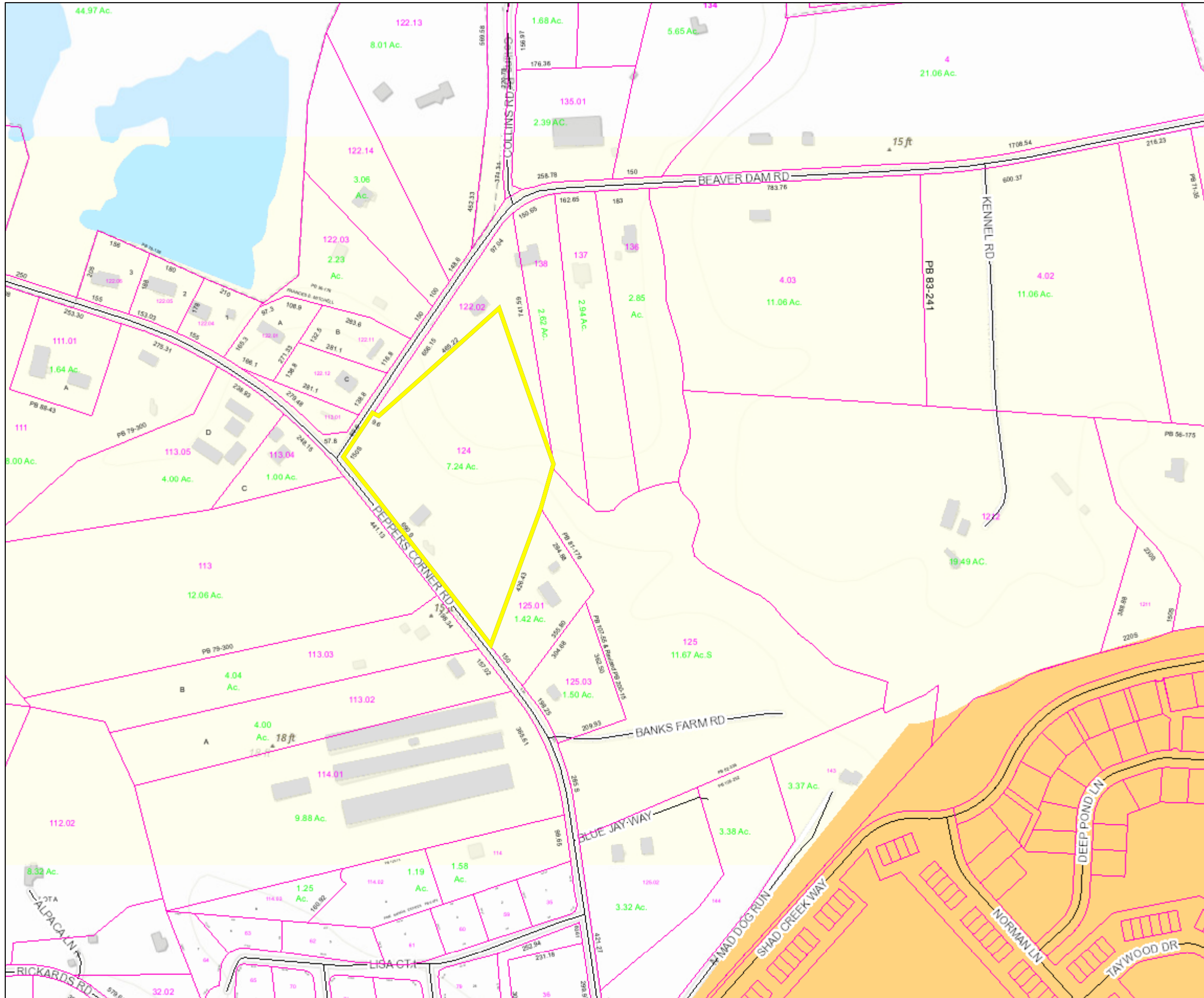
 - Override 1
 - Tax Parcels
 - Streets
 - County Boundaries

1:4,514





Sussex County



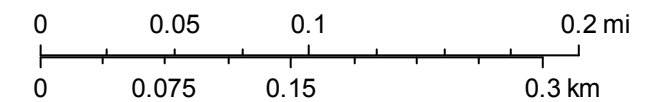
PIN:	134-15.00-124.00
Owner Name	MUELLER JOSHUA E
Book	5051
Mailing Address	32415 PEPPERS CORNER
City	FRANKFORD
State	DE
Description	N/CO RD BAYARD
Description 2	TO ABIES
Description 3	N/A
Land Code	

- polygonLayer**

 - Override 1
- polygonLayer**

 - Override 1
 - Tax Parcels
 - Streets

1:4,514



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: Ms. Lauren DeVore, Planner III
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant
Date: February 3, 2022
RE: Staff Analysis for CU 2305 Barnhill Preserve of Delaware, LLC

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2305 Barnhill Preserve of Delaware, LLC to be reviewed during the February 10, 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: 134-15.00-124.00 to allow for a zoological park to be located at 34215 Peppers Corner Road in Frankford, Delaware. The property is lying on the south side of Beaver Dam Road (S.C.R. 368) and on the northeast side of Peppers Corner Road (S.C.R. 365), approximately 0.61 mile southeast of Roxana Road (Route 71). The parcel consists of 7.24 acres +/-.

It should be noted that there is a tax ditch (the Beaver Dam Canal Tax Ditch) which runs through the center of the abovementioned property, of which the related tax ditch ROW is measured 50-ft from the top of bank (TOB) of the tax ditch. The tax ditch ROW was reduced to 50-ft through Court Order Change #39. It should be noted that all existing and proposed structures in relation to this proposal shall be relocated out of any tax ditch ROW.

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 parcels to the north, south, west (on the opposite side of Peppers Corner Road), and east of the subject property also have the Future Land Use designation of "Coastal Area." The property to the north of the parcels on the opposite side of Beaver Dam Road (S.C.R. 367) has a Future Land Use designation of "Municipalities" as these properties are located within the incorporated town limits of the Town of Millville.

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 (Sussex County Comprehensive Plan, 4-15).

The subject property is zoned Agricultural Residential (AR-1). All surrounding properties to the north, south, east, and west of the subject site are also zoned Agricultural Residential (AR-1).

There is a single parcel to the south which encompasses the Milo's Haven (F.K.A. Lakelynn's) Residential Planned Community which is zoned General Residential – Residential Planned Community (GR-RPC).

Since 1970, there have been several Conditional Uses within the vicinity of the project site. There have been four (4) Conditional Use applications within less than a 0.25-mile radius of the application site. The first application was Conditional Use No. 1254 for Bethany Beach Kennels to allow for a pet crematory in the Agricultural Residential (AR-1) Zoning District. This application was approved by the Sussex County Council on Tuesday, December 8, 1998, and this change was adopted through Ordinance No. 1275. The second application was Conditional Use No. 825 Morris E. Justice to allow for operation of a borrow pit in the Agricultural Residential (AR-1) Zoning District. This application was denied by the Sussex County Council on Tuesday, July 23, 1985. The third application was Conditional Use No. 1896 Timothy S. Miller for purposes of allowing mulch, boat and RV storage in an Agricultural Residential (AR-1) Zoning District. This application was approved by the Sussex County Council on Tuesday, August 2, 2011, and adopted through Ordinance No. 2206. The fourth application is for Conditional Use No. 2338 Lora Collins for purposes of an after-school program in an Agricultural Residential (AR-1) Zoning District. This application is currently pending scheduling for a public hearing before the Planning and Zoning Commission.

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

Owner Name	Second Owner Name	Mailing Address	City	State	Zipcode	PIN
GREENE RALPH W & SANDRA M	<Null>	35316 BEAVER DAM RD	FRANKFORD	DE	19945	134-15.00-122.02
ZUKAS MICHAEL S	<Null>	PO BOX 880	BETHANY BEACH	DE	19930	134-15.00-122.03
HERDA PAMELA S	<Null>	28099 ADKINS RD	SALISBURY	MD	21801	134-15.00-113.03
MUSTIN WILLIAM L III	MUSTIN MELISSA C	216 ROLING KNOLL ROAD	BEL AIR	MD	21014	134-15.00-125.03
ZUKAS MICHAEL	<Null>	PO BOX 880	BETHANY BEACH	DE	19930	134-15.00-122.11
PICKHOLTZ ERIC M & ALAN I PICKHOLTZ	<Null>	6850 ANTINORI LN	BOYNTON BEACH	FL	33437	134-15.00-122.12
WARNER BRIAN J LINDA	<Null>	35347 BEAVER DAM RD	FRANKFORD	DE	19945	134-15.00-122.13
RUHL WILLIAM A & MICHELE S	<Null>	35323 BEAVER DAM RD	FRANKFORD	DE	19945	134-15.00-122.14
MUELLER JOSHUA E	<Null>	32415 PEPPERS CORNER RD	FRANKFORD	DE	19945	134-15.00-124.00
MUSTIN WILLIAM L III	MUSTIN MELISSA C	216 ROLING KNOLL ROAD	BEL AIR	MD	21014	134-15.00-125.00
ZIFF ALYSSA TTEE OF ALYSSA ZIFF REV TR	<Null>	36144 BAYARD RD	FRANKFORD	DE	19945	134-15.00-114.01
JONES BRYAN T	COLLEEN S JONES	34214 PEPPERS CORNER RD	FRANKFORD	DE	19945	134-15.00-113.00
MORGAN KATHLEEN MARIE	JEANNETTE SUE CHURCHILL	36672 BREAKWATER RUN	SELBYVILLE	DE	19975	134-15.00-113.01
ZIFF ALYSSA TTEE OF ALYSSA ZIFF REV TR	<Null>	36144 BAYARD RD	FRANKFORD	DE	19945	134-15.00-113.02
TANNER GARY M	<Null>	10509 DEAKINS HALL DR	ADELPHI	MD	20783	134-15.00-125.01
GACK ARTHUR H	JAANA E GACK	35378 BEAVER DAM RD	FRANKFORD	DE	19945	134-15.00-137.00
GAINES ROBERT N SR & BARBARA E	HOVINGTON	35358 BEAVER DAM RD	FRANKFORD	DE	19945	134-15.00-138.00
LEWIS MARGARET ANN *FOR LIFE* THEN TO	WILLIAM A LEWIS & TERESA L LEWIS TRUSTEE	34154 PEPPERS CORNER RD	FRANKFORD	DE	19945	134-15.00-113.04

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

34215 Peppers Corner Road, Frankford, DE 19945

Type of Conditional Use Requested:

Zoological Park

Tax Map #: 134-15.00-124.00 **Size of Parcel(s):** +/- 7.24 Acres

Current Zoning: AR-1 **Proposed Zoning:** AR-1 **Size of Building:** Varies - see plan

Land Use Classification: Zoological Park

Water Provider: On-site well **Sewer Provider:** On-site septic

Applicant Information

Applicant Name: Barnhill Preserve of Delaware, LLC (contact: Joshua Mueller)
Applicant Address: 34215 Peppers Corner Road
City: Frankford **State:** DE **Zip Code:** 19945
Phone #: _____ **E-mail:** j.mueller@barnhillpreserve.com

Owner Information

Owner Name: Joshua E. Mueller
Owner Address: 34215 Peppers Corner Road
City: Frankford **State:** DE **Zip Code:** 19945
Phone #: _____ **E-mail:** j.mueller@barnhillpreserve.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: LandDesign/ Plitko LLC (contact: Tom Ford)
Agent/Attorney/Engineer Address: Oak Square, Suite 3, 53 Atlantic Avenue
City: Ocean View **State:** DE **Zip Code:** 19970
Phone #: (302) 537-1919 **E-mail:** tjford51@aol.com



Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

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

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

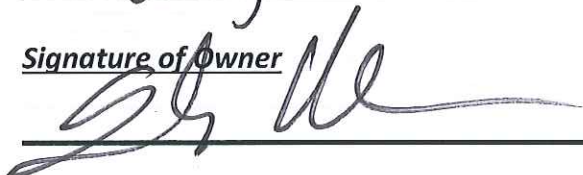
I also certify that I or an agent on my behalf shall attend all public hearing before the Planning and Zoning Commission and the Sussex County Council and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future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

Signature of Applicant/Agent/Attorney



Date: 9/1/21

Signature of Owner



Date: 9/1/21

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

NICOLE MAJESKI
SECRETARY

April 12, 2021

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

Dear Mr. Whitehouse:

This letter is to replace our letter dated April 9, 2021, regarding the **Joshua Mueller** proposed land use application. We are revising it to reflect a more specific land use.

The Department has completed its review of a Service Level Evaluation Request for the **Joshua Mueller** proposed land use application, which we received on March 30, 2021. This application is for an approximately 7.24- acre parcel (Tax Parcel: 134-15.00-124.00). The subject land is located on the southeast corner of Beaver Dam Road (Sussex Road 18) and Peppers Corner Road (Sussex Road 365). The subject land is currently zoned AR- 1 (Agricultural Residential) and the applicant seeks a conditional use approval for a Zoological Park.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along Peppers Corner Road (Sussex Road 365), from Beaver Dam Road to Central Avenue is 1,864 vehicles per day. The annual average daily traffic volume along Beaver Dam Road (Sussex Road 368), from Peppers Corner Road to Central Avenue (Sussex Road 84), is 1,999 vehicles per day.

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



Mr. Jamie Whitehouse
Page 2 of 2
April 12, 2021

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

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

Sincerely,



T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:aff

Enclosure

cc: Joshua Mueller, a Delaware LLC, Applicant
Russell Warrington, Sussex County Planning & Zoning
Constance C. Holland, 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



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

NICOLE MAJESKI
SECRETARY

April 9, 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 **Joshua Mueller** proposed land use application, which we received on March 30, 2021. This application is for an approximately 7.24- acre parcel (Tax Parcel: 134-15.00-124.00). The subject land is located on the southeast corner of Beaver Dam Road (Sussex Road 18) and Peppers Corner Road (Sussex Road 365). The subject land is currently zoned AR- 1 (Agricultural Residential) and the applicant seeks a conditional use approval for Agrotourism.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along Peppers Corner Road (Sussex Road 365), from Beaver Dam Road to Central Avenue is 1,864 vehicles per day. The annual average daily traffic volume along Beaver Dam Road (Sussex Road 368), from Peppers Corner Road to Central Avenue (Sussex Road 84), is 1,999 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 DeIDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. DeIDOT'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. DeIDOT's description of this application as diminutive with regard to warranting a TIS does not mean that it is diminutive in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.



Mr. Jamie Whitehouse
Page 2 of 2
April 9, 2021

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

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

Sincerely,



T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:aff

Enclosure

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

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

RECEIVED

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **1/14/2022**

APPLICATION: **CU 2305 Barnhill Preserve of Delaware, LLC**

APPLICANT: **Barnhill Preserve of Delaware, LLC**

FILE NO: **SPS-5.04**

TAX MAP &
PARCEL(S): **134-15.00-124.00**

LOCATION: **Lying on the east side of Peppers Corner Road (SCR 365),
approximately 350 feet southeast of Beaver Dam Road (SCR
368)**

NO. OF UNITS: **Zoological Park**

GROSS
ACREAGE: **7.24**

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

JAN 19 2022

SUSSEX COUNTY
PLANNING & ZONING

SEWER:

- (1). Is the project in a County operated and maintained sanitary sewer and/or water district?
Yes No
- a. If yes, see question (2).
- b. If no, see question (7).
- (2). Which County Tier Area is project in? **Tier 2**
- (3). Is wastewater capacity available for the project? **Yes** If not, what capacity is available? **N/A.**
- (4). Is a Construction Agreement required? **Yes** If yes, contact Utility Engineering at (302) 855-7717.
- (5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **N/A.** Is it likely that additional SCCs will be required? **Yes** If yes, the current System Connection Charge Rate is **Unified \$6,600.00** per EDU. Please contact **Noell Warren** at **302-855-7719** for additional information on charges.

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **Yes**
- Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **Yes**
- (8). Comments: **Click or tap here to enter text.**
- (9). Is a Sewer System Concept Evaluation required? **Yes, Contact Utility Planning at 302-855-7370 to apply**
- (10). Is a Use of Existing Infrastructure Agreement Required? **Yes**
- (11). **All residential roads must meet or exceed Sussex County minimum design standards.**

UTILITY PLANNING & DESIGN REVIEW APPROVAL:



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

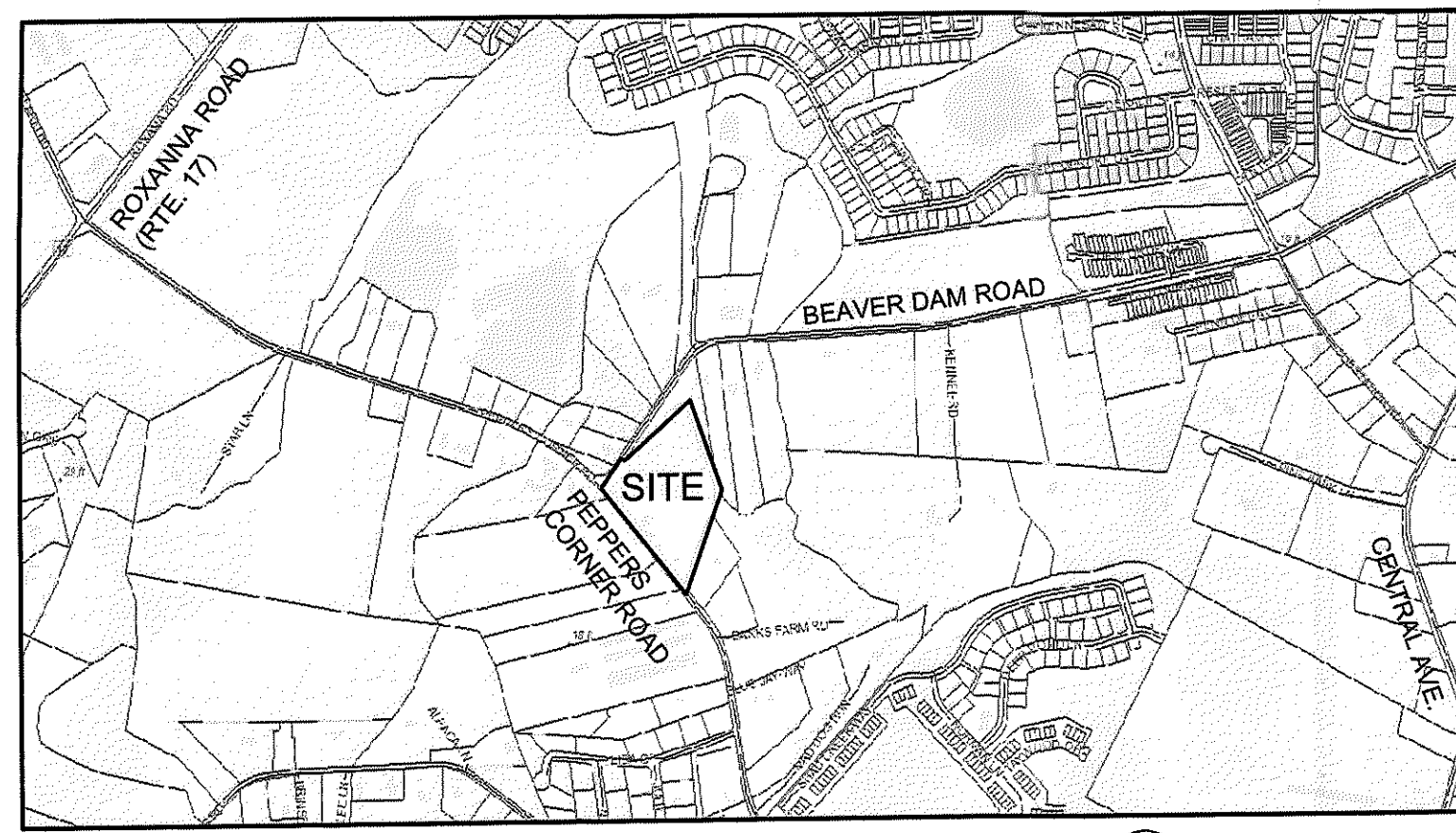
Xc: Hans M. Medlarz, P.E.
Lisa Walls
Noell Warren

Policy for Extending District Boundaries

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

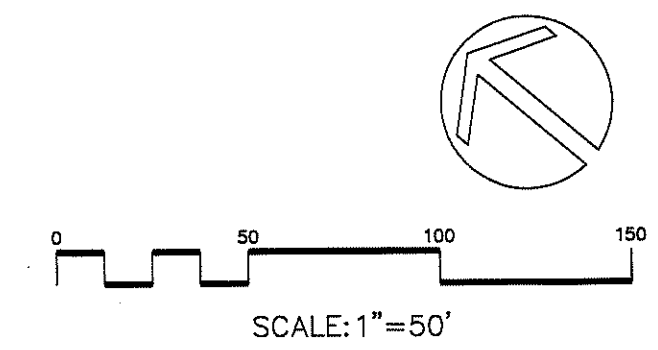
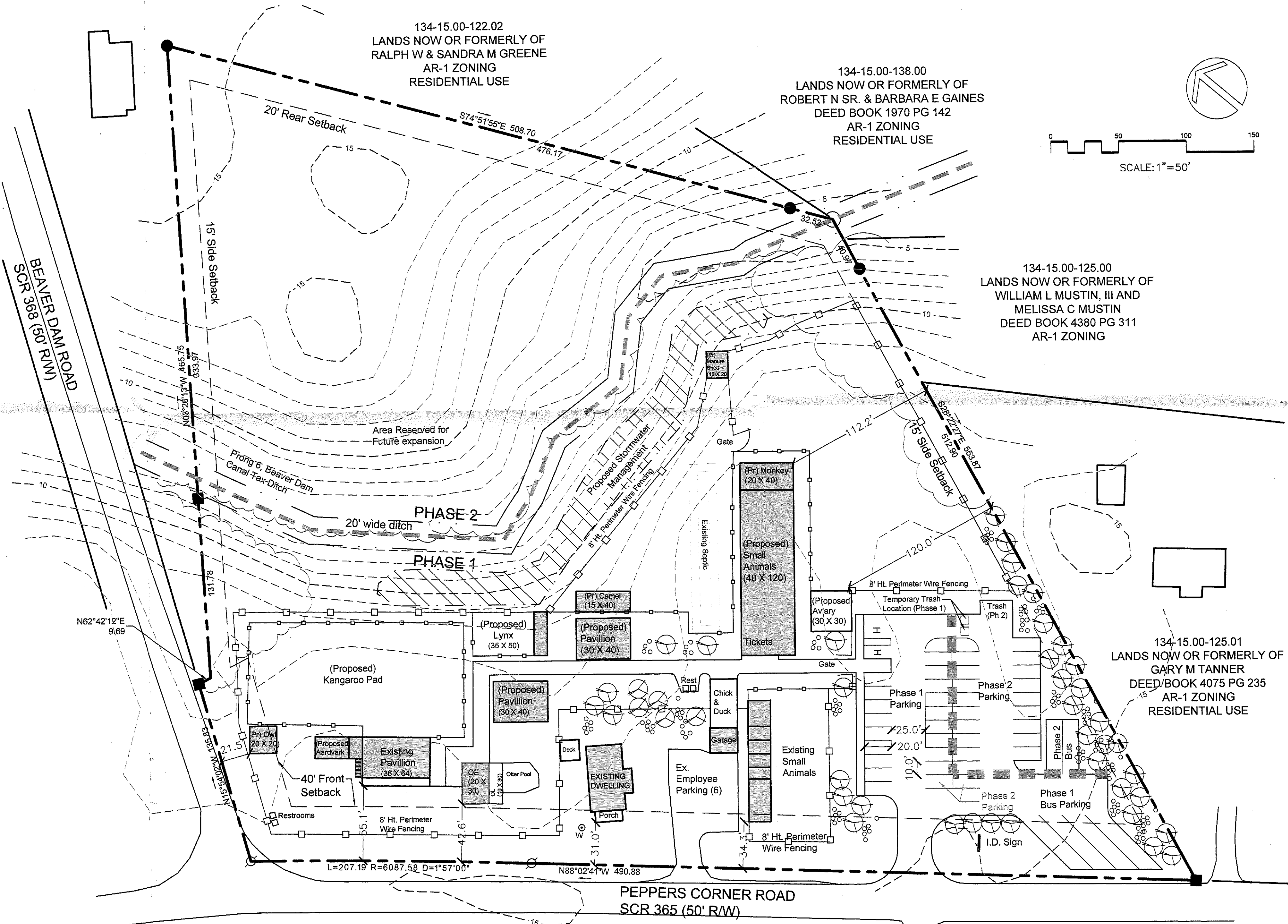
Application Fees	
Less than 2 acres	\$500.00
2.1 -9.99 acres	\$750.00
10 - 150.00 acres	\$1,500.00
Greater than 150.00 acres	\$2,500.00

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



VICINITY MAP
SCALE: 1"=1000'

- LEGEND:**
- PARCEL BOUNDARY
 - BUILDING SETBACK LINE
 - - - EXISTING TOPOGRAPHY
 - - - EXISTING TREELINE
 - ⊙ EXISTING WELL LOCATION
 - PROPOSED 8' PERIMETER FENCE LINE
 - PROPOSED ANIMAL ENCLOSURE FENCE LINE
 - PROPOSED PHASE LINE
 - PROPOSED LANDSCAPE PLANTINGS
 - ▨ PROPOSED STORMWATER MANAGEMENT (TO BE ENGINEERED)



SITE DATA:

1. TAX PARCEL: 134-15.00-124.00
PARCEL AREA: ±7.24 AC.
- LOCATION: 34215 PEPPERS CORNER ROAD
FRANKFORD, DE 19945
2. OWNER: JOSHUA E. MUELLER
34215 PEPPERS CORNER ROAD
FRANKFORD, DE 19945
- DEVELOPER: BARNHILL PRESERVE OF
DELAWARE, LLC
34215 PEPPERS CORNER ROAD
FRANKFORD, DE 19945
3. PRESENT ZONING: AR-1
PRESENT LAND USE: RESIDENTIAL/ WILDLIFE
EDUCATION CENTER
4. SEWER PROVIDER: ON-SITE SEPTIC
WATER PROVIDER: ON-SITE WELL
5. STATE INVESTMENT LEVEL: LEVEL 3

PROPOSED:

1. PROPOSED ZONING: AR-1 CONDITIONAL USE
PROPOSED LAND USE: ZOOLOGICAL PARK
PROPOSED BUILDINGS: AS SHOWN
2. BUILDING SETBACKS:
FRONT YARD: 40'
SIDE YARD: 15'
REAR YARD: 20'
MAX. BUILDING HEIGHT: 42'
3. PARKING: AS SHOWN
EXISTING: 6 EMPLOYEE SPACES
PHASE 1: 20 SPACES, 4 BUS SPACES
PHASE 2: 20 SPACES, 2 BUS SPACES

NOTES:

1. BOUNDARY SURVEY SOURCE: SIMPLER SURVEYING & ASSOCIATE FROM A DRAWING TITLED "LANDS OF GERALD K MUELLER & RUIHUA MUELLER", DATED AUGUST 4, 2005.
2. PRELIMINARY TOPOGRAPHY FROM SUSSEX COUNTY MAPPING WEBSITE. A TOPOGRAPHIC SURVEY WILL BE PERFORMED ON THE SITE AS THE PROJECT PROGRESSES.
3. THERE ARE NO FEDERAL 404 LANDS ON PHASE 1. THERE ARE NO STATE TIDAL WETLANDS ON PHASE 1. PHASE 2 TO BE EVALUATED FOR WETLANDS AT LATER DATE.
4. SITE IS IN FLOOD ZONE X (UNSHADED) AS SHOWN PER FEMA FLOOD MAP 10005C0495K DATED MARCH 16, 2015.

OWNER'S PLAN DEVELOPMENT APPROVAL:
I, as owner of the project shown, hereby approve these plans for development as shown or otherwise noted.

Joshua Mueller 9/1/21 Date
Joshua Mueller
Barnhill Preserve of Delaware, LLC

PREPARED BY

P PLITKO, L.L.C.
53 ATLANTIC AVE., STE 3
OCEAN VIEW, DE 19970
PH: 302-537-1919

Robert Plitko, Jr. 9-7-2021 DATE
Robert Plitko, Jr., PE DE#14093

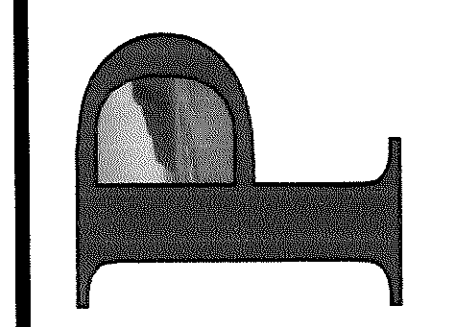
PRELIMINARY PLAN

REVISIONS

NO.	DATE	DESCRIPTION

LAND DESIGN
Surveying / Landscape Architecture
1001 S. DuPont Highway, Suite 403, Ocean View, DE 19970
302.537.1919 / landdesign@landdesign.com

PLITKO, LLC
53 ATLANTIC AVE., STE 3
OCEAN VIEW, DE 19970
Phone (302)-222-2075



PRELIMINARY PLAN
BARNHILL PRESERVE
34215 PEPPERS CORNER ROAD
BALTIMORE HUNDRED SUSSEX COUNTY DELAWARE

SITE PLAN: TJF	DATE
DRAWING: RWB	8/4/21
REVIEW: SLF	
SHEET	1
	OF 1 SHEETS

C:\Users\jag2017\Dropbox\Family Room\PLITKO.LLC_Plot\Barnhill_Bayard\Current\2021\0713-AR1.dwg, 9/1/2021 11:21:53 AM, HP Designfile 800 42 by HP, 1:1, LANDDESIGN, INC.

COVER LETTER

Enclosed you will find a letter from the Pickholtz Family requesting denial of the Application from Barnhill Preserve case no.# C/U 2305 to conduct a a large commercial enterprise in a Residential area.

In preparing this document we were surprised to learn that this Commercial Enterprise has been running for close to 2 years already without approval from any Sussex County licensing board. We have included some photos from their website.

We hope you will share this letter with the zoning board members and at the zoning meetings scheduled for Feb. 10th and March 22nd. We hope to attend both meetings either virtually and/or in person.

You can contact us in these ways at present:

email: barbarapickholtz@comcast.net

fax: 561 734-9008

mail: Barbara Pickholtz, 6850 Antinori Lane, Boynton Beach , FL 33437

RECEIVED

JAN 27 2022

SUSSEX COUNTY
PLANNING & ZONING

January 24, 2022

TO: Mr. Jamie Whitehouse, Director Sussex County Planning and Zoning Commission

FROM: The Pickholtz Family, 35271 Beaver Dam Road, Frankford , DE 19945

RE: Case # C/U 2305 - Barnhill Preserve of DE, LLC - Use of Land in an AR-1 for a Zoological Park in Frankford , DE

The Pickholtz Family members have been owners of residential properties in Sussex County since 1989. This letter is in reference to a currently owned property at 35271 Beaver Dam Road in Frankford and the zoning issue case listed above.

We believe that approval of this variance will impact in a negative way on the environment of this area, it's quiet beauty, and its residential nature. People who bought homes and live in this area did so to relax and enjoy this beautiful area of Sussex County knowing that no large commercial enterprise would be built in their backyards.

Furthermore, we do not understand how the owner of this property has already been allowed to actually conduct this business without county approval. The website for this commercial business indicates many activities already taking place, including the serving of liquor. Has the business been granted a liquor license ?

In researching the term "zoological park", we have found that most often these are large commercial enterprises. We feel this particular type of commercial enterprise has many downsides including safety issues, noise issues, traffic issues, waste management and rubble issues. It could also have a potential negative impact on the property values of the surrounding residents. This cannot compare to a small farm market or other small commercial endeavor by a landowner.

In addition, the zoo animals already living on the property, not domestic or farm animals, can sometimes be heard crying at night. Maybe the Humane Society or ASPCA should have input as to whether this is an appropriate use of residential/agricultural land?

We therefore urge you to deny this zoning request and to instruct the owner of the property to find a safe zoo for these animals. These animals belong in an appropriate environment? They are being kept here for the sole purpose of human amusement and large profits!

How VERY SAD !!



Book LA!

Barn Hill Louisiana

Book DE!

225-286-3003

Barn Hill Delaware

Sippin' With Sloths

Become fast friends with the slowest creature on earth while enjoying a glass of vino.



Sloths are the world's slowest creatures and are beloved by countless people. Barn Hill preserve is home to several two-toed sloths, and is now offering tickets for monthly Sippin with Sloths events!

During your time with us, you will learn all about sloth behavior and ecology, pose for so many selfies, and top it all off by hand-feeding one of our special slow-moving guests of honor! Oh and did we mention you get to drink wine while doing it?

Tickets are sold by table size and include a beverage for each seat, a private sloth encounter for your group, and a 4x6 glossy print of your encounter.

Slow Down

A sloth's top speed, when threatened is .17 MPH.

Animal Safety

A top priority is to ensure our animal ambassadors are safe and secure at all times.

Don't Touch!

A sloth's skin is extremely sensitive, and the oils from human hands can cause significant harm to them

Support Conservati

A portion of every ticket goes toward supporting conservation across the



Book LA!

Book DE!

225-286-3003

Barn Hill Louisiana

Barn Hill Delaware



The World of Animals is Waiting for You

Barn Hill is home to over 25 species of exotic animals including
two-toed sloths, red kangaroos, an armadillo and more!



City Visits

[Learn More](#)



Sippin With Sloths

[Learn More](#)



Kangaroo Yoga

[Learn More](#)



Paint N Sip

[Learn More](#)

Hear From Satisfied Park Guests

We use cookies on our website to see how you interact with it. By accepting, you agree to our use of such cookies. [Privacy Policy](#)

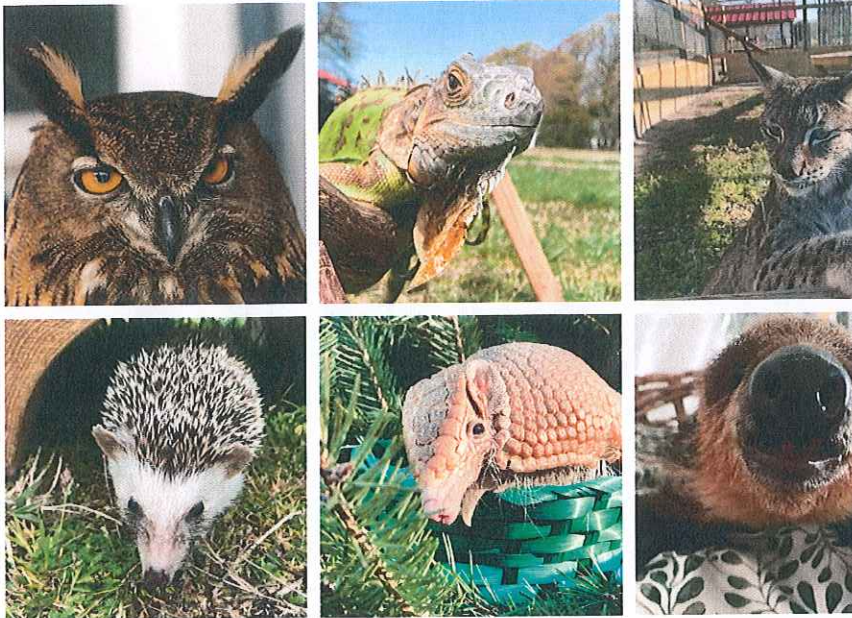
Settings

Accept



enthusiastic. They were protective of my children and gentle with the creatures. It was 2 hours of close animal encounters. Most but not all of the animals we got to pet and hold. There was not one boring moment. We were completely entertained. We were captive to the beautiful animals of Barn Hill Preserve. It was only 12 miles from Ocean City. Do not miss this awesome experience! It doesn't look like anything on the outside but the facility is new and the experience was worth every penny.

Ivyhorse I. via Google



Meet Our Animal Ambassadors

[View Gallery](#)

Need to Know Info

A well-informed guest is a happy guest

The majority of our facility and encounter tours are under covered shelter, meaning rain will not be a factor for planning your visit to us.

Outside animals, including dogs, are not allowed to attend due to the fact that we have live animals, and cannot predict how they and your pet will interact. This is for everyone's safety.

Please plan to arrive 10-15 minutes prior to your scheduled visit so we can have you checked in and begin the presentation on time. If you arrive late, there is no guarantee you will get the full presentation experience.

We ask that you purchase your tickets prior to your visit. We only have select dates and times that we are open and each time slot has a max amount of participants to ensure everyone has a memorable experience.

Each encounter is specific to the animal being encountered. Some animals are dangerous to pet or are solitary so our encounter will allow you to get up-close without endangering you or our animals. Most of the time if an animal can't be touched, we offer hand feeding opportunities to still get that bonding moment with our animals!

We do not allow smoking or vaping at our facility and ask that you step outside of our perimeter fence to do so.

Check Out Our Upcoming Events

We use cookies on our website to see how you interact with it. By accepting, you agree to our use of such cookies. [Privacy Policy](#)

Settings Accept X



Book LA!

Barn Hill Louisiana

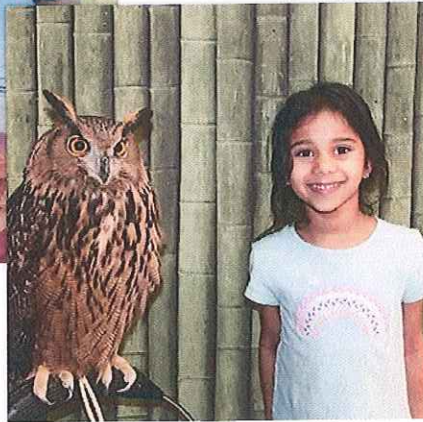
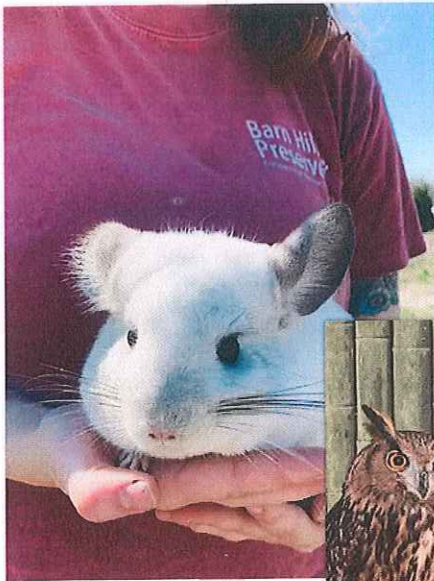
Book DE!

225-286-3003

Barn Hill Delaware

Encounter Tours

Get wild at Barn Hill Preserve with our animal shows and encounter tours!



A Barn Hill Preserve Animal Show is a 30 minute educational presentation featuring five of our awesome animal ambassadors!

During the show, you and your group will learn about each animal's behaviors and other fun facts about them, even get to touch and feel some of those animals as well! If you are interested in a more interactive experience, the Encounter Tour is for you!

An encounter tour includes the animal show PLUS our kangaroo walkabout and encounters with our birds, a small mammal, and three reptiles! Sloth encounters are also available as an additional add-on to both types of experiences.

Animal Abundance

Barn Hill is home to over 25 different varieties of animal species, so you are sure to find some creatures you may have never heard of.

Knowledge is Power

Our caretakers have expert level knowledge, and have built close bonds with the animals. Combined, those two things make for an unforgettable visit at our facility.

Constant Expansion

Barn Hill Preserve of Delaware began as a fully mobile unit, and began welcoming visitors to our property in 2020. We strive to continually improve the facility for our animals and our guests!

Family Fun

Since we place such an emphasis on education through hands on experience, encounter tours are perfect for kids & a great family bonding activity.

Pricing & Info

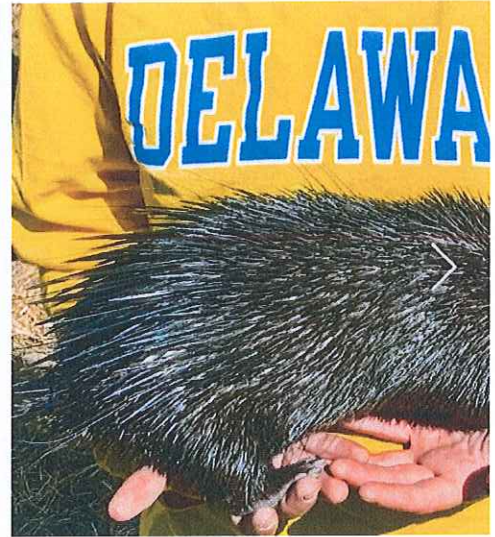
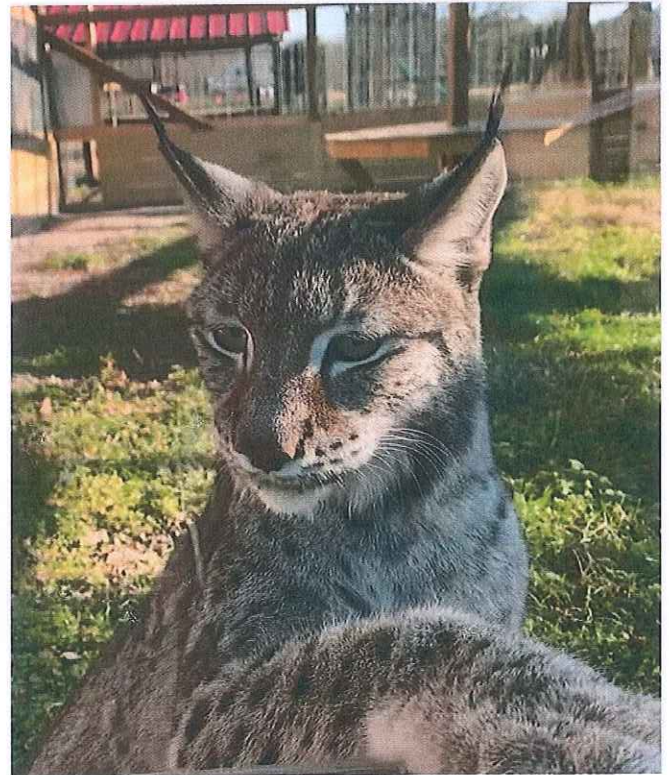
We take the safety of our animal ambassadors very seriously, so some animals may not be available to see the public due to medical treatment, behavior, etc.

Animal Show Tickets are our base level ticket and lasts 30 minutes. Encounter Tour Tickets include an animal show plus about an hour more full of up-close and personal encounters with our animal ambassadors.

Animal Show Ticket
 Adults (12+ years old): \$30
 Child (3-11 years old): \$20
 Children 2 & Under: FREE
 Senior/Sussex County Local: \$25

Encounter Tour Only Tickets: \$60

Book Now!



Hear From Satisfied Guests

Guess what part of our BEACH vacation our family loved the most??
 Nope, not the beach - Barn Hill Preserve!! The animal encounters were

NOTICE PUBLIC HEARING

Before the Sussex County Planning and Zoning Commission and Sussex County Council. To be held concerning this property in the county. Administrative Office Building, Georgetown, Sussex County, Delaware
Application Of: WALTON HESSNEY, DAVID Case No. CU 2305
Who Is Seeking a Conditional Use of Land in: AGRICULTURAL
RESIDENTIAL Zoning District for: _____

Sussex County Planning and Zoning Commission Hearing
to be held: Date: FEBRUARY 9, 2022 Time: 5:00 PM

Sussex County Council Hearing To be held
Date: MARCH 22, 2022 Time: 1:30 PM

Text and maps of this application may be examined
at the planning and zoning office in the county administrative
office building or additional information may be obtained by
calling (302) 855-7878